

BOROUGH OF KETTERING

Committee	Full Planning Committee - 04/09/2014	Item No: 5.8
Report Originator	Richard Marlow Development Officer	Application No: KET/2014/0448
Wards Affected	Rothwell	
Location	Orton Road (Land off), Rothwell	
Proposal	Approval of Reserved Matters: Appearance, landscaping and layout details in respect of KET/2010/0469. Secure 24 hour truck stop facility, diesel filling station and amenity/services building	
Applicant	Rothwell Land 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

THE DEVELOPMENT CONTROL MANAGER RECOMMENDS that this application be APPROVED subject to the following Condition(s):-

1. The development hereby permitted shall not be carried out other than in accordance with the plans and details shown on the attached plan list.

REASON: In the interests of character, appearance and amenity in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy

2. Refrigerated lorries shall only be parked in the designated area for the parking of refrigerated vehicles, shown on the approved layout plan 4165-01 L received 9 July 2014 by the Local Planning Authority, and nowhere else on site.

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

3. 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 period of construction. The Construction Management Plan shall include and specify the provision to be made for the following:

- i. An overall strategy for managing the environmental impacts which arise during construction;
- ii. Measures to control the emission of dirt and dust;
- iii. Control of noise emanating from the site during the construction period;
- iv. Hours of operation during construction;
- v. A daily log of all vehicles attracted to the site shall be kept and made available for inspection at the request of the Local Planning Authority;

- vi. Contractors' compounds, material storage and other storage arrangements, plant and equipment and related temporary infrastructure within the site;
- vii. Designation, layout and design of construction access and egress points;
- viii. Directional signage on and off site;
- ix. Provision for emergency vehicles;
- x. Provision for all site operatives, visitors and delivery vehicles for parking and turning within the site during the construction period;
- xi. The proposed dust monitoring from the site and proposals for dust suppression measures.
- xii. Detailed monitoring of material to ensure that the material deposited is clean and raises no environmental concerns.

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

Officers Report for KET/2014/0448

This application is reported for Committee decision because the proposal is of such a sensitive nature which, in the opinion of the Head of Development Services, is a matter that is considered appropriate to be put before committee for a decision.

3.0 Information

Relevant Planning History

KET/2013/0800 Storage of stone for 2 years in conjunction with KET/2010/0469. Refused 05.06.2014

KET/2010/0469 Outline Application (appearance, landscaping and layout to be reserved matters): Secure 24 hour truck stop facility, diesel filling station and amenity/ services building. Refused 23.02.2012 on the grounds that the application failed to demonstrate the long term protection of the site in the event that the truck stop use ceases. Allowed on Appeal subject to S106 obligation securing a bond for the anticipated costs of a restoration scheme in the event that the land ceased to operate as a truck stop facility for a continuous period of 12 months before the end of the designated restoration period of 3 years six months.

The inspector found that the need for the facility outweighed the conflict with development plan policy in terms of development in the open countryside. Whilst the impact of the development on the landscape was recognised, it was considered that the change could be integrated without having an undue impact on the wider landscape. The Inspector concluded the submitted 106 obligation provided restoration for the initial years and this provided for a reasonable balance to ensure protection of the countryside and the success of the scheme. The S106 agreement was made on 8 October 2012.

KET/2010/0211 Environmental Impact Screening Opinion. Outline application (all matters reserved) for secure 24 hour HGV parking site facility, diesel filling station and amenity/ services building. On the applicant's request, the Secretary of State issued a screening direction advising the scheme was not EIA development.

KET/2009/0142 Secure 24 hour truck stop facility, diesel filling station and amenity/ services building. Refused 21.07.2009 on grounds of lack of insufficient information and justification in respect of the environment, development in the open countryside, need, alternative sites, flood risk, ecological, highway, archaeology, noise, air quality, scale, energy efficiency and remediation.

KET/2006/1140 Outline: Development of an employment park including Class B1, B2 and B8, hotel, leisure and conference centre. Refused 29.01.08 on the grounds of; contrary to the sequential approach to sustainable development; prejudicial to an allocation in Rothwell and contrary to PPS25 sequential test and visual impact.

KE/01/0659 Outline. Development of land for business, industrial, storage and distribution uses, police accommodation, roadside service area including filling station, restaurant and lorry park with associated infrastructure, access and parking. Recommendation of approval subject to a S106 obligation, however the S106

obligation was never signed and as a result, consent for the proposal was never granted.

Site Description

Officer's site inspection was carried out on 15 July 2014. The site has an area of 6.25 hectares and is located on the eastern side of Orton Road, immediately to the south of the site is the A14. The site is currently used for the grazing of horses and is located in the open countryside and rural in character. The closest residential property is Slade Valley House which is directly opposite the site on the eastern side of Orton Road. Orton village is located approximately 1km to the south of the site. Land to the east of the site is also used for horse grazing and there is small scale industrial use operating on land to the south on Orton Road.

The site slopes gently from north to south and is enclosed by existing vegetation along the east, south and western boundaries of the site. There are two existing ditches that run diagonally across the site linking with the Slade Brook which forms the southern boundary of the site. The site is currently accessed from Orton Road via a narrow farm track.

Proposed Development

The KET/2010/0469 permission was granted in outline with scale and access determined at that stage. This application seeks permission for the outstanding reserved matters of layout, appearance and landscaping.

Any Constraints Affecting The Site

Trunk Road

Nene Valley NIA Boundary

Open Countryside

Environmental Impact Assessment (EIA)

The outline scheme was not EIA development and the Secretary of State issued an EIA Screening Opinion to this effect. The Local Planning Authority has however screened the reserved matters application to ensure this new application does not give rise to significant environmental effects. The Screening Opinion concludes that the reserved matters application does not require an Environmental Statement.

4.0 Consultation and Customer Impact

Orton Parish Meeting

- Our main concerns are noise attenuation, light and environmental pollution together with the traffic implications for the village.
- We objection to the landscaping plans. It is desirable to use native trees and shrubs where possible but the 24 hour lorry park in open countryside cannot be concealed by dogwood and rowan. The object of the planting should be to hide this gross intrusion with whatever trees that achieve this in the shortest possible time.
- There are no evergreen trees in the mixture and therefore what will happen in the winter? We really need to see hybrid poplar, willow and maybe Scots Pine or Western Red Cedar to give a winter screen.
- We need to see detailed cross sections of the proposed bunds.

- We find this piece-meal application process unacceptable and need to see full detailed plans including lighting and noise attenuation measure, bund position and realistic tree planting.

Rothwell Town Council

- Rothwell Town Council still feels that around 200 spaces for trucks is far too many for this site so this would be over-development.
- There is not sufficient space between the parking areas and the Slade Brook and we ask for a wide bund along the length of the Brook to prevent adverse environmental pollution of the brook and its tributaries.
- This is a wetland area and sufficient precautions should be undertaken to prevent flooding on this site and adjoining area.
- There must be a condition on the approval that the widening of Orton Road and the access road into the site must be constructed first and sufficient off-road parking made available before actual building is commenced.

Environment Agency

No objection to the proposed reserved matters application and have recommended an informative regarding flood defence consent should consent be given.

Natural England

No objection. Based on the information provided Natural England Advises the Council that the proposal is unlikely to affect any statutorily protected sites. Directed the Council to standing advice on protected species.

Wildlife Trust

No comments or feedback that we would wish to make on this occasion in respect of the proposals.

Environmental Health

No comment or objection.

Highways Authority

No comments on the submitted documents. The Highways Authority has confirmed during discussions that widening of the Orton Road between the site access and A14 junction is secured through the approved access plan at outline stage. They would also anticipate that the approved access point is used to access the site from the onset of development.

Highways Agency

Have provided comments in relation to the routing signage strategy required by condition 25 of the outline permission. These comments are set out in the accompanying approval of committee report detailed elsewhere on the committee agenda.

Northamptonshire Police

Northamptonshire Police has no formal objection to the proposal but has concerns relating to security (dealt with under condition 13 of the outline permission KET/2010/0469).

East Northamptonshire Council

No objection

Northampton Borough Council

No observations

Corby Borough Council

Corby Borough Council does not wish to make comments on the submitted reserved matters application.

Borough Council of Wellingborough

No comments.

South Northamptonshire Council

No comments

5.0 Planning Policy

National Planning Policy Framework

Paragraph 17 Core planning principles

Policy 1 Building a strong competitive economy

Policy 4 Promoting sustainable transport

Policy 7 Requiring good design

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

Policy 11 Conserving and enhancing the natural environment

Development Plan Policies

North Northamptonshire Core Spatial Strategy

Policy 1 Strengthening the Network of Settlements

Policy 5 Green Infrastructure

Policy 9 Distribution and Location of Development

Policy 11 Distribution of jobs

Policy 13 General Sustainable Development Principles

Policy 14 Energy Efficiency and Sustainable Construction

Local Plan

Policy 7 Protection of the Open Countryside

Policy 58 Employment within Towns

SPDs

Sustainable Design SPD

6.0 Financial/Resource Implications

None

7.0 Planning Considerations

The key issues for consideration in this application are:-

1. Principle of Development
2. Layout, Design and Appearance
3. Impact on Residential Amenity
4. Landscaping
5. Highways
6. Other matters

1. Principle of Development

The principle of development on this site has already been established under the outline consent KET/2010/0469 for a secure 24 hour truck stop facility, diesel filling station and amenity/ services building. The Inspector allowed the appeal subject to S106 obligation securing a bond for the anticipated costs of a restoration scheme in the event that the land ceased to operate as a truck stop facility for a continuous period of 12 months before the end of the designated restoration period of 3 years six months. The S106 agreement was made on 8 October 2012.

The Inspector found that the need for the facility outweighed the conflict with development plan policy in terms of development in the open countryside. Whilst the impact of the development on the landscape was recognised, it was considered that the change could be integrated without having an undue impact on the wider landscape. The Inspector concluded the submitted 106 obligation provided restoration for the initial years and this provided for a reasonable balance to ensure protection of the countryside and the success of the scheme.

The KET/2010/0469 permission was granted in outline with scale and access determined at that stage. This application seeks permission for the outstanding reserved matters of layout, appearance and landscaping.

2. Layout, Design and Appearance

Policy 13 (h) of the North Northamptonshire Core Spatial Strategy requires that developments be of a high standard of design, architecture and landscaping and respect and enhance the character of the surrounding area.

Part of the outline (appeal) application included indicative layout plans which have been heavily influenced by the various site constraints, including existing water courses on site, established vegetation on the boundaries to the east, south and west of the site and surrounding land uses. The Inspector in approving the outline application limited the scale of the development through condition 5 to a maximum of 204 lorry parking spaces. The reserved matters application follows the parameters set out in the indicative layout plan with revisions made to the building size and the addition of a refuse and recycling area.

The layout provides access into the north of the site from the approved access point detailed on the approved plans condition of the outline application. The diesel filling station is located to the east of the site and would provide re-fuelling to accommodate 4 HGVs at any time with associated entry, exit and fuel payment

kiosks in this location. The access road serving the site would provide a queuing lane to stack 12 HGVs clear of the public highway and would provide access to an area of unsecured parking adjacent to the fuel forecourt for the parking of light goods vehicles. The bulk of the site is comprised of secure parking for 204 HGVs within an area secured by 3m high security fencing. To the east of the site a total of 29 lorry spaces are provided for refrigerated vehicles to maximise the separation distance between these vehicles and the neighbouring residential property at Slade Valley House to the west. One hundred and sixty of the spaces are set centrally within the site and to the south of the main services and amenity building which sits between the surface level parking and site access road. The lorry parking is separated from Orton Road and the residential property to the west by a 3m high noise bund and a significant area of proposed soft landscaping that will screen views into the site and protect neighbouring amenity. It is considered that the proposed layout provides an appropriate arrangement of built form and hard and soft landscaping on the site and will assist in minimising the impact of the development on the surrounding areas. The access arrangements and the layout also ensure that the proposal would not prejudice highway safety and the highway authority has no objection to the proposal.

The single storey service amenity building measures 46m by 20m and is to be constructed of mid grey profile plasticol roof panels, with light grey micro-rib insulated panel walls set above a low facing brick band. The building features a curved roof with maximum height of 5.8m which overhangs the elevations of the building, providing a visually interesting contemporary structure and a high quality design. Therefore, officers consider there would be minimal visual impacts. The roof will also incorporate solar thermal panels to meet 10% of the energy demand on site as required by policy 14 of the North Northamptonshire Core Spatial Strategy. Fenestration on all elevations will provide ample natural light into the building and the limited eaves height at 4.2m, and siting, will ensure that the building is set down within the site and screened by proposed landscaping. The building is set a minimum of 160 metres from the nearest residential property to the west. Adjacent to the amenity building a timber enclosed refuse and recycling storage area would be set within an area of landscaping and provide ample storage for waste generated on site.

The filling station is functional in its design and set a minimum of 34m from the site boundary to the east. The canopy of the forecourt would be at a height of 6.8m to allow the passage of HGVs and constructed of aluminium corrugated roof. The simple design of the structure is in keeping with the approved use for the site and due to its position within the site will be acceptable in this location. The structure is not considered to be visually harmful bearing in mind its function.

Details of hard and paved materials have been submitted with the application. This includes the use of tarmac for the access road, footpath to the site entrance and the parking for staff and light goods vehicles, and concrete hardstanding for the HGV parking. The hard and paved surfaces proposed are a fundamental requirement for the operation of the site as a lorry park and whilst the surfacing will have an urbanising effect on the existing site, they will not cause undue visual impact from outside of the site.

The submitted levels and cross-section plans demonstrate that the existing topography of the site slopes gently from north to south towards the Slade Brook. Proposed levels within the site are not significantly changed through this proposal and in particular the south-western and western element of lorry parking closest to Orton Road will be set slightly lower than existing levels. The proposed bund will sit 3m above the lorry park hardstanding and will be planted with a range of tree and shrub species. The boundary treatments for the site will need to be approved as part of the discharge of conditions under the outline application. In addition consideration of the landscaping of the site will be subject to a separate consideration as detailed below.

In conclusion, subject to the development being undertaken in accordance with the approved plans, it is considered the scheme will provide for a good quality development which will sit comfortably within the landscape. The application provides a layout and building design that is appropriate in minimising its impact on the open countryside location and helps blend the development into the landscape.

3. Impact on Residential Amenity

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

The closest residential property to the application site is Slade Valley House which is located approximately 50 metres to the west of the HGV parking, on the opposite side of Orton Road. The layout plan submitted as part of the application shows Slade Valley House being opposite the south western corner of the site which will consist of landscaping and a 3 metre high landscaped noise bund. Slade Valley House has various ground and first floor habitable room windows which face towards the application site.

The layout and landscape plans submitted indicate that the land associated with the development immediately to the east of the dwelling will comprise landscaping rather than being used for parking purposes. The plans submitted show that some care has been taken to ensure that those activities that will generate most noise and disturbance are located as far as possible away from the occupants of Slade Valley House. For example, only the secure area on the eastern edge of the site will be used to park HGVs with refrigeration units and can be secured by condition. The areas of the site that will experience the greatest levels of traffic flow including the site access road and refuelling station have been sited as far away as possible from Slade Valley House. Other mitigation measures are also proposed with the provision of a landscaped bund located to the south western corner of the site to reduce the impact of noise disturbance on Slade Valley House.

A noise assessment was produced in support of the outline application which highlighted noise generating activities on site including the manoeuvring of vehicles, refrigeration plants and the fuel pump area. Environmental Health was satisfied that the indicative plan demonstrated that the amenity of Slade Valley House could be adequately protected. The Inspector in approving the outline conditioned the approval of a scheme for the control of noise from the use of the building and

associated plant and from vehicles with engines and refrigeration units running through condition 22 on the outline application. Environmental Health has no objection to this reserved matter application and will evaluate the detailed noise assessment required through the outline condition.

The scheme provides for an acceptable level of amenity impact for neighbouring properties and therefore accords with Policy 13 (l) of the North Northamptonshire Core Spatial Strategy.

4. Landscaping

Policy 13 (h) of the North Northamptonshire Core Spatial Strategy requires that developments be of a high standard of design, architecture and landscaping and respect and enhance the character of its surroundings and be in accordance with the Environment Character of the area. The landscape is characterised in the Nene Valley Character Assessment as rolling ironstone valley slopes, the key characteristics of which are broad valley slopes dissected by numerous tributary streams; rolling landform; extensive views and sense of exposure on some prominent locations; steep slopes adjacent to more elevated landscapes; productive arable farmland in medium and large scale fields creating a patchwork of contrasting colours and textures.

A landscaping plan has been submitted with the application, providing detail of the species and location of specific planting proposed. In broad terms the landscaping strategy is acceptable, but having undertaken an inspection of the site and based on consultation feedback from Orton Parish Meeting there was concern about the winter cover that would be provided by the proposed landscaping mix. Landscaping details are also required to discharge conditions 17, 19 and 21 of the outline application which includes securing an appropriate arboricultural method statement, tree protection measures and landscape management prior to the commencement of development.

The proposed choice of native trees is beneficial to local biodiversity as the species of trees chosen are well adapted to the soil and climatic conditions. In time these plants will establish into effective screening for the more developed aspects of the site and secure an overall net gain in biodiversity of the site. In scheme includes pioneer species such as *Betula Pendula* (Silver Birch) that when planted on the peripheries of the landscaping areas, will provide shelter whilst the remaining trees establish.

Through the course of the application, evergreen natives have been introduced to provide year round screening of the site when viewed from Orton Road including Box, Holly and Holm Oak. In order to maintain variety, the mixtures and proportions of species have been varied throughout the site to provide texture and represent the layers of plants that can be seen in mixed native woodland: the tall tree canopy, the shrub layer, field layer and ground layer. This includes a range of heavy standard, half standard and selected standard specimens ranging in height from 1.75m to 6m when planted. The blend of herbaceous plants chosen for the grassed and shrub areas is typical of native woodlands which may accelerate the establishment of the wooded areas. The variation and numbers of trees proposed should allow for mortality during establishment and enhance the probability of any species surviving

until the landscaping matures.

The proposed use will change the character and appearance of the site, which is set within the countryside, and has previously been assessed as having the capacity to accommodate a degree change, and the proposal as having a moderate magnitude of change. The quantity, location, variety and specimen size proposed through the submitted landscaping details will ensure that the site is integrated without having an undue impact on the wide valley landscape. The scheme is therefore consistent with policy 13 (h) of the North Northamptonshire Core Spatial Strategy.

5. Highways

Policy 13 (d) of the north Northamptonshire Core Spatial Strategy requires that developments have a satisfactory access and provide for parking, servicing and manoeuvring in accordance with adopted standards. A criterion (n) of the same policy requires that developments do not have an adverse impact on the highway network and will not prejudice highway safety. As part of the outline permission, the access into the site from Orton Road was considered and approved. Internal access arrangements within the site form part of the consideration of this application.

This reserved matter application builds on the indicative layout submitted at the time of the outline application. The access has been set to the north of the site and allows for the stacking of 12 HGVs clear of the highway. Its position to the north of the site provides the greatest separation distance between the access and the neighbouring residential property to the west and is an appropriate design response. The highways authority have no objection to the proposal

In conclusion it is considered that the proposed internal access arrangements will raise no adverse highway safety implications and is thus in accordance with the requirements of policy 13 of the North Northamptonshire Core Spatial strategy.

Rothwell Town Council commented about the need for road widening on Orton Road and the access road into the site must be constructed first and sufficient off road parking available before actual being is commenced. The Highways Authority has confirmed during discussions that widening of the Orton Road between the site access and A14 junction is secured through the approved access plan at outline stage. They would also anticipate that the approved access point is used to access the site from the onset of development.

6. Other Matters

The matters of flood risk and drainage, ecology, heritage assets (archaeology), sustainable development and lighting were given consideration at outline stage and as such conditioned by the Planning Inspector in approving the outline scheme.

Officers recommend that the construction of the site is controlled via condition. This would require that an appropriate construction management plan is submitted to and approved in writing by the Local Planning Authority, prior to the commencement of development. The Construction Management Plan would be adhered to throughout the period of construction and would control the environmental impacts which arise during construction including noise, hours of operation and access and egress points. The material that would be used for the site construction would also be

controlled including dust and detailed monitoring which ensures that the material deposited raises no environmental concerns.

The agreed S106 obligation requires the restoration of site, within 3 years and 6 months from the commencement of development, in the event that the use ceases. It requires the owner to use all reasonable endeavours to procure a bond for the anticipated costs of the restoration scheme. A draft guarantee bond was submitted with the reserved matters application which is acceptable in principle and complies with the S106 obligation, subject to detailed legal drafting between the two parties.

Conclusion

The proposed development would be laid out, designed and landscaped in such a way to ensure that the development integrates into the landscape, whilst protecting the amenities of neighbours. The proposal therefore accords with national and local planning policy and is recommended for approval.

The bond for restoration of the site is acceptable subject to detailed legal drafting between the two parties.

There is correlation between this application and the approval of conditions application submitted under the outline, considered in a separate item on the committee agenda.

Background Papers

Title of Document:

Date:

Contact Officer:

Richard Marlow, Development Officer on 01536 534316

Previous Reports/Minutes

Ref:

Date:

BOROUGH OF KETTERING

Committee	Full Planning Committee - 04/09/2014	Item No: 5.8 (a)
Report Originator	Richard Marlow, Development Officer	AOC/0469/1002 AOC/0469/1003 AOC/0469/1004 AOC/0469/1005 AOC/0469/1006 AOC/0469/1007 AOC/0469/1008 AOC/0469/1009 AOC/0469/1010 AOC/0469/1011 AOC/0469/1012 AOC/0469/1013 AOC/0469/1014 AOC/0469/1015 AOC/0469/1016
Wards Affected	All	04.09.2014
Location	Land off Orton Road, Rothwell	
Proposal	Approval of Conditions: Sustainability and efficiency, Renewable Energy, Boundary Treatment, Surface Water Drainage, Security Standards, Refuse and Recycling, Cycle Parking, Ecological Management, Arboricultural Method Statement, Tree Protection, Landscape Management Plan, Site Noise, Wheel Washing, Route Signage Strategy, Underground Tank Installation Scheme.	
Applicant	Rothwell Land Ltd	

1. PURPOSE OF REPORT

Outline planning permission was granted for the a secure 24 hour truck stop facility, diesel filling station and amenity/services building in January 2013 through application KET/2010/0469. The application site has an area of 6.25 hectares and is located on the eastern side of Orton Road, immediately to the south of the site is the A14. The permission was in outline with scale and access determined at the outline stage. The outstanding reserved matters of layout, appearance and landscaping are considered through detailed application KET/2014/0448.

Conditions were attached to the planning permission (26 in total) and a S106 agreement was completed. Work started early in July 2014 to discharge pre commencement conditions. The planning permission requires that a number of conditions are discharged prior to the commencement of development.

This report provides the details and recommendations for fifteen conditions which have been submitted relating to Materials, Sustainability and Efficiency, Renewable Energy,

Boundary Treatment, Surface Water Drainage, Security Standards, Refuse and Recycling, Cycle Parking, Ecological Management, Arboricultural Method Statement, Tree Protection, Landscape Management Plan, Site Noise, Wheel Washing, Route Signage Strategy and Underground Tank Installation Scheme.

2. RECOMMENDATION

Condition 7 Sustainability and efficiency, Condition 8 Renewable Energy, Condition 9 Boundary Treatment, Condition 11 Surface Water Drainage, Condition 13 Security Standards, Condition 14 Refuse and Recycling, Condition 15 Cycle Parking, Condition 16 Ecological Management, Condition 17 Arboricultural Method Statement, Condition 19 Tree Protection, Condition 21 Landscape Management Plan, Condition 22 Site Noise, Condition 23 Wheel Washing, Condition 25 Route Signage Strategy, Condition 26 Underground Tank Installation Scheme.

Applications AOC/0469/1002 – 1004, AOC/0469/1006 - 1008, AOC/0469/1010 – 1011 and AOC/0469/1013 – 1015 to discharge conditions 7, 8, 9, 13, 14, 15, 17, 19, 21, 23, 25 and 26 are recommended to be approved and applications AOC/0469/1005, AOC/0469/1009 and AOC/0469/12 to approve conditions 11, 16 and 22 be approved subject to outstanding consultations set out in each part of the report being satisfactorily resolved and delegated to the Head of Development Services.

Officers Report for AOC/0469/1002 – AOC/0469/1016

This application is reported for Committee decision because the proposal is of such a sensitive nature which, in the opinion of the Head of Development Services, is a matter that is considered appropriate to be put before committee for a decision.

3. Background Information

3.1 Relevant Planning History

KET/2013/0800 Storage of stone for 2 years in conjunction with KET/2010/046. Refused 05.06.2014

KET/2010/0469 Secure 24 hour truck stop facility, diesel filling station and amenity/services building. Appeal allowed with conditions 09.01.2013

KET/2010/0211 Environmental Impact Screening Opinion. Outline application (all matters reserved) for a secure 24 hour HGV parking site facility, diesel filling station and amenity/services building. On the applicant's request, the Secretary of State issued a screening direction advising the scheme was not EIA development.

KET/2009/0142 – Secure 24 hour truck stop facility, diesel filling station and amenity/services building. Refused 21.07.2009

KET/2006/0549 Agricultural building to Class B2 and ancillary office space (retrospective), APPROVED, 24/07/2006

KET/2006/1140 Outline: Development of an employment park including Class B1, B2 and B8, hotel, leisure and conference centre. REFUSED 29.01.08 contrary to the sequential approach to sustainable development, prejudicial to an allocation in Rothwell, contrary to PPS25 sequential test and visual impact.

KE/01/0659 Outline. Development of land for business, industrial, storage and distribution uses, police accommodation, roadside service area including filling station, restaurant and lorry park, with associated infrastructure, access and parking. Recommendation of approval subject to a S106 obligation, however the S106 obligation was never signed and as a result, consent for the proposal was never granted.

3.2 Site Description

The site has an area of 6.25 hectares and is located on the eastern side of Orton Road, immediately to the south of the site is the A14. The site is currently used for the grazing of horses and is located in the open countryside and rural in character. The closest residential property is Slade Valley House which is directly opposite the site on the eastern side of Orton Road. Orton village is located approximately 1km to the south of the site. Land to the east of the site is also used for horse grazing in association with a livery business and there is small scale industrial use operating on land to the south on Orton Road.

The site slopes gently from north to south and is enclosed by existing vegetation along the east, south and western boundaries of the site, with the levels of the site being significantly

lower than Orton Road itself. There are two existing ditches that run diagonally across the site. The site is currently accessed from Orton Road via a narrow farm track.

3.3 Constraints

Trunk Road
Nene Valley NIA Boundary
Open Countryside

3.4 Environmental Impact Assessment (EIA)

The outline scheme was not EIA development and the Secretary of State issued an EIA Screening Opinion to this effect. The Local Planning Authority has however screened the reserved matters application to ensure this new application does not give rise to significant environmental effects. The Screening Opinion concludes that the reserved matters application does not require an Environmental Statement.

4. Approval of Condition Applications

4.1 AOC/0469/1002 - Condition 7 Sustainability and efficiency

Condition 7 of the consent states that:

Prior to the commencement of development, a scheme demonstrating how the development will incorporate techniques of sustainable construction and energy efficiency, provision of waste reduction/recycling and provision of water efficiency and recycling shall have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved scheme.

Consultation

Environment Agency - We did not recommend Condition 7 of KET/2010/0469 and therefore have no comments to make.

Planning Considerations

The applicant has submitted a report to demonstrate how the development will achieve sustainability and energy conservation requirements for conditions 7 and condition 8.

The installation of water efficient devices including taps, toilets and showers, will be incorporated within the building to reduce both hot water and also potable water demand. Sustainable construction techniques are detailed within the report including the use of materials which minimise waste, have low embodied energy and the implementation of a waste reduction strategy. The waste management strategy seeks to reduce waste production through reuse, recycling and recovery and implementation of the strategy will ensure that waste is minimised and appropriately managed.

Recommendation

The details submitted pursuant to condition 7 of the outline planning permission (KET/2010/0469) are considered to be acceptable and as such approved.

4.2 AOC/0469/1003 - Condition 8 Renewable Energy

Condition 8 of the consent states that:

Prior to the commencement of development, a scheme for the provision of a minimum of 10% of the demand for energy to be met on site from renewably and/or decentralised renewable or low carbon energy supply shall be submitted to and approved in writing by

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

Consultation

No comments received

Planning Considerations

The applicant has submitted a report to demonstrate how the development will achieve sustainability and energy conservation requirements for conditions 7 and condition 8. Predicted energy for the site has been calculated with reference to benchmark figures derived from both anticipated electricity and heat demand. Total predicted energy demand is 288.000kwh and therefore to meet the policy requirement 10% of energy demand must be met on site.

The 10% energy demand will be achieved through the use of solar hot water collectors located centrally on the roof of the main service building and linked with hot water supply points made internally to a centralised thermal store. The 101m² of solar thermal array would provide the necessary 28,800kWh to meet 10% of energy demand on site.

Recommendation

The details submitted pursuant to condition 8 of the outline planning permission (KET/2010/0469) are considered to be acceptable and as such approved.

4.3 AOC/0469/1004 - Condition 9 Boundary Treatment

Condition 9 of the consent states that:

No development shall take place until a scheme for boundary treatment has been submitted to and approved in writing by the local planning authority. The development shall not be occupied until the scheme has been fully implemented in accordance with the approved details and shall be retained in that form thereafter.

Consultation

Northamptonshire Police – No objection.

Orton Parish Meeting has expressed concern about the planting mix proposed on the site including the lack of winter cover proposed and detailed comments on certain species proposed.

Planning Considerations

The site boundary is comprised of soft landscaping as detailed on the submitted landscape plan. Significant landscape buffering is proposed that will screen the site from the surrounding area and in particular views from the north, west and south. The applicant has submitted revised landscape details following concerns expressed in relation to the planting mix proposed and the lack of winter cover with the planting mix.

The proposed choice of native trees is beneficial to local biodiversity as the species of trees chosen are well adapted to the soil and climatic conditions and with time, should establish into not only effective screening for the more developed aspects of the site but secure an overall net gain in biodiversity of the site. There are pioneer species such as *Betula Pendula* (Silver Birch) that when planted on the peripheries of the landscaping areas, will provide shelter whilst the remaining trees establish.

Through the course of the application, evergreen natives have been introduced to provide year round screening of the site when viewed from Orton Road including Box, Holly and Holm oak. In order to maintain variety, the mixtures and proportions of species have been varied throughout the site to provide texture and represent the layers of plants that can be seen in mixed native woodland: the tall tree canopy, the shrub layer, field layer and ground layer. This includes a range of heavy standard, half standard and selected standard specimens ranging in height from 1.75m to 6m when planted. The blend of herbaceous plants chosen for the grassed and shrub areas is typical of native woodlands which may accelerate the establishment of the wooded areas. The variation and numbers of trees proposed should allow for mortality during establishment and enhance the probability of any species surviving until the landscaping matures

The lorry parking within the truck stop will be enclosed with 3m high perimeter fencing that will secure the site at all times of the day. The fencing is set within the site behind the landscape planting and therefore will be screened from the surrounding landscape. The initial chain link fence proposed has been revised through the course of the submission to address specific concerns raised by the Police Crime Prevention and Design Advisor at Northamptonshire Police. The revised steel mesh fence will be painted green to minimise its visibility and blend with adjacent landscaping, whilst providing an appropriate level of security for the site.

Recommendation

The details submitted pursuant to condition 9 of the outline planning permission (KET/2010/0469) are considered to be acceptable and as such approved.

4.4 AOC/0469/1005 - Condition 11 Surface Water Drainage

Condition 11 of the consent states that:

Development shall not begin unless and until a detailed scheme for the provision, implementation and responsibility for management and maintenance of the surface water draining from the site in accordance with the approved Flood Risk Assessment (ref.4165R002F Flood Risk Assessment dated September 2010, Rev G) has been submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details prior to the first occupation of the site and thereafter shall be retained.

Consultation

Environment Agency viewed the Proposed Drainage Plan (ref: 4165-31) and Surface Water Drainage Calculations and consider that this information does not satisfy the requirements of Condition No.11. Additional information has been requested regarding flow controls and details of how the surface water scheme shall be maintained and managed after completion, including the parties responsible

Planning Considerations

Additional information has been requested from the applicant to address the points raised by the Environment Agency. This includes details regarding flow controls and how the surface water scheme shall be maintained and managed after completion, including the parties responsible.

Recommendation

It is recommended that the condition 11 of KET/2010/0469 be approved subject to the revised Surface Water Drainage Calculations and Proposed Drainage Plan and subject to no further significant planning matters being raised by third parties which are not already addressed in the Committee Report. It is recommended that the matter be delegated to the Head of Development Services.

4.5 AOC/0469/1006 - Condition 13 Security Standards

Condition 13 of the consent states that:

Prior to the commencement of development, a scheme detailing the security standards to be incorporated within the development shall have been submitted to and approved in writing by the local planning authority. The use of the site shall not be carried out other than in accordance with the approved scheme.

Consultation

Northamptonshire Police – No objection. The details supplied meet the requirements of the condition.

Planning Considerations

The applicant has worked with Northamptonshire Police to produce a security scheme for the site which meets the requirements of the condition. The initial 3m high chain-link fence enclosing the secured parking area has been revised through the course of the application to a green painted steel mesh fence, providing greater levels of security for the site.

The submitted vehicle barriers will ensure that the site is secured at all times and the site will be manned 24 hours a day. Doors and windows within the amenity building will meet the requirements of Secured by design part 2 namely PAS 24 or LPS 1175 sr2 all glazing will be laminated to P2A standard. Eight CCTV cameras are proposed across the site and the applicant has worked closely with the Police to ensure maximum coverage across the site. Crucially the cameras are located within the site surrounding the hardstanding and a minimum of 110m from the neighbouring dwelling at Slade Valley House.

Recommendation

The security details submitted pursuant to condition 13 of the outline planning permission (KET/2010/0469) are considered to be acceptable and as such approved.

4.6 AOC/0469/1007 - Condition 14 Refuse and Recycling

Condition 14 of the consent states that:

Prior to the commencement of development, a scheme for the storage of refuse and recycling shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Consultation

Environmental Care – No objections and are happy with the refuse and recycling provisions proposed.

Planning Considerations

A specific area for the storage and collection of waste and recyclables is detailed on the layout plan, to the west of the main service building. Details of the storage area and waste generation across the site have been provided. The details indicate that this area is of a

sufficient size to provide for the separation and recycling of waste materials, the majority of which will be generated from the kitchen facilities within the service building.

Recommendation

The details submitted pursuant to condition 14 of the outline planning permission (KET/2010/0469) are considered to be acceptable and as such approved.

4.7 AOC/0469/1008 - Condition 15 Cycle Parking

Condition 15 of the consent states that:

Prior to the commencement of development, a scheme for cycle parking provision shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Consultation

Highways Authority has no objections to the proposed siting of the cycle stands.

Planning Considerations

The layout plan shows that the 8 no. cycle parking spaces will be located adjacent to the east of the main service building. The positioning of the cycle store allows overlooking from offices within the main amenity building and will ensure natural surveillance of this area. The bicycle shelter details submitted will also ensure appropriate protection for the cycle parking.

Recommendation

The details submitted pursuant to condition 15 of the outline planning permission (KET/2010/0469) are considered to be acceptable and as such approved.

4.8 AOC/0469/1009 - Condition 16 Ecological Management

Condition 16 of the consent states that:

Prior to the commencement of development, a scheme for the ecological management of the site shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Consultation

The Wildlife Trust has raised comments about the initial ecological management scheme submitted and the need to ensure that it is fit-for-purpose. The applicant has submitted a revised ecological management scheme to address the comments made by the Wildlife Trust.

Planning Considerations

The revised ecological management plans provides a framework and scheme of works to be undertaken to protect the existing habitats at the site which are to be retained. It also considers habitat creation and management of new and existing ecological habitats at the site, in order to maintain and enhance their ecological value in line with the stated requirements of planning condition 16.

Recommendation

It is recommended that the condition 16 of KET/2010/0469 be approved subject to the Ecological Management Plan and subject to no further significant planning matters being

raised by third parties which are not already addressed in the Committee Report. It is recommended that the matter be delegated to the Head of Development Services.

4.9 AOC/0469/1010 - Condition 17 Arboricultural Method Statement and Condition 19 Tree Protection

Condition 17 of the consent states that:

Prior to the commencement of development a detailed Arboricultural Method Statement shall be submitted to and approved in writing by the local planning authority. No development or other operations shall take place except in accordance with the approved Method Statement.

Condition 19 of the consent states that:

Prior to the commencement of development or other operations being undertaken on site a scheme for the protection of the retained trees and hedgerows, produced in accordance with BS5837, shall be submitted to and approved in writing by the local planning authority. No development or other operations shall take place except in accordance with the approved protection scheme. No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within any area designated as being fenced off or otherwise protected in the approved protection scheme. The protection measures shall be retained intact for the full duration of the construction of the development hereby approved.

Consultation

No comments

Planning Considerations

The Arboricultural Method Statement sets out step-by-step guidance and specifications for any works which have the potential to result on loss of, or damage to, retained trees. This includes the appointment of a suitably qualified arboriculturist to provide ongoing advice in relation to ongoing tree protection matters relating to the site.

The submitted scheme and tree protection plan gives details of tree protection that conforms to BS 2012:5837 Trees in Relation to Design, Demolition and Construction and will be sufficient in scale and placement to protect existing trees which are to be retained during the construction phase. Three existing trees will be removed from within the site to facilitate the development proposed with the vast majority of existing hedgerows and trees to be retained with protection during construction, including protective barriers, in accordance with the British Standard BS 2012:5837.

Recommendation

The details submitted pursuant to conditions 17 and 19 of the outline planning permission (KET/2010/0469) are considered to be acceptable to protect established trees and hedgerows during construction of the development and as such approved.

4.10 AOC/0469/1011 - Condition 21 Landscape Management Plan

Condition 21 of the consent states that:

No development shall take place on site 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 by the local planning authority.

The use of the site shall be carried out in accordance with the approved landscape management plan in perpetuity.

Consultation

No comments

Planning Considerations

The landscape management plan details tree and shrub planting specifications including ground preparation and planting requirements, together with maintenance of the landscape through weed and litter clearance, watering, tree inspections and formative pruning.

The 5 year landscape management plan for the site sets out the long term objectives for the site including the assimilation of the site into the local landscape, manage existing tree and maintain new and existing trees, hedges and hedgerow trees in order to maximise their landscape and ecological benefits. The management plan requires that any trees which fail during the 5 year period are replace with similar sized trees of the same species. If the failure of the tree is due to disease and the disease is considered likely to reoccur than an alternative species may be used as a replacement, subject to the agreement of the Local Planning Authority. The management plan includes an annual inspection and formative pruning to remove damaged branches and encourage the formation of a healthy and even grown, together with fertilisation and the removal of weeds. The maintenance of all tree planting, hedge planting and grass areas shall be carried out in accordance with the relevant British Standards and will ensure that soft landscaping across the landscape is suitability management.

Recommendation

The details submitted pursuant to conditions 21 of the outline planning permission (KET/2010/0469) are considered to be acceptable and as such approved.

4.11 AOC/0469/1012 - Condition 22 Site Noise

Condition 22 of the consent states that:

Prior to the commencement of development, a scheme for the control of noise from the site arising from the use of any building and associated plant and vehicles with running engines and their refrigeration units shall be submitted to and approved in writing by the local planning authority. The submitted scheme shall ensure that any noise emitted from the site, as measured at the nearest occupied residential property in existence at the time of commencement of the development hereby approved, is at least 10dB(A) below the background noise levels. Thereafter the scheme shall permanently be operated in accordance with the approved details.

Consultation

Environmental Health reviewed the initial noise assessment submitted and have requested additional information from the applicant regarding sound pressure levels.

Planning Considerations

Condition 22 refers to fixed noise sources i.e. plant associated with the amenity building, fuel pumps in the refuelling station, stationary vehicles with engines idling and stationary refrigerator vehicles with refrigerator units running. An updated noise assessment has

been submitted which addresses the technical aspects highlighted by Environmental Health in their initial response.

Recommendation

It is recommended that the condition 22 of KET/2010/0469 be approved subject to the revised Noise Assessment and subject to no further significant planning matters being raised by third parties which are not already addressed in the Committee Report. It is recommended that the matter be delegated to the Head of Development Services.

4.12 AOC/0469/1013 - Condition 23 Wheel Washing

Condition 23 of the consent states that:

No development shall take place on site until details of measures to be taken to prevent spoil or mud being deposited on the public highway from vehicles leaving the site during construction works have been submitted to and approved in writing by the local planning authority. The approved measures shall be fully put in place before the development commences and be retained for the duration of the construction period.

Consultation

Highways Authority - The provision of a bath type wheel washing system is backed up by a jet washing operative to remove any remaining mud from vehicles is acceptable.

Planning Considerations

The submitted drive through wheel washing bath supplemented by jet washing facilities will prevent spoil and mud from being deposited on the public highway during the construction works on site.

Recommendation

The details submitted pursuant to conditions 23 of the outline planning permission (KET/2010/0469) are considered to be acceptable and as such approved.

4.13 AOC/0469/1014 - Condition 25 Route Signage Strategy

Condition 25 of the consent states that:

Prior to the commencement of development details of a route signing strategy shall be submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details before the first use of the site and be permanently retained thereafter.

Consultation

Highways Agency – No objection and consider that the signage locations are acceptable in principle.

Highways Authority is satisfied with the signage strategy proposed.

Planning Considerations

The submitted details include signage for the strategic road network, managed by the Highways Agency and the local road network, controlled by Northamptonshire County Council as Highway Authority. The signage strategy proposed would ensure that the truck stop is readily accessible and drivers are easily signposted to the facility. The signage

strategy primarily comprises of additional face plates that will be added to existing highway signs on the local and strategic road network.

Recommendation

The details submitted pursuant to conditions 25 of the outline planning permission (KET/2010/0469) are considered to be acceptable and as such approved.

4.14 AOC/0469/1015 - Condition 26 Underground Tank Installation Scheme.

Condition 26 of the consent states that:

Prior to the commencement of development details of the scheme for the installation of underground tank(s) for the refuelling of vehicles shall be submitted to and approved in writing by the local planning authority. The scheme shall include full structural details of the installation, including details of excavation, the tank(s), tank surround, associated paperwork and monitoring system. The installation of the tank(s) shall be carried out in accordance with the approved scheme prior to the commencement of the use of the site.

Consultation

Environment Agency has reviewed the information provided and confirmed that the requirements of condition 26 have been satisfied.

Planning Considerations

The submitted details cover all aspects of the underground tanks that will be used for the refuelling of vehicles. These details including technical specifications, fitting instructions, backfill requirements and reference to relevant British Standards have been assessed by the Environment Agency. They consider that the details submitted are acceptable and satisfy the requirements of the condition.

Recommendation

The details submitted pursuant to conditions 26 of the outline planning permission (KET/2010/0469) are considered to be acceptable and as such approved.

Background Papers

Title of Document:

Date:

Contact Officer:

Richard Marlow, Development Officer on 01536 534316

Previous Reports/Minutes

Ref:

Date: