

## BOROUGH OF KETTERING

<b>Committee</b>	<b>Full Planning Committee - 14/01/2020</b>	<b>Item No: 5.1</b>
<b>Report Originator</b>	<b>Richard Marlow Senior Development Officer</b>	<b>Application No: KET/2019/0204</b>
<b>Wards Affected</b>	<b>Rothwell</b>	
<b>Location</b>	<b>Plot 3, The Truckstop, Orton Road, Rothwell</b>	
<b>Proposal</b>	<b>Outline Application: Extension to truckstop to provide associated well-being facilities with only access considered</b>	
<b>Applicant</b>	<b>Rothwell Land Ltd</b>	

### 1. PURPOSE OF REPORT

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

### 2. RECOMMENDATION

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

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. The development hereby permitted shall be carried out in accordance with the approved plans and details listed in the approved documents schedule including the below:

- Topographical Survey - dwg ref: 11028 Rev.A;
- Location Plan - dwg ref: 4293/v-017 P5;
- Proposed Car Park Access - dwg ref: 1902-19. SK01 (contained in Appendix D of the Transport Statement)

Thereafter, the development shall be implemented in accordance with the approved details and retained as such in perpetuity.

REASON: In the interest of securing an appropriate form of development in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy 2011-2031.

6. The development hereby permitted shall not provide for more than:

- Sleep zone: 38 bedrooms up 1913m2 Gross External Area (C1 use),
  - Meet zone: 662m2 Gross External Area (B1a office use),
  - Activity Zone: 898m2 Gross External Area (D2 leisure use)
- 169 parking spaces.

Any gymnasium facility provided within the activity zone shall operate ancillary to the overnight accommodation (c1 use) only and shall not operate independently of the other facilities.

REASON: To define the permission in accordance with the submitted details and in the interests of highway safety in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

7. Prior to first use of any buildings hereby approved a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape area, shall be submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out as approved.

REASON: In the interests of visual amenity in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

8. No construction works shall take place outside the following times unless with the written permission of the Local Planning Authority. Monday to Friday 07.00 to 18.00 hrs, Saturday 07.30 to 13.30 and at no time whatsoever on Sundays or Public/Bank Holidays. This includes deliveries to the site and any work undertaken by contractors and sub-contractors.

REASON: In the interests of safeguarding residential amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

9. Prior to the commencement of development a Construction Management Plan (CMP) shall be submitted to and approved in writing by the Local Planning Authority. This CMP shall consider details of all construction works (on and off-site) including piling works and shall incorporate a Construction Traffic Management Plan (CTMP) for all construction works associated with the development. The approved CMP and CTMP shall be adhered to throughout the construction period of the development.

REASON: To ensure that the construction works do not impact the operation of the A14 and the local highway network or cause harm to amenity and in the interests of highway safety in accordance with Section 10(2) of the Highways Act 1980 and Policy 8 of the North Northamptonshire Joint Core Strategy 2011-2031. The details are required prior to commencement as they are fundamental to the acceptability of the proposal.

10. No development shall commence on site in any one phase until parts A to D inclusive 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 Part 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 part A, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Part 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 Part C.

REASON: Contaminated land investigation is required prior to the commencement of development 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 15 of the National Planning Policy Framework 2018 and Policies 6 & 8 of the North Northamptonshire Joint Core Strategy 2011-2031. The details are required prior to commencement as they are fundamental to the acceptability of the proposal.

11. Prior to the occupation of a building, a scheme detailing the security measures/standards to be incorporated within the curtilage of that building with reference to 'Secured By Design' 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 8 of the North Northamptonshire Joint Core Strategy 2011-2031. The details are required prior to commencement as they are fundamental to the acceptability of the proposal.

12. No development of any building and its curtilage shall take place until a plan showing details of existing and proposed 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 8 of the North Northamptonshire Joint Core Strategy 2011-2031. The details are required prior to commencement as they are fundamental to the acceptability of the proposal.

13. No development shall take place until a programme of archaeological work for that phase of the development, in accordance with a written scheme of investigation, has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

REASON: These details are required prior to the commencement of development, to ensure that features of archaeological interest are properly examined and recorded, in accordance with Policy 2 of the North Northamptonshire Joint Core Strategy 2011-2031, and Paragraph 199 of the National Planning Policy Framework 2018.

14. Before any above ground works commence a detailed design of surface water drainage scheme for the site based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development should be submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. Details of the scheme shall include:

a) Details (i.e. designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets and attenuation basins. Details of the drainage system are to be accompanied by full and appropriately cross-referenced supporting calculations.

b) Cross sections of all control chambers (including site specific levels mAOD) and manufacturers' hydraulic curves for all hydrobrakes and any other flow control devices.

c) Demonstration that for events with a return-period in excess of 3.3% (1in30), exceedance flow routes are appropriately routed such that there is no residual risk to property and critical Infrastructure.

d) BRE 365 Infiltration test results

e) A 9m buffer should be maintained between the edge of the watercourses for the maintenance access of relevant building and structures. All the building and structures should be located outside of the area of flood risk

REASON: To reduce the risk of flooding both on and off site in accordance with the National Planning Policy Framework 2019 and Policy 5 of the North Northamptonshire Joint Core Strategy 2011-2031 by ensuring the satisfactory means of surface water attenuation and discharge from the site, and to ensure the future maintenance of drainage systems associated with the development.

15. Before any above ground works commence a detailed scheme for the maintenance and upkeep of every element of the surface water drainage system proposed on the site shall be submitted to and approved in writing by the Local Planning Authority and the maintenance plan shall be carried out in full thereafter. This scheme shall include details of any drainage elements that will require replacement within the lifetime of the proposed development.

REASON: To reduce the risk of flooding both on and off site in accordance with the National Planning Policy Framework 2018 and Policy 5 of the North Northamptonshire Joint Core Strategy 2011-2031 by ensuring the satisfactory means of surface water attenuation and discharge from the site, and to ensure the future maintenance of drainage systems associated with the development.

16. All subsequent reserved matters applications shall make reference to the original approved Flood Risk Assessment ref 130913 rev R2.1 prepared by Fairhurst dated March 2019 and shall be accompanied by a certificate of compliance with the original approved scheme. In addition, an accompanying revised and updated Flood Risk Assessment with full drainage details shall be submitted with each future reserved matters application, indicating whether any further works are required. Development shall be Implemented in accordance with the originally approved scheme or the updated scheme as approved in writing by the Local Planning Authority pursuant to that application.

REASON: In order to ensure that the drainage details are implemented in accordance with the approved Flood Risk Assessment, and to prevent the Increased risk of flooding, both on and off site, by ensuring the satisfactory means of surface water attenuation and discharge from the site in accordance with policy 5 of the North Northamptonshire Joint Core Strategy.

17. No occupation shall take place until the Verification Report for the installed surface water drainage system for the site to be submitted in writing by a suitably qualified Independent drainage engineer and approved by the Local Planning Authority prior to occupation of the site based on the approved Flood Risk Assessment ref 130913 rev R2.1 prepared by Fairhurst dated March 2019.

These shall include:

- a) Any departure from the agreed design is keeping with the approved principles
- b) Any As-Built Drawings and accompanying photos
- c) Results of any performance testing undertaken as a part of the application process (if required / necessary)
- d) Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges etc

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

18. Before development commences a noise assessment shall be submitted to and approved in writing by the Local Planning Authority that outlines the likely impacts on any noise sensitive property, and the measures necessary to ensure that the noise does not affect the local amenity of residents. The assessment shall be determined by measurement or prediction in accordance with the guidance and methodology set out in BS4142: 2014. The scheme shall be implemented in full before first occupation of the building and shall so remain in perpetuity.

REASON: In the interests in residential amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy 2011-2031.

19. Prior to the occupation of each building on the site the occupier of each building shall submit and have agreed in writing by the Local Planning Authority an Individual Travel Plan (including the provision of electric charge points) and thereafter undertake any measures contained within the agreed document to the agreed timescales.

REASON: In the interest of sustainable transport and in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy 2011-2031.

20. There shall be no external illumination on the site at any time other than in accordance with a detailed scheme which shall first have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include an assessment of the impact of the lighting on the vertical facades of sensitive properties and the measures necessary to reduce the impact. Any floodlighting shall be operated in accordance with the approved details at all times.

REASON: In the interest of safeguarding residential amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy 2011-2031.

21. Prior to the commencement of development a noise assessment that outlines the likely impact on any noise sensitive property, and the measures necessary to ensure that the noise does not affect the local amenity of residents shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall be determined by measurement or prediction in accordance with the guidance and methodology set out in BS4142: 2014. Once approved the use hereby permitted shall be operated in accordance with the approved details and thereafter maintained in this approved state at all times.

REASON: Details are required prior to the commencement of development in the interest of safeguarding residential amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

22. No later than six months following the commencement of development on any individual building, a Building Research Establishment Environment Assessment Method (BREEAM) Interim Design Stage Certificate for each corresponding building shall be submitted to and approved in writing by the Local Planning Authority. This shall demonstrate that each corresponding building will achieve a minimum BREEAM Very Good Rating using the BREEAM 2018 methodology. No later than six months following the completion of each corresponding building, a Final BREEAM Post-Construction Stage Certificate for each corresponding building shall be submitted to and approved in writing by the Local Planning Authority. This shall demonstrate that the development has achieved a minimum BREEAM Very Good rating.

REASON: In the interests of tackling climate change and creating a sustainable development which meets standards for energy efficiency in accordance with Policy 9 of the North Northamptonshire Joint Core Strategy 2011-2031.

23. 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.

REASON: In the interest of highway safety and visual amenity in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

24. Prior to the first use of the 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.

REASON: In the interests of general amenity and to ensure that no obstruction is caused on the adjoining highway in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

25. Prior to first use of the 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.

REASON: In the interests of sustainable transport in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

26. 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.

REASON: To protect ecology and secure a net gain in biodiversity in accordance with policy 4 of the North Northamptonshire Joint Core Strategy.

27. 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.

REASON: To ensure the continuity of amenity afforded by existing trees, hedges or hedgerows and in the interests of ecology in accordance with policies 4 and 8 of the North Northamptonshire Joint Core Strategy.

28. The landscape details submitted pursuant to condition 1 shall include specification of plant species, planting sizes, spaces and numbers of trees and shrubs to be planted, the layout, contouring and surfacing of all open areas. The landscaping details shall include a drawing of all trees and hedgerows which are to be retained. 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 a similar size and species.

REASON: To ensure that due regard is paid to the continuing enhancement and maintenance of amenity afforded by landscape features of communal public, or nature conservation significance in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.



## Officers Report for KET/2019/0204

This application is reported for Committee decision because there are unresolved, material objections to the proposal and a ward member has asked for it to be considered.

### 3.0 Information

#### Relevant Planning History

##### Wider site stretching south of the A14 between Junctions 3 to 4

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 accomodation, 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.

##### Adjacent site (Truck Stop)

KET/2018/0507 Non-Material Amendment to parking spaces Approved 09.08.2018

KET/2018/0508 Non-Material Amendment to access road and provision of layby Approved 09/08/2018

KET/2018/0509 Non-Material Amendment Design amendments to amenity building Approved 09/08/2018

KET/2018/0705. Non-Material Amendment Revisions to refuelling forecourt Approved 17/10/2018

KET/2014/0448 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 at Land off Orton Road, Rothwell 17/09/2014

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.

### **Site Description**

Officer's site inspection was carried out on 7 May 2019 and 2 September 2019.

The application site lies on the southern side of Junction 3 of the A14, with the A14 strategic trunk road separating the site from Rothwell to the north.

The 1.49 hectare site comprises open fields with the northern boundary formed by established trees running parallel to the westbound slip road of the A14, with the new housing development, off Harrington Road, Rothwell located on the opposite side of the trunk road with the nearest dwellings in excess of 100 metres from the site.

The western boundary is formed by a local watercourse running from the Slade Brook with the roundabout junction arrangement of the A6 / Lamport Road / Orton Road beyond.

To the immediate south lies the newly constructed Rothwell truck stop facility with its associated fuel station, amenity building and HGV parking areas, served by a new junction taken from the adjacent Orton Road. There is a single residential property Slade Valley House set 130 metres south west of the access on the western side of Orton Road with a small number of industrial units beyond. Orton village is located approximately 1km to the south of the site.

The application site is currently vacant with a balancing pond assumed to serve the A14, situated in the north western corner, and with the wider site sloping gently down to its southern corner and the new truck stop facility.

The application site is not subject to any heritage, landscape or ecological designations or Tree Preservation Orders.

### **Proposed Development**

The application seeks outline planning permission for the extension and expansion of Rothwell Truckstop to provide associated roadside well-being facilities, including flexible working and meeting accommodation, car sharing and car parking, landscaping and infrastructure works. All matters except access are reserved for later consideration should consent be granted.

The proposals involve the provision of additional well-being and ancillary facilities to complement and enhance the existing facilities available with the adjacent truck stop.

Although submitted in outline form, **indicative plans** have been submitted which envisage that these facilities would be provided by way of a two storey, 'L' shape building with roof deck located to the eastern side of the site which replicates that of the approved 'Welcome Break' amenity building on the truck stop incorporating a curved roof and overhanging eaves and gables, with the anticipated construction being of cladding and curtain walling finish with an open roof deck area

The submitted indicative plans show the building would provide circa 3,474m<sup>2</sup> split into three zones of:

- A Sleep Zone of circa 1,913m<sup>2</sup> providing up to 38 bedrooms for HGV drivers;
- An Active Zone of circa 898m<sup>2</sup> providing leisure and recreational facilities for HGV drivers utilising the overall facility
- A Meet Zone of circa 662m<sup>2</sup> providing communal meeting spaces for business personnel travelling along the A14.

The applicants envisage that Well-Being Facility will co-link with the now open Welcome Break building, which provides mealtime food and beverage facilities for HGV and LGV drivers. The refreshments available in the Well Being building will be of a light snack and beverage variety and so will be ancillary to the meet and greet zone and the car-sharing facility, whilst not being in direct competition with Welcome Break.

In addition to the dedicated well-being facilities, the proposals include the creation of a car sharing facility by way of the inclusion of approximately 169 car parking spaces to the front of the main building.

These spaces would serve both the proposed communal meeting areas as well as providing the ability for business personnel travelling along the A14 to similar destinations, to car share with redundant vehicles parked with a secured environment in close proximity to the A14.

This car sharing facility along with the wider application site would be served via a new access taken from a priority junction created on the existing internal estate road serving the truck stop, which in turn leads onto the Orton Road and A14.

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

Trunk Road

Nene Valley NIA Boundary

Open Countryside

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

##### **Northamptonshire Police Crime Prevention Advisor**

Unable to provide specific comment at this time. Please approach the applicant for information regarding security and crime prevention. The applicant should provide details relating to car park security, building security and room security.

##### **NCC Biodiversity Advisor**

I would recommend the following:

- Lighting strategy will need to be sensitive to bats, in particular as the building is proposed to be next to the hedgerow which is likely used as a bat commuting route.
- A method statement for site clearance
- Pollution prevention measures should be incorporated in CEMP
- Badgers have been confirmed as using the site and changes to the landscaping plan to provide extra food sources should be sought

##### **Highways England**

We have reviewed the likely traffic generated by the proposed development and do not consider that there will be any material traffic impacts on the Strategic Road Network.

##### **Northamptonshire Highways**

Presently the LHA cannot support the application and should the LPA seek to approve the application at this stage, the LHA request that they are contacted in order to draw up condition recommendations.

##### **Northamptonshire Badger Group**

No evidence of setts but evidence of badger activity. The Ecological Assessment states that the site has the potential to support badgers so we fully support the statement that the presence of badgers means that material consideration is required in the planning system.

##### **Lead Local Flood Authority**

Having reviewed the submitted surface water drainage information that if our recommended planning conditions are included, the impacts of surface water drainage will have been adequately addressed.

##### **Environmental Protection (KBC)**

No objections to the proposal.

### **Natural England**

No objection. Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

### **Rothwell Town Council**

The Town Council strongly objects to this application in its entirety and the detrimental affect it would have on the existing Truckstop. This application has no relevance to the existing Truckstop.

The original application (KET/2010/0469) gained permission as an "exception" to planning policies. The site layout for the original application provided a "buffer" between the development and the A14 and residential properties In Rothwell and this application seeks to develop within part of this "buffer, of which the buffer provides visual landscape and ecological benefits. In addition, the existing Truckstop is a secure site, this application would not be in a secure site. The Truckstop has only been open since late March and this application Is very premature with little data being available for a need of any additional faculties. In addition, any further development of this site would result in an increase in traffic through the surrounding town and villages impacting greatly on local residents.

### **Harrington Parish Council**

Objection. It was understood that when the original application KET/2010/0469 to develop the Truckstop was finally approved it was for the benefit and use of truck drivers only and it was classed as an exception for well-established rules of no development in the open countryside

However this application is involving all road users so this will now become a service station/motel for everyone. It is the councillors 'understanding that truck drivers do not take hotel rooms but sleep in their well equipped cabs, thus aiding security of their truck and load. There are sufficient hotels/bed and breakfast establishments in the area to cope with the non-truck travellers.

The idea of being secure in the complex is to reduce the amount of crime and thefts in laybys, however enabling public traffic to enter the site reduces the amount of security that can be achieved.

If this planning application is approved there should be strict conditions concerning the use of the leisure facilities, it is for the use of truck drivers only and not a registered club for local people. Clearer signs and road markings are required on the approach to the roundabout from the lorry park and on the Lamport to Rothwell road approaching the roundabout. Vehicles are entering the roundabout too quickly from the Orton road.

Harrington Parish Council are opposed to the proposed development as it is contrary to the original approved document.

### **Orton Parish Meeting**

Formal objection to the application.

Significant expansion within the open countryside - The truck stop (planning reference KET/2010/0469) gained permission as an 'exception' to planning policies to build in the open countryside, in the current location. Other forms of development had been previously refused.

Development of the site was described by planning officers at the time as being "an exceptional departure from the Development Plan". The original application was refused but later granted under appeal as a lorry park and nothing else. The site layout for the original application provided for a "buffer" between development and the A14 and homes in Rothwell. However, this new application seeks to develop within part of that "buffer" and expand development within open countryside. This buffer provides both visual, landscape and ecological functions that will be lost as a result of the proposed development.

Security of the site - The proposed 'hotel' is outside of the secure area and therefore accessible to anyone at any time.

The new application for plot 3 if granted will allow access to the site for not just users of the truck stop but also members of the public wishing to use the conference/ hot desking facilities. The new 'sleep zone' area of the development is effectively a motel and it is difficult to see how the security of the site as a whole could be maintained if plot 3 was open to the general public.

Increased traffic - The use of plot 3 will increase the number of vehicles accessing and egressing the site. This will cause an issue for residents from Orton village as the road layout means that vehicles coming from the village need to give way to vehicles leaving the truck stop. As the proposed hotel is open to all it will create an increase in car traffic through our village.

Evidence of Need - The lorry park has only been open for a couple of weeks with the full facilities being available from 29th April. Based on this small window of operating time, the Orton Parish Meeting fail to see where the need for these additional facilities has arisen from. The use of truck stop does not appear to be overwhelming and so far the parking facilities have not been at capacity or anywhere near that. As such it is felt that the development of plot 3 is somewhat premature without any data on which to base the need for additional facilities.

In conclusion we feel that the site was given planning permission as a 'secure lorry park' and nothing else and that the surrounding area should be landscaped. The proposed 'welfare facility' is effectively a 'motel' with extensive car parking spaces in open countryside. It will be open to anyone at any time increasing 'all hours' traffic through our village.

### **Neighbours**

1 third party objection. Grounds of objection are:

- Additional air and noise pollution.
- Loss of buffer zone between the truck stop and residential properties.
- Contaminants will be blown to residential properties due to wind direction, adversely affecting health of occupiers.

- Light pollution increase.
- Increase in crime.
- Loss of privacy.
- Removal of countryside view.
- No need for the development.

## **5.0 Planning Policy**

### **National Planning Policy Framework (NPPF)**

Section 2 Achieving sustainable development

Section 4 Decision-making

Section 6 Delivering a strong competitive economy

Section 9 Promoting healthy and safe communities

Section 9 Promoting sustainable transport

Section 12 Achieving well designed places

Section 11 Making effective use of land

Section 14 Meeting the challenge of climate change, flooding and coastal change

Section 15 Conserving and enhancing the natural environment

Section 16 Conserving and enhancing the historic environment

### **North Northamptonshire Joint Core Strategy Policies (JCS):**

1. Presumption in favour of sustainable development
2. Historic environment
3. Landscape character
4. Biodiversity
5. Water environment, resources and flood management
6. Development on brownfield land and land affected by contamination
7. Community services and facilities
8. Place shaping
9. Sustainable buildings
10. Provision of infrastructure
11. Network of urban and rural areas
15. Well-connected towns, villages and neighbourhoods
16. Connecting the network of settlements
17. Strategic connections
18. HGV Parking
19. Green infrastructure
20. Nene and Ise Valley
22. Delivering economic prosperity
23. Distribution of new jobs
24. Logistics
26. Renewable and low carbon energy

### **Saved Local Plan policies**

Policy 7 – Protection of the Open Countryside,

Policy 103– Leisure Hotel Accommodation

### **Emerging Development Plan Documents**

Site Specific Part 2 Local Plan for Kettering Borough.

### **Neighbourhood Plans**

The application site lies within the administrative parish boundary of Rothwell Parish, which designated a Neighbourhood Plan Area in April 2013 and immediately abuts Orton Parish along its southern boundary.

Since the designation, the Town Council are at the early stages of preparing a neighbourhood plan and are yet to produce any consultation drafts or policies which could be afforded weight in any planning decision.

### **6.0 Financial/Resource Implications**

None.

### **7.0 Climate Change Implications**

Addressing climate change is one of the core land use planning principles which the National Planning Policy Framework expects to underpin both plan-making and decision-taking. The National Planning Policy Framework emphasises that responding to climate change is central to the economic, social and environmental dimensions of sustainable development. National planning policy and guidance is clear that effective spatial planning is an important part of a successful response to climate change as it can influence the emission of greenhouse gases. In doing so, local planning authorities should ensure that protecting the local environment is properly considered alongside the broader issues of protecting the global environment. The adopted Development Plan for Kettering Borough is consistent with and supports these national policy aims and objectives.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise. The development plan comprising the North Northamptonshire Joint Core Strategy, Local Plan and Kettering Town Centre Action Plan makes clear the importance of climate change and seeks to create more sustainable places that are naturally resilient to future climate change. This will be further amplified by the emerging Site Specific Part 2 Local Plan once adopted which is being prepared within this context. Policies contained within the Part 2 Local Plan will help contribute towards a reduction in greenhouse gas emissions and will secure that the development and use of land contributes to the mitigation of, and adaption to, climate change.

### **8.0 Planning Considerations**

The key issues for consideration in this application are:-

1. Principle of Development
2. Access and Highways
3. Appearance Layout and Scale
4. Landscaping
5. Residential amenity



6. Contaminated Land
7. Flood Risk and Drainage
8. Natural Environment

#### 1. Principle of Development

Section 38(6) of the Planning and Compulsory Purchase Act requires proposals to be determined in accordance with the Development Plan unless material considerations indicate otherwise.

The proposal comprises of two elements. The first would provide rest, recuperation and sleeping facilities, supplemented by a food and beverage offer and active zone catering for the road haulage industry and building on the adjacent Truck Stop facility, aimed at providing a bespoke facility to improve driver welfare and address existing directives and potential future directives requiring truck-drivers to take mandatory sleeping breaks, outside of their cabs. The second element seeks to provide informal 'meet and greet' and flexible, seated working spaces, along with 'car-share' carparking which the applicant considers uses will be ancillary to and associated with the already established uses that the Truckstop offers.

Policy 11 of the North Northamptonshire Joint Core Strategy sets out that development will be distributed to strengthen the network of settlements in the area and that new building in the open countryside, outside the Sustainable Urban Extensions, will be strictly controlled. Saved policy 7 of the Kettering Local Plan states that planning permission for development within the open countryside will not be granted except where otherwise provided for in the plan. The site is outside any defined settlement and, so for planning purposes, is in the countryside.

The North Northamptonshire Joint Core Strategy (NNJCS) in acknowledging the role of the Kettering area in achieving this vision, the spatial strategy goes on to state at page 26 that: "Its business community will capitalise on its excellent connectivity, including its position on the Trans- European (E24 route) A14 and on the electrified Midlands Mainline rail route."

Within Policy 11 'The Network of Urban and Rural Areas' Rothwell is identified as a 'Market Town', with its role stated to be that of providing: "...a strong service role for the local community and surrounding rural areas with growth in homes and jobs to support regeneration and local services, at a scale appropriate to the character and infrastructure of the town."

Policy 22 delivering Economic Prosperity seeks the creation of a net increase of 31,000 jobs over the plan period with policy 23 distribution of new jobs noting that 8,100 such jobs are expected to come forward in Kettering Borough.

As part of the delivery of economic prosperity, the JCS highlights at paragraph 8.1 (4) the importance of: "Promoting the provision of infrastructure and services needed to provide a competitive business environment, including transport and electronic communications infrastructure."

In securing economic prosperity the JCS actively encourages the expansion of the logistics industry sector, which is particularly attracted to Northamptonshire due to its excellent strategic road network connections both within the County and beyond.

Policy 18 of the JCS is dedicated to HGV parking with the preamble text explaining that lorry parking facilities need to be available to serve strategic routes and freight attractors within the Plan area to assist in achieving the efficient, safe and secure movement of freight. Criterion (v) of policy 18(c) specifies that planning permission for HGV parking facilities should be granted where it is demonstrated that it will provide a level of on-site facilities for lorry drivers appropriate to the size of the scheme, with any ancillary uses being of a type and scale appropriate to the main use of the site as a truck stop.

The policy also highlights the need for facilities to be directly accessed avoiding existing residential areas and be designed and laid out to a high standard and incorporate Secured by Design principles.

The development as proposed would comprise of two elements the well-being facility with direct linkages to the existing Truck stop and the car sharing and meeting space. In appraising the scheme there is policy support within Development Plan Documents as set out above which confirms the appropriateness of those elements that build on the existing truck stop facility whilst acknowledging the sites location in the open countryside where development is strictly controlled.

### **Material considerations**

As noted in the Inspectors decision on the original Truck stop scheme a key material consideration is whether there is a need for such a facility.

The NPPF sets out the Governments overarching planning policies for England with paragraph 11 setting out a presumption in favour of sustainable development. In achieving sustainable development there are three overarching objectives an economic, social and environmental objective.

Section 6: Building a strong, competitive economy outlines the Government objective of encouraging and promoting economic development and the associated enhancement of both national and local economies. Paragraph 80 states: "Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. "

Section 9: Promoting Sustainable Transport provides the approach to directing development to the most sustainable locations (Paragraphs 102 to 104). The NPPF sets out that in making decisions, regard should be had to the opportunities to promote sustainable development (Paragraph 108). In respect of lorry parking, Paragraph 107 states that: "Planning policies and decisions

should recognise the importance of providing adequate overnight lorry parking facilities, taking into account any local shortages, to reduce the risk of parking in locations that lack proper facilities or could cause nuisance.”

Paragraph 109 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”

Within Annex 2: Glossary to the NPPF, sustainable transport modes are defined as: “Any efficient, safe and accessible means of transport with overall low impact on the environment, including walking and cycling, low and ultra low emission vehicles, car sharing and public transport.”

### Climate Change and Sustainability

Section 14: Meeting the challenge of climate change, flooding and coastal change provides guidance on how the planning system should seek to reduce greenhouse gas emissions, encourage the re-use of existing resources and support the transition to renewable energy usage and low carbon built form.

The car sharing car park facility for co-workers is proposed to be controlled by a smart phone App that would provide the opportunity for Co-workers to pre-book the use of the ‘meet and greet’ zone and parking provision, so that they can meet up, leave one of their cars securely parked and then share the other car for the onwards journey. The applicant has highlighted how ride-sharing Apps can reduce vehicle numbers on the road and vehicle kilometres; but as importantly also encourage a behavioural shift towards sustainable transport.’

The submitted Environmental and Sustainability Statement notes that the principle of car sharing will halve the emissions per person for the length of the journey shared between the car share location and the end destination, assuming two occupants for the onward journey. This will have the notable effect of helping the environment, through reducing road congestion, CO2 emissions and reducing global warming. In pure terms every car in the ‘Car-Share Car-Park’ is one car less that’s polluting the environment.

The submitted documentation demonstrates that the facility is a pioneering venture, because it will be among the first of its type in the country. This scheme therefore could provide an opportunity to pro-actively address the ‘Climate Emergency’ which has recently been declared in the Borough.

### Need for Proposal

The applicant provided the Truckstop facility because they established that there was a need for one, which otherwise did not exist, on this section of the A14, at its junction with the A6 Rothwell by-pass. This identified need was confirmed by the Appeal Inspector in her decision to grant planning permission for the Truckstop facility in January 2013 by way of permission KET/2010/0469.

It is with this in mind that applicant now sees the clear need to provide an enhanced facility, which will be ancillary to and co-links with the current

Truckstop offer and which is in direct response to the ever-changing patterns of how people work and how they travel in the 21st century.

Given the central geographical location of Northamptonshire and the presence of this strategic road network running throughout the County, it is well documented and evidenced that the county plays a key role in the movement of freight across the wider country, with nearly 85% of all freight movements occurring by road as highlighted in the *Northamptonshire HGV Parking Study 2009* by Faber Maunsell for Northamptonshire County Council and the Highways Agency.

As a direct result of its geographical location, much of this freight road traffic will pass through Northamptonshire as part its of final journey to destinations within the country or beyond into Europe, utilising the strategic road network (SRN) in the process. Indeed, it is forecast that the levels of freight moved via road and the associated HGV movements along the Strategic Road Network will continue to increase. Research carried out in connection with the production of the Northamptonshire HGV Parking Study 2009 (HGVPS) estimates that in 2009, 20,000 HGVs used the A14 alone.

The application has also been supported by information which explains the changing requirements for HGV driver to have somewhere to rest and legislative changes that may come forward requiring sleep breaks that will need to be taken outside the cabs for wider welfare benefits to the drivers and the safety of all road users. It is with this context that the proposal has come forward.

The applicant envisages that the Well-Being Facility will co-link with the now open Welcome Break building, which provides mealtime food and beverage facilities for HGV and LGV drivers. The refreshments available in the Well Being building will be of a light snack and beverage variety and so will be ancillary to the meet and greet zone and the car-sharing facility, whilst not being in direct competition with Welcome Break.

It is therefore clear that the principle of truckstop facilities at this location fulfils an identified and quantified need in line with JCS Policy 18 which in turn accords with national guidance set out in paragraph 107 of the NPPF.

Overall it can be seen that the principle of the proposals, comply with the objectives of JCS Policy 18 by the provision of ancillary roadside facilities catering for the needs of both the HGV and business communities in a manner which addresses and serves demands arising from the daily use A14 and wider strategic road network.

It is acknowledged that the meeting space and car sharing proposals are not specifically linked to activities associated with HGVs and the existing Truck stop and seek to build a complementary offer which benefits from co-location with the facilities both existing and proposed served off an appropriate access adjacent to the strategic road network.

Through its ability to support and enhance the wider economic drivers of the commercial and haulage sectors underpinning both the local and national economies in more sustainable manner, with elements that seek to provide a response to climate change, the principle of development accords with the core economic, environmental and sustainable objectives of the JCS, Policies 11, 14 and 22 and paragraphs 80, 83, 84 and 107 of the NPPF.

## 2. Access and Highways

Policy 8 (b) of the JCS seeks to provide satisfactory means of access and to resist development that prejudices highway safety.

The primary vehicle and pedestrian access remain unchanged from that of the Truckstop Planning Permission. The single access is from Orton Road, via the recently modified junction with a separate access linking to the north off the existing spine road direct into the proposed site.

The application is accompanied by a Transport Scoping Document, which includes an assessment of the proposed traffic flows arising from the proposal and the capacity of the local road network to cater for such flows. The Scoping Document identifies that the proposals would give rise to a total of 20 two-way movements in the AM peak hour and a corresponding 14 two-way trips in the PM peak on the surrounding road network. Overall the proposals would generate an additional 159 movement across the whole day.

In terms of this trips the Scoping Document confirms that whilst these trips will be 'new' trips to the application site, the trips will be of a linked or diverted nature of traffic already on the network. In this manner the proposals will not create new car trips but rather cater for existing vehicle movements already occurring.

In terms of the capacity and ability of the surrounding network and local junctions on the A14 and A6 to accommodate these diverted movements, technical analysis and survey of the network demonstrates that all junctions will operate within their theoretical capacity with minimal impact on traffic flows. The Local Highway Authority have also not objected to the scheme subject to conditions including that any gym facility is ancillary to the operation of the motel and would not operate as a separate facility which has been confirmed by the highways consultant.

Highways England also have no objection to the scheme and conclude that the proposal will not have any material traffic impacts on the Strategic Road Network. They have recommended conditions regarding surface water and boundary treatments with the A14 should consent be granted.

Overall the Scoping Document and Transport Response conclude that the development is likely to have a minimal impact upon the operation of the local highway network, and therefore there are no reasons on highways or transport grounds to refuse planning permission for the proposed development at this location. Any anticipated impact would fall well beneath the threshold of severe set out in NPPF paragraph 109 which would warrant a reason for refusal of the scheme.

In this manner a safe means of access can be secured to serve the proposals in accordance with JCS Policy 8.

### **Connectivity**

Connectivity within and beyond the site for pedestrians has been considered and would utilise improvements secured through the original consent on the adjacent Truck stop. Detailed proposals for the linkages between the proposed building and existing Truck Stop would be considered at the reserved matters stage.

Within the site, a formal zebra crossing enables pedestrian movements from the footways along either side of the internal access road. Immediately to the south, the internal access road to the consented Truckstop benefits from a 2 metre wide footway on the northern side of the carriageway. This footway extends to form a 2 metre wide footway on the eastern side of Orton Road and ties in with the pre-existing footway on adjacent to the roundabout junction with Lamport Road, A14 westbound on/off-slips and A6.

A formal pedestrian crossing on the A14 eastbound off-slip arm of the roundabout enables northbound pedestrian movements from the site, benefitting from dropped kerbs and tactile paving. The footways within the vicinity of the site also benefit from street lighting. The footway on the eastern side of the A6 extends north from the southern roundabout to the 6 arm roundabout with the A14 eastbound on/off-slips, Harrington and Harrington Road with formal pedestrian crossings provided on the A14 eastbound on-slip and Harrington Road.

From the roundabout, a footway extends east along the northern side of the carriageway of Harrington Road, facilitating access toward the centre of Rothwell. At the 6 arm roundabout junction, formal pedestrian crossings are provided across the A14 entry lane and Harrington Road with dropped kerbs and tactile paving.

### **Framework Travel Plan**

The applicant has confirmed that a Travel Plan will be implemented should the development be granted planning permission. The Travel Plan will set out a range of measures and initiatives to influence the travel patterns of future staff. Whilst the precise details of the Travel Plan will be set out within a future document, a number of key aspects of that the Travel Plan must consider or include are set out at this stage. These commitments include:

- The appointment of a Travel Plan Coordinator;
- The development of 'sustainable travel information pack' to provide key information to staff;
- The development of a travel and transport page on the development website (where available); and
- Staff travel surveys.

It is recommended that the Travel Plan for the application site be secured by way of an appropriate planning condition.

With the proposed conditions set out above the application accords with JCS policy 8(b)

### **Other Reserved Matters**

The full details relating to the remaining reserved matters of appearance, landscaping, layout and scale fall to be determined as part of later submission(s).

**Access is the only matter to be considered as part of this outline application.**

#### **3. Appearance, Layout and Scale**

Section 12 of the NPPF and Policy 8 of the JCS both require that developments be of a high standard of design and architecture and respect and enhance the character of their surroundings.

Although submitted in outline form with all matters except access reserved, the proposals are accompanied by **indicative** site layout and elevations which, along with the Design and Access Statement, set out the overarching design approach proposed.

As can be seen from the submitted documentation, the design approach directly reflects that of the existing truck stop, with the overall approach being to create a consistent built form with the application site reading as a natural extension to the 'Welcome Break' building and adjacent site.

The Design and Access Statement envisages that the building could incorporate a curved roof of a continuous ridge line with the 'L' planform creating an inner courtyard facing into the site, whilst also proving a strong sense of enclosure. This enclosure is reinforced by the rising topography of the A14 slip way to the north, which together with the two-story scale of the building limits any degree of visual intrusion or leakage into the wider landscape.

Although it is acknowledged that the application site can be considered as open countryside, it is highlighted that the context of the site is one of an area of vacant land set between the man-made backdrop of the A14 to the north and the newly constructed truck stop to the south. As such the site can be read in visual terms, as more appropriately being associated with an altered landscape rather than as more traditional open farm land exposed to long distance views.

Indeed, the containment of the application site, lends itself to consideration as a natural extension to the truck stop and this is the exact approach taken with respect of the design of the proposals.

The integration of the proposals into the landscape, will be aided by simple and native planting as shown on the indicative landscaping plan, with the existing tree line to the north retained and supplemented by additional new woodland planting to both the northern and southern aspects. Boundary treatment is envisaged to be of simple post and rail design.

With regard to the sustainability of the building, the accompanying Energy Strategy Report, outlines how through the incorporation of sustainable building techniques and renewable energy technology, a BREEAM rating of 'Very Good' can be achieved, in line with policy requirements and secured by condition.

Given the design and landscape approach advanced, it is apparent that through the consideration of future reserved matters applications, the proposals can respond to the character and topography of the surrounding area and be sympathetic to its surrounding nature and build form in accordance with JCS Policies 3, 8 and 9.

Whilst concerns expressed about the built form are noted, appearance, layout and scale are reserved for future consideration and would be subject to appropriate consideration during later applications. It is considered that subject to conditions and consideration of reserved matters, a high-quality scheme can be achieved on site that would accord with the place shaping principles established through policy 8 of the North Northamptonshire Joint Core Spatial Strategy.

#### 4. Landscape

Policy 15 of the National Planning Policy Framework requires that the planning system should protect and enhance valued landscapes, geological conservation interests and soils. Policy 8 (d) of the JCS states development should create a distinctive local character by responding to the local topography and the overall form, character and landscape setting of the settlement.

Landscaping is not being considered at this outline stage. The design and access statement notes that the landscape strategy for the development is envisaged to complement the scheme of native planting and trees already approved for the adjacent Truckstop scheme and seeks to retain and build on existing assets including the tree line to the north, hedgerow to the east and pond to the west.

Full landscaping details can be secured at reserved matters stage and a condition requiring the landscaping of site, including the site boundaries, is recommended to ensure a satisfactory form of development and appropriate landscaping measures.

Conditions have been also added to require a tree and hedgerow retention scheme and a landscaping and management plan to be submitted and approved together with tree and hedgerow protection measures during construction.

#### 5. Residential Amenity

Policy 8 (e) of the JCS consistent with paragraph 127(f) of the NPPF seek development to protect residential amenity.

The detailed design, scale and layout of the buildings is not subject of consideration at this stage and the implications upon neighbouring properties and future occupiers cannot therefore be fully considered in accordance with JCS Policy 8 until the reserved matters stage.



Any future application will need to pay careful attention to surrounding development and the nearest residential properties to ensure that no detrimental amenity impacts from the scheme.

The application site is located immediately to the south of the A14 and the site will have to be laid out in such a way that provides for a suitable level of amenity for future occupiers of the development particularly by way of noise.

The Council's Environmental Protection team have considered the scheme and have no objection to what is proposed at this stage. Conditions requiring the approval of a noise assessment in relation to nearest residents and also the provision of a safeguarding condition preventing external plant until a noise mitigation scheme has been approved are recommended. In addition, the approval of a construction management plan and lighting details both highlighted as areas of concern by consultation responses are proposed.

#### 6. Contaminated Land

The applicant has submitted a Phase 1 Environmental Assessment in support of their scheme. This concludes that ground conditions will not prevent future development on the site. The Council's Environmental Protection team request a phased environmental survey, to consider naturally occurring contaminants across Northamptonshire that can present a risk to human life. Subject to that condition the application is in accordance with section 15 of the NPPF.

In addition, to ensure that any features of archaeological interest are properly examined and recorded, in accordance with Policy 2 of the North Northamptonshire Joint Core Strategy 2011-2031, and Paragraph 199 of the National Planning Policy Framework an archaeological recording and investigation condition is recommended.

#### 7. Flood Risk and Drainage

Policy 5 of the JCS, consistent with section 14 of the NPPF seeks development to reduce flood risk and contribute toward flood risk management.

The submitted Flood Risk Assessment (FRA) and Surface Water Drainage Strategy demonstrate that the of the site lies in flood zone 1 (low risk).

It is located within Flood Zone 1 meaning there is less than 1 in 1000 (<0.1%) probability of fluvial flooding in any given year. Given the site location and flood zone classification, safe access to and from the site will be available during a 1 in 100-year flood event. The site is considered to be at low risk of flooding from other sources. The proposed drainage strategy will be for run-off from building roofs to pass to a swale; surface water run-off from the car parking area will pass through permeable paving and then be collected in a piped system; surface water run-off from the lorry parking area will pass through a separator. Surface water will be attenuated and released to the existing watercourse at Greenfield runoff rate. The drainage system will be designed for the worst scenario of 1 in 100-year storm plus a 20% allowance for climate change. Residual risks of flooding from the failure of the drainage network will be reduced through appropriate level design and provision of a regular maintenance and inspection regime.

The submitted Flood Risk Assessment is considered acceptable to the Lead Local Flood Authority subject to the imposition of conditions requiring a Surface Water Drainage Strategy to be submitted and approved, together with a detailed scheme for the ownership and maintenance of every element of the surface water drainage system proposed and verification that the installed surface water drainage system is effective.

#### 8. Natural Environment

The National Planning Policy Framework states that the planning system should minimise impacts on biodiversity and provide net gains in biodiversity. Paragraph 99 of Circular 06/05 states that: it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision. Likewise section 40 of the Natural Environment and Rural Communities Act 2006 (NERC 2006) states that: every public authority must in exercising its functions, have regard ... to the purpose of conserving (including restoring / enhancing) biodiversity. JCS policy 4 sets out that existing biodiversity assets will be protected and ecological networks enhanced. The approach is supported by the NPPF.

The application is accompanied by an Ecological Assessment which confirms that the application has been subject to both a desk-based assessment and a habitat survey together supplementing an Extended Phase 1 Survey conducted as part of the earlier truck stop application.

The assessment indicates that the site consists of improved and semi-improved grassland habitat with no notable fauna species present and the overall site having low to moderate ecological value.

In terms of existing habitat features, the pond to the western corner of the application site was assessed as a potential habitat for Great Crested Newts but no evidence of newts was found, with the assessment repeating earlier conclusions that the pond is not a suitable Great Crested Newt habitat due to its isolated location and lack of connectivity to other ponds.

The development of the site is not considered to have a negative ecological impact on the local area if best practice is followed and if enhancements outlined are included within the development.

Recommendations detailed within the report set out opportunities for enhancement on site including:

- Hedgerows: Retention of the hedgerow to the east of the site and infilling of gaps with native fruit and nut bearing species to enhance species diversity;
- Bats: Retain and enhancement of potential foraging routes for bats, installation of bat boxes and planting of night-scented species;
- Birds: Installation of bird boxes within retained hedgerows to potentially be used by nesting bird species; and
- Reptiles and amphibians: Creation of refugia in the form of log and rock around the retained pond to the north west.

The survey found no evidence of Badger setts but some evidence of Badger activity. North Northamptonshire Badger Group notes the recommendation in the Ecological Assessment that sensitivity is taken during site clearance to mitigate any potential impacts on protected species including Badgers whose protection is governed by separate legislation.

North Northamptonshire Badger Group, Natural England and the Nene Valley Improvement Area Project Officer have assessed the information submitted. Subject to conditions it is considered that the development of the site will not harm biodiversity. There is an opportunity for ecological enhancement focussed on the northern part of the site, the existing hedgerow to the east and retained pond to the west

### **Sustainable Buildings**

Policy 9 of the JCS seeks non-residential development in excess of 1000 square metres to achieve BREEAM very good or equivalent, maximise passive solar design and enable access to or the provision of sustainable sources of energy.

The application is supported by an Energy and Sustainability Strategy report with the proposed development adopting an approach directly in-line with the current policy requirements. The proposed development will be designed to achieve reductions in carbon emissions over Building Regulations Part L 2013, with the enhanced carbon performance anticipated to be achieved through adoption of improved building fabric and efficient building services provision, the details of which can be picked up through the reserved matters stage.

The proposed development will also be assessed under the BREEAM 2018 New Construction methodology and aim to achieve a minimum BREEAM 'Very Good' rating. A condition shall be attached to ensure that the development meets this BREEAM rating and as such the proposal is considered to be acceptable in this respect.

### **Benefits**

The Planning Statement associated with the application discusses the socio-economic benefits associated with the proposal; in particular the provision of direct and indirect jobs, the need for the facility which builds on the existing provision and which supports the needs of both the HGV and business communities in a manner which addresses and serves demands arising from the daily use of the A14 and wider strategic road network.

Additionally, through the car sharing proposal the scheme would contribute to environmental benefits through mitigating and adapting to climate change and supporting the provision of sustainable transport through a reduction in single occupancy vehicles on the strategic road network.

The scheme has also demonstrated through the indicative landscaping details and ecological assessment that there would be an opportunity for limited net gain in biodiversity.

The benefits set out above are substantial and should be afforded significant weight in the planning balance.

### **Planning Balance**

The benefits that would accrue from the development are set out above and acknowledge that significant weight can be afforded to the economic, social and environmental dimensions of the NPPF.

The development would inevitably change the character and appearance of the countryside in this location, but in approving the original Truck stop the Inspector noted that the landscape of the area has been assessed as having the capacity to accommodate a degree of change and the proposal as having a moderate magnitude of change. It is that original and fully implemented consent which now provides the background to this enclosed site and which sandwiches the site between it and the A14. As such the landscape is viewed as enclosed by surrounding built form and read against its existing developed backdrop.

Much of this limited harm can be dealt with in the reserved matters or otherwise minimised to such a degree that it is considered to be acceptable and therefore is considered to be out-weighed by the benefits associated with the proposal. Notably with appropriate landscaping and development of a suitable scale and layout, indicative details of which have been provided with this application and which would be considered by the LPA at reserved matters stage the change should be integrated into its surroundings without having undue impact on the wider landscape.

The scheme in part seeks to build on the existing provision of the adjacent Truck Stop which has been delivered and became operational in the past 9 months and for which at this time there are no alternative sites which are currently available and deliverable for such a use in North Northamptonshire. As such there are material considerations which outweigh the conflict with adopted development plan policy in terms of development in the countryside.

Furthermore, the National Planning Policy Framework, while recognising the intrinsic character and beauty of the countryside, places great weight on the need to support sustainable economic growth and to meet the needs of business.

Additionally, through the car sharing proposal the scheme would contribute to environmental benefits through mitigating and adapting to climate change and supporting the provision of sustainable transport through a reduction in single occupancy vehicles on the strategic road network. The public benefits provided by the car sharing element of the proposal would outweigh concerns about the impact of the scheme on the countryside setting.

The proposal therefore is considered to meet the three dimensions of sustainable development (economic, social and environmental) required in the NPPF when assessed as a whole. Moreover, this harm would not warrant a conclusion of there being conflict with the development plan when read as whole, including against Policy 18.

## **Conclusion**

The proposal is in accordance with the Development Plan read as a whole and there are no material considerations which indicate planning permission should not be granted. Access is the only matter to be considered at this stage and is acceptable subject to the imposition of the recommended conditions. The outline application is therefore recommended for approval.

Future reserved matters for layout, scale, external appearance and landscaping would need to be submitted and approved prior to any works commencing on site.

### **Background Papers**

Title of Document:

Date:

Contact Officer:

Richard Marlow, Development Officer on 01536 534316

### **Previous Reports/Minutes**

Ref:

Date: