

BOROUGH OF KETTERING

Committee	Full Planning Committee - 01/02/2011	Item No: 5.1
Report Originator	Anne Dew Senior Development Officer	Application No: KET/2010/0469
Wards Affected	Rothwell	
Location	Orton Road (Land off), Rothwell	
Proposal	Outline Application: 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 a S.106 OBLIGATION being entered into, and to the following conditions:-

1. Approval of the details of the appearance, landscaping, and layout (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 siting, design and external appearance 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 approved shall be used for the parking of HGV's, overnight accommodation and those functions ancillary to that use, and for no other purpose.

REASON: To control the scale of the development given the sites open countryside location and in the interests of residential amenity and highway safety in accordance with PPS1, PPS4, PPS7 and PPG13, policy 7 of the Kettering Borough Local Plan, policies 9 , 11 and 13 of the North Northamptonshire Core Spatial Strategy and policies 3, 26 and 43 of the East Midlands Regional Plan.

6. No development shall commence on site until details of the types and colours of all external facing and roofing materials to be used, together with samples, have 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 and shall thereafter be retained in the approved colour.

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

7. No development shall take place until a cross-sectional plan of the site, prepared to a scale of not less than 1:500, showing the existing and intended final ground levels and land contours, including bunds, 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 and to protect the privacy of the occupiers of adjoining properties in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

8. No development shall commence on site until details of the materials to be used for hard and paved surfacing have been submitted to and approved in writing by the Local Planning Authority. The approved surfacing shall be completed prior to first use of the site.

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

9. 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 for water efficiency and recycling shall have 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 scheme.

REASON: In the interests of energy efficiency and sustainable construction in accordance with Policy 14 of the North Northamptonshire Core Spatial Strategy.

10. 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. Development shall not be carried out other than in accordance with the approved details.

REASON: In the interests of sustainable construction and energy efficiency in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

11. No development shall take place on site 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 approved scheme has been fully implemented in accordance with the approved details and shall be retained in that form thereafter.

REASON: In the interests of security of the site and the visual impact on the open countryside in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

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

REASON: In the interests of site security, the character and appearance of the open countryside and residential amenity in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

13. Development shall not begin unless and until a detailed scheme for the provision, implementation and responsibility for management and maintenance of the surface water drainage for the site, in accordance with the approved Flood Risk assessment (ref: 4165R002F Flood Risk Assessment, dated July 2010, Rev G), has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before first occupation and thereafter retained.

REASON: To prevent the increased risk of flooding and ensure future maintenance of the surface water drainage system in accordance with PPS25 and Policy 13 of the North Northamptonshire Core Spatial Strategy.

14. All surface water from parking and manoeuvring areas shall be passed through a petrol interceptor prior to disposal to groundwater, watercourse or surface water sewer.

REASON: To prevent pollution to the water environment in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

15. 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.

REASON: In the interest of site security in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

16. 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 not be carried out other than in accordance with the approved details.

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

17. 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 not be carried out other than in accordance with the

approved details.

REASON: To encourage the use of alternative means of transport in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

18. No development shall commence on site until an Ecological Management Plan 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 Ecological Management Plan.

REASON: In the interests of the ecology in accordance with PPS9.

19. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping works which shall specify species, planting sizes, spacing and numbers of trees and shrubs to be planted, the layout, contouring and surfacing of all open space areas. The works approved shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development whichever is the sooner. Any trees or plants which, within a period of 10 years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

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

20. 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 in writing by the Local Planning Authority. The use of the site shall be carried out in full compliance with the landscape management plan in perpetuity.

REASON: To ensure that due regard is paid to the continuing enhancement and maintenance of landscape features in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

21. (a) Prior to the commencement of development or other operations being undertaken on site a scheme for the protection of retained trees 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.

(b) 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. Protective fencing shall be retained intact for the full duration of the development hereby approved.

REASON: To ensure the continued well being of trees in the interests of the amenity of the locality in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

22. Prior to the commencement of development a detailed Arboriculture 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.

REASON: To ensure the well being of the trees in the interests of the amenity of the

locality in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

23. Prior to the commencement of development, a scheme to upgrade the pathway across the A14/ A6 junction and along Harrington Road to a shared use pedestrian/ cycleway shall be submitted to and approved in writing by the Local Planning Authority. Prior to first use of the site, the approved scheme shall have been completed.

REASON: To encourage alternative modes of transport in the interests of sustainability and in accordance with PPG13. Please refer to informative 6.

24. As part of any reserved matters application involving the layout of the site or the installation of any plant or equipment an updated noise assessment shall be submitted to and approved in writing by the Local Planning Authority. The noise assessment shall include a scheme for full mitigation measures for the control of noise emanating from the use of the site; in particular including acoustic insulation of buildings and plant, the provision of any acoustic barriers, any site noise management plans, and the parking of vehicles fitted with refrigeration units. The mitigation measures in the scheme shall also ensure that the background noise levels at the nearest noise sensitive dwelling do not increase. The construction, layout and use of the site shall not be carried out other than in accordance with the approved details.

REASON: To protect the amenities of nearby residential properties, in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

25. The HGV parking scheme hereby permitted shall not provide for more than 204 HGV parking spaces.

REASON: The site is located in the open countryside and its impact has been considered in respect of 204 spaces. In addition, the need for up to 204 HGV parking spaces has been demonstrated. The condition is thereby in accordance with PPS1, PPS4, PPS7, PPG13 policies 2 and 3 of the East Midlands Regional Strategy and Policies 9 and 13 of the North Northamptonshire Core Spatial Strategy.

26. 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 the construction works have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be fully implemented before the development commences and retained for the duration of the construction period.

REASON: In the interests of highway safety, in accordance with PPG13 and Policy 13 of the North Northamptonshire Core Spatial Strategy.

27. The access hereby permitted shall not be carried out other than in accordance with the approved plans as shown on drawing numbers 4165-03A and 4165-07.

REASON: In the interests of highway safety in accordance with PPG13 and Policy 13 of the North Northamptonshire Core Spatial Strategy.

Notes (if any) :-

- No works may commence upon the existing public highway without the express written consent of the Highway Authority. Such consent would only

be forthcoming subject to the completion of an Agreement under Section 278 of the Highways Act 1980. The preparation of the Agreement would require the submission of full engineering, drainage, street lighting, signing, road marking and constructional details etc. Submitted details would be subjected to a full Technical and Safety Audit which may result in changes to layouts and works extents shown indicatively on the approved plans.

- The developer is advised that details required to discharge conditions associated highway and access works should be submitted to and gain the Technical Approval of the Local Highway Authority prior to submitting such approved details to the Local Planning Authority for the discharge of associated conditions.
- After the completion of the Section 278 Agreement, the commencement of any highway works will be subject to suitable Notices required by the New Roads and Streetworks Act 1991 as amended by the Traffic Management Act 2004. This, in practice, means that a three month Notice is required to book the road space necessary to undertake works of this nature on any highway.
- Separate Notices will be required for each element or phase of the Off Site Highway Works. The County Council's Traffic Manager may stipulate start and completion dates, duration of works and impose penalties for failure to adhere to conditions that may be imposed. Any works that may affect the Trunk Road Network either directly or indirectly will also need the agreement of the Highways Agency in respect of road booking space.
- A copy of the consultation response from the Environment Agency has been attached to this decision which details general advice for the applicant. In pursuance to c17 the proposed scheme shall make full reference to the noise impact assessment submitted with the application (RLand South of A14 Rothwell Noise Assessment, project ref 2361/001, dated June 2010, Peter Brett Associates. Details shall include:-
 - Acoustic design and cross sectional drawing of the acoustic measures to be installed on the southern boundary of the site adjoining Slade Valley House.
 - Details of the noise levels likely to be generated from the operation of the truck stop at a monitoring location on the boundary of the site adjacent to Slade Valley House, and a scheme of monitoring to ensure that the site operates in accordance with the mitigation scheme.
- The Crime Prevention Design Advisor has been consulted on the scheme and has provided the following advice:-
 - Fencing and gates should be of weld-mesh construction compliant with LPS1175sr/2/3 or sold secure Gold standard. All fencing must be secured into a solid foundation. BS 1722 offers installation advice.
 - Access control into the secured area should be robust and if possible incorporate a photographic facility to identify drivers and vans
 - Bollards should be installed to PAS/68/69
 - Lighting should be installed that is compliant with BS5489 Part 1: 2003 for all external public areas including the parking area and building shell. Lighting should be compatible with and facilitate the CCTV system. Lighting should be low energy and where possible be operated as 'dusk till dawn' operation by

way of photosensitive cells.

- External doors should comply with the Loss Prevention Certification Board (LPCB) security standard LPS1175 SR 2 or 3 and doors manufactured in accordance with the standard must be installed.
 - A warning facility or alarm for external doors should be fitted so that a signal on opening can be transmitted to a security or general office. These doors should also be signed to warn visitors of the alarm alert. Laminated glazing in doors is required to a minimum thickness of 6.4mm.
 - Emergency escape doors and frames should be manufactured from steel and designed without visible external ironmongery. Fire doors should be fitted with door contacts linked to a 24-hour audible alarm activated on opening and/or relayed to security and signed to prevent inadvertent or false signals.
 - Letterboxes should be installed 'through the wall' to discharge into a secure and fireproof chamber. Installation must comply with Post Office commendations.
 - Roller shutters must be certificated to LPS1175 SR 2 or 3 and have contacts fitted linking them to the burglar alarm system.
 - All ground floor and other accessible or vulnerable windows must be independently certificated to BS7950 (Windows of Enhanced Security), or the LPCB security standard LPS1175 SR 2 or 3. These same windows must also use laminated glazing of at least 6.4mm in thickness. In addition, the style and design of any opening window needs careful consideration. Higher risk locations will require greater protection commensurate with risk. Sills should be shallow and steeply angled to prevent them being used as climbing aids, seats, or litter points.
 - Low level glazing is particularly vulnerable to attack and is most commonly broken by kicking. For this reason, the use of extensive low-level glazing must not be part of the design.
 - The building must have an intruder alarm system installed in compliance with Association of Chief Police Officers (ACPO) Security Alarm Policy. This ensures that the technical aspects of the alarm specification will result in a police response to a confirmed activation on site. I would also suggest an internal alarm that can be zoned. This will allow areas that are not being used to be shut down and protected. While allowing other areas to be used.
 - Access should be restricted to the side and rear of the building.
 - ANPR cameras should be installed at the entrance of the site.
- The plans and particulars submitted in accordance with condition 21 shall include:
 - a) a plan showing the location of, and allocating a reference number to, each existing tree on the site which has a stem with a diameter, measured over the bark at a point 1.5m above ground level, exceeding 75mm, showing which trees are to be retained and the crown spread of each retained tree.
 - b) details of the species, diameter (measured in accordance with paragraph (a) above) and the approximate height, and an assessment of the general state of health and stability of each retained tree and of each tree which is on land adjacent to the site and to which paragraphs (c) and (d) below apply.
 - c) details of any proposed topping or lopping of any retained tree or of any tree on land adjacent to the site.
 - d) details of any proposed alterations in existing ground levels, and the position of any proposed excavation, within the crown spread of any retained tree or of

any tree on land adjacent to the site, or within a distance from any retained tree or any tree on land adjacent to the site equivalent to half the height of that tree.

e) details of the specification and proposed fencing and of any other measures to be taken for the protection of any retained tree from damage before or during the course of development. In this condition 'retained tree' means an existing tree which is to be retained in accordance with the plan referred to in paragraph (a) above.

In pursuance of condition 23, the extent of pathway to be upgraded is identified as red on the attached location plan. The scheme shall provide for a path that would be upgraded to a shared use pedestrian/ cycleway, which is signed with the appropriate roundels and is at least 2.5 metres in width where surrounding structures permit.

In pursuance to condition 24, the proposed scheme shall include reference to the noise impact assessment submitted with the application (Rothwell Lane Ltd - Land South of A14 Rothwell Noise Assessment, project ref 23611/001, dated June 2010, Peter Brett ASSociates. The details to include, not an exhaustive list:-

- Acoustic design and cross section drawing of the acoustic measures to be installed on the southern boundary of the site adjoining Slade Valley House.

- Details of the noise levels likely to be generated from the operation of the truck park at a monitoring location on the boundary of the site adjacent to Slade Valley House, and a scheme of monitoring to ensure that the site operates in accordance with the mitigation scheme.

- The applicant is advised site clearance operations that involve the destruction and removal of vegetation on site shall not be undertaken during the months of March to August inclusive, except when approved by the Local Planning Authority.

In pursuance of condition 22, the submitted Method Statement shall include the following details:-

- a) Implementation, supervision and monitoring of the approved Tree Protection Scheme

- b) Implementation, supervision and monitoring of the approved Tree Work Specification

- c) Implementation, supervision and monitoring of all approved construction works within an area designated as being fenced off or otherwise protected in the approved Tree Protection Scheme.

- d) Timing and phasing of Arboricultural works in relation to the approved development.

The applicant is advised that consent is required from the Local Planning Authority for the removal of hedgerows under the 1997 Hedgerow Regulations.

This Decision Notice must be read in conjunction with a Planning Obligation completed under the terms of Section 106 of the Town and Country Planning Act 1990 (as amended). You are advised to satisfy yourself that you have all the relevant documentation.

Justification for Granting Planning Permission

The proposal conflicts with national and local policies as set out in Planning Policy Statements 4 and 7, Policy 7 of the Local Plan for Kettering Borough, Policies 9 and 11 of the North Northamptonshire Core Spatial Strategy and Policy 3 of the East Midlands Regional Strategy being in an open countryside location. However, the issues relating to the need for the development, and lack of alternative sites, together with a S106 obligation requiring remediation of the land to its original condition should the use cease are material considerations and are sufficient to indicate in favour of the proposal and to outweigh the policy conflicts referred to above.

Officers Report

3.0 Information

Relevant Planning History

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 on grounds of:-

R1. Insufficient information within the Environmental Statement to assess the effect on the environment.

R2. Failure to justify development of a Greenfield site in the open countryside

R3. Failure to demonstrate the need for the development in the context of the Northamptonshire HGV Parking Study and the re-opening of the Alconbury HGV parking site.

R4. Failure to demonstrate that all other alternative sites have been looked at.

R5. Flood Risk. Site falls within zones 2 and 3 and the application failed to consider alternative sites which have a lower risk of flooding.

R6. Insufficient flood risk information submitted. No surface water drainage information or indicative drainage strategy.

R7. Potential impact on grass snake not considered

R8. Insufficient information in transport assessment to assess transport impacts

R9. No provision for safe cycle movements within the site.

R10. Fails to assess the archaeological potential of the site.

R11. Fails to assess the landscape and visual impact

R12. Fails to consider noise and vibration

R13. Fails to consider air quality impact

R14. Fails to justify the scale of the proposal

R15. Does not consider climate change or energy efficiency.

R16 The scheme does not consider remediation issues

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.

Site Description

Officer's site inspection was carried out on 5th August 2010.

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 very 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.

Proposed Development

The application is in outline form with access and scale to be approved, and all other matters reserved. The HGV parking site will provide 24 hour secure parking for 204 HGV's which will be accessed from Orton Road. Indicative layout plans have been submitted which show how the site could be laid out. The indicative scheme also includes the following elements:-

- Re-fuelling diesel station to accommodate 4hgv's
- Stacking lane
- Amenity block with a floor area of approximately 900 square metres providing a canteen, toilets, showers, bar, shop, laundry and recreation facilities
- Non secure parking for light goods vehicles number
- 23 staff car parking spaces
- Exit, entrance and fuel paying kiosk
- Off site highway improvements involving the widening of Orton Road
- Bicycle pool
- Footpath/ cycle path from the amenity block to the site entrance
- Extension of the existing footway from the A14 junction into the site for pedestrians and cyclists.
- 3 metre high security fencing around the perimeter of the secure parking area
- 3 metre high landscaped bund on south western boundary of the site
- 2 new balancing ponds
- Bridges over watercourses

Any Constraints Affecting The Site

Trunk Road

Open Countryside

4.0 Consultation and Customer Impact

Comments on original submission received 14.07.2010

Rothwell Town Council

Object.

- Extra traffic generated at J3 would be unacceptable and unworkable
- Statistics quoted for the traffic loadings at J3 are out of date and taken before the distribution centre at Desborough was fully operational. There is also the proposed extension of employment land at Desborough
- The development may preclude the employment proposals associated with Rothwell North.
- Environmental pollution into the Slade Brook with leakage of diesel, particularly in the event of an accident or vehicle fire.
- Noise and light pollution to residents south west of Rothwell and Slade Valley House
- Increases acid pollution to historic assets.
- Increase in traffic levels around Rothwell and at j3.
- There are other more suitable sites for a truck stop in North Northamptonshire

Highway Authority

In principle support the application as it will provide a much needed truck facility. Further details are required of the swept path analysis of the site access and the proposed amendments to Orton Road. The proposal will increase traffic on the two roundabouts over the A14 but the applicant has demonstrated that the junctions would still operate with capacity.

Highways Agency

No objections subject to a condition limiting the facilities use as a truck stop.

Environmental Health

The impact of the development is difficult to determine due to the number of assumptions that must be made at this stage regarding air quality and noise. The submitted Noise Assessment makes these assumptions. Subject to conditions to ensure that the amenity of the area, and the amenity of the nearby residential dwelling is protected there is no objection. Conditions required regarding location of plant machinery, the operation of diesel, location for the operation of refrigeration units and a detailed noise mitigation scheme.

County Rights of Way Officer

No objections, the scheme does not affect a public right of way. There are no public Rights of Way that crosses the site.

Northamptonshire Police

No objection in principle. The need for the facility is recognised. The site should be designed in accordance with the association of Chief Police Officers Safer

Parking Award and Secure European Truck Parking Operational Services. Landscaping and boundary treatment needs to be agreed with the police. Access Control to the amenities block is unclear, if this area is insecure it will compromise the site. The police and LPA will need to agree security measures including barriers, access control, fencing, security personnel, storage of money, CCTV and lighting. Informatives are recommended to any grant of planning permission covering Secure By Design, fencing and gates, access control, bollards, lighting, external doors and windows, glazing, letter boxes, roller shutters and CCTV.

County Archaeological Advisor

No objections. There are no significant archaeological deposits within the site. The geophysical survey identified two ridge and furrow cultivation schemes and a furrow cultivation scheme. Fourteen trenches were excavated which revealed evidence of medieval farming landscape containing ridge and furrow and nothing of archaeological significance.

Northants Bat Group

Difficult to assess the affect on bats ad the bat survey only highlighted trees with potential for bat roosting and did not survey to see if any bats are using the roosting sites, and if so what bats. A proper bat roosting survey and activity survey needs to be carried out on site so that mitigation can be incorporated at every stage.

North Northants Badger Group

No reference to badgers in the Ecology Report.

Natural England

Object. Insufficient survey information to demonstrate if there would be an adverse effect on legally protected species. Badgers: No assessment of the predicted effects on badgers. Green Infrastructure: The site offers ecological features which are valuable to wildlife and contribute to local green infrastructure with the hedgerows and water features providing valuable wildlife corridors and providing connectivity across the site into the countryside. The scheme should include a plan for the design, delivery and maintenance of Green Infrastructure. Efforts should be made to form links with the wider countryside or existing areas of open space to create an enhanced network of green space. Reference needs to be made to the emerging Kettering Borough Green Infrastructure document to ensure that any planned green space maximises its contribution to the overall GI network.

The Wildlife Trust

Information submitted is confusing and incomplete and further information is required:-

- No contrast between 2006 and 2009 survey exercises
- No reference to badgers
- Section 2 'Nature Conservation Results and Evaluation' text makes no reference to TN4 although there is a symbol on fig 1. P3 is referenced in the text however this is not shown on fig 1.
- Appendix 3 Bat Survey Do not state survey methodology for bat survey.

- Lack of clarity in Trees Survey Results in appendix 6 Fig 1 plan does not show all trees 37 – 67 and 92 – 102.
- Reptile Report – Fig 1 to accompany report is missing. 4/7 of reptile survey visits were made outside of the recommended time periods and no details included of temperature.
- The site sits in a tract of land between 2 local green infrastructure corridors. No detailed information is given about the green infrastructure element to the scheme. The applicant needs to set out the proposed biodiversity enhancements and future conservation managements to the habitats in and around the site.

The Environment Agency

Object to the application. The submitted Flood Risk Assessment does not comply with PPS25 and does not provide a suitable basis for assessment to be made of the flood risks arising from the development. Details of the flow control structure proposed are required or alternatively calculations should be amended to reflect the worst case scenario. The flood risk assessment fails to factor climate change into the calculations.

Northamptonshire Teaching Primary Care Trust

No objections.

Telford Way Estate Group Pytchley Lodge and Orion Way Estate Group

Support the application. Insufficient lorry parking in the county leading to parking in inappropriate areas causing road safety, environmental issues and crime. This is a problem at the Telford Way Estate, Pytchley Lodge and Orion Way Estate. Other problems include visibility, parking on verges and paths, lorries blocking emergency access routes, deteriorating road surface and unsightly. This creates issues for companies bringing potential clients onto estates. The Northampton HGV Parking Study highlights the need for truck parking provision. The situation will deteriorate further with changes to continental drivers conditions which will force them to stop more frequently and more planned developments for logistic developments in the area. The scheme will have implications for the towns prosperity.

Borough Council of Wellingborough

No objections.

Corby Borough Council

No objections. The need for the facility is recognised as are the strategic benefits of the development in this location.

South Northamptonshire Council

No objection in principle. The need has been clearly established.

East Northamptonshire Council

No objections.

Northampton Borough Council

No objections.

Loddington Parish Council

Object.

- There is no need as there are alternative facilities in other counties (J1 on A14 and Alconbury).
- Contrary to PPS7. Fails to demonstrate the development of a Greenfield site.
- Truck stop should be sited within the boundaries of Rothwell North.
- Slip roads are short and narrow. Insufficient speed will be gained when exiting east bound before the accident black spot at J4 Rothwell is reached.
- There is an existing rat run through Loddington – traffic will increase further 24 hours a day.
- Area is prone to flooding and has flooded in the past. Laying large areas of tarmac will exacerbate this.
- Large risk of oil pollution from the lorries
- Noise Impact, particularly at night time particularly with vehicles slowing, accelerating, multiple gear changes and reversing alarms.
- Light Impact – particularly at night time. Will be detrimental to the countryside and neighbouring villages
- Adverse impact on wildlife.
- Fails to address the need for a decommissioning plan
- Will set a precedent for development of land to the south of the A14

Orton Parish Council

Object.

- Truck crime has gone down thereby reducing need
- Due to the economic downturn the need for a long distance truck stop has reduced
- Drivers are reluctant to pay to park overnight
- Flood plain
- Speculative development
- The suggestion that other sites are not available is misleading and incorrect. Other sites are more strategically placed including Welford,, land adjacent to Telford Way, Kettering Northern bypass and Islip
- Lack of ecology survey work particularly with reference to reptiles and crested newts.
- Site is within the open countryside
- Need for the site has been exaggerated. There is an existing truck stop 10.5 miles east of Kettering and a site at j1 at Welford which negate any further need.

Thorpe Malsor Parish Council

Object to the scheme on the grounds of:-

- loss of another Greenfield site
- will be the start of further development on this side of the A14
- will encourage illegal immigrants, drug dealing, prostitution, and anti social behaviour in and around Rothwell.

Neighbours

12 third party representations have been received objecting on the grounds of:-

- grass snakes have been seen 200m from the site
- no eastbound information is quoted
- estimated numbers of users appears low and discounts LGV vehicles. Is the facilities building of a sufficient size to accommodate additional capacity.
- No details of how the access into the site will be maintained during ice/snow conditions
- Plans don't show proposed gradients
- Adverse impact on wildlife including bats, owls and snakes, buzzards, red kites
- A better site would be in the Catthorpe area
- Unclear how the hedges at the Slade Brook Valley will be treated, particularly during the construction phase
- Concerns over run off during heavy rain and contamination.
- No details provided of how exceptionally sized loads will be catered for
- Extra traffic and signs will lead to increased confusion.
- Inappropriate location for highway safety reasons creating heavy slow moving traffic at a major junction where lorries are already slowed down by the hill to the west of the junction. To the east visibility is poor and there have been serious accidents. More outside land congestion will result and more difficulty in entering the A14 east bound.
- Area is already congested at peak times and this will increase.
- Increased noise 24/7
- Noise, crime and light problems result from truck stop and this is evident at the village of Middleton Tyas on the A1 at Scotch Corner which has a truck stop.
- Increased pollution
- Inappropriate location – should be sited at major distribution hubs and not in areas where they will not be delivering.
- Application does not overcome the previous reasons for refusal
- Information referred to in application is incorrect
- Reports submitted are biased towards the developer
- Site is in close proximity to country roads close to Orton, Loddington, Thorpe Malsor and Cransley which are already used as short cuts and this will increase
- Landscape takes years to mature and rarely gets completed to its required standard.
- Orton will be trialling a County Council 'Quiet Lane Status' scheme to try and limit speeds and traffic.
- Increased traffic will put a severe strain on and off the A14. This part of the A14 already suffers from different traffic speeds and lane changes and is already very dangerous.
- Question whether increased vehicle movements associated with the Biomass Power Generator have been taken into account
- Adverse impact on the rural landscape characterised by farming
- Implications for the nearby large livery yard opposite the site
- Facility should be sited in Kettering's industrial area

- Existing traffic is high through Orton and despite signs HGV's already use these local roads and this will increase.
- Increase in crime
- The development will change the landscape character
- the slip road is a death trap with poor visibility and congestion and the increase in traffic will result in chaos and danger.
- The truck stop will not benefit Rothwell nor the surrounding villages
- Existing roundabout does not have capacity and not suitable for huge loads to manoeuvre
- Is there still a need as the new government wants to increase the use of railways
- Many truck drivers will still park in lay bys as there is no fee
- Road congestion will result on the A6 and A14
- Lay bys on the A14 are never full with lorries
- Wont be profitable
- Risk of becoming a business/ trading estate if use ceases
- Loss of privacy
- Litter dropping
- Increased noise
- Increase in the number of people walking on Orton Road
- Noise from vehicles leaving the site, particularly between 5 – 7am will be far greater than the noise of vehicles travelling at a constant speed on the A14 and will have a major adverse impact.
- Noise can travel in excess of 2000m with wind direction.
- Noise from refrigeration units and vehicle reversing alarms.
- Implications for barn owls, bats, hawks, kestrels and kites, other birds, badgers, deer, foxes, rabbits and hares
- No assessment of the visual impact from windows of nearby dwellings
- Bund will be ugly
- Loss of view
- Air pollution will result in an increased health risks and life expectancy and be harmful to peoples, animals and the environment
- Risk of water pollution
- Lighting will have an adverse impact on wildlife including birds and owls and insects
- Development will result in the loss of the livery yard and fishing lake
- Area will no longer be used by horse riders
- Will have a detrimental impact on the wider landscape setting
- Roads don't have capacity to cope
- Lack of assessment of alternative sites
- More suitable Brownfield sites are available including J1 of A14, land adjacent Telford Way Industrial area, Kettering Northern bypass and an unused secure car storage area at Islip
- This section of the A14 is icy during the winter months
- Additional services on the A14 will be detrimental to the Portly Ford Café Limited at Welford. Until the permanent permission for services at j1 of the A14 is up and running and any additional need properly assessed, any additional planning permissions should not be given.

1 third party representation has been received in support of the application on the grounds of:-

- Increased safety for lorry drivers
- Reduce thefts
- Creation of jobs
- Need for the facility
- Highway safety improvements as hgv's parking on roads causes danger

Comments received on additional information received on 8.11.2010, 18.10.10 and 30.09.10

Highways Agency

No objections. A condition is required restricting the use as a truck stop with ancillary functions and for no other use.

The Environment Agency

The revised flood risk assessment has been undertaken in line with PPS25 and is considered appropriate for the scale and nature of the development. Previous objection is withdrawn subject to conditions covering surface water drainage.

Northants Bat Group

No objections and are in agreement with the findings and recommendations of the revised bat report.

North Northants Badger Group

Contents of the Badger Report are noted and have no further comments to make.

The Wildlife Trust

The scope and content of the additional ecological survey report submitted is acceptable as are the recommendations of this report regarding biodiversity retention, protection, enhancement and future possible mitigation measures and these should be secured by condition.

The additional information does not address the previous concerns of The Wildlife Trust regarding ecological and Green Infrastructure matters. Due to the outstanding issues the measures specified in the FPCR report cannot be assessed as to their suitability and completeness as there remains unknown ecological aspects of the scheme and further information is required.

In response to these concerns the applicant's ecologist has provided further information which have overcome the concerns of the Wildlife Trust. The Wildlife Trust have advised that the scope, content, findings and conclusions are acceptable of this additional information are satisfactory. The recommendations in the report in respect of biodiversity retention, protection, enhancement, mitigation measures and green infrastructure need to be secured

Natural England

No objection to the scheme in relation to species subject to a site clearance condition.

Satisfied with the results of the additional ecological information that show that bats and badgers will not be adversely affected. A condition is required to ensure the appropriate precautionary measures identified in the survey are secured.

Concerned over the validity of the Reptile Survey. The application should not be determined until confirmation has been received that a valid reptile survey has been undertaken. Recommend refusal unless the applicant submits adequate information to show that the species would not be affected or that potential effects would be avoided or mitigated against.

It does not appear that the green infrastructure issues have been addressed, however these concerns can be addressed by a condition requiring the submission of an ecological management plan.

In response to these concerns, the applicant's ecologist has provided further information which has overcome the concerns of Natural England. Natural England has advised that they are satisfied that a suitable reptile survey regime has been undertaken.

Campaign for the Protection of Rural England

Support the application. The need for the facility is acknowledged, however there are mixed views about its location. Greatest concern is the provision of suitable screening to minimise landscape intrusion and noise and that any lighting installed minimises light pollution.

Rothwell Town Council

Alternative sites L or M would be ideal for a truck stop as neither are close to residential areas. There are water courses at the Rothwell site which are in danger of being polluted, this is not the case with sites L or M and access would also be better.

Corby Borough Council

No objections. The need for the facility is recognised as well as the strategic benefits of the development in the location proposed.

South Northamptonshire Council

No objection in principle as the need has already been established, however the location, design, scale and impacts of the development need to be carefully considered.

Northamptonshire County Council Highway Authority

Support the application subject to conditions. The proposed access layout and

additional Swept Path Analysis would provide adequate controllable turning space within the public highway for articulated vehicles and will also restrict HGV's from turning left towards Orton. The scheme will also reduce speeds on Orton Road. The applicant has demonstrated that existing junctions would still operate within capacity.

Northamptonshire County Council - Archaeology

No objection. No further archaeological investigation is required.

Northamptonshire County Council - Access

Welcome the incorporation of the pooled bike scheme and internal cycle track, however facilities for cyclists between the site and Rothwell are inadequate. To encourage modal shift, need to make facilities as attractive and safe as possible. And this includes providing clearly marked surfaces that are separated as much as possible from motorised traffic. The only route into Rothwell is across the A14/ A6 junction which has suitable surfaces for walkers across the junction, however cyclists have to ride on the carriageway, which will result in increased conflict. To mitigate this and to promote cycling, the development should provide for an upgrade to the pathway across the A6/ A14 and along Harrington Road into Rothwell. This would involve the existing path being upgraded to a shared use surface, be signed and be at least 2.5m in width.

Northamptonshire Police

No objection. The site should be designed in accordance with the Association of Chief Police Officers Safer Parking Award (ACPO) and Secure European Truck Parking Operational Services (SEPTOS). The site needs to be enclosed by weld-mesh security fence, details to be approved. Access control to the amenities block is not clear. Barrier, access control, fencing, security personnel, storage of money, CCTV and lighting all need to be agreed. Conditions and informatives are required.

Loddington Parish Council

Previous objections still apply. Additional comments to make:-

- The photographic views show vegetation in full leaf and do not give a true representation of the screening in Autumn and Winter
- The photographic views clearly demonstrate what a beautiful piece of countryside will be spoilt.
- The application should be determined after Christmas

Neighbour Representations:

3 further neighbour representations received. Additional objections are on the grounds of:-

- Additional information does not address original objection regarding safety and congestion on the A14 and A6.
- The assessment of alternative sites uses an arbitrary scoring system which supports the scheme
- An HGV site is being proposed at a place where no HGV's need to stop at present
- CO2 emissions are greatest when the lorry starts up, thus increasing CO2 emissions at the site and resulting in an increase in air and noise

- pollution.
- Scoring system is not agreed on nationally agreed objective criteria
 - Concerns over the amount of queuing space for incoming and outgoing vehicles
 - Lack of clarity on road contours
 - The capacity of the still ponds for surface runoff from the hard surfaced area and the data used for calculating their volume in relation to the known peak rainfalls over periods of up to 48 hours was not given.
 - The supporting traffic data submitted was in respect of eastbound traffic although the site is on the west bound lane of the A14.
 - The Welford Truck Stop is not about to close and continues to have temporary planning permission
 - No rationale for a new truck stop site two junctions to the east of the temporary site at Welford
 - With traffic lights installed on junction 4 (Rothwell South) slip road, traffic already backs up to junction 3 during peak hours
 - HGV drivers will use Rothwell to Orton to Foxhall or Loddington as short cuts
 - County Council HGV Truck Stop Survey identifies that truck stops do not bring employment
 - Other similar truck stop uses entail 24/7 vehicle movements resulting in noise, light pollution and crime.
 - Applicants site at Islip is the most suitable option for a truck stop
 - Previous truck stop application was refused because the site was in a flood plain – what has changed since then?

A letter has been received from the owner of Portly Ford Café Limited at Welford. This letter states that Daventry Council has identified a need in their Local Plan for a truck stop facility at junction 1 of the A14 which is only 10 miles away and full planning permission has been granted. Portly Ford Café is subject to a temporary consent and the planning approval of additional services on the A14 would be detrimental to our business which has been operating for the last 12 years.

Re – Consultation 20.12.2010 on the Joint Planning Units Alternative Site Survey

North Northants Badger Group – No further comments to make.

Environment Agency – No additional comments to make.

Rothwell Town Council – Any survey on alternative sites for a truck stop would be better if conducted on behalf of Kettering Borough Council by a third party as this would give independent advice. An independent analysis could identify a site where there is less possibility of environmental damage. If truck stop has to be on this site it should be closer to the A14. and away from existing water courses to avoid possible contamination.

Cransley Parish Council – Objection on the grounds of:-

- Kettering Borough Council had agreed in the past not to develop land south of the A14
- Increase in traffic on the single track road to Orton and onto Loddington and Great Cransley.
- How will large vehicles be stopped from using the roads whilst still making them available for farm vehicles.
- How will the 7.5 ton restriction order through Cransley be implemented?
- Increase in general traffic through Cransley from staff and service vehicles
- There are existing traffic problems through Cransley and the parish are part of the 'Speedwatch' initiative.

Orton Parish Council – Objection on the grounds of:-

- Do not agree with the scoring system in the JPU's Alternative Site Assessment
- No reference is made to the traffic management signals on J4 of the A14. At peak times these will block access to the A14 from J4 forcing all Rothwell and surrounding village traffic to use J3 which will result in mayhem.
- A truck stop site already has planning consent at J1 of the A14 10 miles from the application site. Why is there a need for a further park at J3.
- The justification and need for a truck stop is not convincing, based on local media the number of complaints referring to overnight parking seems non-existent. Not convinced that trucks with empty trailers will pay to park.
- The site has grassland wildlife value. Barn owls and great crested newts have been seen in the surrounding grassland.

Harrington Parish Council – Objection on the grounds of:-

- the development will affect the water course. Concern that oil and chemicals will be washed into the river causing pollution to grazing areas.
- Too near to dwellings in Orton Lane affecting residents quality of life and resulting in additional noise in respect of vehicle noise, particularly in the early hours.
- Access to the site is from a slope which could cause difficulties in inclement weather and increase vehicle noise.
- There is already a lorry park at Welford, why is another one needed?
- Concern that lorries may take shortcuts to get to the site and use 7.5 tonne restricted roads
- Lighting required will result in excessive pollution

South Northamptonshire Council – No objections

Neighbour Representations 1 neighbour objection has been received on the grounds of:-

- Additional information provided does not address the issue of safety on

the A14.

- The study suggests the site is more suitable due to costs rather than the assessment score
- The assessment does not seem to score safety issues
- HGV's leaving the site in both directions will significantly increase the risk of severe accidents, particularly in the west-bound direction.
- The junction is on a bend where visibility of oncoming traffic east and westbound is limited.
- East bound junction is heavily congested in the morning rush hour and accidents occur, this problem will be exacerbated

A response has been received from a potential truck stop developer who is in discussion with Daventry District Council regarding developing a high security lorry park which is located approximately 1.5 miles from the Catthorpe Junction. Objections to the current planning application are made on the grounds of:-

- The development is not linear thereby causing danger on local roads
- Security is improved if kept on the A14 and not involving other roads
- A European Directive states that new lorry parks cannot be less than 1.6km from a current junction.
- The site will be visually obvious as it is on a gradient and just below Rothwell.
- For a service area on the A14 to be properly secured it must be adjacent to the A14 and not 300 metres if an on line linear park was agreed
- HGV parking off the A14 will allow easy access for immigrants into Rothwell and Kettering.
- The alternative site assessment does not take into account other sites coming on stream shortly
- The site 1.5 miles from the Catthorpe Junction is not connected the local road network and offers a high degree of security.
- The site entrance will change Orton Road, creating dangerous access points and egress points
- The development will harm ecology
- Concerns over layout of building
- Location will result in an increase in criminal activity
- The development needs to be sustainable

5.0 Planning Policy

National Policies

PPS1. Delivering Sustainable Development

PPS1. Planning and Climate Change Supplement

PPS4. Planning for Sustainable Economic Growth

PPS5. Planning for the Historic Environment

PPS7. Development in rural areas

PPS9. Biodiversity and Geological Conservation

PPS10. Planning for Sustainable Waste Management

PPG13. Transport

PPG16. Archaeology for Planning

PPS23. Planning and Pollution Control
PPG24. Planning and Noise
PPS25. Planning and Flood Risk

Development Plan Policies

East Midlands Regional Plan

Policy 1. Regional Core Objectives
Policy 2. Promoting Better Design
Policy 3. Distribution of New Development
Policy 18. Regional Priorities for the Economy
Policy 26. Protecting and Enhancing the Region's Natural and Cultural Heritage
Policy 27. Regional Priorities for the Historic Environment
Policy 28. Regional Priorities for Environmental and Green Infrastructure
Policy 29. Priorities for Enhancing the Region's Biodiversity
Policy 31. Priorities for the Management and Enhancement of the Region's Landscape
Policy 32. A Regional Approach to Water Resources and Water Quality
Policy 35. A Regional Approach to Managing Flood Risk
Policy 36. Regional Priorities for Air Quality
Policy 38. Regional priorities for Waste Management
Policy 39. Regional Priorities for Energy Reduction and Efficiency
Policy 43. Regional Transport Objectives
Policy 44. Sub Area Transport Objectives
Policy 45. Regional Approach to Traffic Growth Reduction
Policy 46. A Regional Approach to Behavioural Change
Policy 55. Implementation of the Regional Freight Strategy

North Northamptonshire Core Spatial Strategy

Policy 5. Green Infrastructure
Policy 6 Infrastructure Delivery and Developer Contributions
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. Environment: Protection of the Open Countryside

Supplementary Planning Policies

North Northamptonshire Sustainable Design Supplementary Planning Document
2009

6.0 Financial/Resource Implications

A S106 obligation is required to secure an insurance bond for site restoration in the event that the use ceases on site, to secure a travel plan with associated off site works and monitoring and to secure a route signing strategy for the development.

7.0 Planning Considerations

The key issues for consideration in this application are:-

- 1 Principle of Development
- 2 Need for the development
- 3 Alternative Sites
- 4 Highway Safety Implications
- 5 Landscape Character and Visual Appearance
- 6 Impact on Residential Amenity
- 7 Flood Risk
- 8 Ecology
- 9 Utilities
- 10 Archaeology
- 11 Sustainable Development
- 12 Remediation

1. Principle of Development

The site is located in the open countryside and is currently in use for the grazing of horses. Policy EC6 of Planning Policy Statement 4 advises that Local Planning Authorities should ensure the countryside is protected for the sake of its intrinsic character and beauty. PPS4 also states that economic development in the open countryside should be strictly controlled and that new development needs to be located in or on the edge of existing settlements. Planning Policy Statement 7 states that priority should be given to the re-use of previously developed Brownfield sites in preference to the development of Greenfield sites, except in cases where there are no Brownfield sites available. Paragraph 16 of PPS7 states that the following criteria need to be considered in determining planning applications; the need to protect natural resources; provide for sensitive exploitation of renewable energy sources and conserve specific features and sites of landscape, wildlife, historic or agricultural value. Each of these factors are discussed in this report.

Saved Policy 7 of the Local Plan for Kettering Borough states that planning permission in the open countryside will not be granted unless where provided for in the Local Plan. There are no policies in the Local Plan that allocate or make provision for lorry parking development in the open countryside. Policy 55 of the East Midlands Regional Plan 'Implementation of the Regional Freight Strategy' relates to improving the efficiency of the road haulage industry, however, makes no reference to the development of new lorry parks. There is therefore no specific provision or site allocation for an HGV lorry park in the Borough in the open countryside.

The proposed use is considered to be an economic use, as defined in paragraph 4 of PPS4 given that it provides employment opportunities and generates wealth and as such the scheme needs to be considered against policies EC10, EC11 and EC12 of PPS4. Policy EC10 of PPS4 sets out the criteria that planning applications for economic development need to be considered and these are; whether the proposal has been planned over the lifetime of the development to limit carbon emissions; the accessibility of the scheme by a choice of means of

transport; whether the proposal secures a high quality and inclusive design; the impact on economic and physical regeneration and the impact on local employment. Policy EC11 of PPS4 sets further criteria that need to be considered where a planning application is not in accordance with an up to date development plan and these are to weigh market and other economic information alongside environmental and social information and consider whether the proposal meets wider objectives of the development plan. A relevant consideration with this application is the environmental, social and economic benefits that are associated with the application. The existing lack of need of a truck stop facility has implications in the borough, with HGV's parked in inappropriate locations, often resulting in adverse safety implications and social and security implications. It is also recognised that the development will result in job creation and potentially the facility could make the area more attractive to firms considering relocating to the area.

Policy 9 of the North Northamptonshire Core Spatial Strategy also states that new building development in the open countryside outside the Suburban Urban Extensions will be strictly controlled. It also states that priority will be given to the re use of suitable previously developed land within the urban areas, followed by other sustainable land in urban areas. Policy 3 of the East Midlands Regional Plan also states that priority should be given to making best use of previously developed land in urban or other sustainable locations. The application site is not previously developed land and is not located within an urban area.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires Local Planning Authorities to determine planning applications in accordance with the statutory development plan, unless material considerations indicate otherwise. Given the countryside location of the application site, it clearly conflicts with Development Plan policies noted above. **Approval of this application would therefore be an exceptional departure from the Development Plan.** Important material considerations in determining this application are the need for the development, whether there are any other alternative sites which are more suitable. These issues are discussed below as well as all other material planning considerations that are noted above.

2. Need for the development

A relevant material consideration to this application is whether there is an identified need for lorry parking.

Dft Circular 01/2008 'Policy on Service Areas and other Roadside Facilities on Motorways and All-Purpose Truck Roads in England' states the Government's objective is to encourage greater choice in the provision of service facilities for all road users, thereby encouraging drivers to take breaks more often and thus reducing accidents. The advice states that HGV service areas should be sited approximately 30 minute or 14 miles apart, whichever is the lesser.

A Northamptonshire HGV Parking Study was completed in February 2009 which was commissioned by the Highways Agency and Northamptonshire County Council. The study examined the strategic roads in Northamptonshire on the

A14, A45 and A43. The study concluded that there is a current minimum demand for lorry parking of at least 300 spaces. The study stated that up to three new lorry parks should be located within Northamptonshire.

To understand the need for a truck stop facility within Northamptonshire, the Northamptonshire HGV Parking Study also needed to take into account the location of other nearby HGV parking sites that are located outside of Northamptonshire County. There is currently one permanent secure lorry park in the county at Rugby. The closest HGV parking facility to the west of application site is a temporary facility at J1 of the A14 at Welford and this can accommodate approximately 40 hgv's. This site has a temporary planning permission. There is a separation distance of approximately 38 miles between this temporary facility and the Alconbury Truck Stop, thus there is a clear need for a further facility. The application site is located 10.5 miles from Welford and 28 miles from Alconbury. In addition to this, there is an extant planning permission for an additional permanent HGV parking site at junction 1 of the A14 for provision for 43 HGV spaces. This existing provision was taken into account in the Northamptonshire HGV Parking Survey thus does not change the need for a facility on the A14.

The applicant argues that there is also a qualitative need for higher quality truck stop accommodation with the closest facility at Welford being of a lower standard compared to the facility that is proposed for the application site.

Taking into account the existing provision and extant planning permission, The North Northamptonshire Joint Planning Unit recognise that there is a current strategic need for up to 3 sites and 300 HGV parking spaces to be provided in the borough.

The scale of the proposal is to be agreed at this outline stage, thus the need for 204 hgv spaces needs to be considered. The need for 300 hgv spaces within Northamptonshire is accepted, with at least one facility to be provided on the A14.

The planning application also seeks approval for the scale of buildings proposed. The scheme proposes an amenity building of a floor area of approximately 46 metres by 20 metres which provides for canteen, shower and toilet facilities, a tv room, a bar, a recreation areas, a laundry room as well as ancillary offices for the HGV parking site. The applicant has advised that the need for providing this level of facilities accords with the DFT's Premium truck stop standard which is set out on the Lorry Parking Base Line Report. Based upon figures provided by the applicant, at peak usage times there will be up to 55 customers who will use the facility at anyone time. This is not considered an unrealistic estimation given the number of parking spaces provided and the need for an amenity building of this size with the range of facilities proposed is not disputed. The Design and Access Statement submitted with the application states the height of all buildings will be up to 5.5 metres which is not considered unreasonable, however, the acceptability of the design of any new buildings associated with the HGV parking site will need to be assessed at reserved matters stage.

The scheme also includes entrance and exit kiosks, each of an indicative floor area of 4870mm by 2400mm. This proposed size of building is considered appropriate for its function. A fuel filling station is also included within the proposal which provides for six fuel pumps and given the number of hgv parking spaces provided as part of the development this is not considered excessive provision.

The recognised need for a facility is a material consideration in the determination of this application, however it is important that such a facility is located in the best location possible.

3. Alternative Sites

Whilst the need for additional truck park facilities is accepted, given the strategic need for the development, it is important that such facilities are provided at the most appropriate locations.

Site Assessment by Applicant:

In support of the application, the applicant has submitted an Assessment of Alternative Sites. As part of this, the applicant has assessed potential HGV parking sites along the A14 from the M1 to the A1. Stage 1 of the applicants investigation involved analysing previously developed sites and allocated commercial sites, and concluded that none of these were suitable. Stage 2 of the applicants investigation involved looking at Greenfield sites within 300 metres of an all movement junction along the A14 from junctions 2 – 13. The Highways Agency have been involved in this process and advised that junctions 4, 5 and 6 are not suitable, thus the sites relying on these junctions have been discounted. For those sites remaining, the applicant has undertaken a detailed assessment whereby all sites are assessed against a set of criteria covering planning status; landscape impact; ecology; heritage; residential amenity; access; previously developed; flood risk; ease of access; proximity to towns; agricultural land classifications; distance to nearest attractor for lorry drivers and location in relation to green infrastructure corridors. Twenty eight sites in Kettering and East Northamptonshire were assessed against this criteria and the conclusions of the survey identified the application site as being the most appropriate site for a HGV parking site. The application site scored a positive score of 9, with only two other sites in the study scoring positively (site E off j3 scored 1 and site M accessed off j7 scored 2). The applicants study concludes that there are no preferable Greenfield sites in Northamptonshire where a truck stop might be located.

North Northamptonshire Joint Planning Unit HGV Parking Site Assessment for the A14

Given there is a strategic need for 300 HGV parking spaces within the county, the North Northamptonshire Joint Planning Unit in association with planning authorities at Kettering, East Northamptonshire and Daventry have undertaken their own

HGV Parking Site Assessment. This HGV Parking Site Assessment initially identified broad locations around two way junctions along the Northamptonshire stretch of the A14. The initial assessments allowed these broad locations to be

ranked and within these ten sites were identified as appropriate for further assessment which involved consultation with the Highways Agency, Northamptonshire County Council, Highways, The Wildlife Trust and a deliverability and financial viability assessment carried out by consultants. The table below identifies the sites and the scores they have each received.

Site reference	Site Name	Score	Additional considerations
KE07	South of junction 3, East of Orton Road	86	Anticipated costs lower than other sites in the assessment.
KE08	Junction 7, north of the A43	Site not suitable (91)	Assessed as unsuitable in terms of impact on the local road network and gaining safe access. Cost of infrastructure to be provided would make the site unviable for a truck stop development.
KE10	Land south east of Junction 7	Site not suitable (56)	Assessed as unsuitable in terms of impact on the local road network and gaining safe access. Anticipated that access and highway improvements would make the site unviable for a truck stop development.
KE12	South west of junction 8 south of the A43	Site not suitable (86)	Assessed as unsuitable due to impact on road network of HGV's turning right across the A43. Highways improvements assessed as lower than other sites in assessment but cost of levelling the site would make it unviable for truck stop development.
KE13	Junction 9, north of Isham Road	Site not suitable (69)	High visibility of site means it has been assessed as unsuitable in terms of impact on the landscape. Site is being promoted for a higher value use so is not likely to be available for a lower value use. The cost of highway improvements is likely to

			make the site unviable for truck stop development.
KE14	Junction 9, east of A509	Site not suitable (37)	Highly sensitive landscape and significant visual impact means the site has been assessed as unsuitable in terms of landscape impact.
KE18	South of junction 10, east of Kettering Road	90	There are aspirations for higher value uses on the site and it is not available for HGV parking. Levelling and highway issues may make the site unviable.
KE19	South of junction 10, east of the A6	Site not suitable (98)	Assessed as unsuitable in terms of impact on the road network and gaining safe access, HGV traffic turning right on the A6 would have a significant impact. Site is being promoted for a higher value use so is not likely to be available for a lower value use. The cost of highway improvements may make the site unviable for truck stop development.
ENC01	Islip Furnace	96	There are aspirations for higher value uses on the site and it is not available for HGV parking. Costs of levelling the site are significant and would make the site unviable for HGV parking.
ENC07	Land South of Thrapston (East of A605)	47	Significant infrastructure costs make the site unviable for HGV parking.

The detailed assessment of the application site concludes that the site performs moderately well in terms of accessibility, with the main concerns relating to distance to large industrial areas and spacing in relation to existing facilities. Constraints include loss of open countryside and impact on an adjacent residential dwelling. The site has a good ecological interest and performs poorly in terms of ecological impacts when compared with other sites in the assessment. The site performs moderately well in terms of landscape when compared with the other sites in the assessment and proposed planting will at least partially mitigate the impact. In terms of infrastructure, safe access can be

gained to the site but would require improvements, when compared with other sites the site performs well in terms of impact on the local road network and gaining safe access.

The site is currently being promoted for and therefore scores high in terms of deliverability. The infrastructure costs associated with development of a HGV parking site are also considered to be lower than other sites in the assessment so the site scores high in terms of financial viability when compared with other sites in the assessment. Following the detailed assessment the site was given a score of 86.

The detailed assessment of the other sites which is detailed in the table above found that six of the sites were not suitable for development in terms of either landscape impact or gaining safe access. The remaining four sites achieved a range of scores from 47 to 96. One of these, the site south of junction 10, is not available for HGV parking as there are aspirations for higher value uses on the site. Sites at Islip Furnaces and land south of Thrapston have been assessed as having significant infrastructure and levelling costs which would make these unviable for development for HGV parking. The only site within the assessment which is assessed positively in terms of viability is the application site. While this site does not achieve the highest score in terms of location and accessibility it is the only site which is viable, available and which safe access can be gained.

The conclusions of the HGV Parking Site Assessment undertaken by the joint Planning Unit shows that there are currently no other suitable alternative sites within Northamptonshire for a HGV parking site to be located. This, combined with the recognised need for a facility on this section of the A14 are important material planning considerations in the determination of this application. If it can be demonstrated that the site will not have any unacceptable adverse impacts on the other planning issues detailed below, the principle of development is considered to be acceptable as an exceptional departure from the development plan.

4. Highway and Safety Implications

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

The site is accessed from A14 from J3 east and west bound and access to the site is from Orton Road. Any vehicles that chooses to use the junction to turn a full 360 degrees and back to the A14 are given priority and traffic moving northbound along Orton road or seeking access to Orton Road from the HGV parking site will have to wait at the junction until access is clear. There will also be restrictions preventing HGV's from turning left towards the village of Orton.

A Transport Assessment has been submitted as part of the planning application which states that the vast majority of users of the facility will already be on the A14, with only a small minority of users diverting from the A6. The Transport

Assessment states that the majority of trips will be outside of the morning and evening peak hours and vehicle trips will be split evenly east and west bound on the A14. The transport assessment submitted concludes that no significant adverse impact on vehicle queuing length at either north or south roundabout will result. Over the last 3 years there have been no recorded accidents on Orton Road, with only 2 accidents on roundabouts/ slip roads. The roads adjacent to the development do not have a record of accident problems.

The Highways Agency have been consulted on the scheme and advised that the documents submitted as part of the application are acceptable and raise no objections subject to a condition limiting the use of the site to a truckstop.

Northamptonshire County Highways Department have also been consulted on the scheme and have also raised no objections to the scheme and in fact support it given that it will reduce the need for HGV's to park in inappropriate and potentially unsafe locations. The Highways Authority have also confirmed that the design of the access into the site is acceptable in highway safety terms and will provide for adequate controllable turning space within the public highway for articulated vehicles whilst also restricting HGV's from turning left towards Orton. Whilst the highway's authority accept that the proposal will increase traffic on the two roundabouts over the A14, they are of the view that the submitted information satisfactorily demonstrates that these junctions would still operate within their capacity.

PPG13 states that the objectives of transport planning are to promote sustainable transport choices for people and for moving freight, promote accessibility and reduce the need to travel. In addition, criteria e and k of policy 13 of the Core Spatial Strategy require that developments be designed to provide for 5% modal shift over the plan period and to allow for travel from work by foot, cycle and public transport.

An initial Travel Plan has been submitted, with a more detailed travel plan to be prepared by the end user. The development will employ 27 staff in total working across 3 shifts with 9 staff per shift with the majority of staff travelling at unsociable times. The S106 obligation will secure the provision of a travel plan and its future monitoring, together with provisions to encourage pedestrian and cycle movements. The scheme will provide a 2m wide footpath which links the development with the existing footpath and the provision of pedestrian and cycle footpaths within the site. In addition the applicant has agreed on the request of the County Council to upgrade the existing footpath to the outskirts of Rothwell to a shared surface that will be suitable for pedestrians and cyclists. These proposed measures will all be secured by condition and S106 Obligation.

Concern has been expressed by neighbours and parish councils that HGV's will use local roads that are not suitable for HGV's as short cuts which would result in adverse highway safety implications. Northamptonshire County Council have considered this issue and advised that substantial areas within the Parishes are subject to weight restrictions whereby it is unlawful for a vehicle exceeding the stated restricted weight to enter any of the roads protected without having business within the restricted area. Any HGV movements through a restricted

zone without lawful business within the zone are unlawful and enforceable by the Police. As part of the scheme the weight restriction on Orton Road at the A14 roundabout will be relocated to the Orton side of the site access junction. In addition the geometry of the site access junction will discourage vehicles going any further and provide a turning area for those getting that far and not wishing to enter the site when they see the relocated signs. Farm vehicles with business within the restricted areas are exempt from such restrictions. As part of the S106 obligation, the applicant has been requested to include a HGV Routing Strategy which will provide for positive HGV Route Signing to be provided on the A14 and A6 and new signage for the amendments to the Orton Road Weight restriction amendments as well as the updating of publications.

Concern has also been raised by objectors that the new A14 Ramp metering at junction 4 will result in more vehicles using junction 3, resulting in chaos. Concern has also been raised as to whether County Highways Department and the Highways Agency have taken into account the implications of this into account in their comments on this application. The Development Control and Adoptions Manager at the County Council has advised that in his view, based upon the TA and the peak times of road usage associated with HGV parking area, that if additional movements did occur, their impact on junction 3 would not change in any material way. Further details have been requested from the Highways Agency as to their views on the implications the Ramp metering will have on the A14 and associated junctions and full details of their response will be included in the update report.

In conclusion subject to conditions and S106 requirements, it is considered that the proposed use will raise no adverse highway safety implications and will also provide for increased travel by foot and cycle and is thus in accordance with the requirements of policy 13 of the North Northamptonshire Core Spatial strategy and PPG13.

5. Landscape Character and Visual 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 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.

PPS1 'Delivering Sustainable Development' states that local planning authorities should seek to enhance the environment as part of development proposal and where adverse impacts are unavoidable, planning authorities and developers should consider possible mitigation measures. PPS1 also states that where design is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area should not be accepted.

Whilst the scale of development is to be approved at this stage, the layout plans and elevation drawings submitted are indicative only, with external appearance and layout being reserved. Any reserved matters application will need to provide for a layout and building designs which are most appropriate in minimising impact on the open countryside location and help blend the development into the landscape. These will all be matters for consideration at the reserved matters stage.

The applicant has submitted photomontages and a Landscape Assessment which state that the localised landscape setting has the capacity to accommodate a degree of change and the proposals will represent a moderate magnitude of change within the localised landscape setting and visual environment. The assessment does recognise that the proposal will have a direct impact upon the site and its immediate setting, however the compartmentalised character of the landscape context presents the opportunity to integrate the change without adversely affecting the wider valley setting, thus the change will be highly localised.

The Joint Planning Authority has commissioned River Nene Regional Park to produce a Landscape Sensitivity Assessment of the proposed development. Based upon suggested mitigation proposed as part of the development, River Nene Regional Park assess the site as medium landscape sensitivity and that whilst there are significant constraints, some development may be possible with landscape mitigation. With respect to visual impact, River Nene Regional Park conclude that it will be highly visible from the ridge line to the south of the Slade Brook and would result in a highly negative impact on visual landscape. The suggested planting with fast growing native tree species would be partially effective and would be in keeping with the current landscape character, offering some mitigation, however this is only a partial solution as winter leaf fall may reduce effectiveness.

It is considered that even with landscape mitigation, which will be secured by condition, the development will have an urbanising impact on the landscape character of the area and will have a significant impact on the application site itself and its immediate setting on Orton Road and views from Slade Valley House. However, the impact of the development on the landscape character of the area needs to be carefully weighed against the need for the development. There are no other alternative sites for a HGV parking site in the area, and given the landscape is not protected at national or local level and the River Nene Regional Park have concluded that the site is of medium landscape sensitivity, with some development being possible with mitigation, it is considered on balance that the site could accommodate the HGV parking site development without having such a negative impact on the landscape to warrant refusal.

With regard to site lighting a condition is recommended to secure the submission of a lighting scheme for approval to ensure that the scheme has as little impact as possible.

6. Impact on Residential Amenity

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

The closest residential property to the applications site is Slade Valley House which is located approximately 50 metres to the west of the site, on the opposite side of Orton Road. The indicative layout plan submitted as part of the application shows Slade Valley House being opposite the south eastern 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.

Whilst only indicative layout plans have been submitted, these indicate that the land associated with the development immediately to the east of the site will comprise landscaping rather than being used for parking purposes. The indicative 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 HGV's with refrigeration units. The areas of the site that will experience the greatest levels of traffic flow (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. Notwithstanding these measures, there is no doubt that the occupants of Slade Valley House will experience some levels of noise and disturbance from the use of the site as a HGV parking site.

The applicant has submitted A Noise Assessment in support of the application. As part of this assessment the noise rating level from plant associated with the amenity building and refuelling forecourt has been compared against the measured background noise level at Slade Valley House and the rating level is not likely to exceed the background noise level. The assessment also concludes that the noise increase from heavy vehicles manoeuvring, reversing alarms and refrigeration units would be minor. This noise assessment has been based upon assumptions made in the Transport Assessment Vehicle particularly in respect of the level of activity at peak hour which have been identified as 05.00am to 07.00 am when 92 vehicles will depart and 17.00 – 21.00 when 46 vehicles arriving. The main noise associated with the arrival and departure of vehicles will be manoeuvring and vehicle reversing alarms. Noise will also come from refrigeration plants, the fuel pump area and plant equipment associated with the amenity building.

The submitted noise assessment states that the dominant noise from Slade Valley House is distant A14 road traffic. The development will result in an increase in ambient noise levels at Slade Valley House increasing during the 2 peak periods with the greatest increase occurring during the 17.00 – 21.00 weekend evening period, however the magnitude of change for all situations would be a minor increase.

An air quality assessment has also been submitted by the applicant in support of the application. Emissions from all likely vehicle movements both off and on site, including staff cars and the refrigeration units.(29 refrigerated trucks) have been included in the assessment which concludes that air quality objectives are met by a wide margin.

As part of the consultation process, the Council's Environmental Health Officer has been consulted and subject to conditions is satisfied that the indicative plan demonstrates that the amenity of Slade Valley House is adequately protected. Whilst the plan submitted, apart from vehicular access, is indicative only, it demonstrates that a HGV parking site of the scale proposed can be accommodated on the site whilst still protecting the residential amenity of occupants of Slade Valley House. Conditions have been recommended requiring a further noise assessment and associated mitigation measures to be submitted with the reserved matters scheme to allow for these issues to be fully considered at reserved matters stage. Subject to conditions, it is therefore considered that the scheme meets the requirements of policy 13 of the North Northamptonshire Core Spatial Strategy.

7. Flood Risk

PPS25 'Development and Flood Risk' requires that flood risk is taken into account at all stages in the planning process to avoid inappropriate development in areas at risk of flooding, and to direct development away from areas of highest risk.

There are three natural watercourses within or adjacent to the site boundary. The Slade Brook forms the southern boundary of the site and the 2 other watercourses are tributaries to the Slade Brook.

The site is located within flood zone 1 which is considered to have a less than 1 in 1000 (0.1%) annual probability of flooding an any year. A flood risk assessment has been submitted as part of the application, and on the request of the Environment Agency this has been amended to include revised attenuation calculations and the intention to utilise complex flow control to attenuate run off rates. The Environment Agency have been consulted on the revised flood risk assessment and have raised no objections to the scheme which is now PPS25 compliant, subject to conditions covering surface water drainage.

8. Ecology

PPS9 'Biodiversity and Geological Conservation' sets out planning policies on the protection of biodiversity and geological conservation through the planning system. In relation to planning applications, PPS9 states that planning authorities should not refuse permission if development can be subject to conditions that will prevent unacceptable impact on wildlife habitats or important physical features, or if other material factors are sufficient to override nature conservation considerations.

The development will result in a loss of improved and semi improved grassland. In support of the application, the applicant has submitted an indicative drawing

of the anticipated degree of vegetation clearance. The main area of removal is around the proposed entrance to the site where an access will need to be opened up and levels revised to create an appropriate gradient into the site. Other areas for removal will be at the 2 crossing points between the northern and southern parking areas and the eastern boundary. The existing ditches will be retained on site.

An extended Phase 1 Habitat Survey has been submitted as part of the application. This survey has identified that 7 trees are of value to bats such features are common place and as such the trees are of low potential for roosting bats. There was no evidence of water voles or otters. The site has potential to sustain breeding populations of amphibians and could provide potential habitat for grass snakes, however no reptiles were recorded on site. The submitted surveys have observed green woodpecker, blackbird, robin and kestrel and Barn owls.

The submitted habitat survey proposes mitigation in the form of new tree and shrub planting and enhancement of water bodies and hedgerows; retained hedgerows will be gapped up with native species and a management plan will be produced to cover all retained and newly created habitats; sturdy high visibility fencing will protect all unaffected or boundary habitats and tree protection and vegetation removal should occur outside of the breeding season (March – August). It is recommended that all of these suggested mitigation measures be secured by condition.

Natural England, The Wildlife Trust, Northants Bat Group and North Northants Badger Group have all been consulted on survey information and proposed mitigation measures and raised no objections subject to conditions, including the production of an ecological management plan.

9. Utilities

A Utilities Assessment has been submitted as part of the application which indicates that the necessary infrastructure can be provided for the development. The Assessment submitted states that BT lines can be accommodated by existing cable adjacent to the site. A Gas LPG tank will be required and the electricity network has capacity to accommodate the development. Water supply can be accommodated by existing pipes within Orton Road and foul drainage will be dealt with by bio disk treatment facility.

10. Archaeology

PPG16 states that consideration should be given early, before planning decisions are made, to the question of whether archaeological remains exist on a site.

The applicant has undertaken a desk top assessment and undertaken archaeological evaluation trial trenching. The desk top assessment did not identify any archaeology on the site. The geophysical survey identified Medieval farming landscape, but nothing of suspected archaeological significance. The only archaeology identified from the 14 random trenches comprised remains of former ridge and furrow, and artefacts from the 19th and

20th century.

The County's Archaeological advisor has been consulted on the scheme and is satisfied that the surveys undertaken demonstrate that no significant archaeological deposits are present and the development will not have any significant impact on important archaeological deposits and is thus in accordance with PPG16 and policy 13 of the North Northamptonshire Core Spatial Strategy.

11. Sustainable Development

Policy 14 of the North Northamptonshire Core Spatial Strategy requires that developments should demonstrate that the development provides for techniques of sustainable construction and energy efficiency and provision for waste reduction/ recycling and water efficiency and water recycling. In addition as the site area is greater than 1 hectare, developments should demonstrate that at least 10% of the demand for energy will be met on site and renewably/ and/ or from a decentralised renewable or low carbon energy supply.

With the application being in outline form, no specific proposals to demonstrate compliance with these requirements have been submitted. The applicant has advised that the buildings will be carefully sited and orientated to maximise daylight and passive solar gain. Consideration will be given at the reserved matters stage regarding construction techniques and recycling of rain water. A condition is therefore necessary to secure additional information and implementation.

With respect to the provision of 10% of the demand for energy to be met on site, the applicant has identified that ground source heat pumps, solar water heating, photovoltaic systems and kinetic plate energy are suitable options for the development and will be fully considered at a later stage. As no detailed scheme has been submitted, a further condition is necessary.

12. Remediation

PPS4, PPS7 and policy 9 of the North Northamptonshire Core Spatial Strategy state that development in the open countryside should be strictly controlled. However, it has been demonstrated that the need for this development and the lack of alternative sites outweighs the principle of strict control. Given the sites Greenfield location within the open countryside and the scheme is an exceptional departure from the development plan, it is considered necessary that mitigation of the site to its original Greenfield state is secured if the lorry park use ceases. This can be secured via an insurance bond in the S106 obligation. This approach is in accordance with advice in Circular 05/05 'Planning Obligations'.

The applicant has confirmed in writing that they are willing to enter into S106 obligation to overcome concerns over the future of the land.

Conclusion

The proposal conflicts with national and local policies as set out in PPS4, PPS7,

saved policy 7 of the Local Plan for Kettering, policies 9 and 11 of the North Northamptonshire Core Spatial Strategy and policy 3 of the East Midlands Regional Plan. However, the issues relating the need for the development and the lack of alternative sites are material considerations and are sufficient to indicate in favour of the proposal and to outweigh the policies referred to above.

Background Papers

Title of Document:

Date:

Contact Officer:

Anne Dew, Senior Development Officer on 01536 534316

Previous Reports/Minutes

Ref:

Date: