

Application Number: WNS/2021/0064/MAF

Location: Land Adjacent to M1 And Waltham Wood Courteenhall Road, Quinton, Northamptonshire

Proposal: Erection of 103,607sqm of polytunnels and associated infrastructure to include alterations to farm access road, hardstanding for car park and service yard and attenuation basins

Applicant: Courteenhall Estate and Shockingly Fresh Ltd

Agent:

Case Officer: Daniel Callis

Ward: Hackleton and Grange Park

Reason for Referral: Major Development

Committee Date: 16/08/2021

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS

Proposal

The application is for the erection of polytunnels on existing agricultural land. The polytunnels would cover an area of 10.36Ha/103,607sqm. There would also be 6,519sqm of hardstanding, plus a SuDs attenuation basin.

Access is taken from the existing private road, which connects to Courteenhall Road and leads to the A508 Northampton Road. Internally, access will be shared with the adjacent agricultural uses. The private road will be extended from the existing broiler unit to the site and will include two passing bays to enable HGVs and staff vehicles to pass.

Parking is provided for 25 cars, including 4 DDA spaces and 3 Electric Vehicle spaces with charging points. Cycle Storage is provided for up to 6 cycles. The hardstanding includes space for 2 HGVs to wait. The loading spaces are internal to the polytunnels and turning space is provided within the yard area.

The polytunnels will be constructed of a galvanised steel frame covered in polythene sheeting. The proposed structures have an eaves height of 5m and an overall ridge height of 7m.

Consultations

The following consultees have raised **no objections** to the application:

- Courteenhall Parish Council, Quinton Parish Council, Roade Parish Council, WNC Highways, WNC Environmental Protection, WNC Archaeology, WNC Arboriculture, Lead Local Flood Authority, Environment Agency, Natural England, Crime Prevention Design Advisor, Ramblers Assoc.

The following consultees have yet to comment on the application:

- WNC Ecology

No letters of objection have been received from local residents.

Conclusion

The application has been assessed against the relevant policies in the NPPF, the adopted Local Plan and other relevant guidance as listed in detail at Section 8 of the report.

The key issues arising from the application details are:

- Principle of Development
- Landscape and Visual Impact
- Highway Safety
- Ecology

The report looks into the key planning issues in detail, and Officers conclude that the proposal is acceptable subject to conditions.

Members are advised that the above is a summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies, the Officer's assessment and recommendations, and Members are advised that this summary should be read in conjunction with the detailed report.

MAIN REPORT

1. APPLICATION SITE AND LOCALITY

- 1.1 The application site is located on the Courteenhall Estate, 900m north-east of Roade and 600m west of the M1. The site extends to 16.5Ha in total and is currently cultivated agricultural land, in arable production. The main part of the site is relatively flat and comprises 3 field parcels, separated by hedgerows.
- 1.2 The complex of buildings which together form East Lodge Farm lie to the north, which accommodate a mix of B2/B8/D1 uses and agricultural/equestrian activities. To the east of the site an existing poultry/broiler enterprise comprising large sheds, access track and associated facilities (adjacent to the M1).
- 1.3 To the immediate north-west, east and south-east of the site is a woodland block and to the west and south are arable fields. A group of 9 large wind turbines are located on the adjacent fields to the south-east.

2. CONSTRAINTS

- 2.1. The application site is within the open countryside
- 2.2. Public Right of Way (bridleway) KH3 crosses the site entrance and runs down the eastern edge of the site (within the site).
- 2.3. Public Right of Way (footpath) KZ15 runs along the southern edge of the site and (bridleway) KH2 runs up the western edge. Both are just outside the application site.

- 2.4. The land immediately to the north (the woodland and estate grounds beyond) are a Potential Wildlife Site (ref: 237).
- 2.5. The site is within 2km of 3 Local Wildlife Sites.
- 2.6. There is woodland immediate to the east and south-east of the site, as well as 2 hedgerows crossing the site north/south.

3. DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1. The application is for the erection of polytunnels on the existing agricultural land. The polytunnels would cover an area of 10.36Ha/103,607sqm. There would also be 6,519sqm of hardstanding, plus a SuDs basin.
- 3.2. Access is taken from the existing private road, which connects to Courteenhall Road and leads to the A508 Northampton Road. Internally, access will be shared with the adjacent agricultural uses. The private road will be extended to the site and will include two passing bays to enable HGVs and staff vehicles to pass.
- 3.3. Parking is provided for 25 cars, including 4 DDA spaces and 3 Electric Vehicle spaces with charging points. Cycle Storage is provided for up to 6 cycles. The hardstanding includes space for 2 HGVs to wait. The loading spaces are internal to the polytunnels and sufficient turning space is provided for within the yard area.
- 3.4. The polytunnels will be constructed of a galvanised steel frame covered in polythene sheeting. The proposed structures have an eaves height of 5m and an overall ridge height of 7m.

4. RELEVANT PLANNING HISTORY

- 4.1. There is no planning history directly relevant to the proposal

5. RELEVANT PLANNING POLICY AND GUIDANCE

Statutory Duty

- 5.1. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

Development Plan

- 5.2. The Development Plan comprises the West Northamptonshire Joint Core Strategy Local Plan (Part 1) which was formally adopted by the Joint Strategic Planning Committee on 15th December 2014 and which provides the strategic planning policy framework for the District to 2029, the adopted South Northamptonshire Local Plan (Part 2) and adopted Neighbourhood Plans. The relevant planning policies of the statutory Development Plan are set out below:

West Northamptonshire Joint Core Strategy Local Plan (Part 1) (LPP1)

- 5.3. The relevant policies of the LPP1 are:
 - SA – Presumption in Favour of Sustainable Development

- S1 – Distribution of Development
- S10 – Sustainable Development Principles
- S11 – Low Carbon and Renewable Energy
- E1 – Existing Employment Areas
- BN2 - Biodiversity
- BN5 – Historic Environment
- R1 – Spatial Strategy for the Rural Areas
- R2 - Rural Economy

South Northamptonshire Local Plan (Part 2) (LPP2)

- 5.4. The relevant policies of the LPP2 are:
- SS1 – The Settlement Hierarchy
 - SS2 – General Development and Design Principles
 - EMP2 – Existing Commercial Sites
 - EMP3 – New Employment Development
 - EMP6 – Farm Diversification
 - INF4 – Electric Vehicle Charing Points
 - HE1 – Significance of Heritage Assets
 - HE2 – Scheduled Ancient Monuments and Archaeology
 - HE3 – Historic Parks and Gardens
 - NE4 – Trees, Woodlands and Hedgerows
 - NE5 – Biodiversity and Geodiversity

Material Considerations

- 5.5. Below is a list of the relevant Material Planning Considerations
- National Planning Policy Framework (NPPF)
 - Planning Practice Guidance (PPG)
 - Supplementary Planning Guidance

6. RESPONSE TO CONSULTATION

Below is a summary of the consultation responses received at the time of writing this report.

Consultee Name	Position	Comment
Courteenhall Parish Council	No objection	It is good to see a unproductive area brought into production, and provide new jobs and investment
Quinton Parish Council	No objection	Asks West Northamptonshire Council not to accept the contention that this development would result in a 'negligible' increase in traffic. The staff vehicles, HGV service and delivery vehicles indicated (Transport Statement 6.1.4) would undoubtedly mean a substantial volume of extra traffic on the road in question. If the application is to be approved, however, QPC requests that consideration is given to the following points: 1. During the construction period, all

		<p>construction traffic should enter the site from the A508 end of the road and exit westwards towards the A508.</p> <p>2. After the construction period, the last sentence in the Transport Statement 2.4.1 should be an absolute guarantee that no HGVs attending the site should do so from Quinton, nor exit the site to Quinton, and this includes the occasions when junction 15 of the M1 is shut.</p> <p>3. Because of the narrowness of the road, the increase in the number of HGVs on this road, the dangers of passing HGVs, the existing and potential accidents and collisions on this road the applicant should provide lay-bys on Courteenhall Road of the length and frequency of those it proposes to construct on its existing private access road to the site (Transport Statement 2.4.2 & 2.4.3).</p> <p>4. Working hours for construction to be limited to normal working hours Monday to Friday and Saturday mornings. No construction works to be allowed outside these hours.</p> <p>5. A photographic record of Washbrook Lane and Courteenhall Road should be undertaken prior to start and, on completion of the construction, the contractors should be liable for making good to damaged surfaces.</p>
Roads Parish Council	No objection	No comments to make
WNC Highways	No objection	<p>The existing access has been designed to meet the DMRB standards as part of the approval for application S/2017/0730/FUL This, therefore, is agreed to meet the standards required for the types of vehicles proposed to use the new development site using the eastbound access via Courteenhall Road/Northampton Road junction avoiding Quinton village. The new internal road and parking arrangements are satisfactory.</p> <p>Highway's comments on the Transport Statement are still awaited and will be included in the written updates.</p>
WNC Environmental Protection	No objection	<p>The dwellings located at East Lodge farm are ancillary to the farm and the wider Courteenhall Estate and, as the closest dwellings, these are less likely to be affected by the activities from the proposed development due to the associated uses. The site is located in a rural area close to the M1 and its associated traffic noise. Other dwellings are located in excess of 400m from the site and are unlikely to be affected.</p> <p>Recommend that clarification is sought from the developer on any noise emitting plant required</p>

		on the site for the proposed use to ensure that residents are protected from any unforeseen significant plant and equipment noise on the site. (<i>Officer note: this can be controlled via condition</i>)
WNC Archaeology	No objection	There is some potential for as yet unknown archaeology, but the scheme will cause limited impact on below ground deposits. Satisfied that the matter can be adequately controlled by planning condition.
WNC Ecology		No response received at time of writing report
WNC Arboriculture	No objection	The proposed development should have a limited impact on existing trees and woodland features. It would be desirable to have tree protection during construction to ensure inadvertent impact from ground displacement and risk of encroachment.
Lead Local Flood Authority	No objection	Subject to conditions
Natural England	No objection	No comments to make
Environment Agency	No objection	No comments to make
Crime Prevention Design Advisor	No objection	It is recommended that the cycle store provided is brick built with a lockable door with key to thumb turn lock.
Ramblers Association	No objection	Request the applicant ensure that bridleway KH3 is not obstructed during construction work, and also bridleway KH2 and footpath KZ15 which are on the perimeter of the site.

7. RESPONSE TO PUBLICITY

Below is a summary of the third party and neighbour responses received at the time of writing this report.

7.1. There have been no representations from local residents.

8. APPRAISAL

Principle of Development

8.1. The site falls within the open countryside as it is outside any defined settlement boundary.

8.2. West Northants Joint Core Strategy policy S1(D) states:

“New development in the rural areas will be limited with the emphasis being on:

- 1) enhancing and maintaining the distinctive character and vitality of rural communities;*
- 2) shortening journeys and facilitating access to jobs and services;*
- 3) strengthening rural enterprise and linkages between settlements and their hinterlands; and*
- 4) respecting the quality of tranquillity.”*

- 8.3. Policy R2 (rural economy) states that: *“Proposals which sustain and enhance the rural economy by creating or safeguarding jobs and businesses will be supported where they are of an appropriate scale for their location, respect the environmental quality and character of the rural area and protect the best and most versatile agricultural land.”*
- 8.4. South Northamptonshire Part 2 Local Plan Policy SS2(a) states permission will be granted where development *“does not result in the unacceptable loss of undeveloped land, open spaces and locally important views of particular significance to the form and character of a settlement;”*
- 8.5. Policy EMP6 relates specifically to farm diversification and states that: *“Development that relates to the diversification of an existing farm, agricultural estate, or other land-based rural business will be acceptable in principle provided that:*
- a. The proposal would not prejudice the continued viable operation of the existing use; and;*
 - b. The character, scale and type of proposal is compatible with its location and landscape setting; and*
 - c. Existing buildings are reused wherever possible; and*
 - d. Where new or replacement buildings are required, the proposal is in scale with the surroundings and well related to any existing buildings on the site.”*

8.6. Section 6 of the NPPF seeks to promote strong rural economies through the support of sustainable growth and expansion of businesses in rural areas. Para 84(b) states planning decisions should enable *“the development and diversification of agricultural and other land-based rural businesses”*.

8.7. Whilst there are no policies expressly supporting proposal for polytunnels in either the WNJCS or the Local Plan Part 2 (LPP2), there is general support for farm diversification proposals, provided they are compatible with their landscape setting. The proposed use of the development is for a controlled hydroponic (soil-free) form of growing fruit and vegetables in vertical containers to minimise the use of pesticides and reduce overall water usage (essentially an intensification of the existing arable use). It represents both a diversification and intensification of the existing traditional arable land use. The basic principle of the proposal, therefore, is considered potentially acceptable.

8.8. Other material consideration will now be discussed below, before all considerations are weighed in the planning balance towards the end of the report.

Impact on Character of Area

- 8.9. The proposed development will clearly have a significant impact upon the character and appearance of the site, which is currently open agricultural land divided by field hedges. Beyond the site itself, the polytunnels, with a maximum height of 7m and an opaque colour, have the potential to harm the character and appearance of the wider rural landscape.
- 8.10. In mitigation, the site abuts several areas of woodland, which will largely screen the polytunnels from all distance views into the site from the north, east and south-east. To the south and west the site is surrounded by field hedges (currently maintained at quite a low height of only 1-2m), which can be allowed to grow up to a point where they quite quickly (within a few years) also almost entirely hide the presence of the polytunnels.

- 8.11. The topography also assists the scheme, with the site being on a plateau, slightly higher than much of the land to the south and west. This maximises the effectiveness of the existing hedgerows in screening the polytunnels behind.
- 8.12. In any wider landscape views, the polytunnels would also be experienced in conjunction with the 9 large scale wind turbines a relatively short distance to the south-east. They would be seen, therefore, within a landscape that was not pristine or free of strident commercial development.
- 8.13. The public rights of way immediately to the south and west of the site are on the opposite side of the existing field hedges, so the amenity of those rural routes would not be greatly impacted at the human scale.
- 8.14. The applicant has submitted a Landscape and Visual Impact Assessment. It concludes that, with appropriate site management, the construction and operational landscape effects both at the site and in the immediate setting should be low key. The effects of this development on the wider landscape types and landscape character area are expected to be *slight*.
- 8.15. Fieldwork has established that, even in winter months with the existing hedge heights, the zone of visual influence for the proposed development will be relatively small in scale. The scale of visual effects is anticipated to be *moderate* or *moderate-substantial* for passing ramblers on the public rights of way.
- 8.16. Some more distant views from the village of Roade are expected, but, due to topography and intervening hedges and trees, likely visual effects are assessed to be *slight* or *neutral*.
- 8.17. The long-term character of the site and surrounding landscape will be protected by a condition requiring the removal of the polytunnels (and the restoration of the land to agricultural use) in the event that the polytunnels become unused.

Highways, access and Rights of Way

- 8.18. The development will be accessed from Washbrook Lane/Courteenhall Road via the existing access immediately to the west of the M1. This access will be shared with the existing activities at East Lodge Farm, including a large broiler unit and some B2, B8, D1 and agricultural/equestrian uses.
- 8.19. The Local Highway Authority are satisfied that the access, the private road (including extension) and proposed hardstanding (and parking provision) are all adequate and satisfactory to accommodate the types and levels of traffic proposed.
- 8.20. Comments from Highways relating to the Transport Statement are still awaited at the time of writing this report and will hopefully be included in the written updates.
- 8.21. Whilst the comments from Quinton Parish Council are noted and their concerns appreciated, it is not possible in planning terms to absolutely limit or enforce exactly where traffic moves on the public highway network. The applicant has expressed that all traffic to/from the site will directed to take the route to/from the A508 (i.e. not pass through Quinton). However, it is not feasible to formalise this via planning condition.
- 8.22. In terms of public rights of way, bridleway KH3 crosses the private site access road. The application will be required to ensure the route is kept open, even during construction phase. The other adjacent rights of way (KH2 and KZ15) are outside the site to the south and west and so are not directly impacted.

8.23. A condition will ensure that appropriate electric vehicle charging is provided, in accordance with LPP2 Policy INF4.

Ecology Impact

Legislative context

8.24. The Conservation of Habitats and Species Regulations 2017 provide for the designation and protection of 'European sites' and 'European protected species' (EPS). Under the Regulations, competent authorities such as the Council have a general duty to have regard to the EC Habitats Directive and Wild Birds Directive.

8.25. In terms of European sites the Regulations provide for the control of potentially damaging operations, whereby consent from the country agency may only be granted once it has been shown through 'appropriate assessment' that the proposed operation will not adversely affect the integrity of the site. In instances where damage could occur, the appropriate Minister may, if necessary, make special nature conservation orders, prohibiting any person from carrying out the operation. However, an operation may proceed where it is or forms part of a plan or project with no alternative solutions, which must be carried out for reasons of overriding public interest.

8.26. In terms of EPS, the Regulations make it an offence (subject to exceptions) to deliberately capture, kill, disturb, or trade in the animals listed in the Regulations, or pick, collect, cut, uproot, destroy, or trade in the plants listed therein. However, these actions can be made lawful through the granting of licenses by the appropriate authorities by meeting the requirements of 3 strict legal derogation tests:

- a. Is the development needed to preserve public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment?
- b. That there is no satisfactory alternative.
- c. That the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

Policy Context

8.27. Paragraph 174 of the NPPF states that planning policies and decisions should contribute to and enhance the natural and local environment by (amongst others): a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils; and d) minimising impacts on and providing net gains for biodiversity. Paragraph 180 states that planning authorities should refuse planning permission if significant harm to biodiversity cannot be avoided, adequately mitigated, or, as a last resort, compensated for and should support development whose primary objective is to conserve or enhance biodiversity. Opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

8.28. Paragraph 185 of the NPPF states that planning decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.

In doing so they should (amongst others) limit the impact of light pollution from artificial light on nature conservation.

- 8.29. National Planning Practice Guidance (PPG) states that Local Planning Authorities should only require ecological surveys where clearly justified, for example if there is a reasonable likelihood of a protected species being present and affected by development. Assessments should be proportionate to the nature and scale of development proposed and the likely impact on biodiversity.
- 8.30. Policy NE3 of the LPP2 seeks to conserve and wherever possible enhance green infrastructure. Policy NE4 seeks to protect and integrate existing trees and hedgerows wherever possible and requires new planting schemes to use native or similar species and varieties to maximise benefits to the local landscape and wildlife. Policy NE5 requires that proposals aim to conserve and enhance biodiversity and geodiversity in order to provide measurable net gains. Development proposals will not be permitted where they would result in significant harm to biodiversity or geodiversity, including protected species and sites of international, national and local significance, ancient woodland, and species and habitats of principal importance identified in the United Kingdom Post-2010 Biodiversity Framework.
- 8.31. Policy BN2 of the JCS 2014 states that development that will maintain and enhance existing designations and assets or deliver a net gain in biodiversity will be supported. Development that has the potential to harm sites of ecological importance will be subject to an ecological assessment and required to demonstrate: 1) the methods used to conserve biodiversity in its design and construction and operation 2) how habitat conservation, enhancement and creation can be achieved through linking habitats 3) how designated sites, protected species and priority habitats will be safeguarded. In cases where it can be shown that there is no reasonable alternative to development that is likely to prejudice the integrity of an existing wildlife site or protected habitat appropriate mitigation measures including compensation will be expected in proportion to the asset that will be lost. Where mitigation or compensation cannot be agreed with the relevant authority development will not be permitted.

Assessment

- 8.32. Natural England's Standing Advice states that an LPA only needs to ask an applicant to carry out a survey if it's likely that protected species are present on or near the proposed site. The Standing Advice sets out habitats that may have the potential for protected species, and in this regard the site is within the open countryside, contains fields hedges and trees, is immediately adjacent to (and between) multiple areas of woodland and is in proximity to Local Wildlife Sites.
- 8.33. In order to discharge its legal duty under the Conservation of Habitats and Species Regulations 2017 the LPA must firstly assess whether an offence under the Regulations is likely to be committed. If so, the LPA should then consider whether Natural England would be likely to grant a licence for the development. In so doing the authority has to consider itself whether the development meets the 3 derogation tests listed above.
- 8.34. In respect of planning applications and the Council discharging of its legal duties, case law has shown that if it is clear/very likely that Natural England will not grant a licence then the Council should refuse planning permission; if it is likely or unclear whether Natural England will grant the licence then the Council may grant planning permission.
- 8.35. The application is supported by a detailed protected species surveys which concluded that:

- The site itself (arable fields) is of low biodiversity value.
- The proposed development aims to maintain and where possible enhance, through appropriate planting and management, the network of hedgerows and their associated field margins.
- The presence of habitat within the site with potential to support the terrestrial life-cycle of Great Crested Newt, nesting birds (including Schedule 1 species, namely Barn Owl and Red Kite), as well as roosting, commuting and foraging bats was observed within the site (along hedgerows, within trees and arable field margins). In addition, habitat suitable for breeding Great Crested Newt (adjacent ponds), nesting birds (including Schedule 1 species) and roosting, commuting and foraging bats was observed in habitat adjacent to the site.
- Habitat suitable for certain Species of Principle Importance (such as amphibians and Hedgehog) as listed on Section 41 of the NERC Act 2006 was also present within and adjacent to the site

8.36. The applicant has subsequently submitted a Breeding Bird Survey, which concludes:

- Breeding birds are present at the site.
- The site supports a small number of species of particular conservation importance.
- The habitat used by nesting birds is primarily associated with site boundary features.
- Schedule 1 species such as Barn Owl or Red Kite are currently absent from the site.
- Measures will be necessary to ensure compliance with wildlife legislation pertaining to nesting birds in general.
- Measures will be necessary to ensure adverse effects of the scheme on nesting birds, particularly species of conservation importance, are avoided/minimised. These measures will include:
 - the retention of site boundary features e.g. hedgerows, arable field margins
 - creation of new habitats such as retention ponds
 - management of existing and new habitat for the benefit of nesting birds

8.37. The applicant has also submitted a Great Crested Newt Survey, which concludes:

- Great Crested Newt currently could cause a potential constraint to the proposed development and consequently mitigation measures would be required to address the presence of this protected species.
- Based on the Bio-diversity Management Plan (BMP) and mitigation measures it is clear that there shall be no harm on GCNs and that there could be opportunities to enhance the local conservation status of the species at the site. The mitigation strategy, alongside the BMP, may be secured through planning conditions attached to the agreed planning permission decision.

- 8.38. The detailed comments of the Council's Ecology Officer are still awaited at this time. An update will be provided either in the written updates or at the Committee itself.

Trees and hedges

- 8.39. The proposed polytunnels will be arranged within the existing fields, with the existing hedgerow that cross the site being left in situ. The development will leave adequate 'buffer' space around all trees and hedges (including those on the site peripheries) to prevent any harm to these existing landscape features and to allow them to continue to function as wildlife corridors.

Archaeology

- 8.40. South Northamptonshire LPP2 Policy HE2 covers Scheduled Ancient Monuments and Archaeology.
- 8.41. As confirmed by WNC Archaeology, there is some potential for as yet unknown archaeology, but the scheme will cause limited impact on below ground deposits. These matters can be adequately controlled by planning condition.

Neighbour amenity

- 8.42. There are no dwellings within 400m of the site. The nearest dwellings are at East Lodge Farm and are ancillary to the surrounding agricultural/estate functions. The nearest non-ancillary dwellings are in Roade village, some 900m distant. As a result, there will be no harm to neighbouring amenity.

9. FINANCIAL CONSIDERATIONS

- 9.1. The development is not CIL liable.

10. PLANNING BALANCE AND CONCLUSION

- 10.1. The proposal generally conforms with WNJCS policies S1(D) and R2, plus LPP2 Policies SS2(a) and EMP6 insofar as it constitutes a form of farm diversification.
- 10.2. In terms of considerations such as ecology, trees, loss of agricultural land, archaeology, highways, rights of way and residential amenity, the proposal is considered to be fairly neutral and result in no significant harms. The lack of any objection from the local community is also a neutral but pertinent consideration.
- 10.3. In terms of harms, the main impact will be upon the character and appearance of the site itself and, to a lesser extent, the wider landscape. Although the polytunnels will only have a light touch on the landscape in physical terms (leaving the land capable of restoration to 'normal' agricultural use), the monolithic scale and mass of the structures will clearly have a very harmful effect on the site's rural setting, which must be weighed in the balance.
- 10.4. In terms of benefits, the development will represent a significant investment by the applicant in the local rural economy, the new operation will generate approximately 30 FTE jobs, the 'vertical farming' nature of the production inside the polytunnels will increase the quantity and quality of produce. The latter point will contribute towards the UK being less reliant on imported foods, helping in turn to reduce food miles and carbon footprint.

10.5. Putting everything into the balance, it is considered that the general over-arching policy support for farm diversification, and the benefits identified above, slightly outweigh the harms to the character and appearance of the site and landscape (which are already mitigated by the site's specific context and surrounding topography and woodland - and can be further mitigated through landscape management), subject to suitable controls by planning condition. It is recommended, therefore, that planning permission be granted.

11. RECOMMENDATION / CONDITIONS AND REASONS

11.1. Detailed recommendation here and full list of conditions and reasons are listed here:

RECOMMENDATION – DELEGATE TO THE ASSISTANT DIRECTOR FOR PLANNING AND ECONOMY TO GRANT PERMISSION, SUBJECT TO THE CONDITIONS SET OUT BELOW (AND ANY AMENDMENTS TO THOSE CONDITIONS OR ADDITIONAL CONDITIONS AS DEEMED NECESSARY)

CONDITIONS

TIME LIMITS AND GENERAL IMPLEMENTATION CONDITIONS

Time limit

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

Reason : To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Approved plans

2. The development shall not be carried out otherwise than in complete accordance with the approved plans and details unless a non-material or minor material amendment is approved by the Local Planning Authority under the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). The approved plans and details are:
 - Drawing No. 00 (site location plan)
 - Drawing No. 07 (site layout plan)
 - Drawing No. 03 (elevations)
 - Drawing No. 05 (hardstanding layout)
 - Drawing No. 08 (equestrian and bridleway access detail)
 - Drawing No. 50597_5501_103 rev P01 (swept path analysis of proposed access road)

Reason : To clarify the permission and for the avoidance of doubt.

Maximum height

3. No structure erected on the site shall exceed 7.5m in height about the existing ground levels, as determined by external measurement.

Reason : In the interests of visual amenity in accordance with Policy SS2 of the South Northamptonshire Local Plan and Section 12 of the National Planning Policy Framework.

Maximum floor area

4. The floor area of the proposed polytunnels shall not exceed 103,607m² as determined by external measurement.

Reason : In order to avoid overdevelopment, to achieve a satisfactory form development and to comply with Policy SS2 of the South Northamptonshire Local Plan and Section 12 of the National Planning Policy Framework.

Retention of hedges

5. The existing hedges along the boundaries of the site (and the 2 hedges bisecting the site) shall be retained at a minimum height of not less than three metres and any trees or plants which die, are removed or become seriously damaged or diseased within 5 years from the completion of the development shall be replaced in the next planting season with others of similar size and the same species, unless the Local Planning Authority gives written consent to any variation.

Reason : To provide an effective and attractive screen for the development in the interests of visual amenity and to accord with Policies SS2 of the South Northamptonshire Local Plan

Time limit of ecological surveys

6. If the development hereby approved does not commence within 2 years of the date of this consent revised Great Crested Newt and Breeding Bird surveys shall be undertaken prior to the commencement of the development to establish changes in the presence, abundance and impact on affected species. The survey results, together with any necessary changes to the mitigation plan or method statement shall be submitted to and approved in writing the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.

Reason : To ensure that the development does not cause harm to any protected species or their habitats in accordance with Policy BN2 of the West Northamptonshire Joint Core Strategy and Government guidance contained within the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

CONDITIONS REQUIRING LOCAL PLANNING AUTHORITY WRITTEN APPROVAL OR TO BE COMPLIED WITH BEFORE ANY DEVELOPMENT COMMENCES

Surface water drainage

7. No development shall take place until a detailed design of surface water drainage scheme for the site based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development should be submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details prior to the first use of the development. These shall include:
- a) Details (i.e. designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets and attenuation basins. Details of the drainage system are to be accompanied by full and appropriately cross-referenced supporting calculations.
 - b) Cross sections of all control chambers (including site specific levels mAOD) and manufacturers' hydraulic curves for all hydrobrakes and any other flow control devices.
 - c) Cross sections of all attenuation basins (showing their profile relative to the existing ground levels).
 - d) Infiltration test results to BRE365

Reason : To ensure that the development/site is served by sustainable arrangements for the disposal of surface water, to comply with Policy SS2 of the South Northamptonshire Local Plan, Policy BN7 of the West Northamptonshire Joint Core Strategy and Government advice in the National Planning Policy Framework.

Archaeology

8. No development shall take place until the applicant (or their agents or successors in title) has submitted to and had approved in writing by the local planning authority a programme of archaeological work consisting of a written scheme of investigation and a timetable for that work. The development shall thereafter proceed in accordance with the approved written scheme of investigation and timetable.

Reason: To secure the provision of archaeological investigation and the subsequent recording of the remains, to comply with Government advice in the National Planning Policy Framework (NPPF) (Section 16). This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

Tree protection

9. No development shall take place until the existing tree(s) and hedges to be retained around the site boundaries, and across the site, have been protected in the following manner unless otherwise previously agreed in writing by the Local Planning Authority;

- a) Protective barriers shall be erected around the tree(s) to a distance not less than a radius of 12 times the trunk diameter when measured at 1.5m above natural ground level (on the highest side) for single stemmed trees and for multi-stemmed trees 10 times the trunk diameter just above the root flare.
- b) The barriers shall comply with the specification set out in British Standard BS5837:2012 'Trees in Relation to Construction – Recommendations' that is steel mesh panels at least 2.3m tall securely fixed to a scaffold pole framework with the uprights driven into the ground a minimum of 0.6m depth and braced with additional scaffold poles between the barrier and the tree[s] at a minimum spacing of 3m.
- c) The barriers shall be erected before any equipment, machinery or materials are brought onto the site for the purposes of development [and / or demolition] and shall be maintained until all equipment, machinery and surplus material has been removed from the site.
- d) Nothing shall be stored or placed within the areas protected by the barriers erected in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavations be made, without the written consent of the Local Planning Authority.

Reason : To ensure the continued health of retained trees/hedges and to ensure that they are not adversely affected by the construction works, in the interests of the visual amenity of the area, to ensure the integration of the development into the existing landscape and to comply with Policies SS2 and NE5 of the South Northamptonshire Local Plan and Government guidance contained within the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

Construction method statement

10. No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall provide for at a minimum:
- a) The parking of vehicles of site operatives and visitors;
 - b) The routing of HGVs to and from the site;
 - c) Loading and unloading of plant and materials;
 - d) Storage of plant and materials used in constructing the development;
 - e) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - f) Wheel washing facilities including type of operation (automated, water recycling etc) and road sweeping;
 - g) Measures to control the emission of dust and dirt during construction;
 - h) A scheme for recycling/ disposing of waste resulting from demolition and construction works;
 - i) Delivery, demolition and construction working hours;

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

Reason : To ensure the environment is protected during construction in accordance with Policy SS2 of the South Northamptonshire Local Plan and Government guidance contained within the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

CONDITIONS REQUIRING LOCAL PLANNING AUTHORITY WRITTEN APPROVAL OR TO BE COMPLIED WITH BY DEVELOPER BEFORE SPECIFIC CONSTRUCTION WORKS TAKE PLACE

Landscaping scheme

11. A scheme for landscaping the site shall be provided to and approved in writing by the Local Planning Authority which shall include:-
 - (a) details of the proposed tree and shrub planting including their species, number, sizes and positions, together with grass seeded/turfed areas and written specifications (including cultivation and other operations associated with plant and grass establishment i.e. depth of topsoil, mulch etc),
 - (b) details of the existing trees and hedgerows to be retained as well as those to be felled, including existing and proposed soil levels at the base of each tree/hedgerow and the minimum distance between the base of the tree and the nearest edge of any excavation,

Such details shall be provided prior to the erection of the polytunnels or such alternative time frame as agreed in writing by the developer and the Local Planning Authority. The approved scheme shall be implemented by the end of the first planting season following occupation of the development.

Reason : To ensure that a satisfactory landscape scheme is provided in the interest of well planned development and visual amenity and to accord with Policies SS2 of the South Northamptonshire Local Plan and Government guidance contained within the National Planning Policy Framework.

Lighting

12. Details of both the internal and external lighting, including the design, position, orientation and any screening of the lighting shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of those works. The lighting shall be installed and operated in accordance with the approved scheme at all times thereafter.

Reason : In order to safeguard the visual amenities of the area and in the interests of ecology in accordance with Policy SS2 of the South Northamptonshire Local Plan and Government advice in The National Planning Policy Framework.

EV charging

13. The development hereby permitted shall not be occupied until it has been provided with electric charging equipment of AC Level 2 (or equipment providing for no lesser standard of efficiency) to charge at least 3 vehicles simultaneously.

Reason : To comply with Policy S10 of the West Northamptonshire Joint Core Strategy and Policy INF4 of the South Northamptonshire Local Plan Part 2, and to maximise opportunities for sustainable transport modes in accordance with paragraph 110(e) of the National Planning Policy Framework.

CONDITIONS REQUIRING LOCAL PLANNING AUTHORITY WRITTEN APPROVAL OR TO BE COMPLIED WITH BY DEVELOPER BEFORE OCCUPATION

Surface water drainage maintenance

14. No development shall be brought into use until a detailed scheme for the maintenance and upkeep of every element of the surface water drainage system proposed on the site has been submitted to and approved in writing by the Local Planning Authority and the maintenance plan shall be carried out in full thereafter. This scheme shall include details of any drainage elements that will require replacement within the lifetime of the proposed development.

Reason : To ensure that the development/site is served by sustainable arrangements for the disposal of surface water, to comply with Policy SS2 of the South Northamptonshire Local Plan, Policy BN7 of the West Northamptonshire Joint Core Strategy and Government advice in the National Planning Policy Framework.

Surface water drainage verification

15. No Occupation shall take place until a Verification Report for the installed surface water drainage system for the site based on the Drainage Statement ref 505DS dated 19th February 2021 prepared by Stantec, has been submitted in writing by a suitably qualified independent drainage engineer and approved by the Local Planning Authority The details shall include:
- a) Any departure from the agreed design is keeping with the approved principles
 - b) Any As-Built Drawings and accompanying photos
 - c) Results of any Performance testing undertaken as a part of the application process (if required / necessary)
 - d) Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges etc.
 - e) CCTV confirmation that the system is free from defects, damage and foreign objects.

Reason : To ensure that the development/site is served by sustainable arrangements for the disposal of surface water, to comply with Policy SS2 of the South Northamptonshire Local Plan, Policy BN7 of the West

Northamptonshire Joint Core Strategy and Government advice in the National Planning Policy Framework.

Landscape maintenance

16. A schedule of landscape maintenance for a minimum period of 25 years shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of the development. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule unless otherwise approved in writing by the Local Planning Authority.

Reason : To ensure that the agreed landscaping scheme is maintained over a reasonable period that will permit its establishment in the interests of visual amenity and to accord with Policies SS2 of the South Northamptonshire Local Plan Government guidance contained within the National Planning Policy Framework.

Parking and turning

17. The proposed access and parking, turning, loading and unloading facilities shall be provided in accordance with the approved plans before first occupation of the development hereby permitted. The access, parking, turning, loading and unloading facilities shall thereafter be retained for use in connection with the development for those purposes only.

Reason : In the interests of highway safety, to ensure the provision of adequate off-street car parking and turning/loading/unloading to comply with Policy SS2 of the South Northamptonshire Local Plan and Government guidance in Section 12 of the National Planning Policy Framework.

Cycle parking

18. Prior to the first use or occupation of the development hereby permitted, covered cycle parking facilities shall be provided on the site in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The covered cycle parking facilities so provided shall thereafter be permanently retained and maintained for the parking of cycles in connection with the development.

Reason : In the interests of promoting sustainable transport modes in accordance with Government advice in the National Planning Policy Framework.

CONDITIONS TO BE COMPLIED WITH AT ALL TIMES

Archaeology reporting

19. Within 6 months of the completion of the archaeological work in accordance with the written scheme of investigation approved pursuant to condition 8 above the applicant (or their agents or successors in title) shall submit to the local planning authority for its written approval an archaeological report

comprising a post-excavation assessment and analysis, preparation of site archive and completion of an archive report together with details of the store at which this is to be deposited.

Reason: To secure the provision of archaeological investigation and the subsequent recording of the remains, to comply with Government advice in the National Planning Policy Framework (NPPF) (Section 16).

Construction hours

20. No construction work including site clearance and delivery of materials shall be carried out except between the hours of 07.30 to 18.00 Monday to Friday and 08.00 to 13.00 on Saturdays and at no times on Sundays, Bank and Public Holidays.

Reason : In order to protect the amenities of occupiers of nearby properties from noise outside normal working hours and to comply with Policy SS2 of the South Northamptonshire Local Plan.

Landscaping maintenance

21. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the polytunnels, or before the end of the planting season immediately following first occupation, and shall be maintained for a period of 5 years from the completion of the development. Any trees and/or shrubs which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent for any variation.

Reason : To ensure that the agreed landscaping scheme is maintained over a reasonable period that will permit its establishment in the interests of visual amenity and to accord with Policies SS2 of the South Northamptonshire Local Plan and Government guidance contained within the National Planning Policy Framework.

Restricted use

22. The premises shall be used only for the purpose of growing food produce and for no other purpose whatsoever.

Reason : To safeguard the visual amenities of the area and protect the amenities of nearby residents in accordance with Policy SS2 of the South Northamptonshire Part 2 Local Plan.

Removal of polytunnels

23. If at any time the polytunnels fall into disuse and are unused for their approved purpose for a period of 6 months or more, all equipment (including the polytunnels, frames, their internal fittings and fixtures, utilities and services and

the area hardstanding) hereby permitted shall be removed and the land restored to its former agricultural use.

Reason: This is a time limited permission only given the nature and lifespan of the development proposed and to ensure the long term protection of the character and appearance of the countryside in accordance with Policies SS2 of the South Northamptonshire Part 2 Local Plan.

INFORMATIVES:-

1. With respect to construction works to be carried out in close proximity to and using Public Rights of Way as access, please note the following standard requirements:-
 - The routes must be kept clear, unobstructed, safe for users, and no structures or material placed on the right of way at all times, it is an offence to obstruct the highway under Section 137 HA 1980.
 - There must be no interference or damage to the surface of the right of way as a result of the construction. Any damage to the surface of the path must be made good by the applicant, specifications for any repair or surfacing work must be approved by the Area Rights of Way Officer, (as per Section 131 HA1980).
 - If as a result of the development, i.e. the safety of the public cannot be guaranteed, the Right of Way needs to be closed, and a Temporary Traffic Regulation Order would become necessary. An Application form for such an order is available from West Northamptonshire Council website, a fee is payable for this service and a period of six weeks' notice period is required. Please contact the highway authority at:-
defmap.NCC@westnorthants.gov.uk
www.northamptonshire.gov.uk/en/councilservices/transport/row/legal/pages/temptros.aspx
 - Any new path furniture such as a gate can only be authorised if needed for the ingress or egress of livestock (Section 147 Highways Act 1980) and needs to be approved in advance with the Area Rights of Way Officer, standard examples can be provided.
 - Please do not rely on the position of features on site for an accurate position of the public rights of way. This must be taken only from the Current Definitive Map and Statement .

2. Your attention is drawn to the need to have regard to the requirements of UK and European legislation relating to the protection of certain wild plants and animals. Approval under that legislation will be required and a licence may be necessary if protected species or habitats are affected by the development. If protected species are discovered you must be aware that to proceed with the

development without seeking advice from Natural England could result in prosecution. If any vegetation or trees are to be removed, it should first be ensured that they do not contain nesting birds or roosting bats. For further information or to obtain approval contact Natural England.