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NOTICE OF APPROVAL

TOWN & COUNTRY PLANNING ACT 1990 (as amended)

REFERENCE No: **KET/2007/0694 & KET/2008/0274**
APPLICANT: **Alledge Brook LLP**
DEVELOPMENT: **5,500 dwellings and related development**
LOCATION: **East Kettering Development, East Kettering**

KETTERING BOROUGH COUNCIL, having considered a valid application submitted on 01 August 2007, and associated Environmental Statement for the above development in pursuance of their powers under the above mentioned Acts, with the following justification, that:-

The proposal accords with national policy and guidance as set out in Planning Policy Statements; PPS 1, PPS1: Supplement Planning and Climate Change; PPS3, PPS4, PPS5, PPS7, PPS 9, PPS 22, PPS 23 and PPS 25 and Planning Policy Guidance Note; PPG 13, PPG 17, PPG 24. The proposal also accords with Policies 1, 2, 3, 11, 13b, 14, 17, 18, 20, 25, 26, 27, 28, 29, 30, 31, 32, 33, 35, 36, 38, 39, 43, 44, 45, 46, 48 of East Midlands Regional Plan March 2009, and MKSM Sub-Regional Strategy, Strategic Policy 1, Strategic Policy 3, Northamptonshire Policy 1, Northamptonshire Policy 4. The proposal accords with Policies 1, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16 of the North Northamptonshire Core Spatial Strategy and policies K3, K14, 35 and 39 of the Local Plan. The proposal is also in accordance with adopted East Kettering Strategic Design Supplementary Planning Document April 2009.

There are no material considerations that indicate against the proposal. The issues relating to sustainability, housing supply and growth, local and strategic infrastructure, design, residential and visual amenity, access and transport, flood risk, drainage, ecology and biodiversity, green infrastructure, the historic environment including archaeology, sustainable design and construction and sustainable housing provision are material considerations and, in reaching the decision to approve the proposal, have been carefully weighed against all relevant Development Plan policies, and guidance and there are no material planning considerations that outweigh this.

There are no sustainable grounds on which to refuse this planning application.

GRANT OUTLINE PERMISSION

for the development as described and in accordance with the application and plans submitted, subject to the following conditions:-

Reserved Matters and Time Limits

- 1 Details of the access, appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") for each development parcel (or part thereof) as shown on the Strategic Master Plan drawing number BBD005\105 Rev A (received 2 February 2009) and detailed in the Revised Land Use Schedule (received 21 August 2009) shall be submitted to and approved in writing by the local planning authority before any development begins on the land to which it relates and the development shall not be carried out otherwise than as approved.
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.

- 2 Application for the approval of all Reserved Matters relating to one development parcel in Phase 1 of the development as shown on Phasing Plan – Phase 1 Drawing No. BBD005\113 Rev A, (received 02 February 2009) shall be made not later than the expiration of three years beginning with the date of this permission. All further applications for approval of Reserved Matters for phases 1, 2 or 3 as shown on Phasing Plans – Phase 1 Drawing No. BBD005\113 Rev A, Phase 2 Drawing No. BBD005\114 Rev A, Phase 3 Drawing No. BBD005\115 Rev A, (all received 02 February 2009) shall be made no later than the expiration of ten years beginning with the date of this permission.
REASON: To comply with Section 92 of the Town and Country Planning Act 1990 and to prevent an accumulation of unimplemented planning permissions.

- 3 The development hereby permitted shall be begun before the expiration of three years from the date of this permission or before the expiration of two years from the final approval of Reserved Matters for the first fully approved development parcel in Phase 1 as shown on Phasing Plan – Phase 1 Drawing No. BBD005\113 Revision A received 02 February 2009) 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.

Details to be Submitted with each Reserved Matters

- 4 No development shall commence within the development parcel or part thereof as shown on the Strategic Master Plan drawing number BBD005\105 Revision A (received 2 February 2009 and detailed in the Land Use Schedule received 21 August 2009) to which they relate, unless and until the following additional details shall have been submitted to and approved in writing by the local planning authority:

- 4 i) Infrastructure and construction sequence comprising details of the following for the relevant parcel or part thereof
- a) Road junctions and junction alterations, road improvements, carriageway widening, new roads, footpaths, bridleways, cycleways, bridges, traffic signalling, highways signage, the treatment of all surfaces and any traffic calming measures;
 - b) Lighting, signage and street furniture;
 - c) Foul and surface water drainage
 - d) Details of Services (including the Adequacy/ availability/ details gas, water and electricity supply, cable, telecoms, substations, poles, cable runs and other utilities);
 - e) Security infrastructure and equipment;
 - f) Vehicle parking;
 - g) Publicly accessible open space; and
 - h) Waste recycling, disposal and management measures including a statement of conformity with the waste audit and waste facilities management strategy pursuant to conditions 40 and 41 respectively.
- ii) Existing and proposed site levels and finished floor levels for all buildings;
- iii) Travel plans;
- iv) Cycle parking facilities:
- v) A schedule of floorspace and uses proposed within the relevant phase or development parcel:
- vi) A Statement of Conformity to the Design Code; (pursuant to condition 7)
- vii) Sustainability Report (pursuant to condition 36) which shows how environmental sustainability issues have been addressed in the design process and shows how CSH/BREEAM will be achieved based on actual design of units on the Reserved Matters site.
- viii) Contaminated Land Survey (pursuant to condition 70)
- ix) Noise Impact Assessment (pursuant to condition 87)
- x) Schedule of building materials

These details shall be submitted concurrently with the applications for approval of reserved matters for each development parcel. The development shall not be carried out other than in accordance with the approved details.

REASON: To ensure that the scheme of development accords with the approved Master Plan and Environmental Statement which has identified and assessed environmental issues and relevant mitigation measures and to secure a high standard of development in accordance with PPS1, Policies 1 and 2 of the East Midlands Regional Plan (2009) and Strategic Policy 3 of MKSM Sub-Regional Strategy and Policies 13 and 16 of the North Northamptonshire Core Spatial Strategy (2008).

In accordance with MP/other plans/documents

- 5 The development to which this permission relates shall not be carried out other than in accordance with the Strategic Master Plan drawing number BBD005\105 Rev A (received 2 February 2009), and Phasing Plans – Phase 1 Drawing No. BBD005\113 Rev A, Phase 2 Drawing No. BBD005\114 Rev A, Phase 3 Drawing No. BBD005\115 Rev A (all received 02 February 2009).

REASON: The proposal is subject of an Environmental Statement (ES) in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 1999 upon which the Master Plan is based and the significance of any material alteration and impact that has not been assessed

must be considered. The development must be limited accordingly and not exceed the thresholds tested by the Environmental Statement and to ensure sustainable development and a high standard in design in accordance with PPS1, policies 1 and 2 of the East Midlands Regional Plan (2009) and Strategic Policy 3 of MKSM Sub-Regional Strategy and Policies 1, 13 and 16 of the North Northamptonshire Core Spatial Strategy (2008).

- 6 The development to which this permission relates shall not be carried out other than in accordance with the Revised Land Use Schedule (received 21 August 2009), (excluding the phasing of Employment Parcel E3 which shall be carried in accordance with Condition 77), the Schedule of Building Dimensions – June 2009 (received 21 August 2009) and the Parameters Plan – C – Land Use Drawing No BBD005\111 Revision A (received 2 February 2009). The quantum of floorspace for all non-residential land uses set out for each of the development parcels shown within the Revised Land Use Schedule (received 21 August 2009) shall not be exceeded.

REASON: The proposal is subject of an Environmental Statement (ES) in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 1999 upon which the Master Plan is based and the significance of any material alteration and impact that has not been assessed must be considered. The development must be limited accordingly and not exceed the total floorspaces tested by the Environmental Statement and to ensure sustainable development and a high standard in design in accordance with PPS1, policies 1 and 2 of the East Midlands Regional Plan (2009) and Strategic Policy 3 of MKSM Sub-Regional Strategy and Policies 1, 13 and 16 of the North Northamptonshire Core Spatial Strategy (2008).

Design Coding

- 7 No reserved matters application shall be submitted unless and until a Design Code for the whole of the site as shown on the Strategic Master Plan Drawing No: BBD005/105 Rev A (received 2 February 2009) and Revised Land Use Schedule (received 21 August 2009) has been submitted to and approved in writing by the local planning authority. The Design Code shall be in accordance with the 'Design of Character Areas' supplementary document submitted with the application (dated September 2008), the Strategic Master Plan Drawing No: BBD005/105 Rev A (received 2 February 2009), Parameter Plans (received 2 February 2009) and the Scale Parameters (21 August 2009). Reserved matters shall accord with the Design Codes. Any revisions to the design code shall be submitted to the local planning authority and approved in writing. The content of the submitted Design Codes shall be approved by the local planning authority and shall include the following elements (list not exhaustive):
- i) Urban design principles;
 - ii) Character areas;
 - iii) Treatment of the development edge;
 - iv) Block principles;
 - v) Boundary treatments;
 - vi) Housing Mix;
 - vii) Building types and uses;
 - viii) Buildings heights;
 - ix) Movement network including street types, route hierarchy, footpaths, cycleways and bus service links to the District and Local Centres;

- x) Location and design parameters of all uses within the District Centre and Local Centres, as shown in the Revised Land Use Schedule (received 21 August 2009)
- xi) Street cross-sections and plans
- xii) Public realm strategy including lighting and street furniture;
- xiii) SUDS, parks, open spaces and landscaping, including the identification of trees and hedgerows to be retained;
- xiv) a Palette of building materials and details;
- xv) Shop front treatment
- xvi) All external surface materials including footpaths, cycleways and streets;
- xvii) Street cross-sections and plans;
- xviii) Parking strategy including layout and parking allocations for private motor vehicle, car club vehicles and cycles;
- xix) Secured by design;
- xx) Location of emergency services infrastructure;
- xxi) Environmental standards and sustainable design elements;
- xxii) Implementation and reviews;

Each Reserved Matters application shall be accompanied by a written statement of conformity which demonstrates compliance with the approved design code.

REASON: To secure a high quality design and in the interests of the visual appearance of the development in accordance with the principles of PPS 1 and PPS3, Policies 1 and 2 of the East Midlands Regional Plan (2009), Strategic Policy 3 of the Milton Keynes-South Midlands Sub-Regional Strategy (2005) and Policy 13 and 16 of the North Northamptonshire Core Spatial Strategy (2008).

Number of Dwellings

- 8 The residential development hereby permitted shall not comprise more than 5,500 dwellings (use class C3).
REASON: The proposal is subject of an Environmental Statement (ES) in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 1999 upon which the Master Plan is based and the significance of any material alteration and impact that has not been assessed must be considered. The development must be limited accordingly and not exceed the total 5,500 dwellings tested by the Environmental Statement and to ensure sustainable development in accordance with PPS1, policies 1 and 2 of the East Midlands Regional Plan (2009) and Strategic Policy 3 of MKSM Sub-Regional Strategy and Policies 1, 13 and 16 of the North Northamptonshire Core Spatial Strategy (2008).

Housing

- 9 The market housing shall not be provided other than in accordance with the following mix: 5% 1 bed (all of which shall be apartments), 30% 2 bed (25-35% of which shall be apartments), 30% 3 bed, 30% 4 bed, 5% 5+ bed. The housing shall be a mix of detached, semi-detached, terraced, town houses, bungalows and apartments in accordance with the approved Design Code pursuant to Condition 7.
REASON: To ensure that a sustainable development is created which meets the housing needs and aspirations of Kettering and provides choice within the new community in accordance with PPS 3, Policies 1 of the East Midlands Regional

Plan (2009) and Strategic Policy 3 of MKSM Sub-Regional Strategy Policy 15 and Policy 16 of the North Northamptonshire Core Spatial Strategy (2008).

- 10 The affordable housing shall not be provided other than in accordance with the following mix: 5% 1 bed units, 47.5% 2 bed units (no more than 25% of which to be apartments) 30% 3 bed units, 15% 4 bed units and 2.5% 5 bed units. The affordable housing shall be a mix of detached, attached, terraced, town houses, bungalows and apartments in accordance with the approved Design Code pursuant to Condition 7.
- REASON: To ensure that a sustainable development is created which meets the housing needs and aspirations of Kettering and provides choice within the new community in accordance with PPS 3, Policies 1 of the East Midlands Regional Plan (2009) and Strategic Policy 3 of MKSM Sub-Regional Strategy Policy 15 and Policy 16 of the North Northamptonshire Core Spatial Strategy (2008).

Employment

- 11 No more than 42,400 square metres net of B1 office employment floorspace in total shall be provided across the employment parcels E1, E2 and E3 as shown on the Strategic Master Plan drawing number BBD005\105 Rev A (received 2 February 2009) and the Revised Land Use Schedule (received 21 August 2009), subject to the provisions of Condition 77. No more than 11,550 square metres of B1 (a) employment floorspace shall be provided at the District Centre parcels DC1, DC2 and DC3, as shown in the Revised Land Use Schedule (received 21 August 2009).
- REASON: The proposal is subject of an Environmental Statement (ES) in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 1999 upon which the Master Plan is based and the significance of any material alteration and impact that has not been assessed must be considered. The development must be limited accordingly and not exceed the 42,400 square metres of B1 office employment floorspace provided across the employment parcels E1, E2 and E3 and the 11,550 square metres of B1 (a) employment floorspace provided at the District Centre which have been tested by the Environmental Statement and to ensure sustainable development which provides for local employment needs in accordance with PPS1, PPS4, policies 1 and 2 of the East Midlands Regional Plan (2009) and Strategic Policy 3 of MKSM Sub-Regional Strategy and Policies 1, 11, 13 and 16 of the North Northamptonshire Core Spatial Strategy (2008).
- 12 Construction of Employment parcels E1 and E2 shown on the Strategic Master Plan BBD005\105 Rev A (received 2 February 2009) shall not be carried out other than in accordance with the phasing shown in the Employment Areas table in the Revised Land Use Schedule (received 21 August 2009). No development shall take place on phase 3 of the development unless and until the employment developments required in phase 2 of the development, as set out in the Revised Land Use Schedule have been substantially completed.
- REASON: The proposal is subject of an Environmental Statement (ES) in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 1999 upon which the Master Plan is based and the significance of any material alteration and impact that has not been assessed must be considered. The development must be limited accordingly and not differ from the phasing plans tested by the Environmental Statement and to ensure

sustainable development which provides for local employment needs in accordance with PPS1, PPS4, policies 1 and 2 of the East Midlands Regional Plan (2009) and Strategic Policy 3 of MKSM Sub-Regional Strategy and Policies 1, 11, 13 and 16 of the North Northamptonshire Core Spatial Strategy (2008).

- 13 No development shall commence on a phase as shown on Phasing Plans – Phase 1 Drawing No. BBD005\113 Rev A, Phase 2 Drawing No. BBD005\114 Rev A, Phase 3 Drawing No. BBD005\115 Rev A (all received 02 February 2009) until and unless a strategy for the delivery of the employment parcel within that phase has been submitted to and approved in writing by the local planning authority. The strategy shall include as a minimum details of the services and/or infrastructure to be installed within that parcel, timing of delivery within the phase and justification for that timing. The development shall not be carried out other than in accordance with the approved strategies.

REASON: To ensure the continuing supply of B1 employment land in the Borough in accordance with PPS1, PPS4, Policies 1 and 3 of the East Midlands Regional Plan; Strategic Policy 3 of the MKSM Sub-Regional Strategy and Policies 1, 8 and 11 of the North Northamptonshire Core Spatial Strategy (2008).

- 14 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (as amended) or any Order revoking and re-enacting that Order with or without modification, the Class B1 office employment floorspace subject of Condition 11 shall be retained as such and shall not be used for any other purpose.

REASON: The proposal is subject of an Environmental Statement (ES) in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 1999 upon which the Master Plan and Land Use Schedule are based and the significance of any material alteration and impact that has not been assessed must be considered. The development must be limited accordingly and the amount of B1 use tested by the Environmental Statement must not be altered and to ensure the continuing supply of B1 employment land in the Borough in accordance with PPS1, PPS4, Policies 1 and 3 of the East Midlands Regional Plan; Strategic Policy 3 of the MKSM Sub-Regional Strategy and Policies 1, 8 and 11 of the North Northamptonshire Core Spatial Strategy (2008).

District Centre

- 15 No development shall commence on Phase One of the development as shown on Phasing Plans – Phase 1 Drawing No. BBD005\113 Rev A, (received 02 February 2009) unless and until a programme of delivery for the District Centre within Phase One of the development has been submitted to and approved in writing by the Local Planning Authority. The programme of delivery shall be informed by the Retail Strategy pursuant to Condition 28 and shall identify and justify the timing of completion of the floorspace specified for each use class contained with the District Centre as shown in the Revised Land Use Schedule (received 21 August 2009). The development shall not proceed other than in accordance with the approved strategy/programme.

REASON: To provide a range of local facilities for the 1,700 homes in Phase One in accordance with PPS1, Policy 1 of the East Midlands Regional Plan (2009), Strategic Policy 3 and SRS Northamptonshire 4 of the Milton Keynes-South Midlands Sub-Regional Strategy (2005) and Policies 6, 12, 13 and 16 of

the North Northamptonshire Core Spatial Strategy (2008).

- 16 A total minimum floorspace of 4,500 square metres and a total maximum floorspace of 5,400 square metres of A1, A3, A4 and A5 uses shall be provided at the District Centre within Phase 1 of the development as shown on the Phase 1 Drawing No. BBD005\113 Revision A, (received 2 February 2009) and the Revised Land Use Schedule (received 21 August 2009). The floorspace of each use class shall not exceed the maximum shown in the Revised Land Use Schedule (received 21 August 2009).
REASON: To provide local facilities for the 1,750 homes in Phase 1, in accordance with PPS1, Policy 1 of the East Midlands Regional Plan (2009), Strategic Policy 3 of the Milton Keynes-South Midlands Sub-Regional Strategy (2005) and Policy 6, 13 and 16 of the North Northamptonshire Core Spatial Strategy (2008) and to ensure there is no detrimental impact on the vitality and viability of Kettering town centre in accordance with PPS 4, Policy 22 of the East Midlands Regional Plan (2009), and Policy 12 and 16 of the North Northamptonshire Core Spatial Strategy (2008).
- 17 A minimum of 2,500 square metres net and maximum of 4,000 square metres net floorspace of D1 community use shall be provided at the District Centre within Phase 1 of the development as shown on Phase 1 Drawing No. BBD005\113 Revision A, (received 2 February 2009) and the Revised Land Use Schedule (received 21 August 2009).
REASON: To provide community facilities for the 1,750 homes in Phase 1, in accordance with PPS1, Policy 1 of the East Midlands Regional Plan (2009), Strategic Policy 3 of the Milton Keynes-South Midlands Sub-Regional Strategy (2005) and Policies 6, 13 and 16 of the North Northamptonshire Core Spatial Strategy (2008).
- 18 Approval of reserved matters of the D1 community use space or spaces, identified at Condition 17, shall, at a minimum, make provision for a children's centre, community meeting space, youth space and at least 550 square metres of dedicated multi-faith worship space. The details may also need to make provision for accommodation for a Safer Community Team, customer service centre and library. The details to be submitted shall include a justification for the size of the space or spaces and their functional layout. The details submitted shall comply with the 'Sport England Village and Community Halls guidance note' current at the time (or the equivalent document which replaces it). The development shall not be carried out other than in accordance with the approved details.
REASON: To provide community facilities for the 1,750 homes in Phase 1, in accordance with PPS1, Policy 1 of the East Midlands Regional Plan (2009), Strategic Policy 3 of the Milton Keynes-South Midlands Sub-Regional Strategy (2005) and Policies 6, 13 and 16 of the North Northamptonshire Core Spatial Strategy (2008).
- 19 A children's nursery of 500 square metres floorspace shall be provided at the District Centre in Phase 1 of the development in accordance with the Phase 1 Drawing No. BBD005\113 Revision A, (received 2 February 2009) and the Revised Land Use Schedule (received 21 August 2009).
REASON: To provide education facilities for the development in accordance with PPS1, Policy 1 of the East Midlands Regional Plan (2009), Strategic Policy 3 of

the Milton Keynes-South Midlands Sub-Regional Strategy (2005) and Policies 6, 13 and 16 of the North Northamptonshire Core Spatial Strategy (2008).

- 20 1,800 square metres of D2 Sport and Community Leisure use floorspace shall be provided within the District Centre in Phase 1 as shown on Drawing No. BBD005\113 Revision A (received 2 February 2009) and the Revised Land Use Schedule (received 21 August 2009). The D2 details shall comply with Sport England 'Sports Halls: Design guidance note' and Sport England 'Sports Halls: Sizes and Layouts Design guidance note' current at the time (or the equivalent document which replaces it).

REASON: To provide sport and recreation facilities for the development in accordance with PPG17, Policy 1 of the East Midlands Regional Plan (2009), Strategic Policy 3 of the Milton Keynes-South Midlands Sub-Regional Strategy

(2005) and Policies 6, 13 and 16 of the North Northamptonshire Core Spatial Strategy (2008).

Local Centres

- 21 No development shall commence on Phase Three of the development as shown on Phasing Plans – Phase 3 Drawing No. BBD005\115 Rev A, (received 02 February 2009) unless and until a programme of delivery for Local Centres 1 and 2 within Phase Three of the development has been submitted to and approved in writing by the Local Planning Authority. The programme of delivery shall be informed by the Retail Strategy pursuant to Condition 28 and shall identify and justify the timing of completion of the floorspace specified for each use class contained within the District Centre as shown in the Revised Land Use Schedule (received 21 August 2009). The development shall not proceed other than in accordance with the approved strategy/programme.

REASON: To provide a range of local facilities for the 2,700 homes in Phase 3 in accordance with PPS1, Policy 1 of the East Midlands Regional Plan (2009), Strategic Policy 3 and SRS Northamptonshire 4 of the Milton Keynes-South Midlands Sub-Regional Strategy (2005) and Policies 6, 12, 13 and 16 of the North Northamptonshire Core Spatial Strategy (2008).

- 22 A minimum total floorspace of 100 square metres of A1 convenience retail shall be provided at Local Centre 3 within Phase 2 of the development as shown on the Phase 2 Drawing No BBD005/114 Revision A (received 2 February 2009) and the Land Use Schedule (received 21 August 2009).

REASON: To provide facilities for the 950 homes in Phase 2 in accordance with PPS1, Policy 1 of the East Midlands Regional Plan (2009), Strategic Policy 3 of the Milton Keynes-South Midlands Sub-Regional Strategy (2005) and Policies 6, 13 and 16 of the North Northamptonshire Core Spatial Strategy (2008).

- 23 A minimum total floorspace of 100 square metres of A1 convenience retail shall be provided at Local Centre 1 in Phase 3 and a minimum total floorspace of 100 square metres of A1 convenience retail shall be provided at Local Centre 2 in Phase 3 of the development as shown on Phasing Plan – Phase 3 Drawing No BBD005/115 Rev A (received 2 February 2009) and the Land Use schedule (received 21 August 2009).

REASON: To provide facilities for the 2,800 homes in Phase 3, in accordance with PPS1, Policy 1 of the East Midlands Regional Plan (2009), Strategic Policy

3 of the Milton Keynes-South Midlands Sub-Regional Strategy (2005) and Policies 6, 13 and 16 of the North Northamptonshire Core Spatial Strategy (2008).

- 24 A minimum net floorspace of 450 square metres of D1 community use shall be provided at Local Centre 3 within Phase 2 of the development as shown on the Phase 2 Drawing No. BBD005\114 Revision A, (received 2 February 2009) and the Revised Land Use schedule (received 21 August 2009). A minimum net floorspace of 450 square metres of D1 community use shall be provided at each of the Local Centres 1 and 2 within Phase 3 of the development as shown on Phase 3 Drawing No. BBD005\115 Revision A (received 2 February 2009) and the Land Use schedule (received 21 August 2009). No more than a total maximum net floorspace of 1400 sq m D1 shall be provided across the 3 local centres. The D1 details shall comply with the current 'Sport England Village and Community Halls guidance note' current at the time (or the equivalent document which replaces it). The development shall not be carried out other than in accordance with the approved details.

REASON: To provide community facilities for the Phases 2 and 3, in accordance with PPS1, Policy 1 of the East Midlands Regional Plan (2009), Strategic Policy 3 of the Milton Keynes-South Midlands Sub-Regional Strategy (2005) and Policies 6, 13 and 16 of the North Northamptonshire Core Spatial Strategy (2008).

- 25 A total maximum net floorspace of 600 square metres of D2 (assembly and leisure) floor space shall be provided across the 3 local centres as shown on the Strategic Master Plan BBD/005/105 Revision A (received 2 February 2009) and the Revised Land Use schedule (received 21 August 2009). Details of the quantum of D2 floorspace to be provided at each local centre shall be submitted to and approved in writing by the local planning authority with the first Reserved Matters application relating to Phase 2 as shown on Phase 2 Drawing No. BBD005\114 Revision A, (received 2 February 2009). The D2 details shall comply with Sport England 'Sports Halls: Design guidance note' and Sport England 'Sports Halls: Sizes and Layouts Design guidance note' current at the time (or the equivalent document which replaces either).

REASON: To provide sport and recreation facilities for the development in accordance with PPG17, Policy 1 of the East Midlands Regional Plan (2009), Strategic Policy 3 of the Milton Keynes-South Midlands Sub-Regional Strategy (2005) and Policies 6, 13 and 16 of the North Northamptonshire Core Spatial Strategy (2008).

- 26 No more than 1500 dwellings shall be occupied until a healthcare facility (maximum of 2000 square metres floorspace) is built at the District Centre, the Strategic Master Plan drawing number BBD005\105 Revision A (received 2 February 2009) in accordance with the Revised Land Use Schedule (received 21 August 2009) and details (including build specification) to be submitted to and approved by the local planning authority. The healthcare facility shall not be carried out other than in accordance with the approved details.

REASON: To provide health facilities for the development in accordance with PPS1, Policy 1 of the East Midlands Regional Plan (2009), Strategic Policy 3 and SRS Northamptonshire 4 of the Milton Keynes-South Midlands Sub-Regional Strategy (2005) and Policy 6 and 16 of the North Northamptonshire Core Spatial Strategy (2008).

- 27 No development shall take place on development parcels PS1, PS2, PS3, PS4 and SS1 as shown on the Strategic Master Plan drawing number BBD005\105 Revision A (received 2 February 2009), unless and until a strategy has been submitted to and approved by the Local Planning Authority, which sets out how that school and its facilities will be made available for community use during the day, evening, weekends and school holidays. The strategy shall detail the total floorspace and facilities to be made available for community use. The development shall not be carried out other than in accordance with the approved strategy.
- REASON: To provide community facilities for the Phases 1, 2 and 3, in accordance with PPS1, Policy 1 of the East Midlands Regional Plan (2009), Strategic Policy 3 of the Milton Keynes-South Midlands Sub-Regional Strategy (2005) and Policies 6, 13 and 16 of the North Northamptonshire Core Spatial Strategy (2008).

Retail

- 28 Prior to the submission of the Design Code (Condition 7), a Retail Strategy for the District Centre and Local Centres 1, 2 and 3 as shown on the Strategic Master Plan drawing number BBD005\105 Revision A (received 2 February 2009), shall be submitted to and approved by the local planning authority. The Retail Strategy shall be in accordance with the conclusions of a Retail Impact Assessment and shall set out and justify a programme of delivery for the retail floorspace at each centre and how the total net floorspace of each Class A use detailed in the Revised Land Use Schedule (received 21 August 2009) will be divided into individual units. The development shall not be carried out other than in accordance with the approved strategy.
- REASON: To ensure there is no detrimental impact on the vitality and viability of Kettering town centre in accordance with PPS 4, Policy 22 of the East Midlands Regional Plan (2009), and Policy 12 and 16 of the North Northamptonshire Core Spatial Strategy (2008) and to create a sustainable District Centre which offers people choice in accordance with Policy 22 of the East Midlands Regional Plan (2009) Policy MKSM SRS Northamptonshire 4 of the Milton Keynes-South Midlands Sub-Regional Strategy (2005) and Policies 6, 12, 13 and 16 of the North Northamptonshire Core Spatial Strategy (2008).
- 29 A maximum total net floorspace of 500 square metres of A1, A3, A4 and A5 uses shall be provided in Phase 2, as shown on Phase 2 Drawing No. BBD005\114 Revision A, (received 2 February 2009) of the development at local centre 3. This shall include at least 100 sq m A1 (see condition 22). The remaining floorspace shall be shared between A3, A4 and A5 uses. Approval of Reserved Matters applications for any of this floorspace shall include details of, and a justification for the chosen size and mix of uses. The development shall not be carried out other than in accordance with the approved details.
- REASON: To provide a range of local facilities for the 950 homes in Phase 2 in accordance with PPS1, Policy 1 of the East Midlands Regional Plan (2009), Strategic Policy 3 and SRS Northamptonshire 4 of the Milton Keynes-South Midlands Sub-Regional Strategy (2005) and Policies 6, 12, 13 and 16 of the North Northamptonshire Core Spatial Strategy (2008) and to ensure there is no detrimental impact on the vitality and viability of Kettering town centre in accordance with PPS 4, Policy 22 of the East Midlands Regional Plan (2009),

and Policy 12 and 16 of the North Northamptonshire Core Spatial Strategy (2008)

- 30 A maximum total net floorspace of 600 square metres of A1, A3, A4 and A5 uses shall be provided in Phase 3, as shown on Phase 3 Drawing No. BBD005\115 Revision A (received 2 February 2009) of the development. This floorspace shall be divided between Local Centres 1 and 2 and shall include at least 100 square metres of A1 at each Local Centre. (See condition 23). The remaining floorspace shall be shared between A3, A4 and A5 uses. Approval of Reserved Matters applications for any of this floorspace shall include details of, and a justification for the chosen size and mix of uses. The development shall not be carried out other than in accordance with the approved details.

REASON: To provide a range of local facilities for the 2,700 homes in Phase 3 in accordance with PPS1, Policy 1 of the East Midlands Regional Plan (2009), Strategic Policy 3 and SRS Northamptonshire 4 of the Milton Keynes-South Midlands Sub-Regional Strategy (2005) and Policies 6, 12, 13 and 16 of the North Northamptonshire Core Spatial Strategy (2008) and to ensure there is no detrimental impact on the vitality and viability of Kettering town centre in accordance with PPS 4, Policy 22 of the East Midlands Regional Plan (2009), and Policy 12 and 16 of the North Northamptonshire Core Spatial Strategy (2008)

Community Facilities

- 31 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 or any Order revoking and re-enacting that Order with or without modification, the floorspace to be provided for Class D2 at the District and Local Centres shall be used for sports and community leisure uses only, and for no other purpose within Class D2.

REASON: To provide sport and recreation facilities for the development in accordance with PPS1, PPG17, Policy 1 of the East Midlands Regional Plan (2009), Strategic Policy 3 of the Milton Keynes-South Midlands Sub-Regional Strategy (2005) and Policies 6, 13 and 16 of the North Northamptonshire Core Spatial Strategy (2008).

- 32 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 or any Order revoking and re-enacting that Order with or without modification, the floorspace to be provided for Class D1 at the District and Local Centres as identified by Conditions 17, 18 and 24 shall be used for community uses only, and for no other purpose within Class D1.

REASON: To provide community facilities for the development in accordance with PPS1, Policy 1 of the East Midlands Regional Plan (2009), Strategic Policy 3 of the Milton Keynes-South Midlands Sub-Regional Strategy (2005) and Policies 6, 13 and 16 of the North Northamptonshire Core Spatial Strategy (2008).

Sustainable Design

- 33 Those dwellings completed during the period up to 31 December 2012 shall meet the Code for Sustainable Homes (CSH) code level 3 as a minimum, those dwellings completed 1 January 2013 to 31 December 2015 shall meet CSH code level 4 as a minimum and those completed 1 January 2016 onwards shall meet

CSH code level 6 as a minimum (or the equivalent standard which replaces CSH and is to be the assessment in force when the residential units concerned are registered for assessment purposes).

REASON: In the interests of tackling climate change and creating a sustainable development which meets standards for energy efficiency, water efficiency and sustainable construction in accordance with PPS 1, PPS Planning and Climate Change Supplement to PPS 1, PPS22, Policy 2, 32 and 39 of East Midlands Regional Plan (2009), Strategic Policy 3 of the Milton Keynes-South Midlands Sub-Regional Strategy (2005) and Policy 14 (a) of the North Northamptonshire Core Spatial Strategy (2008).

- 34 The design and layout of all residential units shall accord with the 'Lifetime Homes' standard (or any standard(s) which replaces the 'Lifetime Homes' standards in force when the residential units concerned are commenced). Each Reserved Matters application for residential development shall be accompanied by a written statement of conformity which demonstrates compliance with the relevant 'Lifetime Homes' standards.

REASON: To ensure dwellings within the development are capable of being adapted to meet the needs of all people in accordance with PPS1, PPS3, Policy 1 of East Midlands Regional Plan (2009), Strategic Policy 3 of the Milton Keynes-South Midlands Sub-Regional Strategy (2005) and Policy 15 of the North Northamptonshire Core Spatial Strategy (2008).

- 35 Non-residential buildings shall achieve a minimum of Building Research Establishment Environment Assessment Method (BREEAM) level "very good" (or the equivalent standard which replaces BREEAM and is to be the assessment in force at the time when the non-residential unit or units concerned are registered for assessment purposes). In the event that the BREEAM standard achieved for the actual building falls short of the "very good" standard (or the equivalent standard which replaces BREEAM and is to be the assessment in force at the time when the non-residential unit or units concerned are registered for assessment purposes) achieved at design stage, a programme of remediation works shall be agreed in writing by the Local Planning Authority and carried out in accordance with a timetable to be agreed.

REASON: In the interests of tackling climate change and creating a sustainable development which meets standards for energy efficiency, water efficiency and sustainable construction in accordance with PPS 1, PPS Planning and Climate Change Supplement to PPS 1, PPS22, Policies 2, 32 and 39 of the East Midlands Regional Plan (2009), Strategic Policy 3 of the Milton Keynes-South Midlands Sub-Regional Strategy (2005) and Policy 14 (a) of the North Northamptonshire Core Spatial Strategy (2008).

- 36 Reserved matters applications for layout, scale and/or appearance shall be accompanied by a Sustainability Report that demonstrates how environmental sustainability issues have been addressed during the design process and sets out the way in which the credits under the relevant BREEAM Rating and relevant CSH level (or the equivalent standards which replace BREEAM or CSH and is to be the assessment in force at the time when the non-residential or residential units concerned are registered for assessment purposes) will be achieved based on the actual design of the non-residential or residential units.

REASON: In the interests of tackling climate change and creating a sustainable development which meets standards for energy efficiency, water efficiency and sustainable construction in accordance with PPS 1, PPS Planning and Climate Change Supplement to PPS 1, PPS22, Policy 2, 32 and of the 39 East Midlands Regional Plan (2009), Strategic Policy 3 of the Milton Keynes-South Midlands Sub-Regional Strategy (2005) and Policy 14 (a) of the North Northamptonshire Core Spatial Strategy (2008).

- 37 Prior to the commencement of development within a development parcel or part thereof (as shown on the Strategic Master Plan (received 2 February 2009) a copy of the Interim Design Stage Assessment Certificate shall be provided to the Local Planning Authority to demonstrate that any residential or non-residential units to be constructed within that parcel or part thereof will achieve the required CSH and BREEAM levels (pursuant to conditions 33 and 35).

REASON: In the interests of tackling climate change and creating a sustainable development which meets standards for energy efficiency, water efficiency and sustainable construction in accordance with PPS 1, PPS Planning and Climate Change Supplement to PPS 1, Policies 2, 32 and 39 of the East Midlands Regional Plan (2009), Strategic Policy 3 of the Milton Keynes-South Midlands Sub-Regional Strategy (2005) and Policy 14 (a) of the North Northamptonshire Core Spatial Strategy (2008).

- 38 Within six months of the completion of any unit(s) a copy of the Post Construction Final Certificate shall be provided to the Local Planning Authority to prove that the unit(s) have been constructed in accordance with the Sustainability Report and that the development has achieved the relevant BREEAM and CSH levels.

REASON: In the interests of tackling climate change and creating a sustainable development which meets standards for energy efficiency, water efficiency and sustainable construction in accordance with PPS 1, PPS Planning and Climate Change Supplement to PPS 1, Policies 2, 32 and 39 East Midlands Regional Plan (2005) Strategic Policy 3 of the Milton Keynes-South Midlands Sub-Regional Strategy (2005) and Policy 14 (a) of the North Northamptonshire Core Spatial Strategy (2008).

- 39 Prior to the submission of the Design Code (pursuant to condition 7) a low or zero carbon (LZC) Feasibility Study to establish the most appropriate LZC energy source for the development in order achieve a target of at least 30% of the demand for energy shall be submitted to and approved by the Local Planning Authority. The study shall be carried out by an independent energy specialist and shall cover as a minimum; energy generated by LZC source per year, payback, land use, noise, whole life cost impact of potential specification in terms of carbon emissions, any available grants, all technologies appropriate to the site, energy demand of the development, reasons for excluding other technologies. If the 30% target cannot be met the study must include a technical and economic viability assessment to justify any lower percentage. Any revisions to the study shall be submitted to the local planning authority for approval.

REASON: In the interest of tackling climate change, reducing carbon emissions and creating a sustainable development in accordance with PPS 1, PPS Planning and Climate Change Supplement to PPS 1, PPS 22, Policy 1, 2 and 39 East Midlands Regional Plan (2009) and Policy 14 of the North Northamptonshire Core Spatial Strategy (2008).

Waste

- 40 Prior to the submission of the first Reserved Matters relating to layout, appearance or scale a site specific Waste Audit must be submitted to and approved in writing by the local planning authority. The Waste Audit shall address the provisions set out in Section 2, Part A, Paragraph 2.25 criterion (a) to (m) (inclusive) of the Northamptonshire County Council Development and Implementation Principles SPD (adopted March 2007). The development shall not be carried out other than in accordance with the approved waste audit and its recommendations.

REASON: To ensure compliance with the requirement for site specific detailed waste audit in accordance with policy 5 of the Northamptonshire Waste Local Plan (2006), the Development and Implementation Principles SPD (2007), PPS1, Policies 1, 2 and 38 of the East Midlands Regional Plan (2009) and policies 13 and 16 of the North Northamptonshire Core Spatial Strategy (2008).

- 41 Prior to the submission of the first Reserved Matters relating to layout, appearance or scale a Waste Management Facilities Strategy shall be submitted to and approved in writing by the local planning authority. The strategy shall address the provisions set out in Section 2, Part A, Paragraph 2.50 criterion (a) to (k) (inclusive) of the Northamptonshire County Council Development and Implementation Principles SPD (adopted March 2007). The development shall not be carried out other than in accordance with the approved waste audit and its recommendations.

REASON: To ensure compliance with policy 6 of the Northamptonshire Waste Local Plan, the Development and Implementation Principles SPD (2007), PPS1, Policies 1, 2 and 38 of the East Midlands Regional Plan (2009) and policies 13 and 16 of the North Northamptonshire Core Spatial Strategy (2008).

- 42 A waste management facility shall be provided at the District Centre within Phase 1 of the development as shown on the Phase 1 Drawing No. BBD005\113 Revision A (received 02 February 2009). This facility shall be provided in accordance with the details provided pursuant to condition 41.

REASON: To provide residents and workers of the development with waste management facilities in accordance with PPS1, Policies 1, 2 and 38 of the East Midlands Regional Plan (2009) and policies 13 and 16 of the North Northamptonshire Core Spatial Strategy (2008) and Policy 6 of the Northamptonshire Waste Local Plan.

Open Space

- 43 Prior to the submission of the Design Code (pursuant to Condition 7) an Open Space Strategy (covering all types of formal and informal open space) shall be submitted to and approved in writing by the local planning authority. The strategy shall include specifications, timing of completion within the development and within each phase and the on-going management arrangements for each of the following types of open space/Green Infrastructure resources.

- i) All areas of informal and formal open space identified on Parameters Plan B: Green Infrastructure BBD005\110 Revision A (received 2 February 2009);
- ii) Playing fields/sport pitches;
- iii) Other outdoors sports facilities;
- iv) Children's play areas including 55 LAPs, 13 LEAPs and 4 NEAPs;

- v) 5.2 hectares of allotments;
- vi) Sustainable Urban Drainage Systems, watercourses and other water bodies;
- vii) Existing woodland areas and 26 hectares of new woodland planting;
- viii) Areas of parkland including (not exclusively) the Central Park and East Park Edge;
- ix) GI linkages including pedestrian and cycle links and public rights of way and bridleways.

The development shall not be implemented other than in accordance with the approved strategy.

REASON: In the interests of residential amenity, visual amenity and provision of multi-functional Green Infrastructure and connectivity in accordance with the principles of sustainable development in accordance with PPG17, Policies 1, 26, 27, 28, 29, 30 and 33 of the East Midlands Regional Plan (2009) and Strategic Policy 3 of the MKSM Sub-Regional Strategy (2005) and Policies 5, 13 and 16 of the North Northamptonshire Core Spatial Strategy (2008).

- 44 No development shall commence on any development parcel as shown on Strategic Master Plan drawing number BBD005\105 Revision A (received 2 February 2009), or part thereof, unless and until the arrangements for the ongoing management of the public realm within that development parcel (excluding areas of open space dealt with by condition 27), street furniture and any unadopted roads 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.

REASON: To ensure a continued high quality public realm in accordance with PPS 1, Policy 1 of the East Midlands Regional Plan (2009) and policies 13 and 16 of the North Northamptonshire Core Spatial Strategy (2008).

- 45 No development shall take place within Phase 3 of the development as shown on the Phase 3 Drawing No. BBD005\115 Revision A (received 2 February 2009) and the Revised Land Use Schedule (received 21 August 2009), unless and until a strategy for relocating the existing 'Green Patch' facility to a site on the development has been submitted to and approved by the local planning authority. This strategy shall include details of its design (its size shall be commensurate with the existing site), location (it shall be as close to the existing site as possible), site characteristics (including the quality of the land and soil (which shall be commensurate with the existing site), facilities and amenities to be provided on site, a timetable for completion and transfer of the new facility to the local authority. The strategy shall include evidence of consultation with users of the existing Green Patch facility on the contents of the strategy. The development shall not be carried out other than in accordance with the approved strategy.

REASON: To ensure that the loss of a community open space facility is compensated by way of new provision on-site in accordance with PPS1, Policy 1 and 26 of the East Midlands Regional Plan (2009) and Policy 13 of North Northamptonshire Core Spatial Strategy (2008).

- 46 No development shall take place on a phase of the development, as shown on Phasing Plans – Phase 1 Drawing No. BBD005\113 Rev A, Phase 2 Drawing No. BBD005\114 Rev A, Phase 3 Drawing No. BBD005\115 Rev A, (all received 02 February 2009), unless and until a scheme for strategic landscape works for that phase, including landscaping of key access routes (motorised and non-

motorised routes), the Central Avenue and treatment of the surroundings of the relevant phase of the development shall be submitted to and approved in writing by the local planning authority. Such a scheme shall specify:

- i. the species, position, diameter, approximate height and canopy spread of all existing trees, shrubs and hedges and an assessment of their general state of health and stability;
- ii. which trees, shrubs and hedges outlined in (i) are to be retained;
- iii. the protection measures to be used during the construction stages for the trees, shrubs and hedgerows to be retained in accordance with British Standard 5837 (Trees in Relation to Construction 2005: recommendations);
- iv. the layout of all new planting including species, plant sizes, spacing and numbers to be planted; and
- v. existing contours and any proposed alterations to the land such as earth mounding.
- vi. timetable for implementation of works

Any trees or plants which within a period of 5 years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. The development shall not be carried out other than in accordance with the approved scheme.

REASON: In the interests of the visual appearance of the development and enhancement to biodiversity in accordance with PPS 1, PPS 9, Policy 2, 28 and 29 of the East Midlands Regional Plan (2009) and Policies 5 and 13 of the North Northamptonshire Core Spatial Strategy.

- 47 No development shall take place on a development parcel as shown on Strategic Master Plan drawing number BBD005105 Rev A (received 2 February 2009) or any part thereof, unless and until a scheme of hard and soft landscaping, for that parcel or part thereof which includes the items listed i – v in condition 46 has been submitted to and approved in writing by the local planning authority. The approved schemes shall be carried out in the first planting and seeding seasons following the occupation of the buildings on the development parcel or sub parcel to which the landscaping scheme relates. Any trees or plants which, within a period of 5 years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

REASON: In the interests of the visual appearance of the development and enhancement to biodiversity in accordance with PPS 1, PPS 9, Policy 2, 28 and 29 of the East Midlands Regional Plan (2009) and Policies 5 and 13 of the North Northamptonshire Core Spatial Strategy.

- 48 No works shall take place on site including any tree felling, tree pruning demolition works, soil moving, temporary access construction/widening, or any operations involving the use of motorised vehicles or construction machinery shall take place on site unless and until a detailed Arboricultural Method Statement shall be submitted to and approved in writing by the local planning authority. The development and all other operations shall not take place other than in accordance with the approved Method Statement. The Method Statement shall include details of the following:

- a) Implementation, supervision and monitoring of the approved tree protection measures outlined in conditions 46(iii) and 47 (iii).

b) Implementation, supervision and monitoring of all approved construction works within any area designated as being fenced off or otherwise protected in the approved tree protection measures outlined in conditions 46 (iii) and 47 (iii).

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

REASON: To ensure the continued well being of the trees in the interests of the visual appearance of the locality and the preservation of biodiversity in accordance with PPS 1, PPS 9, Policy 2, 28 and 29 of the East Midlands Regional Plan (2009) and Policies 5 and 13 of the North Northamptonshire Core Spatial Strategy (2008).

- 49 The existing hedgerows which are identified for retention within the Design Code pursuant to Condition 7, approved landscaping schemes pursuant to conditions 46 and 47 and identified on the Habitat Creation Plan (dated 30 September) shall be retained in perpetuity and shall not be cut down, grubbed out or otherwise removed, or topped or lopped so that the height of the hedge falls below 2 metres at any point, without the written consent of the Local Planning Authority. Any hedges removed without such consent or which die or become severely damaged shall be replaced with hedging plants of such size and species as approved in writing by the local planning authority.

REASON: To ensure the continued well being of hedgerows in the interests of the visual appearance of the locality and the preservation of biodiversity in accordance with PPS 1, PPS 9, Policy 2, 28 and 29 of the East Midlands Regional Plan (2009) and Policies 5 and 13 of the North Northamptonshire Core Spatial Strategy (2008).

- 50 Prior to the occupation of each phase as shown on Phase 1 Drawing No. BBD005\113 Rev A, Phase 2 Drawing No. BBD005\114 Rev A, Phase 3 Drawing No. BBD005\115 Rev A (all received 02 February 2009) a landscape management plan for the strategic landscaping works approved under condition 46 shall be submitted to and approved by the local planning authority. Such management plans shall include long term objectives, management responsibilities and maintenance schedules for all landscaped areas, other than small, privately owned, domestic gardens. The development shall not be carried out other than in accordance with the approved landscape management plan.

REASON: In the interests of the visual appearance of the development and enhancement to biodiversity in accordance with PPS 1, PPS 9, Policy 2, 28 and 29 of the East Midlands Regional Plan (2009) and Policies 5 and 13 of the North Northamptonshire Core Spatial Strategy (2008).

- 51 Prior to the occupation of any development parcel or part thereof as shown on the Strategic Master Plan drawing number BBD005\105 Rev A (received 2 February 2009) a landscape management plan for the hard and soft landscaping of development parcels required by condition 47 shall be submitted to and approved by the local planning authority. Such management plans shall include long term objectives, management responsibilities and maintenance schedules for all landscaped areas, other than small, privately owned domestic gardens. The development shall not be carried out other than in accordance with the approved landscape management plan.

REASON: In the interests of the visual appearance of the development and enhancement to biodiversity in accordance with PPS 1, PPS 9, Policy 2, 28 and 29 of the East Midlands Regional Plan (2009) and Policies 5 and 13 of the North Northamptonshire Core Spatial Strategy (2008).

- 52 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting or amending that Order) no additional fencing, walling or other means of enclosure shall be erected in the approved landscaping or amenity areas other than that approved by details pursuant to conditions 46, 47, 50 & 51.

REASON: To ensure a satisfactory level of amenity space and to protect the visual appearance of the development in accordance with PPS 1, Policy 2 of the East Midlands Regional Plan (2009) and Policy 13 of the North Northamptonshire Core Spatial Strategy (2008).

Biodiversity

- 53 Development shall not take place other than in accordance with the Bat Mitigation Strategy dated August 2008 contained within the Environmental Statement Supplement 2008 and the Bat Survey Report Rev A dated August 2009.

REASON: To ensure necessary ecological mitigation measures and management regimes are implemented in accordance with the Environmental Statement and in accordance with PPS 9, Policy 1, 26, 28, 29 of the East Midlands Regional Plan (2009) and Policy 5, 13 and 16 of the North Northamptonshire Core Spatial Strategy (2008).

- 54 Development shall not take place other than in accordance with the Badger Mitigation Strategy dated July 2008 contained within the Environmental Statement Supplement 2008.

REASON: To ensure necessary ecological mitigation measures and management regimes are implemented in accordance with the Environmental Statement and in accordance with PPS 9, Policy 1, 26, 28, 29 of the East Midlands Regional Plan (2009) and Policy 5, 13 and 16 of the North Northamptonshire Core Spatial Strategy (2008).

- 55 Development shall not take place other than in accordance with the Great Crested Newts Mitigation Strategy dated July 2008 contained within the Environmental Statement Supplement 2008.

REASON: To ensure necessary ecological mitigation measures and management regimes are implemented in accordance with the Environmental Statement and in accordance with PPS 9, Policy 1, 2, 26, 28 and 29 of the East Midlands Regional Plan (2009) and Policy 5, 13 and 16 of the North Northamptonshire Core Spatial Strategy (2008).

- 56 No works shall take place on site unless and until a Reptile Method Statement has been submitted to and approved by the local planning authority. The Method Statement shall be in accordance with recommendations of the Reptile Survey contained within the Environmental Statement Supplement 2008. The development shall not be carried out other than in accordance with the approved Method Statement.

REASON: To ensure reptiles are protected during the construction phases of development in accordance with the Wildlife and Countryside Act (1981) and to secure a net gain in biodiversity in accordance with PPS1, PPS9, Policy 1, 2, 28 and 29 of the East Midlands Regional Plan (2009) and Policies 5, 13 and 16 of the North Northamptonshire Core Spatial Strategy (2008).

- 57 No works shall take place on site unless and until an Ecological Management Plan has been submitted to and approved in writing by the local planning authority, the implementation of which should be overseen by a suitably experienced ecological clerk of works. The Ecological Management Plan shall be in accordance with the Green Infrastructure Habitat Creation Plan (received 10 September 2009). The development shall not be carried out other than in accordance with the approved Ecological Management Plan.

REASON: To secure a net gain in biodiversity and enhancements to the Green Infrastructure network in accordance with PPS1, PPS9, Policy 1, 2, 28, 29 and 30 of the East Midlands Regional Plan (2009) and Policies 5, 13 and 16 of the North Northamptonshire Core Spatial Strategy (2008).

- 58 Prior to the submission of the Design Code (pursuant to Condition 7) a Green Infrastructure Strategy in accordance with the proposals of the Green Infrastructure Environmental Statement Supplement (dated August 2008) (excluding the GI phasing plans) shall be submitted to and approved in writing by the local planning authority. The strategy shall demonstrate how a net gain in Green Infrastructure will be achieved and will include full details of the proposals, phasing of Green Infrastructure, timing of Green Infrastructure delivery within phases and management regimes. The development shall not be carried out other than in accordance with the approved GI Strategy.

REASON: To secure a net gain in Green Infrastructure in accordance with PPS9, Policies 1, 2, 28, 29 and 30 of the East Midlands Regional Plan (2009) and Policy 5, 13 and 1(j) of the North Northamptonshire Core Spatial Strategy (2008).

- 59 The development shall not be carried out other than in accordance with the Ecological Chapter of the Environmental Statement Supplement (dated August 2008), Ecological Chapter of the Environmental Statement Supplement (dated January 2009) and the Green Infrastructure Habitat Creation Plan (received 10 September 2009).

REASON: The proposal is subject of an Environmental Statement (ES) in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 1999 upon which the Master Plan is based and the significance of any material alteration and impact that has not been assessed must be considered. The development must be limited accordingly and not differ from that tested by the Environmental Statement.

Flood Risk & Drainage

- 60 No works which comprise the erection of a building required to be served by water services shall be undertaken in connection with any phase (as shown on Phasing Plans – Phase 1 Drawing No. BBD005\113 Rev A, Phase 2 Drawing No. BBD005\114 Rev A, Phase 3 Drawing No. BBD005\115 Rev A, all received 02 February 2009) of the development, hereby permitted unless and until full

details of a scheme, including phasing, for the provision of mains foul water drainage on and off site has been submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented in full prior to the erection of any buildings within that phase of the development.

REASON: To prevent flooding, pollution and detriment to public amenity through provision of suitable water infrastructure in accordance with PPS 25, Policy 1, 2, 32 and 35 of the East Midlands Regional Plan (2009) and Policy 5 and 13 of the North Northamptonshire Core Spatial Strategy. (2008).

- 61 No development shall commence on a phase of the development as shown on Phasing Plans – Phase 1 Drawing No. BBD005\113 Rev A, Phase 2 Drawing No. BBD005\114 Rev A, Phase 3 Drawing No. BBD005\115 Rev A, (all received 02 February 2009) unless and until details of pollution prevention measures for all surface water drainage facilities 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.

REASON: To prevent pollution of the water environment in accordance with PPS 23, Policy 1, 2, and 32 of the East Midlands Regional Plan (2009) and Policy 5 and 13 of the North Northamptonshire Core Spatial Strategy. (2008).

- 62 No development shall commence on a phase of the development as shown on Phasing Plans – Phase 1 Drawing No. BBD005\113 Rev A, Phase 2 Drawing No. BBD005\114 Rev A, Phase 3 Drawing No. BBD005\115 Rev A, (all received 02 February 2009) unless and until details of a scheme for pollution control during groundworks and construction, including surface water runoff management, 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 scheme.

REASON: To prevent pollution of the water environment in accordance with PPS 23, Policy 1, 2, and 32 of the East Midlands Regional Plan (2009) and Policy 13 of the North Northamptonshire Core Spatial Strategy. (2008).

- 63 No reserved matters application shall be submitted for any development parcel, or part thereof containing non-residential buildings (DC1, DC2, DC3, LC1a, LC1b, LC2a, LC2b, LC2c, LC3a, LC3b, E1, E2, E3, SS1, PS1, PS2, PS3, PS4, HC1 and HL1) until and unless a scheme for water efficiency in non-residential buildings 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 ensure the efficient use of water to protect water resources in accordance with PPS 1, PPS Planning and Climate Change Supplement to PPS 1, Policy 1, 2 and 32 of the East Midlands Regional Plan (2009) and Policy 14 of the North Northamptonshire Core Spatial Strategy. (2008).

- 64 No built development (excluding the access bridge over the River Ise) shall take place within flood risk zones 2 and 3 as detailed in Table D1 of Planning Policy Statement 25 (PPS 25) which shall be defined in the Stage Two Flood Risk Assessment pursuant to condition 65.

REASON: To reduce the risk of flooding to the occupants, site and third parties in accordance with PPS 25, Policy 1, 2 and 35 of the East Midlands Regional Plan (2009) and Policy 5 and 13 of the North Northamptonshire Core Spatial Strategy. (2008).

- 65 No reserved matters application shall be submitted unless and until a Stage Two Flood Risk Assessment (FRA), including a surface water drainage strategy for the whole application site (as shown on the Strategic Master Plan Drawing No: BBD005/105 Rev A (received 2 February 2009) and flood risk reduction measures/scheme has been submitted to and approved in writing by the local planning authority. The Stage Two FRA shall include flood zone mapping of the tributaries which run through the application site and timings or a phasing plan for the implementation of works identified by this FRA and full details of any structures crossing the River Ise have been submitted to and approved by the local planning authority for approval. Details should include options analysis and preferred options for all such structures in flood zones 2 and 3, including siting, design, materials and construction, details of floodplain compensatory storage that is required and timings for construction and completion. The development shall not be carried out other than in accordance with the approved scheme. The approved Stage Two FRA and any works identified by this shall be implemented in accordance with the approved timings or phasing plan. The development shall not be carried out other than in accordance with the approved details.
REASON: To reduce the impact of flooding on the proposed development and future occupants in accordance with PPS 25, Policy 1, 2, 33 and 35 of the East Midlands Regional Plan (2009) and Policy 5 and 13 of the North Northamptonshire Core Spatial Strategy. (2008).
- 66 Each reserved matters application shall be accompanied by a written statement of conformity which demonstrates compliance with the drainage scheme required by Condition 60. The development shall not be carried out other than in accordance with these approved drainage details.
REASON: To prevent flooding, pollution and detriment to public amenity through provision of suitable water infrastructure in accordance with PPS 23, PPS 25, Policy 1, 2, 32 and 35 of the East Midlands Regional Plan (2009) and Policy 5 and 13 (q) of the North Northamptonshire Core Spatial Strategy. (2008).
- 67 Each reserved matters application shall be accompanied by a written statement of conformity which demonstrates compliance with the Stage 2 FRA required by Condition 65. The development shall not be carried out other than in accordance with these approved details.
REASON: To reduce the impact of flooding on the proposed development and future occupants in accordance with PPS 25, Policy 1, 2, 33 and 35 of the East Midlands Regional Plan (2009) and Policy 5 and 13 of the North Northamptonshire Core Spatial Strategy. (2008).

Air Quality

- 68 No development shall take place other than in accordance with the scheme for the mitigation of air quality impact as detailed in the Environmental Statement Chapter 12 Air Quality, and the Addendum Air Quality November 2009.
REASON: To ensure the necessary air quality mitigation measures and management regimes to mitigate the impact of the development upon air quality are implemented in accordance with the Environmental Statement and Air Quality assessment and in accordance with PPS 23, Policy 1 and 36 of the East Midlands Regional Plan (2009) and Policy 13 and 16 of the North Northamptonshire Core Spatial Strategy (2008).

- 69 In the event of the Weekley Warkton Avenue not being open to traffic prior to the commencement of phase 3 as shown on Phase 3 Drawing No. BBD005\115 Rev A (received 02 February 2009) of the development a further assessment of air quality shall be submitted to, and approved in writing by the Local Planning Authority, any further mitigation identified in this assessment shall be implemented prior to any phase 3 development being commenced.
REASON: To ensure the continued protection of air quality from the development in accordance with PPS 23, Policy 1 and 36 of the East Midlands Regional Plan (2009) and Policy 13 and 16 of the North Northamptonshire Core Spatial Strategy (2008).

Contamination

- 70 Development on any parcel or part thereof as shown on the Strategic Master Plan drawing number BBD005\105 Rev A (received 2 February 2009) other than that required to be carried out as part of an approved scheme of remediation must not commence until points A to E below have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until point D has been complied with in relation to that contamination. In submitting the scheme for approval regard shall be given to Chapter 10 of the Alledge Brook LLP Kettering East Environmental Statement 5,500 Dwellings and Related Land Uses, July 2007 as amended.

A. Site Characterisation

- A (i) An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:
- A (ii) a survey of the extent, scale and nature of contamination;
- A (iii) an assessment of the potential risks to:
- human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archaeological sites and ancient monuments;
- A (iv) an appraisal of remedial options, and proposal of the preferred option(s).

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

B. Submission of Remediation Scheme

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

C. Implementation of Approved Remediation Scheme

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

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

D. Reporting of Unexpected Contamination

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

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

E. Long Term Monitoring and Maintenance

A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period to be agreed in advance, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority. Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority.

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

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with PPS 23, Policy 1, 2 and 32 of East Midlands Regional and Policy 13 of the North Northamptonshire Core Spatial Strategy (2008).

Minerals

- 71 No development shall commence on site, as shown on the Strategic Master Plan drawing number BBD005\105 Rev A (received 2 February 2009) unless and until an assessment of the potential mineral resource of the site has been completed. The assessment, its findings and recommendations shall be submitted to and approved by the local planning authority. Should the assessment identify any such resource being present, an extraction strategy shall be submitted to and approved by the local planning authority prior to any development being commenced. Development of the site shall not take place other than in accordance with the approved strategy.

REASON: To ensure that any possible mineral reserves within the site are not sterilised in accordance with Policy 10 of the Northamptonshire Minerals Plan and Policy 13 of the North Northamptonshire Core Spatial Strategy.

Construction Phase

- 72 No development shall take place on any part of the development as shown on the Strategic Master Plan drawing number BBD005\105 Rev A (received 2 February 2009) unless and until a Construction Management Plan shall be submitted to and approved in writing by the local planning authority. The Construction Management Plan shall include and specify provision to be made for the following:
- i. Overall strategy for managing environmental impacts which arise during construction;
 - ii. Measures to control the emission of dust and dirt during construction;
 - iii. Control of noise emanating from the site during the construction period;
 - iv. Hours of construction work for the development;
 - v. Location, scale and appearance of contractors' compounds, materials storage and other storage arrangements, for cranes and plant, equipment and related temporary infrastructure;
 - vi. Designation, layout and design of construction access and egress points;
 - vii. Internal site circulation routes;
 - viii. Directional signage (on and off site);
 - ix. Provision for emergency vehicles;
 - x. Provision for all site operatives, visitors and construction vehicles loading and unloading plant and materials;
 - xi. Provision for all site operatives, visitors and construction vehicles for parking and turning within the site during the construction period;
 - xii. Details of measures to prevent mud and other such material migrating onto the highway from construction vehicles

- xiii. Routing agreement for construction traffic;
- xiv. Enclosure of phase or development parcel and the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate; and
- xv. Waste audit and scheme for waste minimisation and recycling/disposing of waste resulting from demolition and construction works.

The approved Construction Management Plan shall be adhered to throughout the construction period and the approved measures shall be retained for the duration of the construction works.

REASON: In the interests of residential amenity, highway safety, visual amenity and waste minimisation in accordance with Policy 38 of the East Midlands Regional Plan (2009), Policy 13 and 16 of the North Northamptonshire Core Spatial Strategy (2008).

Access and Movement

- 73 A No reserved matters application shall be submitted unless and until there has been submitted to and approved in writing by the Local Planning Authority a comprehensive traffic access and impact assessment to deal with all impacts arising from access to the development from the A14. The assessment shall include a detailed methodology for investigation, modelling, testing, and evaluation of potential alternative schemes (i.e. alternatives to the scheme submitted with the application) and shall take account of highway safety and efficiency, highway capacity (proving junctions operate within 85% of practical capacity) and all identified environmental and residential amenity impacts, together with full details of proposed measures and methods for impact mitigation.
- 73 B In the event that the approved assessment at Part A concludes that there is a viable alternative scheme to the one submitted with the application, no development shall commence until there has been submitted to and approved in writing by the Local Planning Authority further detailed design, engineering, layout and constructional drawings and details for implementation of the viable alternative scheme including phasing and timing of all on-site and off-site works linked with occupation of the development. The development shall not be carried out other than in accordance with the approved scheme, and mitigation measures.
- 73 C In the event that the approved assessment at Part A concludes that there is no viable alternative scheme to the one submitted with the application, or no other scheme is approved under Part B above, then development shall not be carried out other than in accordance with Part D below.
- 73 D No development shall take place until full layout, design and construction details in relation to the following A14 junction improvements have been submitted to and approved in writing by the Local Planning Authority:- the details of Junction 9 mitigation
- a) the details of junction 10 mitigation

b) the new junction 10a and link road of the A6

Such improvements to junction 10a to be generally in accordance with the Colin Buchanan drawing number 136171-OS-022, or such alternative scheme as has been approved in writing under section A or B of this condition, by the Local Planning Authority.

Such improvements to junctions 9, 10 and 10a shall be informed by a DfT WebTAG compliant model of the local and strategic road network, the scope of which shall have been previously approved in writing by the Local Planning Authority and shall include as a minimum the following:

- i) full design and lighting details
- ii) full compliance with the current DMRB and Departmental Policies (or approved relaxations/departures from standards)
- iii) independent Stage One and Stage Two Road Safety Audit
- iv) New approach to Appraisal (NATA)/Project Appraisal Report (PAR) assessment
- v) Proposals for any phasing and implementation

REASON: To ensure that the A14 trunk road continues to serve its purpose as part of a national system of routes for through traffic in accordance with Section 10(2) of the Highways Act 1980 by minimising disruption on the trunk road resulting from traffic entering and emerging from the application site, and in the interests of road safety, efficiency, sustainability, and amenity in accordance with PPS1, PPG13, Policy 43 of the East Midlands Regional Plan (2009), Strategic Policy 2 of MKSM Sub-Regional Strategy and policy 13 of the North Northamptonshire Core Spatial Strategy (2008).

74 No part of the development hereby permitted shall be occupied until a detailed scheme of improvements to junction 9 of the A14 in accordance with drawing 136171-OS-24 Revision A, or such alternative scheme of strategic highways improvements in the vicinity of the site, as have previously been approved in writing by the Local Planning Authority have been completed and are fully operational.

REASON: To ensure that the A14 trunk road continues to serve its purpose as part of a national system of routes for through traffic in accordance with Section 10(2) of the Highways Act 1980 by minimising disruption on the trunk road resulting from traffic entering and emerging from the application site, and in the interests of road safety, efficiency, sustainability, and amenity in accordance with PPS1, PPG13, Policy 43 of the East Midlands Regional Plan (2009), Strategic Policy 2 of MKSM Sub-Regional Strategy and policy 13 of the North Northamptonshire Core Spatial Strategy (2008).

75 No development shall commence on site unless and until the following offsite highway works and development access junctions shall be completed in accordance with full engineering, drainage, street lighting, signal, constructional details and capacity calculations (proving junctions operate within 85% of practical capacity) which shall have first been submitted to and approved in writing by Local Planning Authority:-

- Warkton Lane / Deeble Road (Access (D) shown indicatively on Drawing No. 136171-OS-10 Rev R)
- Barton Road / Warkton Lane (Access (E) shown indicatively on Drawing No. 136171-OS-11 Rev R)

- Barton Road (South) (Access (F) shown indicatively on Drawing No. 136171-OS-12 Rev R)

REASON: In the interests of road safety, efficiency, sustainability, and amenity in accordance with PPS1, PPG13, policies 43, 45 and 46 of the East Midlands Regional Plan, MKSM Policy 3 and policies 13 and 16 of the North Northamptonshire Core Spatial Strategy (2008).

76 Prior to the first occupation of the first dwelling of the development hereby permitted the following offsite highway works shall be completed in accordance with full engineering, drainage, signal, constructional details and capacity calculations (proving the junctions operate within 85% of practical capacity) which shall have first been submitted to and approved in writing by the Local Planning Authority :-

- Stamford Road / Windmill Avenue (Access (a) shown indicatively on Drawing No. 136171-OS-13 Rev R)
- Windmill Avenue / St Mary's Road (Access (b) shown indicatively on Drawing No. 136171-OS-14 Rev R)
- Windmill Avenue / Deeble Road (Access (c) shown indicatively on Drawing No.136171-OS-15 Rev R)
- London Road / Barton Road (Access (d) shown indicatively on Drawing No. 136171-OS-16 Rev R)
- Cranford Road / Barton Road (Access (g) shown indicatively on Drawing No. 163171-OS-18 Rev R)
- Bus Priority Scheme, ((f) shown indicatively on Drawing No. Drawing No. 136171-OS-006 Rev R and 136171-OS-03 Rev R)

REASON: In the interests of road safety, efficiency, sustainability, and amenity in accordance with PPS1, PPG13, policies 43, 45 and 46 of the East Midlands Regional Plan, MKSM Policy 3 and policies 13 and 16 of the North Northamptonshire Core Spatial Strategy (2008).

77 No more than 300 dwellings shall be occupied until an up to date traffic capacity assessment of junction 10 of the A14 has been submitted to the Local Planning Authority and any requirements identified in the assessment to enhance the capacity of the junction in order to accommodate phase 1 of the development, and proving junctions operate within 85% of practical capacity have been approved and implemented.

REASON: To ensure that the A14 trunk road continues to serve its purpose as part of a national system of routes for through traffic in accordance with Section 10(2) of the Highways Act 1980 by minimising disruption on the trunk road resulting from traffic entering and emerging from the application site, and in the interests of road safety, efficiency, sustainability, and amenity in accordance with PPS1, PPG13, Policy 43 of the East Midlands Regional Plan (2009), Strategic Policy 2 of MKSM Sub-Regional Strategy and policy 13 of the North Northamptonshire Core Spatial Strategy (2008).

78 No more than 1750 dwellings shall be commenced until a contract for the construction of the improvements to junctions 10 and 10a of the A14, pursuant to Condition 73 above, has been let and work on those approved junction improvements has commenced.

REASON: To ensure that the A14 trunk road continues to serve its purpose as part of a national system of routes for through traffic in accordance with Section 10(2) of the Highways Act 1980 by minimising disruption on the trunk road

resulting from traffic entering and emerging from the application site, and in the interests of road safety, efficiency, sustainability, and amenity in accordance with PPS1, PPG13, Policy 43 of the East Midlands Regional Plan (2009), Strategic Policy 2 of MKSM Sub-Regional Strategy and policy 13 of the North Northamptonshire Core Spatial Strategy (2008).

- 79 No more than 1750 dwellings shall be occupied until the works to junction 10 and 10a of the A14, pursuant to Condition 73 above, are completed, in accordance with the approved details and are fully operational to traffic.
REASON: To ensure that the A14 trunk road continues to serve its purpose as part of a national system of routes for through traffic in accordance with Section 10(2) of the Highways Act 1980 by minimising disruption on the trunk road resulting from traffic entering and emerging from the application site, and in the interests of road safety, efficiency, sustainability, and amenity in accordance with PPS1, PPG13, Policy 43 of the East Midlands Regional Plan (2009), Strategic Policy 2 of MKSM Sub-Regional Strategy and policy 13 of the North Northamptonshire Core Spatial Strategy (2008).
- 80 No more than 1,750 dwellings shall be occupied until all the mixed use area, (which shall include a minimum of 4,500 square metres of A1, A3, A4 and A5 uses and a total maximum of 5,400 square metres of these uses), employment areas, schools and health clinic approved within phase 1 as detailed on David Lock Associates Drawing No. BBD/005/113 Rev A, including the related Land Use Budget table, are constructed and available for occupation.
REASON: To ensure that the A14 trunk road continues to serve its purpose as part of a national system of routes for through traffic in accordance with Section 10(2) of the Highways Act 1980 by minimising disruption on the trunk road resulting from traffic entering and emerging from the application site, and in the interests of road safety, efficiency, sustainability, and amenity in accordance with PPS1, PPG13, Policy 43 of the East Midlands Regional Plan (2009), Strategic Policy 2 of MKSM Sub-Regional Strategy and policy 13 of the North Northamptonshire Core Spatial Strategy (2008) and to secure a sustainable development which meets the needs of the users of the development in accordance with PPS1, PPS3, PPS4, Policy 1 and 2 of the East Midlands Regional Plan (2009), Strategic Policy 3 of MKSM Sub-Regional Strategy and policies 13 and 16 of the North Northamptonshire Core Spatial Strategy (2008).
- 81 No more than 1750 dwellings shall be occupied until mainline widening of the A14 between junction 7 and 9 has been constructed by the Highways Agency, acting for the secretary of State for Transport, and is fully operational.
REASON: To ensure that the A14 trunk road continues to serve its purpose as part of a national system of routes for through traffic in accordance with Section 10(2) of the Highways Act 1980 by minimising disruption on the trunk road resulting from traffic entering and emerging from the application site, and in the interests of road safety, efficiency, sustainability, and amenity in accordance with PPS1, PPG13, Policy 43 of the East Midlands Regional Plan (2009), Strategic Policy 2 of MKSM Sub-Regional Strategy and policy 13 of the North Northamptonshire Core Spatial Strategy (2008).
- 82 Prior to the construction of no more than 1,750 dwellings of the development hereby permitted the following offsite highway works and development access

junctions shall be completed in accordance with full engineering, drainage, signal, constructional details and capacity calculations (proving junctions operate within 85% of practical capacity) which shall have first been submitted to and approved in writing by the Local Planning Authority:-

- Windmill Avenue / Barton Road (Access (e) shown indicatively on Drawing No. 136171-OS-17 Rev R)

REASON: In the interests of road safety, efficiency, sustainability, and amenity in accordance with PPS1, PPG13, policies 43, 45 and 46 of the East Midlands Regional Plan, MKSM Policy 3 and policies 13 and 16 of the North Northamptonshire Core Spatial Strategy (2008).

- 83 No reserved matters application shall be submitted unless and until a detailed Development Phasing Plan for all highway and access works taking account of highway capacity (proving junctions operate within 85% of practical capacity), highway safety, environmental, residential amenity and local accessibility issues, has been submitted to and approved in writing by the local planning authority. The Development Phasing Plan shall include the phasing of the dwelling construction and predicted occupation, timing of off site highway works, pedestrian / cycle and emergency vehicle linkages. All highway and access works shall be implemented in accordance with the approved Development Phasing Plan.

REASON: In the interests of road safety, efficiency, sustainability, and amenity in accordance with PPS1, PPG13, policies 43, 45 and 46 of the East Midlands Regional Plan, MKSM Policy 3 and policies 13 and 16 of the North Northamptonshire Core Spatial Strategy (2008).

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

REASON: In the interests of road safety, efficiency, sustainability, and amenity in accordance with PPS1, PPG13, policies 43, 45 and 46 of the East Midlands Regional Plan, MKSM Policy 3 and policies 13 and 16 of the North Northamptonshire Core Spatial Strategy (2008).

- 85 No reserved matters application shall be submitted unless and until there has been submitted to and approved in writing by the Local Planning Authority a comprehensive traffic access and impact assessment to deal with all impacts arising from the Weekley Warkton Avenue and associated junctions. The assessment shall take account of highway safety and efficiency, highway capacity and timing of delivery of the roads and junctions and all identified environmental and residential amenity impacts, and shall include full details of proposed measures and methods for impact mitigation. The development shall be not be carried out otherwise than as approved.

REASON: In the interests of residential amenity in accordance with the principles

of sustainable development in accordance with PPS1, PPG13, Policies 1, 2, 45 and 46 of the East Midlands Regional Plan (2009) and Strategic Policy 3 of the MKSM Sub-Regional Strategy (2005) and Policies 13 and 16 of the North Northamptonshire Core Spatial Strategy (2008).

- 86 No reserved matters application shall be submitted unless and until there has been submitted to and approved in writing by the Local Planning Authority a comprehensive traffic access and impact assessment to deal with all impacts arising from the Junction with Elizabeth Road (Access (C) shown indicatively on Drawing No. 136171-OS-09 Rev R) and new link road from Elizabeth Road over the River Ise into the development and associated junctions. The assessment shall take account of highway safety and efficiency, highway capacity and timing of delivery of the roads and junctions and all identified environmental and residential amenity impacts, and shall include full details of proposed measures and methods for impact mitigation. The development shall be not be carried out otherwise than as approved.

REASON: In the interests of residential amenity in accordance with the principles of sustainable development in accordance with PPS1, PPG13, Policies 1, 2, 45 and 46 of the East Midlands Regional Plan (2009) and Strategic Policy 3 of the MKSM Sub-Regional Strategy (2005) and Policies 13 and 16 of the North Northamptonshire Core Spatial Strategy (2008).

Noise

- 87 All applications for the approval of reserved matters shall include a noise impact assessment for the proposed development, having regards to all noise sources existing or having planning approval at the time of the application, to be submitted to and approved by the Local Planning Authority. The impact assessment shall include a review of the data provided within the Environmental Statement, and Addendum Noise Report forming part of the Outline application, further noise monitoring and modelling where necessary, and where necessary a noise mitigation scheme. All mitigation schemes shall demonstrate compliance with the standards contained within BS8233:1999 – Sound Insulation and Noise Reduction for Buildings – Code of Practice; and for residential dwellings the good standards as contained within BS8233:1999 – Sound Insulation and Noise Reduction for Buildings – Code of Practice. Development shall not be carried out other than in accordance with the approved noise mitigation scheme.

REASON: To ensure adequate protection against noise in accordance with PPG24, policy 2 of the East Midlands Regional Plan (2009) and Policy 13 of the North Northamptonshire Core Spatial Strategy (2008).

- 88 Prior to the completion of the New Link Road over the River Ise as shown on the Strategic Master Plan BBD/005/113 Rev A, (received 2 February 2009) and Junction with Elizabeth Road (Access (C) shown indicatively on Drawing No. 136171-OS-09 Rev R), a noise impact assessment in respect the use of the link and its affect upon residential properties and gardens in the Elizabeth Road area shall be submitted to and approved by the local planning authority. The assessment shall have regards to the baseline noise conditions for the year of opening of the access link, and predicted noise levels for fifteen years after the year of opening. The assessment shall be undertaken in accordance with the Calculation of Road Traffic Noise (CRTN) methodology. Where necessary, a scheme of mitigation designed to satisfy the requirements of the Land

Compensation Act 1973, BS8233:1999 – Sound Insulation and Noise Reduction for Buildings – Code of Practice and for residential dwellings the good standards as contained within BS8233:1999 – Sound Insulation and Noise Reduction for Buildings – Code of Practice shall be submitted to and approved in writing by the local planning authority. The access link shall not be opened for vehicular traffic until the approved scheme of mitigation has been implemented, and a validation report has been submitted to an approved in writing by the local planning authority.

REASON: To ensure adequate protection against noise generated as a result of the development for the residents of Elizabeth Road in accordance with PPG24, policy 2 of the East Midlands Regional Plan (2009) and Policy 13 of the North Northamptonshire Core Spatial Strategy (2008).

- 89 Prior to the completion of Barton Road / Warkton Lane (Access (E) shown indicatively on Drawing No. 136171-OS-11 Rev R) a noise impact assessment in respect the use of the new access and its affect upon residential properties and gardens in the Barton Road/Warkton lane area shall be submitted to and approved by the local planning authority. The assessment shall have regards to the baseline noise conditions for the year of opening of the access link, and predicted noise levels for fifteen years after the year of opening. The assessment shall be undertaken in accordance with the Calculation of Road Traffic Noise (CRTN) methodology. Where necessary, a scheme of mitigation designed to satisfy the requirements of the Land Compensation Act 1973, BS8233:1999 – Sound Insulation and Noise Reduction for Buildings – Code of Practice and for residential dwellings the good standards as contained within BS8233:1999 – Sound Insulation and Noise Reduction for Buildings – Code of Practice shall be submitted to and approved in writing by the local planning authority. The access link shall not be opened for road traffic until the approved scheme of mitigation has been implemented, and a validation report has been submitted to an approved in writing by the local planning authority.

REASON: To ensure adequate protection against noise generated as a result of the development for the residents in the Warkton Road / Barton Road junction area in accordance with PPG24, policy 2 of the East Midlands Regional Plan (2009) and Policy 13 of the North Northamptonshire Core Spatial Strategy (2008).

- 90 Prior to the completion of Barton Road (South) (Access (F) shown indicatively on Drawing No. 136171-OS-12 Rev R) a noise impact assessment in respect the use of the new access and its affect upon residential properties and gardens in the Barton Road/Acorn Close area shall be submitted to and approved by the local planning authority. The assessment shall have regards to the baseline noise conditions for the year of opening of the access link, and predicted noise levels for fifteen years after the year of opening. The assessment shall be undertaken in accordance with the Calculation of Road Traffic Noise (CRTN) methodology. Where necessary, a scheme of mitigation designed to satisfy the requirements of the Land Compensation Act 1973, BS8233:1999 – Sound Insulation and Noise Reduction for Buildings – Code of Practice and for residential dwellings the good standards as contained within BS8233:1999 – Sound Insulation and Noise Reduction for Buildings – Code of Practice shall be submitted to and approved in writing by the local planning authority. The access link shall not be opened for road traffic until the approved scheme of mitigation has been implemented, and a validation report has been submitted to an

approved in writing by the local planning authority.

REASON: To ensure adequate protection against noise generated as a result of the development for the residents in the Barton Road / New Link (junction F) junction area in accordance with PPG24, policy 2 of the East Midlands Regional Plan (2009) and Policy 13 of the North Northamptonshire Core Spatial Strategy (2008).

Archaeology

- 91 Prior to submission of the Design Code (pursuant to Condition 7) a programme of archaeological works shall take place on the site, as shown on the Strategic Master Plan Drawing No BBD005\105 Rev A (received 2 February 2009) in accordance with a written scheme of investigation which shall have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include site-based archaeological survey works, trial fieldworks to evaluate the archaeological potential of the site and any works necessary to preserve and record archaeological remains on and from the site. The relevant works shall only take place in accordance with the detailed scheme pursuant to this condition.

REASON: To ensure the archaeological potential of the site is properly evaluated and recorded in accordance with PPS5, Policies 1, 26 and 27 of the East Midlands Regional Plan (2009) and Strategic Policy 3 of the MKSM Sub-Regional Strategy (2005) and Policy 13 of the North Northamptonshire Core Spatial Strategy (2008).

Notes (if any):-

Environment Agency

With regard to condition 59 and the design of a foul water drainage scheme, the development shall not be served by on-site waste water package treatment plants or temporary tankering.

Notwithstanding the planning permission(s) that may be granted or extant on the site, any proposed works affecting ordinary watercourses, statutory main river, within the indicative floodplain or within the byelaw distance (9 metres) requires the prior written consent of the Environment Agency under the relevant statutory legislation and current land drainage byelaws. This will require unimpeded bankside access including for the area proposed for a river crossing.

It should not be assumed that such consent will automatically be forthcoming, and the applicant should consult with the Environment Agency at the earliest opportunity in order to determine and secure formal flood defence consent for the proposed works as appropriate.

Anglian Water

Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the applicant will need to ask for the assets to be diverted under Section 185 of the Water Industry

Act 1991. Or in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

There is sufficient water resource capacity to supply this development. However, in line with national and regional government policy Anglian Water would wish to see measures taken by the developer to ensure that buildings are constructed to high water efficiency standards. This can be achieved through the design of efficient plumbing systems and the installation of water efficient fixtures and appliances in line with the Code for Sustainable Homes. This will minimise the growth in demand for water from the new development and help to ensure the sustainable use of our regions water resources.

There is insufficient capacity within the existing network to supply this development. Significant lengths of local strategic off site reinforcements will be required. It is anticipated that it will take approximately 18 months from the date of requisition to have these in place.

The foul sewerage system cannot accommodate flows from this proposed development. Please be advised that we are not aware when capacity will become available, but this is unlikely to be within the standard timescales of a planning permission. If development proceeds before further capacity is provided, it is possible that this will result in environmental and amenity problems downstream.

The applicant has indicated on their application that their method of surface water drainage is not to a public sewer. Therefore, this is outside our jurisdiction for comment and the Local Planning Authority will need to see the views of the environment Agency to gauge whether the solutions identified are acceptable from their perspective.

The foul drainage from this development will be treated at Broadholme Sewage Treatment Works. Capacity is not available for the development however upgrades are planned to take place once capacity is reached during 2011.

Lighting

The lighting details required with reserved matters shall include a layout plan with beam orientation and lighting Lux levels and a schedule of equipment in the design (luminaire type, mounting height, aiming angles and luminaire profiles). The scheme shall have regard to the spillage of light beyond the site boundary.

Protected Species

It is the responsibility of the applicant to ensure that where any aspect of the proposals directly affects badgers or their setts, work must be undertaken under licence, which must be obtained from Natural England.

Operations that involve the destruction and removal of vegetation or buildings (or part of a building) shall not be undertaken during the months of March to August

inclusive, except when approved in writing by the Local Planning Authority, once they are satisfied that breeding birds will not be adversely affected.

Highways

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, signal, signing, road marking and constructional details etc along with updated capacity assessments. 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.

No works may commence or affect any existing public Right of Way without the express written permission of the County Council's Rights of Way Officers. Temporary diversion/closure, conversion and extinguishment Orders will be required to facilitate the development. Details should be discussed and agreed with the County Council's Rights of Way Officers.

The provision of controlled pedestrian crossings and cycle facilities within the existing highway require the processing of appropriate Statutory Notices which are available for public comment which may result in amendments to crossing locations or routes. The developer is encouraged to ensure that all parties directly affected by such works are informed of proposals.

All Applications for Reserved Matters relating to or including highways infrastructure shall be supported by a Quality Audit as promoted by Manual for Streets and the County Council's Place and Movement Guide. The Quality Audit should include full consideration of the function, use and practicality of the proposed streets.

Public Rights of Way

With respect to construction works to be carried out in close proximity to Public Rights of Way, please note the following standard requirements:

- i. The routes must be kept clear, unobstructed, safe for users, and no structures or material placed on the right of way at any time.
- ii. 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 Rights of Way Office, Northamptonshire County Council under Section 131 of the Highways Act 1980.
- iii. As a result of the major urban expansion of East Kettering, the Rights of Way need to be closed by a Temporary Traffic Regulation Order during the construction of each phase for each individual right of way affected. An application form for such an order is available from Northamptonshire County Council, a fee is payable for his service and a period of six weeks notice is required.
- iv. Any new path furniture (e.g. gaps or gates preferred over stile) needs to be approved in advance with the Access Development Officer, standard examples can be provided.

No works affecting any existing Public Right of Way may commence without the express written permission of the Highway Authority's Rights of Way Team.

The developer is reminded to apply to the Local Planning Authority for any proposed diversion to a Right of Way under Section 257 of the Town and Country Planning Act 1990 required to facilitate the development of East Kettering. The alternative route for such a diversion must be agreed with the Highway Authority's Right of Way Team and be available for public use prior to the closure of any existing route.

Northamptonshire County Council Rights of Way team is available and preferably required for the involvement, guidance and consultation at all stages of the diversion orders as necessary.

Date of Decision: 1st April 2010



Tom Shields
Development Control Manager

Contact:-

1. An applicant who is aggrieved by the decision of the Local Planning Authority may appeal to the Secretary of State for Communities and Local Government (DCLG) within **six** months of receipt of this notice. The Secretary of State has the power to

allow a longer period for you to give notice of an appeal, but he will not normally exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal.

2. Appeals may be made online at <http://www.planningportal.gov.uk/pcs>. It is essential that you complete the correct form, in this case a Planning Appeal form. If you are unable to use the online service, please contact the Planning Inspectorate's Customer Services Team on 0117 372 6372 and ask for a Planning Appeal form.

2. If permission is granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonable beneficial use by carrying out of any development which has been or would be permitted, he may serve on the Council of the district in which the land is situated a purchase notice requiring that Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

This permission refers only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment, byelaw, order or regulations.