

## BOROUGH OF KETTERING

<b>Committee</b>	<b>Planning Committee</b>	<b>Item No. 5.3</b>
<b>Report Originator</b>	<b>Louise Holland, Senior Development Officer</b>	<b>KET/2013/0213</b>
<b>Wards Affected</b>	<b>All</b>	<b>04.02.14</b>
<b>Location</b>	<b>East Kettering Sustainable Urban Extension, East of Kettering. Parcels R7, R9 &amp; R10 (Land off Warkton Lane).</b>	
<b>Proposal</b>	<b>All details in respect of KET/2008/0274 for 325 dwellings and related development (off Access D)</b>	
<b>Applicant</b>	<b>BDW Trading Ltd.</b>	

### 1. PURPOSE OF REPORT

Outline planning permission was granted for the East Kettering development in April 2010 (references KET/2007/0694 and KET/2008/0274). The application site is an area of 328.5 hectares to the east of Kettering and Barton Seagrave. The permission is in outline (with all matters reserved) for 5,500 dwellings and related development. This includes a secondary school, primary schools, retail, employment, hotel, health, leisure and community uses and formal and informal open space.

Conditions were attached to the planning permission (91 in total) and a S106 agreement was completed (subsequently revised). Work started early in 2012 to discharge pre-commencement conditions and this is continuing. A variation of condition application was submitted in 2013 and has a committee resolution to approve subject to a number of elements including the completion of a deed linking the new permission to the existing S106.

Applications for three residential sites have been submitted and are being considered by the local planning authority. This report considers the issue arising from the proposed developed of Parcels R7, R9 and R10 (accessed from Warkton Lane/Deeble Road – Access D) which are proposed by David Wilson Homes and Barratt Homes.

### 2. RECOMMENDATION

The Development Control Manager recommends that the application be approved subject to the following conditions, that any minor changes to these conditions be delegated to officers, and for a Section 106 agreement, as set out in Section (n) of this report, be entered into prior to planning permission being released:-

1. The development hereby permitted be carried out in accordance with the revised layout plan reference number SM-33-02 AH dated 27.01.14 received 27<sup>th</sup> January 2014.

REASON: To define the terms of the consent in the interests of access, design and layout in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

2. Prior to the construction of any dwelling a scheme for boundary treatment shall be submitted and approved to the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

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

3. The development shall be carried out in accordance with the following amended plans:

(i) House Type Portfolio (excluding the Oakhampton house type) received 16<sup>th</sup> December 2013

(ii) Garage Portfolio received 16<sup>th</sup> December 2013.

(iii) Primary Street Tree Planting reference (*to be updated at Planning Committee*) received (*also to be updated*).

Warkton Gardens/Avenue Park North reference received

(iv) Landscaping Plans 1 to 8 references (*to be updated at Planning Committee*) received (*also to be updated*).

(v) Landscaping Protection Plan reference (*to be updated at Planning Committee*) received (*also to be updated*)

(vi) Materials Plan drawing number (*to be updated at Planning Committee*) received (*also to be updated*).

(vii) Preliminary Finished Floor Levels drawing number (*to be updated at Planning Committee*) received (*also to be updated*).

(viii) Surface Water Attenuation Pond and Flow Control Details drawing number (*to be updated at Planning Committee*) received (*also to be updated*).

(ix) Pump Station Details drawing number S214\_013 received 27<sup>th</sup> March 2013.

(x) Drainage Layout Sheet 1 of 2 drawing number (*to be updated at Planning Committee*) received (*also to be updated*).

(xi) Drainage Layout Sheet 2 of 2 drawing number (*to be updated at Planning Committee*) received (*also to be updated*).

REASON: To secure an appropriate form of development, high quality design and in the interests of visual amenity in accordance with Policy 13 of the North Northamptonshire Spatial Strategy.

4. Prior to construction of dwellings details of the hard surfacing materials for the streets, footways, cycleways, shared spaces, courtyards, all other areas of public realm and public and private parking areas (on and off-plot) shall be submitted to and approved by the Local Planning Authority. The details shall include a drawing showing the surfacing materials across the site and sample materials. The development shall be carried out in accordance with the approved details.

REASON: To secure a high quality design and public realm and in the interests of visual amenity in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

5. The footpath connection shown in the north west site corner on the site layout plan drawing number SM-33-02 AH (dated 27.01.14 and received 27<sup>th</sup> January 2014) adjacent to Plot D42 shall be completed prior to the 100<sup>th</sup> occupation unless otherwise agreed with the Local Planning Authority.

REASON: To ensure a well connected development and high quality design is achieved in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

6. The area of open space within the development site known as 'Warkton Gardens (North)' shall be completed in accordance with the Warkton Gardens (North), Land East of Kettering Development Brief received by the Local Planning Authority on 7th May 2013 and the Public Art Concept (figure reference GL0024-13) dated 1<sup>st</sup> May 2013 and received on 7<sup>th</sup> May 2013. Any revision to the development brief or public art concept shall be submitted to and approved by the Local Planning Authority. Warkton Gardens shall be completed in accordance with any approved revision.

REASON: In the interests of design, layout and visual amenity in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

7. Prior to the 200<sup>th</sup> occupation the area of open space known as 'Warkton Gardens (North)' shall be completed.

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

8. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no enlargement, improvement or alteration permitted by Class A or B of Part 1, Schedule 2 of the Order shall be made on the following plots within the application site as shown on the revised layout plan reference number SM-33-02 AH dated 27.01.14 received 27<sup>th</sup> January 2014:

- B16
- B17
- B18
- B19
- B20
- B21
- B22
- B23
- B34

REASON: To protect the privacy of the existing occupiers of Warkton Lane and Ridgway Road in the interests of residential amenity in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

9. Any windows or other openings in the western side elevation (facing toward Warkton Lane) at first or second floor level of Plot B20 shall be obscurely glazed and non-opening and shall permanently retained as such thereafter. No further windows or openings, other than those permitted as part of this reserved matters, shall be made to Plot B20 in this elevation at first or second floor level.

REASON: To protect the privacy of the existing occupiers of Warkton Lane in the interests of residential amenity in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

10. Prior to commencement of development within Parcels R7, R9 or R10, a written scheme of investigation setting out the post excavation process and an Assessment Report with respect to the archaeological investigation on site shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

REASON: In the interests of archaeology in accordance with Policy 12 of the National Planning Policy Framework.

11. The development shall be carried out in accordance with the Ecological Appraisal Rev A, prepared by fpcr and dated September 2013 (received by the Local Planning Authority on 30<sup>th</sup> September 2013) and the identified recommendations within Section 4 of that report. Any revision to this report shall be submitted to and approved by the local planning authority and the development shall be carried out in accordance with the approved revision.

REASON: In the interests of conserving and enhancing the biodiversity of the environment in accordance with Policies 5 and 13 of the North Northamptonshire Core Spatial Strategy.

12. The development shall be carried out in accordance with the Sustainability Report (Issue 02 dated 24 January 2014) received by the Local Planning Authority on 27<sup>th</sup> January 2014.

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

INFORMATIVE: Based on the requirements of KET/2013/0514 (varied outline permission for the East Kettering site) the development needs to comply with a number outline planning conditions before works start on site including numbers 22, 27, 28,29, 36, 38, 42, 43, 44.). These conditions need to be discharged before development commences.

### **3. Background Information**

#### **3.1 Relevant Planning History**

A site wide planning history for the East Kettering is set out at the start of the committee agenda at Item 5.

#### **3.2 Site Description**

A site wide description for the East Kettering development is set out at the start of this committee agenda at Item 5.

The reserved matters application site is approximately 9.78 hectares in area and comprises parcels R7, R9 and R10 of the East Kettering site, as shown on the approved strategic master plan for the development. The site is bordered on its western side by Warkton Lane and to the south is Ridgway Road. The site is to be accessed from the Warkton Lane/Deeble Road junction (known as Access D). The proposed scheme for this access point is contained within the approval of condition application AOC/0274/0803.

#### **3.3 Site Constraints**

Site wide constraints are detailed at the start of this committee agenda at Item 5.

Hedgerows run within and adjacent to the site and Public Right of Way C Road

#### **3.4 Environmental Impact Assessment**

Please see Item 5 at the start of this committee agenda.

#### **3.5 Proposed Development**

This is a Reserved Matters application for 325 dwellings and associated works for three development parcels within the East Kettering development site, R7, R9 and R10. Details submitted relate to access, layout, scale, appearance and landscaping of these particular parcels.

### **4. Consultation**

Given the time period the application has been with the LPA and the periods of consultation and reconsultation that have taken place the responses summarised and reported below represent the most up-to-date view received from the particular consultee or third party.

#### **Barton Seagrave Parish Council**

No objection.

#### **Warkton Parish Council**

Observations are as follows:

- No construction transport plan
- Environmental Statement gives no consideration to the impact on Warkton Village. There will be increased traffic, cars, delivery vehicles, construction workers, 'white' vans, as well as the inevitable accidental HGVs.
- The bridge over the River Ise will take its toll as well as the buildings close to the road.

#### **Stagecoach**

Comments are as follows:

- Regarding bus circulation, the tracking of the gyratory feature looks to be incapable of accommodating a single deck bus.
- The plan layout shows completely unradiused corners and flares and this could cause damage to both streets and vehicles.
- There is no provision for bus stops. This needs to be agreed.
- I suggest two stops are incorporated.
- This site is not a suitable location for 'hail and ride'.

### **Northamptonshire Highway Authority**

Comments made regarding the submitted Travel Plan.

- The Travel Plan fits with the Area Travel Plan for the Sustainable Urban Extension (SUE) secured through the Section 106 agreement. There are some questions arising from its content.
- The only mention of walking and cycling measures are that the site links to a Sustrans route and references to working with the improvements from the SUE. Ideally this should be changed to include some additional measures such as discount from local stores, establish or promote a cycle club, bike maintenance sessions and so on.
- We do not know whether a Sustainable Travel Manager has been appointed or considered for the area wide Travel Plan. Is there a possibility that these parcels could commence before the developers appoint the STM?

The Local Highway Authority has been a key part of design workshops and their last comments (received 9<sup>th</sup> January 2014) related to relatively minor issues with the layout e.g. the cycle track at site entrance should continue at 3 metres in width and all driveways need to address the highway at 90 degrees.

### **Highways Agency**

The principle of development and its impact has already been agreed and mitigation arrangements for this development are as originally assessed. We therefore have no further comments to make.

### **Environment Agency**

No objection in terms of foul drainage or surface water drainage.

### **Anglian Water**

The foul drainage from this development is within the catchment of Broadholme STW that at present has available capacity for these flows. The permanent strategy is to construct a sewer to connect to the head of the new Broadholme strategic sewer, south of Burton Latimer. Foul flows will drain to a pumping station in the south east corner of the site and the rising main will connect to a gravity sewer joining the site to the Broadholme sewer. This strategic sewer would be delivered following requisition. Should a standalone solution be required to serve this initial phase of development then we should point out that development will lead to an unacceptable risk of flooding downstream and mitigation in the form off line storage and infrastructure will be required. The drainage strategy for the site should cover the procurement of the improvement works. We will request a condition requiring the drainage strategy covering the issues to be agreed.

### **Northants Police Crime Prevention and Design Advisor**

The following comments have been received:

- Generally happy with the layout.
- The planning statement should refer to the development achieving full Secured by Design compliance and that accreditation will be sought from

Northants Police.

- Whose responsibility will be the south west landscape buffer.
- Some parking arrangements are not ideal and could be awkward to manoeuvre in and out of.
- Boundary treatments need to be submitted and approved by the Local Planning Authority.
- Lighting requirements need to be discussed and agreed.

### **Archaeology – Northamptonshire County Council**

The archaeological fieldwork has been completed within this development area. Oxford Archaeology East has completed the archaeological investigation as specified in the agreed project Design/Written Scheme of Investigation (WSI) and as such development can commence in these areas. The post excavation process is yet to be completed and the assessment report produced. Due to the phased approach of the mitigation within this development area each parcel will result in an assessment report all of which will be placed ultimately in a single monograph covering the whole of the East of Kettering development area.

### **Natural England**

The relationship of the development proposals to the surrounding green infrastructure is generally positive as where practical the houses overlook surrounding open spaces and woodland belts rather than backing onto them. This has the effect of providing surveillance to open spaces and bringing woodland belts into the public realm. A hedgerow running east/west across the site has been retained on the site layout plan although it is largely within private gardens where it may not be retained in the future or appropriately managed. A section of the hedge also appears to be shown as removed to accommodate parking spaces. This feature of the design does not respond well to the site wide Green Infrastructure Strategy.

A later response from Natural England provides additional advice.

- The proposal is unlikely to affect any statutorily protected sites or landscapes.
- It is noted that a survey for European protected species has been completed. We do not object to the proposed development on this basis and the scheme is unlikely to affect great crested newts.
- The proposed development would be unlikely to affect bats.

### **Northants Wildlife Trust**

The survey work undertaken is acceptable and satisfactory. We recommend that KBC 'condition' or find a suitable way to ensure that the recommendations set out in the updated ecological report are implemented. The Wildlife Trust would recommend the use of native plant species in any soft landscaping scheme and as an acceptable alternative at least a selection of any non-native species of plants that still provide a direct benefit to local wildlife

### **Kettering Borough Council – Environmental Health Construction Management Plan**

The existing information is considered inadequate in terms of environmental health matters and residential amenity. Inadequate information is provided regarding:

- The control of emissions of dust and dirt during construction
- The control of noise emanating from the site
- The location and scale of the contractor's compounds and materials storage.
- Parking provision for site operatives.
- Details of measures to prevent mud on the road, wheel washing facilities and management during the construction phase.

### Contaminated Land Investigation

The report is accepted however I note that the report makes reference to the requirements for further work against which no further information has been received. This information can be provided as part of a condition imposed on the Reserved Matters application.

### Noise Assessment

The assessment has been reviewed and accepted. No acoustic mitigation over standard double glazing is required as part of this development.

### **Councillor Jim Harker, Leader of Northamptonshire County Council**

Having recently been elected as the County Councillor for the Kettering Ise Division I have been made aware of the implications of the above proposed development on many of the existing residents in the Division. I would like to support their objections on a number of points:

- No access should be allowed into Ridgway Road, Westleigh Road or Poplars Farm Road from the new development.
- A roundabout should be provided for the new access road onto existing Warkton Lane.
- Provision should be made for traffic calming/speed control in Warkton Lane.
- Provision should be made for improving the existing access onto Warkton Lane (from Poplars Farm Road, Ridgway and Westleigh).
- Consideration should be given to the condition and environment of Deeble Road to mitigate the effect of more traffic.
- More care and local involvement should be taken in the naming of the new roads.

### **Councillor Philip Hollobone (MP)**

As a Borough Councillor for the Ise Lodge Ward, I have been made aware of the implications of planning application KET/2013/213 for the existing residents in the Ward and I support their objections and highlight that:

- The proposed roundabout at the Warkton Lane/Deeble Road junction is an absolute necessity and must not be replaced by traffic lights.
- No access should be allowed into Ridgway Road, Westleigh Road or Poplars Farm Road from the new development.
- Provision should be made for traffic calming/speed control and pedestrian safety in Warkton Lane and Deeble Road.
- Provision should be made for improving the existing access/egress to/from Warkton Lane (from Poplars Farm Road).
- Traffic from the proposed development will have an impact on other road junctions in Kettering where improvements will need to be made or the town will grind to a halt.
- Green screening of the new development from existing properties needs to be maximised.
- More care and local involvement should be taken in the naming of the new roads.
- Local residents need information about the proposals and the developers or Kettering Borough Council should organise a series of well advertised exhibitions/meetings prior to a decision being taken on the application.

### **Poplars Farm Action Group**

We object to these development proposals. We are facing the prospect of living in the midst of a building site for the next 20 years.



- These proposals are being carried out on the cheap to simply add further population and traffic burden to Kettering without contributing one iota to much needed infrastructure or supporting resources in what is currently a semi-rural area
- The Council has given way to a significant degree on its Section 106 requirements at the expense of the local population who will have to fund the shortfall in due course.
- Utilities and Services in this area are already inadequate and will certainly not be sufficient for any additional population.
- The public sewer system is near capacity.
- The electricity supply is poor with frequent power cuts.
- Health services are at full stretch.
- Local schools are at capacity and small amounts of cash offered by developers will not change this situation.
- Local residents 'quality of life' will be severely affected.
- Roads must be improved before a single house is built.
- Construction traffic must be prohibited from accessing the site via Poplars Farm Road.
- The proposition of several hundred vehicles passing Poplars Farm Road is inappropriate and dangerous.
- Where is the developer's traffic modelling study?
- Street names must be chosen with care to avoid confusion.
- Dwellings should be no more than two storeys where situated on the development boundary.
- There needs to be a clear green boundary between existing and proposed development.
- Street lighting must not create light pollution.
- Why does the Council believe despite the lack of interest in the development at Priors Hall Corby that this scheme will be any different?

### **Neighbours/Third Party comments**

21 objections have been received from neighbouring residents. The concerns raised are as follows:

- The development would have an impact on traffic congestion.
- It will impact upon local services which are already stretched.
- The development will make the area over congested.
- It is necessary to look at the bigger picture with regards to traffic problems in Kettering. This development will turn the roads of Kettering into a traffic nightmare.
- What is the benefit of building more houses when there are already lots of houses for sale?
- The development will cause havoc and chaos along Warkton Lane.
- The housing density for these parcels of land is too high.
- The development is out of keeping with the neighbouring area
- Noise and air pollution concerns.
- The impact of the proposed development upon existing properties which abut the site is significant and unacceptably intrusive.
- Plots 24, 25 and 26 are oriented so that existing gardens will be overlooked from upper rear windows of these new houses. It is not acceptable that properties should be so overlooked and overshadowed.
- All new housing should be turned at 90 degrees to established properties.
- Adding an additional 500 cars onto Warkton Lane/Deeble Road is not viable. Warkton Lane is at capacity during peak hours.

- No access down Ridgway Road/Poplars Farm Road must be confirmed. It is on a dangerous bend and has a poor line of sight onto Warkton Lane.
- The proposed name of the main road entering the development (Poplars Farm Avenue) will exacerbate the current misdirection of post.
- Where is the infrastructure provision to support another 700-1000 people?
- Loss of countryside views.
- Potential loss of habitat from the loss of the hedgerow.
- Loss of mature oak trees.
- Concern regarding the building height profile and dwelling density of the development in relation to 96 Warkton Lane.
- Dwelling types adjacent to existing properties should be of a similar type e.g. 4/5 bedroom homes.
- The provision of a strip of advance planting could be made adjacent to the rear of the properties along Warkton Lane which would provide a beneficial wildlife corridor. Planting could also assist in screening the proposed development.
- This development will impact upon the local hospital which already struggles with capacity issues.
- We strongly object to the use of traffic lights at the proposed access into the site.
- Traffic lights would create unnecessary stop/start situations.
- Traffic lights would have a detrimental impact upon our house. It would realign the road far closer to our house and will involve the removal of the hedge and half the grass verge. We would end up looking out on queuing traffic 24 hours a day.
- The use of a roundabout at the proposed junction would allow traffic to flow more easily and is a far better option than traffic signals in this location.
- A roundabout would help to slow traffic down.
- East Kettering is an unnatural expansion of the area, contrary to the benefits of gradual growth and is counter productive in that it will dilute the existing services provided to the community. It calls into question the whole notion of sustainable development.
- The Council has given way, to a significant degree on its Section 106 requirements.
- Please ensure roads are put in first to lessen the impact of construction traffic on existing roads.
- More than 100 people a day use this part of Warkton Lane as a footpath – has this been surveyed at all?
- Is the hedge (to be removed) part of an ancient field boundary? Does it fall under the Hedgerow Regulations 1997? Has this been taken into account?
- The Council should amend the plans and block off both Ridgway and Westleigh Road from the new development entirely from both vehicle and pedestrian access. That way, the existing area will retain some of its unique character.
- Local residents need to be consulted properly.
- It will have a detrimental impact upon property values in the immediate area.
- The footprint of the proposed properties is laughable compared to the existing properties.
- Children walking along Warkton Lane from school will be at risk due to increase in traffic numbers.
- There are not enough job opportunities in the area to support the housing development.
- How does the Committee plan to monitor the massing of dwellings within the

various parcels of development to ensure that other parcels due later on in the process do not suffer increases in density because of earlier shortfalls.

- The Council should consider the targets set out in the Travel Plan with caution.
- Why is such a high proportion of affordable housing required? (20%).

1 letter of support received from a local resident and is summarised as follows:

A definite decision needs to be made about the traffic situation. The junction at the top of Deeble Road/Warkton Lane and the junction between Warkton Lane and Barton Road need to be in satisfactory working order before building work commences. I would support this application if this is done.

## **5. Planning Policy**

### **National Planning Policy Framework**

Policy 1 Building a Strong, Competitive Economy

Policy 4 Promoting Sustainable Transport

Policy 6 Delivering a Wide Choice of High Quality Homes

Policy 7 Requiring Good Design

Policy 10 Meeting the Challenge of Climate Change, Flooding and Coastal Change

Policy 11 Conserving and Enhancing the Natural Environment

Policy 12 Conserving the Historic Environment

### **Development Plan Policies**

#### **North Northamptonshire Core Spatial Strategy**

Policy 1 Strengthening the network of settlements

Policy 5 Green Infrastructure

Policy 6 Policy 6 Infrastructure Delivery and Developer Contributions

Policy 13 General Sustainable Development Principles

Policy 14 Energy efficiency and sustainable construction

Policy 15 Sustainable Housing Provision

Policy 16 Sustainable Urban Extensions

## **6. Financial/Resource Implications**

This Reserved Matters application (if approved) is to be read in conjunction with the outline permission KET/2008/0274 and KET/2013/514 (when approved) and relevant Section 106 Agreements.

## **7. Planning Considerations**

The key issues for consideration in this application are:-

- (a) Principle of Development
- (b) Access to the Application Site
- (c) Design Code
- (d) Layout
- (e) Appearance and Scale
- (f) Sustainability
- (g) Landscaping
- (h) Drainage and Flooding
- (i) Ecology

- (j) Archaeology
- (k) Construction Management
- (l) Land Contamination and Noise
- (m) Third party Comments
- (n) S106

### **(a) Principle of Development**

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires Local Planning Authorities to determine planning applications in accordance with the Development Plan unless material planning considerations indicate otherwise.

The principle of development at East Kettering has been established through the grant of outline planning permission KET/2008/0274 and subsequent variation of condition application KET/2013/0514. The original application was approved at Committee in April 2010 and the subsequent variation of condition application was heard at a Planning Committee in October 2013, where members resolved to approve subject to conditions and a deed of variation linking the application to the revised Section 106 agreement. Development at East Kettering has outline consent for:

- 5,500 dwellings
- 4 Primary Schools
- Secondary School
- District Centre
- Local Centres
- Health Clinic
- Employment
- Hotel
- Formal and Informal Open Space
- Roads, Drainage and Other Infrastructure

East Kettering Sustainable Urban Extension (SUE) is identified in Policy 9 of the North Northamptonshire Core Spatial Strategy and its accompanying text. SUE's such as East Kettering have been taken forward in order to respond to the Government's Growth Agenda for Northamptonshire. This application will therefore support housing delivery and economic growth.

Where outline planning permission has been granted (as set out above), in order to proceed with development details known as 'Reserved Matters' need to be submitted to the Local Planning Authority for approval. The reserved matters relevant to this current application are listed below and are assessed in the subsequent sections of this report to determine acceptability of this application for 325 dwellings and associated works:

- Access
- Layout
- Appearance
- Scale
- Landscaping

### **(b) Access to the Application Site**

Access to the site, from the junction of Warkton Lane and Deeble Road, is being considered under the approval of condition application AOC/0274/0803. The outline planning permission agreed the principle of access points in a number of locations including Access D. The outline permission approved the locations but not the

detailed form of those access arrangements. The proposed scheme at Access D is a small roundabout.

The Local Highways Authority is generally content with the submitted Travel Plan and it relates well to the wider Travel Plan for the site secured via the existing Section 106 agreement. There are a few questions raised by this consultee regarding the site specific Travel Plan which need to be answered before this application is heard at committee. An update will be provided to Members at the planning committee.

### **(c) Design Code**

The East Kettering Design Code was approved by Members in March 2013 and has helped to inform the access requirements, design principles (including appearance, scale and layout) and landscaping proposals for this application. The following outline of some key principles within the code provides an indication of its content which is applicable to this reserved matters application.

#### Primary Street Design

The Design Code set out the location of the primary streets within the site and specification for four different primary street sections (Poplars Farm Avenue, Central Avenue, Ise Avenue and Eastern Avenue). Implementation of the code will result in a consistent approach but one which varies in character and interest across the development.

#### Character Area

The Design Code principles aim to create a high quality environment and deliver some diversity and distinction. The code sets out five character areas for the East Kettering site. This application falls within the Boughton End Character Area. Boughton End will have a 'formal and relatively urban character'. The following key design principles apply in this area:

- Formally laid out streets and squares
- A sense of compactness
- Continuity of building frontages
- Large houses fronting onto the main avenues
- Building heights – two to three storeys
- Integrated car parking
- Variety of house types

#### Strategic Open Space

One key feature within Design Code which forms part of this reserved matters proposal is an area of formal open known as 'Warkton Gardens'. The code shows that this will be a key feature within the Boughton End Character Area. This will be a formal space which will provide an attractive setting for the new dwellings as well as benefits for ecology and well-being.

#### Other Matters

The Design Code also includes other mandatory requirements including minimum rear garden depths for larger properties, boundary treatments, bin storage, building heights and window and door requirements. All of the Design Code requirements have informed the design and layout of this submitted application and are assessed in further detail below.

### **(d) Layout**

The applicant and officers of the Local Planning Authority have worked together to amend proposals and achieve the high quality design required for this development. This has been achieved through a programme of design workshops. The latest layout

plan and house types received respond to the design related consultee responses previously received.

### (1) Primary Street Network

Two types of primary street travel through this reserved matters site. Poplars comprise two types of primary street. Poplars Farm Avenue runs east to west from the access point at Warkton Lane/Deeble Road (Access D) and joins the Central Avenue at its junction with Warkton gardens (north). Central Avenue runs in a north-south direction on the eastern side of the site and moves through Warkton Gardens north to south. The Central Avenue will continue north and south linking to future development parcels.

The avenues are tree lined on both sides with planting at regular intervals to create a unique identity and a distinct and legible environment. The avenue of trees from the access point runs down to the Warkton gardens. Visually this will feel a formal and impressive space which terminates with a view of Warkton Gardens; as you enter the development you have a direct view of the formal gardens and the public art feature at its western end, which will be landmark structure. This element will not only help to provide an attractive setting for the development but also encourage an integrated relationship between the Primary streets and the open space.

Along Poplars Farm Avenue there will be sections of raised areas at key junctions within the secondary street network which will allow the carriageway to be flush with footways to allow crossing points. This will facilitate safer and more convenient travel on foot and cycle and will also act as a traffic calming feature. The detailed design of these areas will be through the Section 38 process with the Local Highways Authority. The comments from Stagecoach have been considered in revised designs and the Local Highways Authority has reviewed the layout plan in this regard.

The surfacing materials of the primary street, including the raised tables, will be of high quality and will set the design quality for the overall site. Specifications for street surfacing, including appropriate materials, is set out in the code. A condition is recommended ensure all surfacing materials used within the different spaces within the site create a visually cohesive development but with variety in its character. The primary street design proposed is in accordance with the Design Code specification and will create the desired character and experience for those who travel through this space. It will also ensure movement, including public transport, is facilitated and a safe environment is developed. The Avenues provide structure within the development and contribute to overall formal and urban character required in the Boughton End Character Area.

### (2) Wider Street Network and Shared Surface Streets

The layout includes two streets off the Primary Street to the North and one to the South which results in a formal and legible structure. The proposed development contains a variety of street types including secondary streets and shared surfaced mews areas named 'central courtyards'. These streets are well designed areas of public realm with a sense of enclosure from positioning of dwellings at key viewpoints. These areas will feel safe environment for pedestrians and will encourage social interaction to take place. Landscaping, hard and soft, will be used to differentiate between public and private space, and also prevent inappropriate parking, rather than visually dominant boundary treatments or highway structures which would be of detriment to the character and sense of place trying to be achieved. Within shared surfaced streets there will be no differentiation between pavements and carriageway and pedestrians will have priority. A shared surface allows pedestrians more space and freedom and drivers will become more aware of

other users and will drive more slowly. Manual for Streets 1 and 2 advice that shared surfaces can act as a form of psychological traffic calming. This is preferred to physical measures that could detract from the high quality of the public realm and the overall development.

The overall layout of street and connections will create a permeable and legible public realm and frame the high quality development to be delivered.

### (3) Pedestrian and Cycleways

Pedestrian and cycle access points are to be made available at the south western edge of the development where the proposed development links with Ridgway Road and also in the north west section of the site adjacent to Warkton Lane. (Both these access points will not allow for vehicles). The environment for pedestrians and cyclists within the site is well designed and the development offers connections to the existing pedestrian/cyclist network and opportunities for future links to later development parcels.

### (4) Layout of Dwellings

The perimeter block is the basic structural feature of the development and is achieved within the proposed layout of streets and dwellings. The layout achieves visual continuity through the incorporation of a continuous built frontage, using tree lined primary streets, consistent set back distances and regular spacing of buildings. This is particularly prevalent along the primary streets (Poplars Farm Avenue and Central Avenue) which accords with the requirements of the approved Design Code. Dwellings address the public realm and turn corners well. Natural surveillance will be achieved through the positioning, and also the design and appearance, of the units. The layout of the initial gateway is considered to be successful, with dwellings on the north and south sides of the Primary Street relating well to be another and will be read as a group when entering the site from the main access.

### (5) Warkton Gardens (North)

The Design Code sets out how Warkton Gardens could be developed. This key open space is made up of two halves with only the northern section forming a part of the current proposals. The north and south gardens will have different characters and opportunities. The northern section is designed as a formal space with the Central Avenue travelling through. Tree and shrub planting will sit within amenity grassland. Paths and feature paving areas will be created as well as gentle mounded areas which will be planted. Surrounding dwellings respond well to this space and vice versa.

### (6) Parking

The application layout also incorporates a mix of parking solutions. Importantly, the larger family dwellings on site all include on-plot parking with detached garages and a number of allocated parking spaces. Integral garages and allocated parking to the front of plots also form part of the scheme. Wherever possible parking spaces sit either adjacent to or within surveillance of the property to which they belong. Some rear off-plot parking is proposed however this sits well within residential mews so that these benefit from natural surveillance. There are no large parking-only courtyards within the scheme, in accordance with the requirements of the Design Code.

### (7) Residential Amenity

In terms of residential amenity, the layout of the proposed development has been carefully designed to maximise privacy and minimise potential overlooking issues. The approved Design Code requires that all properties comprising 3 or more

bedrooms have a minimum garden depth of 10.5 metres. Where properties have back-to-back relationships (Plots B16-19) the separation distance is in excess of the required 21 metres in the Design Code and are a minimum of 25 metres along this boundary with Warkton Lane. Plot B20 is side onto Warkton Lane. There is sufficient distance between the new property and the existing property on Warkton Lane to ensure no loss of light occurs and to ensure it is not overbearing. A condition is recommended to ensure any windows in the side elevation of Plot B20 are obscurely glazed and non-opening. Landscaping strips are included as part of the layout proposals to further aid separation and protect privacy of occupiers. The frontage of the dwelling at Plot B34 is positioned to address the pedestrian connection to Ridgeway Road and is at an angle to the existing dwelling on this street. There will be no detrimental impact on living conditions to the occupiers of this property. Plots B20 to B23 back onto the gardens of existing properties on Warkton Lane and Ridgeway Road. It is considered that given the depth of the new rear gardens (minimum of 10.5 metres) an acceptable distance between the new dwellings and their rear boundary with existing properties is achieved. The relationship between existing and new properties has been assessed and is considered to be acceptable.

To prevent any potential future impact on living conditions, it is recommended that a condition is included removing permitted development rights for the proposed dwellings which back onto those properties which share a boundary with existing properties along Warkton Lane or Ridgeway Road. As such, any single storey, first floor or two storey extensions in addition to roof alterations (specifically Plots B16 to B23 (inclusive) and Plot B34) will require planning permission.

Privacy levels and separation distances for all other proposed properties within the development site have also been assessed and considered to be acceptable in accordance with the Design Code and Policy 13 of the North Northamptonshire Core Spatial Strategy.

#### (8) Affordable Housing

65 of the 325 dwellings (20%) will be affordable housing which is in accordance with the requirements of the revised Section 106 (S106) agreement for East Kettering (approved by Members in March 2013). This provision will set out in Hallam Land's Section 106 which is very similar in its requirements to the wider revised S106. The details are set out in Section (n) of this report. It is considered a good mix of affordable dwellings has been achieved. The 65 affordable units comprise:

- 9 x 1 bed dwellings)
- 30 x 2 bed dwellings
- 30 x 3 bed dwellings
- 6 x 4 bed dwellings

The position of these units is considered is to be acceptable both from the point of view of integrating market and affordable nits but also from a Registered Social Landlord management perspective.

#### (9) Bin Storage

Unnecessary alleyways between terraces have been avoided and ginnels have been used as a way of achieving this. Bin storage has been designed into the scheme where needed.

#### **(e) Appearance and Scale**

The development will comprise a mix of David Wilson and Barratt house types which incorporate a mix of detached, semi-detached and terraced properties. The scheme



contains a variety of roof ridge heights but the majority are two storey to two and a half storey, both of which reflect the existing built form of the neighbouring area. There is a mix of densities within the parcels of development in order to create character and variation. Higher densities are situated more centrally within the site with lower to medium densities towards the edges and where the development borders existing housing development. All building heights will be below 112m above ordnance datum (AOD) as per the Regulatory Plan within the Design Code. The design and appearance of the proposed dwellings are considered to create both a sense of cohesiveness whilst introducing variety within the streetscene. The properties relate well to each other and respond to their position in the site for example fronting the primary street, open space, key corners, gateway to the site and adjacent to existing properties. The design and appearance of dwellings frame key locations and will make a significant contribution to delivering a high quality streetscene and public realm.

The gateway area has been amended since submission and will now provide the development with the entrance it deserves. The positioning and appearance of dwellings, soft landscaping within the gateway and the view of the avenue of trees and park beyond will combine to achieve a successful gateway.

Corner buildings have been used in the development to help define spaces, add punctuation to the streetscene and further emphasise legibility. Dwellings have been designed to turn corners and the positioning of dwellings at key viewpoints helps frame views and create a sense of enclosure and interest. The appearance of these dwellings is key to this being successful.

A mix of materials will be used in accordance with the types and colours permitted by the Design Code within the Boughton End character Area. The gateway and main avenues will include stone and red brick buildings. Stone has also been used to define the gateway, key corners and the entrance to Warkton Gardens.

#### **(f) Sustainability**

When outline approval was granted in 2010, the outline planning conditions rightly imposed the highest possible standards of sustainability on this development. The current outline condition requires dwellings completed between now and 2016 to be Level 4 of the Code for Sustainable Homes and Code Level 6 beyond then. All properties should also meet Lifetime Homes standards. The current government has indicated through its Housing Standards Review consultation that energy efficiency and performance of dwellings and accessibility requirements should form part of the Building Regulations as opposed to Planning Policy, which should focus on the environment those buildings sit within. As a result it is likely that the Code for Sustainable Homes will be wound down in the future. A key message from the current Government is that there is a balance to be struck between meeting the government's on-going commitment to improving energy efficiency and ensuring that this does not stifle growth. It is however imperative that the Local Planning Authority seeks to achieve the highest possible standards in each particular case. In terms of energy efficiency the emphasis should be on a fabric first approach, insulating and ventilating correctly.

The applicant and officers of the Local Planning Authority have been working closely to investigate what standards this particular development could achieve. From the work completed to date it is clear that the applicant cannot meet the full requirements of the outline condition however they have committed to achieving the highest standards they can. A sustainability statement and initial code assessment based on

the scheme confirms that they can achieve 6 properties at Code Level 4, 30% (approximately 97 units) of dwellings (all the affordable units and 10% private) will achieve a code score of at least 65 points which is only 3 points below the Code 4 requirement of 68 points and all other properties would achieve points a minimum of 60 points. The use of renewables across the whole of the development as a blanket response to achieve Code 4 is not considered necessarily to be the best means of achieving sustainable and energy efficient homes. 30% of all properties (10% private and all affordable units) will be built to the Lifetime Homes Standard which will respond to the need for this type of property and provide sufficient choice within this development.

It should be recognised that in this particular case the Council started discussions with Hallam Land (the landowner) and David Wilson Homes and Barratt Homes (the applicant) some time ago, when outline permission was granted. At that time it was anticipated that dwellings could start to be delivered in 2012 when code level 3 was the standard to be achieved. The land value and land deal between the landowner and applicant was therefore based on this requirement. The economic downturn however played a significant role in delaying this scheme coming forward. The higher code level now required (since 2013) was therefore not taken fully into account in those discussions and the land deal. Attaining the higher standard is therefore extremely difficult for the applicant to achieve and would affect viability and deliverability of the scheme. The applicant has endeavoured to achieve the highest possible standards on this site, as evidenced above.

It should be recognised that over the long-term standards, how they are measured and by whom, technologies and the economic context will change and affect what can be and is achieved. It is key that officers continue to work with developers to achieve the highest possible standards and ensure above all, regardless of the standard imposed or measure used, that truly sustainable dwellings and environments they are a part of are delivered.

It is acknowledged that a variation of condition application would be needed as this development, if approved, would not fully comply with the outline requirements. The applicant is intending to submit such an application shortly.

#### **(g) Landscaping**

Landscaping and planting has been used throughout the scheme to achieve the desired character set within the Design Code. Landscaping of key areas such as the primary streets, Warkton Gardens is coupled with valuable on-plot planting. Planting within the mews courtyards has been enhanced to create a more richly planted environment which will have visual and quality of life benefits. The proposals within the scheme are considered to be in accordance with the Design Code and will help to achieve the quality of design being sought.

#### **(h) Drainage**

A foul water drainage strategy, which identifies the long-term solution and interim strategy, has been approved for the East Kettering development. This was subject to an approval of condition application which was presented to and approved by members on 19<sup>th</sup> December 2013. The reserved matters site will accord with this strategy. Hallam Land has indicated their willingness to enter into a reservation agreement with Anglian Water as soon as possible. The developers will sign up to this to agree to contribute their share of the costs and to fund the detailed design work which is required.

The approved Stage Two Flood Risk Assessment for the East Kettering development sets out the surface water drainage strategy. This strategy includes a series of attenuation ponds, of different sizes and capacities, across the site and a surface water sewer network. This reserved matters site (development parcels R7, R9 and R10) will be served by the main pond attenuation which will be located within the central parkland. That attenuation pond is subject to a reserved matters application KET/2013/0781. The Environment Agency (EA) has no objection to this application in terms of surface water drainage.

#### **(i) Ecology**

The outline planning permission KET/2008/0274, and the varied outline permission KET/2013/0514, requires that the development be carried out in accordance with a number of ecological mitigation strategies and recommendations. There are a number of updated mitigation strategies currently being considered which are likely to be approved shortly under delegated powers. The reserved matters will have to accord with these strategies once approved.

Natural England and the Northants Wildlife Trust have both been consulted on this reserved matters and the ecological details submitted by the applicant. Natural England has confirmed that the development is unlikely to affect protected sites, landscapes, great crested newts and bats. The Northants Wildlife Trust concludes that the submitted surveys on species are acceptable and that the recommendations contained within the revised Ecological Appraisal (dated September 2013) should be implemented. A condition is recommended to secure this. This together with the outline condition requirements will ensure no adverse ecological impact occurs.

Natural England has raised a concern in relation to a hedgerow, which runs east-west across the site, proposed for removal. This hedgerow is not included within approved Green Infrastructure Strategy or the Habitat Creation Plan. Its removal to facilitate the development has previously been accepted. Further to discussions with the applicant it was agreed that the removal of this hedgerow would result in larger gardens for the proposed properties which would back onto it. If retained it is extremely likely that its quality would significantly deteriorate and that ultimately it would not survive over the long-term; given that a large section of the hedgerow would be contained within new private gardens, its on-going management and maintenance could not be secured.

The proposed development is considered to be in accordance with Policies 5 and 13 of the CSS and Policy 11 of the NPPF.

#### **(j) Construction Management**

The outline planning conditions require a construction management plan prior to commencement of development on a parcel. A construction management plan for parcels R7, R9 and R10 has been submitted with this reserved matters application. This has been reviewed by officers and the Environmental Health Team within the Local Authority. The plans currently falls short of what it needs to include to ensure it is robust document. It needs to be specific and practical, make clear what responsibilities the developer has and what action it will take if problems occur and complaints arise. Importantly it needs to set out what will happen if measures set out are not implemented and a timescale in which matters raised by the Local Planning Authority will be dealt within and what enforcement measures there will be if contractors are not employing the measures set out in the agreed construction management. This matter has been raised with the applicant and officers are committed to working with them to develop a robust plan which responds to all these points. An update on this matter will be provided to the Members of the planning

committee.

### **(k) Archaeology**

Archaeology was a material consideration assessed at the outline stage of the application process. The outline permission included a condition in respect of archaeological works for the overall East Kettering site and this programme of works was considered and approved by Members in September 2013. Since that time, further work has been carried out on parcels R7, R9 and R10 (this application site) as part of the Written Scheme of Investigation and an archaeological investigation has now been completed. The County Archaeologist has confirmed this but requests that a further condition be added to the Reserved Matters consent in order to secure an assessment report of the post excavation process. This has been added as a condition. It is therefore considered that this application is acceptable with respect to archaeological matters, accords with Policy 30 of the NPPF and Policy 13 of the North Northamptonshire Core Spatial Strategy.

### **(l) Land Contamination and Noise**

A contaminated land investigation is secured by condition as part of the outline permission and subsequent variation of condition application KET/2013/0514. This condition requires specific matters to be submitted and approved by the local planning authority before development can commence on site. Although a desk study and ground investigation report has been submitted as part of this Reserved Matters application and is considered to be acceptable there are a number of matters which remain outstanding. As such, the overall requirements with respect to contamination have not been fully met. This does not affect the determination of this Reserved Matters application but before development can commence on site, in accordance with the outline permission and variation of condition application, details (as specified by Environmental Health) need to be submitted and approved. A further condition is therefore not required as part of this Reserved Matters consent and the application can be determined in line with requirements of the outline permission.

Condition 87 of the extant outline permission (KET/2008/0274) requires the submission of a noise assessment as part of the Reserved Matters application. The assessment has been reviewed and accepted. No acoustic mitigation over standard double glazing is required as part of this development. Environmental Health has confirmed that there is no requirement for further noise conditions on this application. It therefore is in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

### **(m) Third Party Comments**

A number of concerns have been raised and comments made by neighbours and local residents. Where possible these have been addressed in the above considerations. Those matters that have not been covered above are dealt with separately in the sections below. Some of the issues raised are not material planning considerations and as such cannot be taken into account as part of this determination.

#### **(1) Infrastructure and Traffic Issues**

Infrastructure is to be provided to mitigate the impacts of the East Kettering development. This includes off-site highway improvements at a number of key junctions which were secured at the outline planning stage. Enhancements will be completed at the junction of Windmill Avenue and Deeble Road (known as junction c). These works are anticipated to take place in Summer 2014 and will be

undertaken by the Local Highway Authority. Funding has been secured for these works. They will be delivered via a combination of direct funding from Hallam Land and wider Section 106 roof charge payments that have a sum of money to deliver the off-site highway improvements.

Traffic Calming measures will be implemented in the St. Catherine's Road, Warkton Lane and Deeble Road areas. Options need to be explored and considered taking into account local consultation. Traffic calming measures will help reduce speeds along these routes. The detailed design of these measures will be agreed with the local highways authority as part of the technical approval stage and Section 278 (works in the highway) agreement.

#### (2) Access D (Warkton Lane/Deeble Road junction)

The majority of local residents would prefer for a roundabout to be installed as part of the new junction arrangements for this development as opposed to traffic signals. Hallam Land has responded to this, considered the options and have progressed a small roundabout design as part of their approval of condition application AOC/0274/0803). It is a condition of the varied outline permission (planning reference KET/2013/0514) that this access needs to be completed before any houses are occupied on development parcels R4, R5, R6, R7, R8, R9, R10, R11, R12, R13 or R14. This includes the current reserved matters site.

#### (3) Construction Traffic

Construction traffic will not access the development via Poplars Farm Road. No vehicular access is proposed for this development through Poplars Farm Road or Ridgway Road. Construction Traffic will access the site via Warkton Lane and the new point of access. Section (i) above considers the construction management proposals in more detail.

#### (4) Utilities and Services

Anglian Water has confirmed that foul drainage from this development is in the catchment of Broadholme Sewage Treatment Works which at present has available capacity for these flows. A foul drainage strategy for the East Kettering site was required by the outline planning conditions and has been approved.

#### (5) Section 106 and financial contributions

A revised Section 106 legal agreement for the East Kettering development was considered and approved by Members in March 2013. Hallam Land will be signing a Section 106 agreement which will secure the same roof charge per dwelling as the wider agreement. It will also secure delivery of the first primary school, a site within the control of Hallam Land.

#### (6) Impact upon property prices

The impact of the proposed development upon property prices is not a material planning consideration and as such is not considered as part of this application.

#### (7) Housing density

Housing density for this proposal is in accordance with the approved parameters plans for housing density (considered at the outline stage) for the East Kettering development and the approved Design Code document.

#### (8) Residential amenity

As set out in the layout section above, it is considered that the development will have appropriate relationships with existing properties and occupiers. Good separation

distances between new and existing properties, garden lengths and landscaping strips all help to ensure that acceptable levels of privacy are retained.

#### (9) Road Names within the Site

Concern has been raised regarding the 'Poplars Farm Avenue' road name within the proposed scheme. This name has been taken from the Design Code which used a number of different names to distinguish between key streets within the Primary Street network. These names are indicative. The road naming procedure falls to the Building Control Service. The fire service and post office are consulted on the proposed street names. The issue of changing the name on the plans "Poplars Farm Avenue" to something else that does not clash with other similar names has been passed onto those bodies.

#### **(n) S106**

The existing revised and the original S106 entered into by Alledge Brook does not bind the current Hallam, Taylor Wimpey and Persimmon application sites. It is therefore required that this application enters into a very similar S106 to the revised S106 Alledge Brook entered into (agreed by Members in March 2013). All three sites relate to Alledge Brook, as they are obligated to work with each other to deliver development in accordance with the master plan and the approved Design Code.

Hallam Land and Kettering Borough Council have had very positive discussions regarding the content of a S106 agreement. This will cover all the matters in the revised S106 and will also set out how the primary school is being delivered by Homes and Communities Agency (HCA) forward funding, which is not part of the wider S106. The affordable housing (20%), the roof charge of £15,250, and other provisions are the same or very similar in wording. It is recommended that a S106 be entered into as set out above prior to the planning permission being released.

#### **Conclusion**

The development proposed in this reserved matters application will deliver a wide choice of new homes, both market and affordable and will be built to a high quality design. A formal and urban character will be achieved as the approved Design Code envisaged. The Avenues, site gateway and Warkton Garden will be an impressive feature and provide a high quality framework for the development. A unique, legible, safe, interesting and inclusive public realm will be delivered.

The overall layout of street and connections will contribute to the creation of a permeable and legible public realm and the scheme offers connections to the existing pedestrian/cyclist network and opportunities for future links to later development parcels. The access and movement within the site is considered to be well-designed and the access into the site is being considered as part of an approval of condition application.

The scale and appearance of the proposed dwellings are appropriate and will be key to creating a well-designed and high quality development. High quality landscaping will complement the design and layout of dwellings and will work together to create an attractive and healthy community. The highest possible standards of energy efficiency are being sought and are considered to have been achieved through the discussions and sustainability information submitted by the applicant.

Relationships between existing properties and this development have been assessed and it is considered that the design will not harm existing occupiers and will respect its context. Conditions are recommended to protect living conditions in the future.

Many other matters have been considered and assessed are considered to accord with the overall strategy for the East Kettering development, outline planning requirements and the policies of the Development Plan.

This reserved matters application is considered to be in accordance with Development Plan policy and also the principles of the NPPF. It is therefore recommended that this reserved matters application be approved, subject to Hallam Land entering into a similar S106 to the revised S106 which Members agreed in March 2013.