

BOROUGH OF KETTERING

Committee	Full Planning Committee - 25/08/2015	Item No: 5.2
Report Originator	Louise Holland Development Team Leader	Application No: KET/2015/0120
Wards Affected	Barton	
Location	Polwell Lane (land west of), Barton Seagrave	
Proposal	s.73 Application: Variation of Conditions 4, 13, and 16 of KET/2014/0120 in relation to phasing plans and highways works	
Applicant	Mr D Owens Redrow Homes South Midlands,	

1. PURPOSE OF REPORT

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

2. RECOMMENDATION

THE DEVELOPMENT CONTROL MANAGER RECOMMENDS that this application be APPROVED, subject to a S.106 OBLIGATION being entered into, and to the following conditions:-

1. The Finished Floor Levels for Phases 1, 3 and 4 shall be carried out in accordance with the following approved plans unless alternative finished floor levels plans are submitted to and approved in writing by the Local Planning Authority:

Phase 1 - Section 38 Onsite Works General Arrangement (Sheet 1 of 4) - drawing number 10080/HL/150 Rev G received 7 November 2012, approved under application ref. no. AOC/0785/0810.

Phase 3 - Drawing numbers 12-0456/INF/305 Rev P3, 12-0456/INF/306 Rev P3, 12-0456/INF/307 Rev P2 and 12-0456/INF/308 Rev P2 received on 22/04/2015 approved under application ref. no. AOC/0120/1402.

Phase 4 - External Setting Out Coordinates reference 12-0456/INF/487 P1 (Sheet 1), 12-0456/INF/488 P1 (Sheet 2), 12-0456/INF/489 P1 (Sheet 3) and 12-0456/INF/490 P1 (Sheet 4) received 28 November 2013, approved under application ref. no. AOC/0785/0811.

The development shall not be carried out other than in accordance with the approved finished floor levels plans.

REASON: In the interests of visual appearance of the development, residential amenity and to ensure a high quality design in accordance with Policy 7 of the NPPF and Policy 13 ((h) and (l)) of the CSS for North Northamptonshire.

2. The development shall be carried out in accordance with the approved Design Code dated April 2011 received 28.04.11. Any proposed revisions to the approved Design Code shall be submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure a high quality design in accordance with Policy 7 of NPPF and Policy 13 (h) of the CSS for North Northamptonshire.

3. The development shall be limited to a maximum of 450 dwellings.

REASON: In the interests of the visual appearance and character of the development in its surroundings and because the number of dwellings proposed is the optimum level of development that can be accommodated on the site making both best use of the land and achieving a good design in accordance with Policy 7 of the NPPF and Policy 13 (h) of the CSS for North Northamptonshire.

4. Development shall be carried out in accordance with the approved comprehensive layout and phasing plan reference PHP-02 Rev A received 25 January 2012 (approved under application ref. no. AOC/0785/0805), Castle Fields Barton Seagrave Development Programme received 23 January 2012 (approved under application ref. no. AOC/0785/0805) and the Barton Seagrave Off-site Highway Works Phasing Programme Revision F received 13th August 2015 or in accordance with an alternative layout and phasing programme which shall first be submitted and approved in writing by the Local Planning Authority. Any revised comprehensive layout plan and phasing programme shall include:

- i. Phasing of the dwelling construction and predicted occupation;
- ii. Timing of off-site highway works (approved works identified in condition 13), pedestrian, cycle and emergency vehicle linkages and vehicular access points (primary and secondary) shown on the Development Framework Plan (received 25 February 2009);
- iii. Public Open Space;
- iv. Hydrological Attenuation Feature (HAF);
- v. Sustainable Urban Drainage Systems (SUDS);
- vi. Green corridors;
- vii. Renewable/low-carbon energy infrastructure; and
- viii. Community Centre.

The development shall not be carried out other than in accordance with the approved comprehensive layout plan and phasing programme.

REASON: In the interests of achieving a well designed and laid out development which provides adequate access and public space phased in such a way to be commensurate with the delivery of housing, in accordance with Policies 4, 6 and 7 of the NPPF and Policy 13 ((d), (e), (h), (k) and (n)) of the CSS for North Northamptonshire.

5. The long-term management of the Site of Special Scientific Interest (SSSI), Hydrological Attenuation Feature (HAF), Sustainable Urban Drainage Systems (SUDS), and the two site areas identified as 'A' and 'B' on Drawing 434.2/31B HDA 2 - Management Strategy Masterplan shall be carried out in accordance with the approved Landscape and Nature Conservation Management Plan ref: 434.1 received 23 April 2012, approved under application ref. no. AOC/0785/0806, or in accordance

with an alternative strategy which shall first be submitted to and approved in writing by the Local Planning Authority. The management plan shall include management regimes, implementation and monitoring programmes (which shall include an Ecological Clerk of Works) and shall accord with the 'Outline Landscape and Wildlife Conservation Management Strategy' (received 9 September 2008). The Management Plan shall be fully implemented as approved.

REASON: In the interests of the enhancements to biodiversity and to secure a net gain in Green Infrastructure in accordance with Policies 10 and 11 of the NPPF and Policies 5 and 13 ((g) and (o)) of the CSS for North Northamptonshire.

6. The Hydrological Attenuation Feature (HAF) and Sustainable Urban Drainage Systems (SUDS) shall be constructed in accordance with the approved Construction Method Statement Rev C. HDA ref: 434.1 received 14 May 2012, approved under application ref. no. AOC/0785/0806 and the Method Statement for Hydrological Attenuation Feature (HAF) and Sustainable Urban Drainage System (SUDS) Rev C received 29 October 2013, approved under application ref. no. AOC/0785/0806, or in accordance with an alternative methodology which shall first be submitted to and approved in writing by the Local Planning Authority. The HAF and SUDS shall only be constructed in accordance with the approved details. These works shall be completed prior to the occupation of any of the dwellings hereby approved.

REASON: In the interests of the protection and enhancement of the SSSI, enhancements to biodiversity and to ensure flood risk does not increase in accordance with Policy 10 of the NPPF and 13 ((o) and (q)) of the CSS for North Northamptonshire.

7. There shall be no external illumination on the site other than in accordance with details which shall first have been submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of the amenity of occupants of neighbouring properties and to conserve biodiversity in accordance with policy 13 ((l) and (o)) of the CSS for North Northamptonshire.

8. No dwelling shall be occupied until its designated car parking spaces and in the case of flats, its covered cycle store(s) have been provided and constructed ready for use in accordance with details that shall have been submitted to and approved in writing by the Local Planning Authority. The cycle stores shall thereafter be retained for the storage of cycles only.

REASON: In the interests of the transport requirements of the development in accordance with Policy 4 of the NPPF and Policy 13 ((d), (e), (k) and (n)) of the CSS for North Northamptonshire.

9. The provision of mains foul water drainage on and off site shall be carried out in accordance with the following approved details:

Foul Water Manhole Schedule drawing number 12-0456/INF/08 P8

Storm Water Manhole Schedule drawing number 12-0456/INF/09 P9

Adoptable Road and Drainage Long Sections drawing number 12-0456/INF/20 P5

Adoptable Road and Drainage Long Sections drawing number 12-0456/INF/21 P6

Adoptable Road and Drainage Long Sections drawing number 12-0456/INF/22 P6

Adoptable Drainage Long Sections drawing number 12-0456/INF/23 P8

Adoptable Drainage Long Sections drawing number 12-0456/INF/24 P6

Adoptable Drainage Construction Details drawing number 12-0456/INF/30 P1
Adoptable Drainage Construction Details drawing number 12-0456/INF/31 P3
Adoptable Drainage Layout Section 104 Plan drawing number 12-0456/INF/62 P4
Adoptable Drainage Layout Section 104 Plan drawing number 12-0456/INF/63 P4
Adoptable Drainage Layout Section 104 Plan drawing number 12-0456/INF/64 P5
Adoptable Drainage Layout Section 104 Plan drawing number 12-0456/INF/65 P3
Adoptable Drainage Layout Section 104 Plan drawing number 12-0456/INF/66 P3
Adoptable Drainage Layout Section 104 Plan drawing number 12-0456/INF/67 P3
Adoptable Drainage Layout Section 104 Plan drawing number 12-0456/INF/68 P3
all received 4 September 2013, approved under application ref. no. AOC/0785/0809,
or in accordance with an alternative scheme which shall first be submitted to and
approved in writing by the Local Planning Authority. No dwellings shall be occupied
until the scheme is carried out and operational in accordance with the approved
scheme.

REASON: In the interests of the proper drainage of the site and minimising the risk of
pollution in accordance with Policy 10 of the NPPF and Policy 13 (q) of the CSS for
North Northamptonshire.

10. The development shall be carried out in accordance with the following details:
Stage Two Flood Risk Assessment (and appendices) ref: 10080/FRA/02 received 23
April 2012, approved under application ref. no. AOC/0785/0806.
Channel Construction Details drawing number 10080/SD/192 Rev A received 23 April
2012, approved under application ref. no. AOC/0785/0806.
Drainage Construction Details drawing number 10080/SD/193 received 23 April 2012,
approved under application ref. no. AOC/0785/0806.
Drainage Channel Cross Sections drawing number 10080/DR/520 Rev C received 23
April 2012, approved under application ref. no. AOC/0785/0806.
Drainage Channel Longitudinal Section drawing number 10080/DR/521 Rev B
received 23 April 2012, approved under application ref. no. AOC/0785/0806.
Drainage Attenuation Pond Plan and Longitudinal Section drawing number
10080/DR/523 received 23 April 2012, approved under application ref. no.
AOC/0785/0806.
Drainage Attenuation Pond Cross Sections drawing number 10080/DR/524 received
23 April 2012, approved under application ref. no. AOC/0785/0806.
Storm Sewer Layout General Arrangement drawing number 10080/DR/592 Rev B
received 23 April 2012, approved under application ref. no. AOC/0785/0806.
Networks 1-6 and HAF Summaries received 23 April 2012, approved under
application ref. no. AOC/0785/0806.
Existing Network 7 Summary received 23 April 2012, approved under application ref.
no. AOC/0785/0806.
Hydro-Brake Details dated 13 June 2012, approved under application ref. no.
AOC/0785/0806.
or in accordance with an alternative Stage 2 FRA which shall first be submitted to and
approved in writing by the Local Planning Authority. The approved mitigation
measures shall be implemented prior to commencement of development and shall be
retained thereafter.

REASON: To ensure that Flood Risk arising from the proposal does not increase in
accordance with Policy 10 of the NPPF and Policy 13 (q) of the CSS for North
Northamptonshire.

11. Prior to occupation of the flats the approved refuse storage and collection point shown on Drawing Number: Refuse 01 received 4th June 2015, approved under application ref. no. AOC/0120/1403, shall be provided and retained as approved thereafter.

REASON: In the interests of protecting the character of the area and highway safety in accordance with Policies 4 and 7 of the NPPF and policy 13 of the North Northamptonshire Core Spatial Strategy.

12. Prior to first occupation of any of the dwellings within Phase Three or Phase Four of the development, as shown on the approved phasing plan reference PHP-02 Rev A received 25/01/2012, the Gotch Road traffic calming shall be carried out in accordance with the following approved details: Consultation on Gotch Road Area Traffic Calming Measures: Statement of Community Involvement 7 November 2012, approved under application ref. no. AOC/0785/0809 Gotch Road Traffic Calming Plan drawing number 2761/GRTC PLAN1 received 17 August 2012, approved under application ref. no. AOC/0785/0809 or in accordance with an alternative scheme which shall first be submitted to and approved in writing by the Local Planning Authority. The approved Gotch Road area traffic calming scheme shall be fully implemented.

REASON: In the interests of the transport requirements of the development in accordance with Policy 4 of the NPPF and Policy 13 ((d), (e), (k) and (n)) of the CSS for North Northamptonshire.

13. Off-site highway works shall be completed in accordance with the following drawings and the Off-Site Highway Phasing Programme (Revision F) approved under condition 4 of this permission:

Polwell Lane/Altendiez Way Junction Improvements General Arrangement Sheet 1 of 1 VD12098-007-D100-01 Rev A received 3rd August 2015.

Barton Road/Woodland Avenue Signalised Junction General Arrangement Sheet 1 of 1 VD12098-005-D100-01 Rev G received 3rd August 2015.

Polwell Lane/Station Road Junction Improvements General Arrangement Sheet 1 of 1 VD12098-008-D100-01 Rev B received 3rd August 2015.

Barton Road/St. Botolphs Signalised Junction General Arrangement Sheet 1 of 1 VD12098-003-D100-01 Rev G received 3rd August 2015.

Barton Road Traffic Calming General Arrangement Drawing Numbers VD12098-001-D100-01 Rev D Sheet 1 of 4, VD12098-001-D100-02 Rev D Sheet 2 of 4, VD12098-001-D100-03 Rev D Sheet 3 of 4 and VD12098-001-D100-04 Rev D Sheet 4 of 4 received 3rd August 2015.

Polwell Lane Toucan Crossing General Arrangement VD12098-006-D100-01 Rev C Sheet 1 of 1 received 3rd August 2015.

Tactile Paving Installation drawing number 1275/HC/01 Rev C received 4th August 2015.

Sherwood Drive Path drawing number RRH513 FP2 Rev A received 4th August 2015.

Brinton Drive Path drawing number RRH513 FP4 Rev A received 4th August 2015.

Creighton Crescent Footpath drawing number RRH513 FP7 Rev A received 4th August 2015.

St. Botolphs Road Footpath drawing number RRH513 FP8 Rev A received 4th August 2015.

Barton Road Link drawing number RRH513 FP9 Rev A received 4th August 2015.

Or in accordance with alternative drawings which shall first be submitted to and approved in writing by the Local Planning Authority and shall include full engineering drawings, drainage, signal and constructional details in accordance with the approved Phasing Programme. The works shall be carried out in accordance with the approved drawings and approved phasing programme identified in condition 4.

REASON: In the interests of the transport requirements of the development in accordance with Policy 4 of the NPPF and Policy 13 ((d), (e), (k) and (n)) of the CSS for North Northamptonshire.

14. The site access junction as shown on drawing number 1275/HL/01 Rev E (received 9 April 2009) shall be retained as constructed.

REASON: In the interests of the transport requirements of the development in accordance with Policy 4 of the NPPF and Policy 13 ((d), (e), (k) and (n)) of the CSS for North Northamptonshire.

15. The Denford Drive access link shall be constructed in accordance with approved drawing number 10080-HL-170 Rev A received 13 May 2011, approved under application ref. no. AOC/0785/0807, or in accordance with an alternative scheme which shall first be submitted to and approved in writing by the Local Planning Authority. The scheme shall include full engineering, drainage and constructional details. These access works shall be completed in accordance with the approved details and Phasing Programme as outlined in condition 4.

REASON: In the interests of the transport requirements of the development in accordance with Policy 4 of the NPPF and Policy 13 ((d), (e), (k) and (n)) of the CSS for North Northamptonshire.

16. The hard surfaced cycle/footpath linking Barton Road to Cheyne Walk and the existing footpath to the north via the Ise Valley and a footpath linking the site into Wicksteed Park in accordance with Drawing 434.2/31B HDA 2 - Management Strategy Masterplan shall be laid out in accordance with approved drawing number RRH513 OCW1 received 29 May 2013, approved under application ref. no. AOC/0785/0809, or an alternative scheme which shall first be submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until all cycle/footpaths have been completed in accordance with the approved details. Thereafter, the cycle/footpaths shall be retained for public use.

REASON: In the interests of the creating sustainable transport links and to secure the delivery of a net gain in Green Infrastructure in accordance with Policy 4 of the NPPF and Policies 5 and 13 ((e), (g) and (k)) of the CSS for North Northamptonshire.

17. Those dwellings completed up 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 sustainable development and energy efficiency in accordance with Policies 7 and 10 of the NPPF and Policy 14 (a) (i) of the CSS for North Northamptonshire.

18. 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 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 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 sustainable development and energy efficiency in accordance with Policies 7 and 10 of the NPPF and Policy 14 (a) (ii) of the CSS for North Northamptonshire.

19. Within six months of the completion any residential or non-residential 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 (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 sustainable development and energy efficiency in accordance with Policies 7 and 10 of the NPPF and Policy 14 (a) ((i) and (ii) of the CSS for North Northamptonshire.

20. The development shall be carried out in accordance with the approved Framework Energy Strategy v1.3 dated 21 December 2010, approved under application ref. no. AOC/0785/0802, or an alternative strategy that shall first be submitted to and approved in writing by the Local Planning Authority. The Framework Strategy shall include (as a minimum) the proposed methodology for estimating the potential for renewable/low zero carbon energy and details of an overarching strategy for the provision of on site energy generating systems. The Energy Strategy required by condition 21 shall accord with the approved framework document. REASON: In the interests of sustainable development and energy efficiency in accordance with Policies 7 and 10 of the NPPF and Policy 14 (a) (iii) of the CSS for North Northamptonshire.

21. The development shall be constructed in accordance with the following approved plans and documents:
Energy Strategy Issue 4 dated 26 January 2011, approved under application ref. no. AOC/0785/0802.
Energy Statement Phase 1 Rev A (addendum report) received 14 December 2012, approved under application ref. no. AOC/0785/0802.
Phase 3 PV Layout drawing number 2762-22-02-004 Rev E received 22nd June 2015 and all other details approved under application ref. no. AOC/0120/1404, or an alternative energy strategy which shall first be submitted to and approved in writing by the Local Planning Authority. Any alternative Energy Strategy submitted shall incorporate renewables and/or from decentralised renewable or low carbon sources. The strategy shall demonstrate how a target of at least 30% of the demand for energy will be met on site and renewably and/or from decentralised renewable or low carbon

energy supply in accordance with the approved Energy Strategy Framework. If the 30% target cannot be met a technical and economic viability assessment shall be submitted, together with the energy strategy, for the approval of the Local Planning Authority. The strategy shall include details and a timetable of the physical works on site. The approved strategy shall be implemented as approved and retained operational thereafter, unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of sustainable development and energy efficiency in accordance with Policies 7 and 10 of the NPPF and Policy 14 (a) (iii) of the CSS for North Northamptonshire.

22. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing by the Local Planning Authority) shall be carried out until a remediation strategy has been submitted to and approved in writing by the Local Planning Authority which details how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved and following completion of the remediation a verification report shall be submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure if any contaminated soil or groundwater is encountered during development is dealt with appropriately in accordance with the requirements of policy 13 (q) of the North Northamptonshire Core Spatial Strategy.

23. The development shall not take place other than in accordance with the approved Noise and Vibration Assessment dated June 2007 and revised in December 2008 and March 2011.

REASON: To protect residential amenity in accordance with Policy 13 (l) of the CSS for North Northamptonshire.

24. Prior to construction of any non-residential buildings and/or any external plant a scheme to acoustically insulate these buildings or plant shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall ensure that the background noise level at the boundary of the site or the nearest noise sensitive dwelling does not increase. For the avoidance of doubt calculated noise levels at the measurement point should be 10dBA below the existing background level. The development shall not be carried out other than in accordance with the approved details.

REASON: To prevent an increase in background noise levels and protect residential amenity in accordance with Policy 13 (l) of the CSS for North Northamptonshire.

25. The development shall be carried out in accordance with the approved air quality assessment March 2011 Update received 22 March 2011, approved under application ref. no. AOC/0785/0804.

REASON: To protect people's health and the environment from adverse effects of air pollution and in the interests of residential amenity in accordance with Policy 13 (l) of the CSS for North Northamptonshire.

26. Archaeological investigation of the site shall be carried out in accordance with the following approved document:

'Project Design for Archaeological Excavation at Polwell Lane, Barton Seagrave, Northamptonshire' completed by Northamptonshire Archaeology and dated 18th October 2011.

No development shall take place on Phase 3 of the development (as shown the approved phasing plan) until the required archaeological investigation of this Phase (identified as site 2) has taken place in accordance with this approved project design document. An Updated Project Design Report and Final Assessment report shall be submitted to the Local Planning Authority within 14 weeks of the archaeological investigation being completed.

REASON: In the interests of ensuring that any archaeological remains affected by the development are suitably dealt with in accordance with advice given in Policy 12 of the NPPF.

27. The development shall be carried out in accordance with the following mitigation strategies:

Bat Mitigation Strategy Revision A HDA reference 434.1 dated October 2011 received 14th October 2011;

Reptile Translocation Report HDA reference 434.1 dated October 2011 received 14th October 2011; and

Polwell Lane Ecology, Reptile Method Statement: Rev C. HDA reference 434.1 dated February 2010 received 21st March 2011,

or in accordance with an alternative strategy/methodology which shall first be submitted and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved strategy/methodology.

REASON: In the interests of the protection of bats, red kites and reptiles in accordance with Policy 11 of the NPPF and Policies 5 and 13 (o) of the CSS for North Northamptonshire.

28. The development shall be carried out in accordance with the mitigation measures set out in the Environmental Statement Ecology section, Phase I and II bat surveys (dated September 2007), reptile mitigation strategy (dated October 2007), the badger survey (dated March 2009) and the letter dated 05/10/07 from Adrian Meurer (of Hankinson Duckett Associates) to the Wildlife Trust which provides detail regarding hydrology, protected species and green infrastructure.

REASON: In the interests of the enhancement to biodiversity in accordance with Policy 11 of the NPPF and Policies 5 and 13 (o) of the CSS for North Northamptonshire.

29. The development shall be carried out in accordance with the following approved documents:

Construction Method Statement v3 received 23 October 2012, approved under application ref. no. AOC/0785/0809,

Waste Management Procedure received 17 August 2012, approved under application ref. no. AOC/0785/0809,

Traffic Management Plan 2761-22-02 TMP Rev A received 2 November 2012, approved under application ref. no. AOC/0785/0809,

or in accordance with an alternative Construction Method Statement which shall first be submitted to and approved in writing by the Local Planning Authority. The Construction Method Statement shall be adhered to throughout the construction period and the approved measures shall be retained for the duration of the construction works unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of highway safety and residential amenity in accordance with Policy 13 ((n) and (l)) of the North Northamptonshire CSS.

30. No construction work shall take place onsite outside the hours of 07:30 to 18:00 Monday to Friday and 08:30 to 13:30 on Saturday and no time whatsoever on Sundays or Public Bank Holidays, unless otherwise agreed with the Local Planning Authority. This includes deliveries to the site or work undertaken by contractors or sub-contractors.

REASON: In the interests of residential amenity in accordance with Policy 13 (l) of the CSS for North Northamptonshire.

31. The development shall not be carried out other than in accordance with the approved plans, namely those to be submitted as part of the design code and reserved matters.

REASON: To secure a satisfactory development.

Officers Report for KET/2015/0120

This application is reported for Committee decision because the application requires a deed of variation.

3.0

Information

Relevant Planning History

KET/2007/0475 – Construction of up to 500 dwellings and associated landscaping, public open space, highway works and ancillary development – Refused.

KET/2008/0785 – Outline Planning Permission: Erection of up to 450 market and affordable dwellings together with associated landscaping, green space, highway works and potential mixed use development – Approved.

KET/2011/0390 – Approval of Reserved Matters for primary infrastructure – Approved.

KET/2011/0534 – Approval of Reserved Matters for open space infrastructure – Approved.

KET/2012/0085 – Approval of Reserved Matters: 122 dwellings with associated roads and landscaping (Phase 1) – Approved.

KET/2012/0686 – 1 no. non-illuminated free standing sign – Approved.

KET/2012/0769 – Temporary sales office with associated parking and landscaping and four showhomes with garages – Approved.

KET/2012/0771 – Variation of Conditions 1 and 3 of KET/2012/0085 (Phase 1) in relation to approved plans – Approved.

KET/2013/0329 – Approval of Reserved Matters: All details in respect of KET/2008/0785 (Phase 3) for 165 dwellings and related development – Approved.

KET/2013/0330 – Approval of Reserved Matters: All details in respect of KET/2008/0785 (Phase 4) for 135 dwellings and related development – Approved.

KET/2013/0412 – Variation of Conditions 1 and 3 of KET/2012/0771 (Phase 1) in relation to approved plans – Approved.

KET/2013/0579 – Non-Material Amendment: KET/2011/0534 (Open space infrastructure) tree removal – Approved.

KET/2014/0027 – Siting of portacabin as sales office – Approved.

KET/2014/0120 – Variation of Condition 21 of KET/2008/0785 in respect of traffic calming scheme and opening of new access road – Approved.

KET/2014/0136 – Erection of 4 no. dwellings (a pair of semi-detached properties and 2 no. detached properties on land where previously 3 no. detached dwellings were consented through Phase 1 application reference KET/2012/0085) – Approved.

KET/2014/0478 – 18 no. free standing signs and 15 no. flags – Approved.

KET/2014/0491 – Erection of Community Building – Approved.

KET/2014/0510 – Change of use of plots 2, 3, 4 and 428 to allow use as show plots and temporary use of ground floor of plot 2 as a sales office – Approved.

KET/2014/0681 – Variation of Condition 18 of KET/2014/0120 in respect of

Code for Sustainable Homes – Withdrawn.

KET/2014/0839 – Non-Material Amendment: KET/2013/0329 (All details in respect of KET/2008/0785 (Phase 3) for 165 dwellings and related development): Substitution of house types and alteration to parking – Approved.

KET/2015/0108 – Non-Material Amendment: KET/2013/0412 (Variation of Conditions 1 and 3 of KET/2012/0771 in relation to approved plans) Amend bay on Plot 121, minor changes to footpath width and addition of rear conservatory to Plot 114 – Approved.

KET/2015/0353 – Variation of Condition 18 of KET/2014/0120 in respect of Code for Sustainable Homes – Pending.

KET/2015/0372 – Non-Material Amendment: KET/2013/0412 (Variation of Conditions 1 and 3 of KET/2012/0771, in relation to the approved plans): Relocation of bin collection points – Approved.

KET/2015/0468 – Non-material Amendment: KET/2013/0330 (All details in respect of KET/2008/0785 (Phase 4) for 135 dwellings and related development): Relocation of bin collection points and conservatory to the rear of Plot 390.

Various AOC applications relating to the outline planning permission and reserved matters approvals.

Site Description

The site, which lies to the west of Polwell Lane, has planning permission (both outline and detailed reserved matters approvals) for residential development of up to 450 dwellings and is currently being built out. The development comprises three phases of residential, open spaces, play areas and community centre. The development is delivering a variety of property types and high quality designs. 30% affordable housing will also be delivered. The 2008 outline planning permission secured on and off-site infrastructure via both planning conditions and a Section 106 agreement. The approval of a variation of condition application in 2014 (KET/2014/0120) resulted in the granting of a new outline permission and as a result a deed of variation was required to link that new permission with the obligations of the original legal agreement.

Proposed Development

The applicant is proposing a variation to a number of conditions on the outline planning permission relating to off-site highway works which were required to mitigate the impacts of the residential development. Redrow are proposing:

- To provide a financial contribution for works to A14 Junction 10 in lieu of works. The contribution would be secured via a Deed of Variation. Condition 16 of the outline permission, which requires Redrow to carry out physical works at Junction 10, would be removed.
- To provide financial contributions to improvement works at Barton Road/Warkton Lane and Warkton Lane/Deeble Road in lieu of Redrow carrying out works. These junctions will be removed from condition 13 of the outline permission; condition 13 secures the off-site highway works

which Redrow are required to complete.

- Variation of Condition 13 to include updated plan references of the off-site highway works to be completed by Redrow.
- Variation of Condition 4 to include an updated phasing programme for the off-site highway works Redrow will be completing.

Any Constraints Affecting the Site

C Road

Public Right of Way

4.0

Consultation and Customer Impact

Barton Seagrave Parish Council

No objection.

Highway Authority

No objection. The financial contributions proposed are acceptable. The footpath works required are agreed. There should be an upgrade of the existing bus stop adjacent to the lay-by on St. Botolphs Road.

Neighbours (approximately 321 notification letters were sent out)

No comments received.

5.0

Planning Policy

National Planning Policy Framework

Policy 4: Promoting Sustainable Transport

Policy 6: Delivering a Wide Choice of High Quality Homes

Development Plan Policies

North Northamptonshire Core Spatial Strategy

Policy 6: Infrastructure Delivery and Developer Contributions

Policy 13: General Sustainable Development Principles

6.0

Financial/Resource Implications

A Deed of Variation has been agreed in principle between the Council and Redrow Homes. This secures the agreed financial contributions and the other matters outlined in this report. The following sums have been agreed:

A14 Junction 10 - £181,690 (plus £10,000 for checking and monitoring).
Warkton Lane/Deeble Road - £23,830
Barton Road/Warkton Lane - £200,000

The contributions will be paid within 28 days of signing the deed. It is intended that the deed will be progressed and will either be signed by Redrow Homes and submitted to the Council ready for signing or will be signed by both parties before Planning Committee. An update will be provided at committee.

7.0

Planning Considerations

The key issues for consideration in this application are:-

1. Off-Site Highway Works – Conditions and Contributions
2. Other Matters within the Deed of Variation
3. Environmental Impact Assessment

1. Off-Site Highway Works – Conditions and Contributions

The applicant is proposing to provide financial contributions in lieu of carrying out works at three off-site junctions (1) A14 Junction 10, (2) Barton Road/Warkton Lane and (3) Warkton Lane/Deeble Road. These are junctions where works are also required by the East Kettering development and in the case of A14 Junction 10, East Kettering and Roxhill. As a result the condition requiring works at Junction 10 of the A14 will be removed and the conditions listing the off-site highway works and their phasing will be varied.

Up-to-date plans of other off-site highway works required by condition have been submitted along with a revised phasing programme for these works. The plans have been developed in more detail since the original outline (KET/2008/0785) was granted as Redrow have been progressing detailed designs as part of the Section 278 process with the County Council. These are works which Redrow will be carrying out. The locations of the works and type of works required remain as previously approved with the exception of the three junctions detailed above where financial contributions are now being made. The off-site highway works to be completed by Redrow are:

- Barton Road/St. Botolphs Road – signalised junction.
- Barton Road – traffic calming works and upgrading of signals at existing toucan crossing.
- Barton Road/Woodlands Avenue – signalised junction.
- Polwell Lane/Altendiez Way – ghost island priority T-junction.
- Polwell Lane/Station Road/Bridle Road – priority cross roads junction.
- Polwell Lane – toucan crossing and bus stop enhancement.
- Minor footway/cycleway improvements to paths between 20 and 22 Sherwood Drive, 28 and 30 Brington Drive, 8 and 10 Polwell Lane, the site up to Barton Road and from Creighton Crescent to St Botolphs Road.
- Installation of tactile paving in various locations (plan no. 1275/HC/01 Rev C).

New planning condition number 13 sets out the location of works to be completed by Redrow and the updated plan references. New planning condition number 4 will secure the timing of delivery through a revised phasing programme.

The Local Planning Authority considers that securing financial contributions towards improvements at A14 Junction 10, Barton Road/Warkton Lane and Warkton Lane/Deeble Road is now the most appropriate mechanism for delivery. The East Kettering development is required to complete works at these same junctions with the Roxhill business park also required to make improvements to Junction 10. Allowing Redrow to make financial contributions will facilitate the delivery of the wider works required. If Redrow were to complete the works required in connection with their own development in isolation it is likely to result in costly, abortive works. A detailed assessment has been made to agree the financial contributions.

The impacts of the residential development would be mitigated and the necessary infrastructure delivered in accordance with Policy 6 and 13 of the North Northamptonshire Core Spatial Strategy.

Given the time that has passed since the original outline approval was granted in 2010 it is considered appropriate to update the plans showing the off-site works required, this includes junction works, footway/cycleway and tactile paving improvements, traffic calming works and crossings. Although the plans provide more detail than those approved as part of the outline permission, due to the on-going discussions with NCC, the type and scale of the works remain consistent with those previously approved.

The off-site works will be started December 2015 with completion scheduled for May 2016 at the latest. It is estimated that technical approval of the detailed drawings (from Northamptonshire County Council) could be achieved by the end of August with the S278 legal agreement signed by the end of October; road booking space would start at end of November with works starting immediately in December 2015. This programme has been discussed with the Local Highways Authority and is considered to be reasonable. Given the traffic management embargo over Christmas and the works required it is considered that completion in May 2016 is realistic and would mitigate the impacts of the development.

2. Other Matters within the Deed of Variation

The Section 106 for the original outline permission secured delivery of the community centre by the 100th market dwelling occupation. Full planning permission for the community centre was granted in October 2014. Redrow are approaching the trigger and need additional time to deliver the centre. Currently it is estimated that internal drawings will be submitted to the Council within the next few weeks and following agreement of these there will be a period of approximately 6 weeks for tender. There are a number of planning conditions that also need to be discharged. In light of this it is considered that it would be a minimum of 2-3 months before works could start on site. A 6 month

build out is currently programmed. A revised trigger has been discussed and agreed with the Council. The centre will be completed and transferred to the Council by October 2016. This delivery date is secured via the Deed of Variation. It is considered that this would also assist the Council by allowing additional time to determine the mechanism for its management. It will also ensure timely delivery of the centre alongside the build out of dwellings.

There is an area of allotments, adjacent to the existing allotments, which will be laid out and transferred to the Council. This was scheduled for transfer at the 50th occupation. This trigger has not been met. The land needs to be laid out in accordance with a programme to be agreed. Discussions with Redrow have indicated that this area of land will be ready for transfer November 2015. This is considered reasonable and will allow time for a programme to be agreed between the parties and for this to be implemented. The Deed of Variation secures the completion and transfer of the allotments by November 2015. The allotments will be transferred to the Allotment Association.

3. Environmental Impact Assessment

A Screening Opinion has been carried out for this planning application. The Local Planning Authority has adopted the screening opinion that the proposed development as described by the applicant is EIA development but that the original Environmental Statement (ES) accompanying KET/2008/0785 adequately addresses the environmental effects of the proposals. Therefore, no further ES information is required in this case. The original ES has therefore been taken into account and considered in the assessment of this application, the officer's recommendation and therefore the determination.

Conclusion

The proposed removal and variation of conditions is considered to be acceptable and in accordance with Development Plan policy. The changes will ensure the timely delivery of infrastructure and will secure the most appropriate mechanism for delivery, whether that be financial contributions to wider works to support growth or planning conditions to secure works to be carried out by the developer. The application is recommended for approval subject to the conditions listed and the completion of a Deed of Variation, the contents of which have been identified in broad terms within this report.

Background Papers

Title of Document:

Date:

Contact Officer:

Louise Holland, Development Team Leader on 01536
534316

Previous Reports/Minutes

Ref:

Date: