

BOROUGH OF KETTERING

Committee	PLANNING COMMITTEE	Item 6.1	
Report Originator	Peter Chaplin Development Manager	<i>Fwd Plan Ref No:</i> N/A	
Wards Affected	St Peter's Ward	20 October 2015	
Title	Update on S106 regarding development approved for land off Hall Lane Kettering		

1. PURPOSE OF REPORT

To present an update on the S106 in regard to the open space to serve the development 68 No Dwellings, land at former convent site, Hall Lane, Kettering, approved under refs: KET/2014/0591 and KET/2014/0592

2. INFORMATION

At the Planning Committee on 30.06.2015 it was resolved that the above applications be approved subject conditions, and to the completion of a S106 covering a number of matters including a programme for the ongoing protection and restoration of the listed buildings, some footway improvements and travel plan Obligations. Public open space identified on the scheme was also to be included.

The applicants have now identified a developer who wishes to implement the approved scheme starting with protective measures for the listed buildings within the next few weeks with the repair and conversion of these listed buildings to follow soon after with completed over the next year to 18 months.

The S106 is close to completion and with a developer identified there is now a real prospect that this site will begin to be restored and built out to the high quality represented by the approved applications.

The chosen developers have expressed concern about the limited surveillance of the park area to the rear of Bryn Hafod from existing and proposed dwellings. They are concerned too about problems of anti-social behaviour and vandalism becoming difficult to control unless there is a measure of long term protection. To overcome this (and to protect the investment) they require that the land identified as 'Public Open Space' on the plans be restricted to the use of occupants and visitors of the development (i.e. the land within the red line), but along with these people any existing local residents who desire to use the area may do so if they take a share in the maintenance and upkeep through joining a management company. In effect the

open space which serves the development and area will be a private facility for the groups of people identified.

3. PLANNING IMPLICATIONS

The change from unrestricted public access to one for the above residents groups does not raise any planning objections. The facility would still be available to serve the development as approved and there was no expectation that the open space would be required for any shortfall in the existing local area.

At present and before the current deterioration that has occurred over the last 8 or so years the site has/ had no wider public access rights.

It is common that maintenance of open space of this sort could be undertaken by a management company and if residents of the new development are asked to help pay for the upkeep that is a commercial decision that would not in principle be contrary to any planning requirement. Existing local residents as indicated above, would also have an opportunity to use the new open space provision

4. CONSULTATION AND CUSTOMER IMPACT

The provision of open space to serve the development is in accordance with the approved scheme.

5. FINANCIAL RESOURCE IMPLICATIONS

No financial implications.

6. LEGAL IMPLICATIONS

The S106 would be completed in accordance with the Committee resolution of 30 June 2015 with the added clarity of the intended user groups.

RECOMMENDATION

That the S106 be completed as previously agreed with the acceptance that the users are to be the residents and their visitors and any local residents who have a stake in the management company who are to look after the site.

Background Papers:

:

Applications KET/2014/0591 & 0592

Contact Officer: Peter Chaplin

Previous Reports/Minutes:

Ref: Planning Committee

Date: 30 June 2015