

BOROUGH OF KETTERING

Committee	Full Planning Committee - 28/01/2016	Item No: 4.1
Report Originator	Alan Davies Development Officer	Application No: KET/2015/0887
Wards Affected	Queen Eleanor and Buccleuch	
Location	East Kettering Development - Parcels R7, R9, & R10, Warkton Lane (land off), Kettering	
Proposal	Approval of Reserved Matters: All details in respect of KET/2014/0357 for 325 dwellings and related development (Re-submission)	
Applicant	Mr K Armstrong BDW Trading Ltd,	

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 the following Condition(s):-

1. The development hereby permitted shall be carried out in accordance with the Planning Layout Plan referenced 1301-02E received 7th January 2016.

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. The development shall be carried out in accordance with the Construction Management Plan document Rev F dated 24th April 2014 and received by the Local Planning Authority on 29th May 2014 and the Construction Management Plan Drawing, drawing reference SM-33-540 Rev F received by the Local Planning Authority on 29th May 2014 approved as part of planning permission KET/2013/0213.

REASON: In the interests of residential amenity, highway safety, visual amenity and waste minimisation in accordance with the National Planning Policy Framework, Policy CS7 of the Northamptonshire Minerals and Waste Development Framework Core Strategy DPD and Policies 13 and 16 of the North Northamptonshire Core Spatial Strategy.

3. The development hereby permitted shall not be carried out other than in accordance with the approved Boundary Treatment Plan submitted with the application and shown on drawing number 1301-04C received 11th November 2015 and drawings 1248-24 - 1248-32 received 30th October 2015 included in the Fence Details pack numbered KET/2015/0887/11.

REASON: In the interest of securing an appropriate form of development in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

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

(i) Planning Layout drawing reference 1301-02E received 7th January 2016.

(ii) Kettering East House Type Portfolio Rev C 2015 and drawings 1301-84-01 and 1301-84-02 received 7th January 2016.

(iii) Warkton Gardens/Avenue Park North reference GL0024_03F received 6th January 2016.

(iv) Landscaping Plans 1 to 8 references GL0024_05E, GL0024_06E, GL0024_07E, GL0024_08E, GL0024_09E, GL0024_10E, GL0024_11E and GL0024_12E received 8th December 2015.

(v) Landscaping Protection Plan reference GL0024_01D received 6th January 2016.

(vi) Drainage drawings E3172/114/C, E3172/115, E3172/116/C, E3172/117/B, and E3172/120/C received on 10th December 2015 and E3172/15/E, E3172/16/A, E3172/17/F, E3172/18/B and E3172/21/B received 14th January 2016.

(vii) Surface Water Attenuation Pond and Flow Control Details drawing number 25134/030/002 Rev B received 30th January 2014 and approved as part of KET/2013/0213.

(viii) Pump Station Details drawing number S214_013 received 27th March 2013 and approved as part of KET/2013/0213.

(ix) Drainage Layout Sheet 1 of 2 drawing number 28135/003 Rev D received 31st January 2014 and approved as part of KET/2013/0213.

(x) Drainage Layout Sheet 2 of 2 drawing number 28135/004 Rev D received 31st January 2014 and approved as part of KET/2013/0213.

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 Core Spatial Strategy.

5. The development shall be carried out in accordance with the Materials Plan drawing number 1301-03C received 11th November 2015 and the approved materials listed below, unless otherwise agreed with the Local Planning Authority.

Approved Facing Materials:

Ibstock Audley Red Mixture

Ibstock New Sandhurst Stock

Ibstock Mellow Regent Stock

Ibstock New Cavendish Stock

Ibstock Weston Red Multi Stock

Ibstock Wienerberger Red Gilt Stock

Forticrete Ironstone with Split-Faced Finish.

Ibstock Leicester Red Stock

Webber Monocouche Render in White, Smooth Finish (Plots D86-87, D132 and D40)

Approved Roofing Materials:

Forticrete Gemini Slate Grey

Forticrete Gemini Slate Autumn (red)

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

6. 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 hard surfaced using the materials shown on drawing S239-230 AF received 14th January 2016. The development shall be carried out in accordance with the approved details.

REASON: Hard surfacing materials as detailed in the application is required to secure high quality design and public realm in the interests of visual amenity in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

7. The footpath connection shown in the northwest site corner on the Planning Layout Plan drawing number 1301-02E (received 7th January 2016) adjacent to Plot D40 shall be completed prior to the 100th 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.

8. 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 1st May 2013 and received on 18th December 2015. Any revision to the development brief or public art concept shall be submitted to and approved in writing 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.

9. Prior to the 200th 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.

10. 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 Planning Layout reference number 1301-02E received 7th January 2016:

- 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.

11. 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 be 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.

12. Prior to commencement of development within Parcels R7, R9 or R10 (as shown on the approved outline strategic masterplan), 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: A written scheme of archaeological investigation is required prior to the commencement of development in the interests of preserving any potential archaeology on the site in accordance with Policy 12 of the National Planning Policy Framework.

13. Prior to the commencement of development an update to the Ecological Appraisal Rev A, prepared by fpcr and dated September 2013 (received by the Local Planning Authority on 30th September 2013 as part of application KET/2013/0213) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved revisions.

REASON: An update to the Ecological Appraisal is required prior to the commencement of development 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.

14. The development shall be carried out in accordance with the Sustainability Report (Issue 06 dated 5th January 2016) received by the Local Planning Authority on 5th January 2016.

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

Officers Report for KET/2015/0887

This application is reported for Committee decision because the proposal involves parcels within the East Kettering development which is a matter for the decision of the Committee.

Members are advised that planning permission was granted in January 2015 for a similar scheme under reference KET/2013/0213. Many of the proposed conditions on this application are similar to those imposed as part of the previous permission. The main changes can be summarised as follows; Condition 1 refers to an amended layout plan, Condition 2 has been added to require a Construction Management Plan prior to the commencement of development, Condition 3 now requires the submitted Boundary Treatment Plan to be implemented, Condition 4 refers to the latest plans the application is to be built to, Condition 5 has been updated to reflect the proposed materials and all of the subsequent conditions have been altered, where relevant, to reflect the most recent plans.

3.0 Information

Relevant Planning History

KET/2015/0564 – All details in respect of KET/2014/0357 for 22 dwellings and supporting infrastructure. To be considered at Planning Committee on 28/01/2016.

KET/2014/0357 – Variation of Conditions 18 (Code for Sustainable Homes), 19 (Lifetime Homes), 22 (Interim Design Stage Assessment Certificate), 42 (Access to A14), and Removal of Condition 45 (Deeble Road/Windmill Avenue junction works) of KET/2013/0514. Approved 08/01/2015.

KET/2013/0695 – Variation of conditions of KET/2013/0514. Approved 13/10/2014.

KET/2013/0514 – Variation of conditions of KET/2008/0274. Approved 30/05/2014.

KET/2013/0213 – All details in respect of KET/2014/0357 for 325 dwellings and related development. Approved 08/01/2015.

KET/2008/0274 – Outline permission for 5500 dwellings and associated infrastructure. Approved 01/04/2010.

KET/2007/0694 – Outline permission for 5500 dwellings and associated infrastructure. Approved 01/04/2010.

Site Description

Officer's site inspection was carried out on 20/11/2015.

This reserved matters application site is approximately 9.78 hectares in area and is part of a larger site which is 328.5 hectares. This wider site was granted planning permission in 2010 under permission KET/2007/0694, which was revisited in 2013 and 2014 with amended permissions KET/2013/0514, KET/2013/0695 and KET/2014/0357. This latest reserved matters application seeks permission for an amended scheme relating to parcels R7, R9 and R10 of the East Kettering site, as shown on the approved strategic master plan for the East Kettering 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.

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. This is an amended scheme seeking to alter some plot types and locations approved as part of permission KET/2013/0213.

Any Constraints Affecting the Site

C Road to the west.

Hedgerows run adjacent to the site.

Public Right of Way.

4.0 Consultation and Customer Impact

Given the time period the application has been with the Local Planning Authority and the periods of consultation 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.

However, because of the timing a number of consultations are outstanding. In this case, given the circumstances that this Reserved Matters application is very similar to KET/2013/0213 which has already been through committee and has a signed S106 and is approved it is expected that there will be similar views expressed from the consultation process this time. Therefore we have taken into account what has been stated before in order to make an assessment of this current application and the relevant supporting material. Also, there are ongoing discussions with key consultees such as NCC Highways, NCC Lead Local Flood Authority and the

Environment Agency. Thereby, it is an informed consideration of this Reserved Matters application.

The recommendation is reflective of the timing issue and the need to ensure we consider any new objections that are not covered in the report.

Barton Seagrave Parish Council

No objection provided that the scheme meets Level 4 of the Code for Sustainable Homes.

Archaeology – Northamptonshire County Council

No objection. However, as no archaeological works have been undertaken on the area for the drainage scheme to the south a condition is required to ensure assessment is undertaken in this area prior to commencement of development.

Environmental Health

No objection. A condition suggesting a Construction Management Plan has been put forward.

Lead Local Flood Authority

Having reviewed the applicant's submitted Surface Water Drainage information (Located within Stage 2 Flood Risk Assessment in Support of Discharge of Planning Conditions C6(i), C61, C64 and C65 Prepared by Peter Brett Association Document reference number 25134/010/01 Revision E dated May 2014, along with Technical note prepared by Wormald Burrows Partnership Limited dated 4th September 2015 with the Flood Routine Plans, Drainage Area Plan, S104 plans, Drainage Layout, Micro Drainage Calculations), we would advise that the impacts of surface water drainage have been adequately addressed at this stage.

Highways England

No objection.

Northamptonshire Highway Authority

The submitted dimensions for two of the proposed internal garages do not conform to the minimum requirement set out in Northamptonshire Highways Standing Advice document supplied to Local Planning Authorities. The affected house types are The Cheadle and H408. The minimum clear internal dimensions for a single garage should be 3.2m wide x 6.0m deep.

The second point relates to the turning head at the north of the site marked as a future access point. Although it is recognised that the turning head is a temporary feature it should nevertheless be formed correctly in relation to the cycle track and not overlap as promoted. I have added a suggested alignment for the cycle track which also doubles up as the service margin for the turning head. The arrangement can be put back to that submitted if and when the access road is built and the turning head removed.

The submitted travel plan is acceptable.

KBC Housing

No objection to the latest proposal.

North Northamptonshire Badger Group

No objection.

Environment Agency

No objection.

Northants Police Crime Prevention and Design Advisor

No objection, but the following concerns should be addressed by condition: a lighting scheme regarding communal areas will need to be submitted to achieve Secured by Design. Boundary treatment is generally acceptable. Rear accesses to plots D127, B72 and B151-154 could be improved. Defensive planting could improve the scheme, so more details are required regarding this.

Neighbours

An objection has been received from a neighbouring resident relating to Plot B16,

house type Warwick. The concerns raised relate to increased overlooking, additional noise generated by the future occupants of this plot and the fact that the proposed buffer zone will take several years to mature and provide adequate levels of privacy for the existing residents on the east side of Warkton Lane. A second objection has also been received, again raising concerns about proposed three storey dwellings facing onto the rear of existing dwellings along Warkton Lane, thereby impacting on the privacy of existing residents. (Warwick then, Warwick now B16)

5.0 Planning Policy

Ministerial Statement

In a Ministerial Statement on the 25th March 2015 (Written Statement to Parliament) it was confirmed that from 1st October 2015 housing technical standards would be introduced in England. These technical standards include the removal of the Code for Sustainable Homes and the dilution of Lifetime Homes Standards, moving the responsibility for sustainable construction requirements and design flexibility from the planning system to be covered by Building Regulations.

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 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

Emerging Policy

Draft North Northamptonshire Joint Core Strategy (JCS)

Policy 6 of the existing CSS will be incorporated within Policy 10 of the emerging JCS. The principles of the two policies are very similar. Policies 1 and 13 of the CSS would be split across emerging Policies 1, 8 and 9, which incorporate place-shaping principles and sustainable building. Policy 14 of the CSS would be replaced by emerging Policy 9.

Following the announcement through the Written Ministerial Statement to Parliament stated above the emphasis of sustainable construction will go from the planning system to be included within the Building Regulations. Policies 15 and 16 are included in emerging Policies 2 and 30. Following Government announcements Policy 2 states that all new dwellings must meet Category 2 of the national Accessibility Standards as a minimum and the LPA will negotiate for a proportion of Category 3 (wheelchair accessible) housing based on evidence of local need. Policy 30 of the emerging JCS refers to space standards.

6.0 Financial/Resource Implications

This Reserved Matters application (if approved) is to be read in conjunction with the outline permission KET/2008/0274 and KET/2014/0357 and relevant Section 106 Agreements.

7.0 Planning Considerations

The key issues for consideration in this application are:-

1. Principle of Development
2. Access
3. Design Code
4. Layout
5. Design, Character and Appearance
6. Sustainability
7. Landscaping
8. Drainage and Flooding
9. Ecology
10. Archaeology
11. Construction Management
12. Land Contamination and Noise
13. Residential Amenity
14. S106

1. 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, if regard is had to the 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. Following the granting of permission under KET/2013/0514 this was further amended by KET/2014/0357, which sought to further vary certain conditions relating to Code for Sustainable Homes, Lifetime Homes and vehicular access. The outline permission for this particular application is therefore KET/2014/0357. 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

In 2013 an application was submitted by the current applicants for 325 dwellings and associated infrastructure on parcels R7, R9 and R10. Permission was granted on the 8th January 2015. This latest application seeks to vary the design and layout of that permission in order to alter some plot types, some plot locations and to widen the highway. It is considered that the proposal accords with both national and local planning policy (the Development Plan) and this is demonstrated in the subsequent

sections of this report.

2. Access

Access to the site, from the junction of Warkton Lane and Deeble Road, was approved under the approval of condition application AOC/0274/0803 on the 3rd March 2014. The outline planning permission for East Kettering 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, is approved and is due to be implemented in spring 2016.

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. The access to the site along with the road layout proposed is considered to be acceptable in principle by the Local Highways Authority. Comments were received from the Local Highways Authority relating to the turning head and cycle track at the north of the site. Following amendments to the turning head NCC Highways now consider this arrangement to be acceptable. Details including surface treatments have been submitted with the application and are considered to be acceptable. A condition requiring the development to be carried out in accordance with the submitted details is therefore proposed.

3. 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. A Design Code Compliance Statement has been submitted with this application to demonstrate that the proposal accords with the Design Code approved by Members in March 2013. The following paragraphs discuss the key principles within the Design Code and how this proposal accords with them:

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 architectural interest across the East Kettering site. The code sets out five character areas for the East Kettering development. This application falls within the Boughton End Character Area. Boughton End will have a 'formal and

relatively urban character'. The following key design principles, which this application is considered to accord with, 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 includes other mandatory requirements such as 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.

4. Layout

This latest reserved matters application seeks to make minor alterations to the layout of the scheme approved under KET/2013/0213. The alterations include the repositioning of some plots and the substitution of some house types as shown on the Plot Identification Plan 1301-05A submitted with the application, along with the widening of the pedestrian footway in places to a width of at least 1.5 metres from 0.6 metres to ensure it complies with the requirements of the Local Highways Authority.

Street Network

As with the previously approved application two types of primary street are located on this reserved matters site. 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 Warkton Gardens. As required by the East Kettering Design Code this have a formal and impressive character, terminating with a view of Warkton Gardens. As you enter the reserved matters site from Access D there will be a direct view of the formal gardens at the western end. This will help to provide an attractive setting for the development and encourage an integrated relationship between the Primary Streets and the open space.

The surfacing materials of the Primary Street 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 Design Code. A condition is recommended to ensure all surfacing materials used within the different spaces within the site create a visually cohesive development. The amendments to the Primary Street layout from that previously approved are minimal, although there are some noticeable alterations in addition to the overall widening to comply with NCC Highways requirements. In the southeast corner of the site an additional access road will be added, referred to Access 9 on drawing 1301-05A, and the chicane/corner treatment in the northeast corner of the site has been altered to minimise the visual impact of the amount of hard surfacing.

Pedestrian and Cycleways

There will be a pedestrian and cycle access point at the south western edge of the development where the proposed development links with Ridgway Road. A further cycle/pedestrian access will be provided in the north west section of the site adjacent to Warkton Lane. Neither access will offer vehicular access. The environment for pedestrians and cyclists within the site is considered to be well designed and the development offers connections to the existing pedestrian and cyclist network.

Layout of Dwellings

As stated above the proposed layout has not been significantly altered from that approved under KET/2013/0213. However, this proposal will strengthen the perimeter block as the dwellings are laid out in a manner that creates a strong building line with very few elements set back behind this line, save for the detached garages. It is considered that the proposed layout will achieve visual continuity through the incorporation of a continuous built frontage, using tree lined primary streets, consistent set back distances and regular spacing of buildings as was the case with the previous application. Dwellings address the public realm and turn corners well. The layout of the dwellings forming the gateway into the site from Access D is well designed, with dwellings on the north and south sides of the

Primary Street relating well to be another and forming a strong frontage to the street.

Garages

There are six proposed detached garage types for this scheme. They comply with the Northamptonshire County Council Highways Standing Advice that requires single detached garages to be a minimum of 3.2 metres wide and 6 metres deep and double garages to be a minimum of 5.5 metres wide and 6 metres deep. The submitted garage types plan demonstrates that the garage designs are designed in a manner appropriate for this development and will sit comfortably within the wider East Kettering site.

The Cheadle and H408 house types feature integral garages that do not comply with NCC standards. There are a total of 7 dwellings affected. Of the dwellings affected a total of 4 will have an additional one parking space clear of the highway and 3 will have two parking spaces. As such it is considered that there is more than sufficient parking space for the 7 dwellings that have integral garages that are smaller than NCC Highways requirements.

Warkton Gardens (North)

The Design Code approved as part of the outline planning permission for East Kettering sets out how Warkton Gardens could be developed. This key open space is made up of two halves with the northern section falling within this application site. The northern section of Warkton Gardens 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.

Parking

The proposal incorporates a mixture of parking solutions with tandem and parallel parking spaces provided, single and double garages for certain plots and some small areas of parking courtyards close to the areas referred to as Central Courtyards on the submitted plans. The larger family dwellings 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 are also included as parking options. Wherever possible parking spaces sit either adjacent to or within surveillance of the property to which they belong and if not they are overlooked, such as those next to the Central Courtyards. There are no large parking-only courtyards within the scheme, in accordance with the requirements of the Design Code.

There is however a total of 7 units with integral garages which fall short of the requirements of NCC Highways Standing Advice, as stated above. Of these only 4 dwellings will provide less than 2 additional parking spaces clear of the highway and thus, in the context of the whole site, it is considered that there is sufficient off-street parking and this will not result in a poor environment for the future occupants of the development.

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 and this proposal complies with those requirements. Where properties have back-to-back relationships, such as Plots B16-19, which back onto the existing dwellings on Warkton Road, the separation distance is in excess of the required 21 metres in the Design Code. In fact in this area it is a minimum of 25 metres along this boundary.

Plot B16 has not been altered from that previously approved and whilst concerns have been raised as set out in Section 4.0 above regarding overlooking this latest scheme will not alter the amount from the proposed dwelling. There is a significant clearance distance from the rear elevation of the proposed dwelling to the rear elevation of the existing dwelling of at least 30 metres and the new rear garden of Plot B16 will measure 11 metres by 11 metres. Coupled with the 5 metre wide screen buffer zone, proposed boundary treatment and the detached garage the amount of overlooking towards 94 and 96 Warkton Lane resulting from this plot will be minimal.

The only alteration in this area from the scheme approved under KET/2013/0213 is the plot type substitution of B17, which will now be a 2.5 storey dwelling. The windows in the roof slope to the rear of the dwelling will be rooflights only, thereby minimising the opportunity for overlooking of neighbouring gardens. This house type has also been amended to alter the rooflights so that the opportunity for overlooking the rear gardens of the dwellings along Warkton Lane is further minimised. The proposed rooflights will have a minimum internal height of 1.8 metres as it will be extremely difficult to look down towards the rear gardens of 94 and 96 Warkton Lane, thereby preventing overlooking from these rooflights. The separation distance between plot B17 and those existing properties affected is over 30 metres and the proposed planted buffer zone will further prevent loss of privacy.

Plot B20, to the south of B16-19, will be built with its side gable facing on to 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.

Plots B20 to B23 back onto the gardens of existing properties on Warkton Lane and Ridgeway Road. No alterations to the design or layout of those approved under KET/2013/0213 are proposed. Given that it was previously considered that the depth of the new rear gardens (minimum of 10.5 metres) was an acceptable distance between the new dwellings and their rear boundary with existing properties it is considered that this continues to be the case. The relationship between the existing and new properties in this location is therefore considered to be acceptable. To prevent any potential future impact upon living conditions a condition is proposed to remove permitted development rights for the proposed dwellings that will back onto 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.

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. Whilst the house type has been altered the dwelling still has sufficient distance between it and the existing houses to prevent a detrimental impact upon residential amenity.

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.

Affordable Housing

65 of the 325 dwellings (20%) will be affordable in accordance with the requirements of the revised Section 106 agreement for East Kettering. It is considered a good mix of affordable dwellings has been achieved. The 65 affordable units comprise:

18 x 1 bed dwellings

28 x 2 bed dwellings

19 x 3 bed dwellings

The position of these units is considered is to be acceptable both from the point of

view of integrating market and affordable units but also from a Registered Social Landlord management perspective.

The applicants indicated that they would over-provide on this proposal by one unit in order to address a shortfall in the number of affordable units provided with application KET/2015/0564. The additional affordable unit has not been provided with this scheme; the percentage of affordable units proposed with this application is exactly 20%.

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. There are no poorly designed alleyways as a result.

5. Design, Character and Appearance

The proposed development will comprise a mix of David Wilson and Barratt house types which incorporate a mix of detached, semi-detached and terraced properties. David Wilson homes will be built in the north section – Parcel R7 – and Barratt homes will be built in the south – Parcels R9 and R10. The scheme contains a variety of roof ridge heights but the majority are two storeys, with some two and a half storey dwellings reflecting the built form of the existing neighbouring developments. 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 of this largely reflects the layout and design of the proposal previously approved under KET/2013/0213.

The gateway area will provide the development with the entrance it deserves with the positioning and appearance of dwellings, soft landscaping and the view of the avenue of trees and park beyond combining to achieve a successful gateway. Corner buildings have been used in the development to help define spaces and emphasise legibility of the development. 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. It is considered that the proposed design will accord with Policy 7 of the National Planning Policy Framework and Policy 13 of the North Northamptonshire Core Spatial Strategy in respect of design.

Overall this proposal is very similar to the previous Reserved Matters approval and has relatively few small scale changes such as the increase in the widths of some of the highways to comply with NCC Highways requirements, the increase in sizes of detached garages and various house type changes as discussed above. These alterations are all supported and have no further impact upon the surrounding area than before.

6. Sustainability

When outline approval was granted in 2010 the outline planning conditions rightly imposed the highest possible standards of sustainability on this development. This demonstrates that the Sustainable Urban Extension would be sustainable and would deliver a quality place. The current outline condition requires dwellings completed after the 1st January 2016 to be Level 6 of the Code for Sustainable Homes. All properties should also meet Lifetime Homes standards. The 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 being included as part of the planning system. The Code for Sustainable Homes is being wound down and it is likely that Building Regulations will require future dwellings to achieve somewhere close to current Level 4 of the Code for Sustainable Homes. A key message from the current Government is that there is a balance to be struck between meeting on-going commitments to improving energy efficiency and ensuring that this does not stifle growth.

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 amended sustainability statement was submitted with the previous permission on 31.01.2014 which demonstrates that the development 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 dwellings proposed will be far in excess of Level 3 of Code for Sustainable Homes, with a total of 6 dwellings being above Code for Sustainable Homes Level 4. This is a far higher level of in-built sustainability than previously approved under

KET/2013/0213. It is considered that given this was considered to be acceptable under KET/2013/0213 and the applicant has submitted further confidential viability information. This demonstrates there has been substantial cost increases since permission was granted this level, which is not far below the equivalent of Code for Sustainable Homes Level 4, is acceptable.

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 as demonstrated by the confidential viability assessment submitted by the applicant. However, in spite of this the applicant will endeavour to achieve the highest possible standards on this site, as demonstrated above. It is also important to bear in mind that this accords with the latest government position.

7. 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 and 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, as was the case with the previous Reserved Matters approval.

8. 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 19th December 2013. This reserved matters application 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 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 was approved under reserved matters application KET/2013/0781 on the 3rd March 2014. The Lead Local Flood Authority has assessed the proposed surface water drainage scheme and confirms that the proposal is suitable.

9. Ecology

The outline planning permission KET/2008/0274 and the varied outline permission KET/2013/0357 requires that the development be carried out in accordance with a number of ecological mitigation strategies and recommendations. Natural England and the Northants Wildlife Trust have both been consulted on this reserved matters application and no objections have been received.

Previously Natural England stated that the development is unlikely to affect protected sites, landscapes, great crested newts and bats. The Northants Wildlife Trust added that previously submitted surveys under KET/2013/0213 were 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 as a result of this latest reserved matters application. The proposed development is therefore considered to be in accordance with Policies 5 and 13 of the North Northamptonshire Core Spatial Strategy and Policy 11 of the National Planning Policy Framework.

10. Construction Management

The outline planning conditions require a construction management plan prior to commencement of development on a parcel. This latest application lacks a construction management plan for parcels R7, R9 and R10, although the previously approved plan under KET/2013/0213 is considered to be satisfactory. A condition is therefore proposed that the previously approved construction management plan should be used for this latest application. Provided this is the case the application will accord with Policy 13 of the North Northamptonshire Core Spatial Strategy in respect of amenity during the construction phase of the development.

11. 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, which was 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 as the land to the southeast, where the proposed drainage works are to be located, has not yet been assessed. It is therefore considered that this application is acceptable with respect to archaeological matters and as such accords with Policy 30 of the National Planning Policy Framework and Policy 13 of the North Northamptonshire Core Spatial Strategy.

12. 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/2013/0357. This condition requires specific matters to be submitted and approved by the Local Planning Authority before development can commence on site. No information regarding contaminated land has been submitted as part of this reserved matters application. As such, the overall requirements with respect to contamination have not been fully met. This does not affect the determination of this 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 and has raised no further concerns, except that the Construction Management Plan should be updated prior to commencement of development. A condition requiring the Plan to be updated will ensure the proposal is in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

13. Residential Amenity

As discussed above in Section 4 of this report two objections have been received from neighbouring residents who are primarily concerned about overlooking from plots B16 and B17. Plot B16 has not been altered whatsoever from that approved under KET/2013/0213 and plot B17, which is now a Warwick house type and thus 2.5 storeys, has been designed in such a way as to minimise overlooking of existing dwellings to the rear. This has already been discussed in detail above and therefore the impact upon residential amenity as a result of this latest application is considered to be no greater than that resulting from the proposal approved under KET/2013/0213. As such the proposal is considered to accord with Policy 13 of the North Northamptonshire Core Spatial Strategy in respect of amenity.

14. S106

The revised S106 entered into by Alledge Brook does not bind the current Hallam Land, Taylor Wimpey and Persimmon application sites. This parcel is now included as part of a separate S106 agreement with Hallam Land and therefore a further deed of variation is not required because in the S106 agreement with Hallam Land there is a legal provision that enables Hallam Land to submit new applications to vary existing permissions without the need for additional Deeds of Variation.

Conclusion

The development proposed in this reserved matters application will deliver 325 high quality, well-designed new homes, both market and affordable housing. A formal urban character will be achieved as required by the approved Design Code for East Kettering. The Avenues, site gateway and Warkton Garden will provide attractive architectural and landscape features and thus a high quality framework for the development.

The overall layout of street and connections will contribute to the creation of a permeable and legible public realm and the scheme will include connections to the existing pedestrian/cyclist network along with future opportunities to link the development with surrounding parcels. The access and movement within the site is considered to be well-designed. The scale and appearance of the proposed dwellings is considered to be appropriate, which will create a well-designed and high quality development. 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 for future occupants of the development, along with those of existing neighbouring residents.

This reserved matters application represents a small alteration to that approved under KET/2013/0213 and the alterations are considered to be in accordance with

the Development Plan and the principles of the National Planning Policy Framework.
It is therefore recommended that this reserved matters application be approved.

Background Papers

Previous Reports/Minutes

Title of Document:

Ref:

Date:

Date:

Contact Officer: Alan Davies, Development Officer on 01536 534316

