

BOROUGH OF KETTERING

Committee	Full Planning Committee - 19/07/2016	Item No: 5.2
Report Originator	Andrew Smith Senior Development Officer	Application No: KET/2016/0321
Wards Affected	All Saints	
Location	11-12 Newland Street, Kettering	
Proposal	Full Application: Demolition of existing units and construction of 2 no. retail units and 28 no. flats	
Applicant	Mr K Odunaiya PlayNest 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 (1) that this application be approved subject to the following conditions; (2) the receipt of acceptable surface water drainage information which overcomes the Lead Local Flood Authority comments and; (3) additional drainage related planning conditions if required. It is recommended that delegated authority is given to Officers to resolve Parts (2) and (3) set out above.

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended) and to prevent an accumulation of unimplemented planning permissions.

2. The development hereby permitted shall not be carried out other than in accordance with the approved plans referenced as follows: 15-049-P1; 15-049-P2A; 15-049-P3E; 15-049-P4B; 15-049-P5E; 15-049-P6C.

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

3. No development shall commence on site until details of the types and colours of all external facing and roofing materials to be used, together with samples, have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

REASON: Details of materials are necessary prior to the commencement of development in the interests of the visual amenities of the area in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

4. No development shall take place on site until full details of all windows (including their surrounds and glazing bars), doors and shopfronts have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

REASON: Details are required prior to commencement of development in the interests of protecting the character and appearance of the site's surroundings in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

5. Prior to the first occupation of the development full details of a scheme for the storage of refuse, including a programme of management and maintenance of the facilities to be provided, shall be submitted to and approved in writing by the Local Planning Authority. The use of the development shall not commence until the approved scheme has been fully implemented, the scheme shall be retained as approved at all times thereafter.

REASON: In the interests of general amenity and to ensure that no obstruction is caused on the adjoining highway in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

6. No development shall take place until a programme of archaeological work, in accordance with a written scheme of investigation, has been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details.

REASON: These details are required prior to the commencement of development, to ensure that features of archaeological interest are properly examined and recorded, in accordance with Policy 12, Paragraph 141 of the NPPF.

7. No development shall take place on site until a scheme for boundary treatment has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved scheme has been fully implemented in accordance with the approved details.

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

8. Prior to the commencement of development a Demolition and Construction Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period and the approved measures shall be retained for the demolition and construction works unless otherwise agreed in writing by the Local Planning Authority.

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

9. Construction works audible at the site boundary shall not exceed the following times: Monday to Friday 0800-1800 hours, Saturday 08:30 to 13:30 hours and no

time whatsoever on Sundays or Public / Bank Holidays. This includes deliveries to the site and any work undertaken by contractors and sub-contractors.

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

10. Prior to the commencement of development an Air Quality Assessment assessing the impact of local air quality on occupiers of the approved development against the National Air Quality Standards and Objectives shall be submitted to and approved in writing by the Local Planning Authority. The document to be submitted shall identify exceedances of the air quality objectives in addition to any associated mitigation measures required to reduce exposure. All approved mitigation measures shall be implemented in full prior to the first occupation of the development and shall be retained at all times thereafter.

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

11. Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until parts B to D have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition D has been complied with in relation to that contamination.

B. Submission of Remediation Scheme

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

C. Implementation of Approved Remediation Scheme

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

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

D. Reporting of Unexpected Contamination

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

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy 11 of the NPPF and 13 of the North Northamptonshire Core Spatial Strategy.

12. Prior to the commencement of development a scheme for achieving the noise levels outlined in BS8233:2014 with regard to the residential units hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall give consideration to the impact of noise from the ground floor retail units hereby approved, nearby retail/commercial premises and transport sources. The approved scheme shall be fully implemented prior to the first occupation of the residential units hereby approved and shall be maintained in its approved state at all times thereafter (i.e. no alterations shall be made to the approved structure, including roof, doors, windows, external facades, internal layout, noise barriers, etc).

REASON: In the interests of safeguarding the residential amenity of future occupants in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy and the guidance contained within the National Planning Policy Framework.

13. The ground floor retail premises hereby approved shall not be open to the public before 0700 hours or after 1900 hours on Mondays to Saturdays, nor before 1000 hours or after 1600 hours on Sundays and Bank Holidays.

REASON: In the interests of safeguarding the residential amenities of nearby occupants in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy and the guidance contained within the National Planning Policy Framework.

14. No vehicles making deliveries to the ground floor retail units hereby approved shall enter or leave the site except between the hours of 0700 and 1900 Mondays to Saturdays. There shall be no deliveries, or operation of plant or machinery on Sundays or Bank Holidays.

REASON: In the interests of safeguarding the residential amenities of surrounding occupiers in compliance with Policy 13 of the North Northamptonshire Core Spatial Strategy and the guidance contained within the National Planning Policy Framework.

15. Prior to the first occupation of the development hereby approved a Travel Plan indicating how it is intended to encourage and implement proposals which will result in a reduction in the need for car borne traffic to/from the site (to include full details of the car-pooling facility and cycle storage facilities on-site) shall be submitted and

approved in writing by the Local Planning Authority. The Plan shall be implemented in full accordance with the approved details and shall provide for periodic review.

REASON: In the interests of sustainability in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

16. No development shall take place until a plan prepared to a scale of not less than 1:500 showing details of existing and intended final ground and finished floor levels has been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

REASON: Finished Floor Levels are necessary prior to commencement to preserve the character of the area in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

17. Notwithstanding the provisions of Schedule 2, Part 3 of The Town and Country Planning (General Permitted Development) Order 2015 (as amended), the ground floor retail units hereby approved (annotated Number 11 and Number 12, Newland Street upon approved plan 15-049-P3E) shall be used only for retailing (Use Class A1) and for no other purpose whatsoever.

REASON: To ensure a retail presence within a designated primary shopping frontage in accordance with Policy 3 of the Kettering Town Centre Area Action Plan and the guidance contained within the National Planning Policy Framework.

18. This permission is for 28no. flats located across a total of four stories of accommodation (as annotated on approved floorplans 15-049-P3E & 15-049-P4B) and for 2no. ground floor retail units providing a combined gross internal floor space of 171 sq. m (as annotated on approved floorplan 15-049-P3E).

REASON: For the avoidance of doubt and to guard against any potential overdevelopment of the site in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy and the guidance contained within the National Planning Policy Framework.

Officers Report for KET/2016/0321

This application is reported for Committee decision because there are unresolved, material objections to the proposal.

3.0 Information

Relevant Planning History

KET/2015/0708 Demolition of existing units. Construction of 2no. retail units and 32no. flats (Withdrawn)

Site Description

Officer's site inspection was carried out on 20/05/2016.

The site contains a mixture of 2no. and 3no. storey built form that fronts Newland Street within Kettering town centre. The buildings form part of a terraced frontage that runs the eastern side of Newland Street. The buildings are vacant, predominantly boarded up and in a state of disrepair. Within the rear portion of the site is located a hard-surfaced yard area (currently bound with temporary timber boarding for security purposes); the yard also contains a derelict brick-built structure that abuts the rear western boundary of the site where St. Andrews Street is located.

On the opposing side of Newland Street to the west is located the Newlands Shopping Centre. To the north of the site is located the Wilkinsons store, the blank flank wall of which runs the entire northern boundary of the site at a height of approximately 2no. storeys. To the east of the site, beyond St. Andrews Street, there is a notable residential presence – including a development site for 9no. dwellings that immediately opposes the site. To the south of the site there runs a publically accessible footpath that links Newland Street to St. Andrews Street; on the footpaths southern side is positioned a short terrace of 3no. 2-storey properties that front Eden Street and neighbouring commercial buildings that front Newland Street (these are served by rear yard / parking areas, similar to the application site itself). The Kettering Conservation Area abuts the application site and encompasses the neighbouring terrace of residential properties on St. Andrews Street and further land to the south and east (including the development site that opposes the site).

Proposed Development

It is proposed that the existing built form on site be demolished and subsequently replaced by a development of up to 4no. storeys in height. To the Newland Street frontage of the site the proposed development would cover the full width of the site and would incorporate 2no. integral retail units at ground floor level – these would provide 83 and 87 sq. m of internal floor area respectively. It is proposed that traditionally styled ground floor shopfronts be provided, above which brick-built elevations are proposed to be articulated by sash-style windows and stone detailing, including quoining to the sides of the buildings. Dual-pitched roof elements are also proposed to the Newland Street facing part of the works – flat-roofed elements would be introduced to the rear (east).

Above and to the rear of the retail units it is proposed that a total of 28no. flats be constructed (8no. 1-bed flats and 20no. 2-bed flats). These would be positioned around a courtyard area to be kept clear of development to the southern side of the site. To the eastern side of the site the scale of development would reduce to a mix of 3no. and 2no. storey built form. The proposals incorporate glazed stairwell elements, designated bike and bin storage areas as well as 3no. off-street car parking spaces – all accessible from St. Andrews Street to the east.

Any Constraints Affecting The Site

Adjacent to Kettering CA (Conservation Area)

Primary Shopping Frontage – Newland Street

Consultation and Customer Impact

Highway Authority: No objection, the door to the cycle store should be widened to assist with manoeuvring cycles. 1no. cycle space per unit should be provided – any shortfall within the main cycle store should be supplied elsewhere; e.g. inside the dwellings themselves.

KBC Environmental Health: No objection subject to planning conditions being applied to secure a Demolition and Construction Method Statement, an Air Quality Assessment, a remediation scheme, a noise scheme (to ensure appropriate noise levels for the residential units) and appropriate working hours.

KBC Housing: A 30% requirement for on-site affordable housing would equate to 9no. units, it would however be difficult to separate the affordable dwellings from the market dwellings. A commuted sum for off-site provision would normally be looked for in such circumstances. The assumptions that have been made in the submitted viability report seem reasonable; furthermore the report has used the widely accepted toolkit designed by the HCA. With developer profit forecast to be low, the Council is not able to seek a commuted sum for affordable housing in this case.

NCC Lead Local Flood Authority: There is currently insufficient information available to comment upon the acceptability of the proposed surface water drainage scheme. Further modelling of drainage rates and consideration to future maintenance and adoption arrangements for the surface water drainage system is required.

NCC Archaeology: The site lies in a medieval part of Kettering, there is potential for remains of archaeological interest to survive on site – albeit truncated by more recent activity. Adequate provision for the investigation and recording of any remains to be affected should be secured via an appropriately worded planning condition.

Northants Police: Concerns with respect to the proposed development,

comments raised in respect to the specification of the proposed bin store, the narrow and unappealing nature of the adjacent footpath and the ease of accessibility to the courtyard area. Appropriate door, window and alarm system specifications have been stated. The low level of car parking to be brought forward could lead to inappropriate parking and neighbour disputes.

The Victorian Society: Objection to the demolition of 11-12 Newland Street, which would harm the character and identity of the local area. Ways in which the buildings could be retained should be explored. The buildings have evident historic and architectural interest and are non-designated heritage assets; a detailed historic building assessment is required. Demolition would be harmful to the setting of the Kettering Conservation Area.

Neighbours: Notification letters were sent out to close proximity occupiers. 1 no. response was received and can be summarised as follows:

4 Eden Street: Objection - whilst pleased about the concept for the site, there are concerns about the lack of parking being provided. The proposed level is unrealistic for the number of people and families taking residence. Transport and parking issues within the area would be anticipated.

Planning Policy

National Planning Policy Framework:

Policy 2: Ensuring the Vitality of Town Centres

Policy 6: Delivering a wide choice of high quality homes

Policy 7: Requiring good design

Development Plan Policies

North Northamptonshire Core Spatial Strategy

Policy 1 - Strengthening the Network of Settlements

Policy 6 - Planning for Sustainable Economic Growth

Policy 7 – Delivering Housing

Policy 9 - Location of Housing

Policy 10 - Distribution of Housing

Policy 13 – General Sustainable Development Principles

Policy 14 - Energy Efficiency and Sustainable Construction

Policy 15 – Sustainable Housing Provision

Local Plan:

Saved Local Plan Policy 35 – Housing within towns

Kettering Town Centre Area Action Plan (AAP)

Policy 1 - Regeneration Priorities

Policy 2 - Urban Quarters, Urban Codes and Development Principles

Policy 3 - Primary Shopping Area (Primary and Secondary Frontages) and the Evening Economy.

Policy 6 - Residential

Policy 12 - Heritage, Conservation and Archaeology
Policy 15 - The Shopping Quarter

Emerging North Northamptonshire Joint Core Strategy - this is at an advanced stage following examination – formal adoption is expected in July 2016. Significant weight can therefore be applied to the policies contained within; the following policies are relevant to this application:

Policy 2: Historic Environment

Policy 8: North Northamptonshire Place Shaping Principles

Policy 12: Town Centres and Town Centre Uses

Policy 29: Distribution of New Homes

Policy 30: Housing Mix and Tenure

Supplementary Planning Guidance:

North Northamptonshire Sustainable Design SPD

Financial/Resource Implications

None

Planning Considerations

The key issues for consideration in this application are:-

1. Principle of Development
2. Design & Visual Appearance
3. Heritage & Conservation Area
4. Crime Prevention
5. Residential Amenity
6. Highways & Parking
7. Drainage
8. S106 & Affordable Housing

1. Principle of Development

The site is located within Kettering town centre and is positioned with the 'Shopping Quarter' as designated by the Kettering Town Centre Area Action Plan (CAAP). The Shopping Quarter is the focus for retail development supported by residential development where it supports or complements the retail focus. The CAAP also sets out objectives to make more efficient use of finite town centre land (recognising that surface car parking is an inefficient use of land) and to increase the town centre residential population in order to support its facilities, services and shops. The site forms part of a designated Primary Shopping Frontage – the focus for retail within the Plan Area. The proposed development, which includes ground floor retail units within a designated shopping frontage in addition to the provision of residential units, therefore accords with the principles set out in the CAAP (Policies 1, 2, 3, 6 and 15).

In accordance with Policy 6 of the CAAP, the scheme, which is comprised solely of flats, is focused upon a central site where space is at a premium and where the flats would form part of a vertical mix of uses (i.e. A1 retail being positioned at ground floor level). Furthermore, a healthy mix of 1-bed and 2-bed flats is proposed and the emphasis is not placed upon 1-bed units (i.e. only 8no. of the total 28no. residential units).

In terms of national policy, it is considered that the scheme complies with the policy guidance contained within the National Planning Policy Framework (NPPF). Policy 2 of the NPPF seeks to ensure the vitality of town centres. Town centres are recognised as sustainable centres for growth, the policy also recognises the important role that residential development can play in ensuring the vitality of centres. Policy 6 of the NPPF notes that residential applications should be considered in the context of the presumption in favour of sustainable development and that a mix of housing provision should be planned for.

The proposals are also in accordance with Development Plan policy. Policies 1, 9, 10 and 12 of the North Northamptonshire Core Spatial Strategy (CSS) direct development to existing urban areas and indicate that Kettering is classified as a 'Growth Town' and a focus for retail and housing development. Furthermore, Emerging Policy 12 of the North Northamptonshire Joint Core Strategy (JCS) supports a vibrant mix of retail, employment, leisure and cultural facilities to be supported by the provision of additional residential uses on appropriate sites.

The principle of the proposed retail and residential redevelopment of the site is, therefore, established. The scheme would make efficient use of an underutilised, vacant and derelict site. The parcel of land in question currently detracts from the character and appearance of the town centre and offers nothing to support its vitality and viability. It is noted that the proposed redevelopment of the site would be largely residential-led; 2no. relatively small retail units would result from the scheme (83 sq. m and 87 sq. m respectively). These units would however provide an important retail presence at street level within a defined Primary Shopping Frontage and would be of sufficient size and presence to contribute positively to the retail offer in this central part of the town. The provision of 28no. residential flats would also undoubtedly support the vitality of the town centre. Whilst the principle of development is supported, this is subject to the following detailed consideration of site specific issues related to such matters as the design of the scheme and its impact upon surrounding residential amenity.

2. Design & Visual Appearance

The proposed scheme is substantial in terms of its scale (up to 4no. storeys in height), its massing and its footprint coverage of the site. It is therefore particularly important to consider the visual implications of the scheme, and to do so in the context of the presence of the Kettering Conservation Area (which abuts the rear eastern boundary of the application site). Following the withdrawal of a previous application KET/2015/0708 at the site (i.e. a past iteration of this scheme), the applicant has engaged positively in pre-

application discussions with the Council in the interests of finding a suitable solution to developing out the site whilst being respectful of the character of the site's surroundings and attempting to ensure that an overdevelopment of the site does not occur.

The newly proposed Newland Street elevation represents the frontage of the site. Newland Street is located within the Primary Shopping Area of the town and is a well-used route with bus stops and the Newlands Shopping Centre in-situ. It is therefore of particular importance that an attractive and visually appropriate front-facing elevation is brought forward, i.e. that picks up on the positive design cues offered by surrounding built form in the vicinity of the site. In the interests of moderating the visual prominence of the works, dual-pitched roof forms of variant heights were agreed with the applicant as an alternative to front-facing gable features. Half-dormer windows would be used to the front-facing elevation of the southern element of the proposed built form. It is considered that, when viewed in the street-scene, the heights of the development – whilst being comparatively tall alongside neighbouring units – are appropriate in this instance. The applicant has provided a further section to demonstrate that the development would closely mirror the height of the immediately opposing Newlands Shopping Centre.

At ground floor level the precise design of the proposed retail frontages have also been negotiated so as to provide shop frontages with visual interest – i.e. ornate fascias, pillared surrounds and panelled stall risers are proposed. These features would be complimented by visually interesting elevations at upper floor level. It has been agreed with the applicant that traditionally design window openings and stone quoining, banding and window detailing be provided in the interests of picking up on the cues offered by a number of close-by buildings of heritage merit, i.e. buildings located at the southern end of Newland Street and on neighbouring High Street. A red brick would also be utilised, which would tie in appropriately with the site's surroundings. In the interests of visual amenity, a full suite of external facing material samples would be important to secure via condition should the application be approved.

Behind Newland Street it is proposed that the proposals revert to a flat-roofed design and to a contemporary feel with uncomplicated building lines and uniformly positioned window openings. It is also proposed that selected glazed stairwell elements are used to articulate the proposals. A mixture of brickwork and render is proposed to the elevations. The height of the building would step down to 3no. and 2no. stories in building height to the rear of the site – this has been agreed with the applicant in the interests of respecting the scale of extant buildings to the rear (most notable the adjacent terrace of 2no. storey dwellings to the south) and also the planned future residential development to the east (due to come forward in 2no. / 2½ no. storey built form).

It is considered that the modern design approach that has been put forward is appropriate in this instance. The rear areas of the site and of neighbouring sites are characterised by service yard areas and simplistic

modern building designs. The development would respect and essentially mirror the scale and massing exhibited by the neighbouring retail store (Wilkinsons) to the north and would also not look out of place alongside other notably-scaled commercial built form to the south of the site. The bin store, following discussions with the applicant, has been partly integrated within the main body of the main building in the interests of limiting its visual prominence. The proposals, when viewed from the east of the site, would suitably respect the character and appearance of the Kettering Conservation Area – particularly when considered against the present dilapidated and tired appearance of the site. The scheme is compliant with Policy 13 (h) and (i) of the Core Spatial Strategy.

3. Heritage & Conservation Area

The application site is not contained within the Kettering Conservation Area, but it does abut the boundary of this area to the rear of the site. None of the buildings on site are formally listed nor appear on the Council's local list. It is also important to note that the extant built form is in a dilapidated and fire-damaged state that offers nothing to enhance the character and appearance of the conservation area.

The Victorian Society has submitted an objection to the proposals on the grounds that the demolition of 11-12 Newland Street would harm the character and identity of the local area. They contend that the buildings have evident historic and architectural interest and are non-designated heritage assets; they therefore consider that a detailed historic building assessment is required.

Policy 12 of the NPPF states that, when determining applications, local planning authorities should require applicants to describe the significance of any heritage assets affected, including any contribution made by their setting – the level of detail should be proportionate to the assets' importance. Furthermore, the NPPF states that the effect of an application upon the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications a balance judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

The applicant, in response to the Victorian Society comments that have been received, has submitted a document entitled 'Heritage Information'. This provides a brief description of the history of the building including reference to its probable 19th century origins during a period of major industrial and retail growth within the town. The buildings were last used as a jewellers shop (No.11) and as a factory shop (No.12) before a fire broke out in November 2008. Access to the buildings has since been prohibited as the structures are unsafe – it is stated that the level of deterioration to the buildings determines that the only practical solution is to carefully demolish the existing fire damaged buildings and to rebuild on site. In this instance it is accepted that it would be onerous to insist upon a detailed historic building

assessment. The buildings, particularly in light of their present dilapidated state, have a low level of significance in historic terms. As a further note, NCC Archaeology has confirmed that any potential archaeological interest on the site can be appropriately investigated and recorded via an archaeological programme of works – to be secured via planning condition.

4. Crime Prevention

Northamptonshire Police provided a number of comments in the interests of designing out the potential for crime and anti-social behaviour at the site. The applicant has responded positively to the various recommendations that were made including an agreement to the various security specifications put forward for gated access points, doors, windows, alarm systems, etc. A planning condition should be attached to any approval to secure the final boundary treatment detail to the internal courtyard that abuts the footpath that runs the southern boundary of the site – this is being mindful that the Police have request a robust treatment of at least 1.8m in height. A condition is also proposed to secure the final details of the bin store (including its roller-shuttered entrance point). The scheme is considered to appropriately combat issues of crime and anti-social behaviour in compliance with Policy 13(b) of the Core Spatial Strategy.

5. Residential Amenity

The scheme has been designed in the interests of safeguarding the amenities of both existing residential occupiers in the area and of future occupiers of the scheme itself. This is in compliance with Policy 13 (l) of the Core Spatial Strategy.

As part of pre-application discussions it was agreed to reduce the scale and height of the development on the eastern side of the site – this was predominantly in the interests of safeguarding the amenities of adjoining residential occupiers to the south (No.25-27 St. Andrews Road) and future residential occupiers to the east. The proposals are scaled at two stories in height where sited in close proximity to the southern boundary of the site (3m from the closest dwelling – No.25 – at its nearest point). The proposed building would step up to 3no. stories in height, but this would occur to the west and more centrally within the site (i.e. set a further 2m away from the southern boundary of the site). It is considered that satisfactory arrangements have been put forward so as to avoid any overbearing or overshadowing relationship (particularly given the northern location of the works relevant to where the neighbouring properties are sited, so as not to interfere with the path of the sun).

The proposals shall be laid out to provide a central courtyard area, which would be sited so as to abut the southern boundary of the site. This area would provide valuable amenity space for the future occupants of the site. The area would be overlooked from east-facing, west-facing and south-facing window openings located across all floor levels of the building. The positions of these openings have been carefully selected to ensure that the amenities of neighbouring residents at No.25-27 St. Andrews Street are appropriately safeguarded. Upper floor windows to serve habitable rooms

would not directly oppose these St. Andrews Street properties (or their rear garden areas) and would be setback sufficiently from the southern site boundary so as not to provide unduly sensitive overlooking opportunities. Furthermore, the glazed stairwell element that is proposed in this area of the site would be setback behind newly proposed built form and does not raise amenity concerns in this context.

The internal flat layouts that have been put forward appear to offer acceptable living conditions for future occupants. The flats have been designed to comply with the minimum National Space Standards, in accordance with emerging Policy 30 of the JCS. All flats have individually partitioned bedroom, bathroom, kitchen and lounge areas. The layout has also been configured in the interests of providing adequate outlook and natural light for all flats. It is acknowledged that the proposed openings within the northern elevation of the building would provide very limited outlook (given the presence of the southern flank wall of Wilkinsons) and limited natural light given the proximity of this flank wall and the orientation of the site. However, all proposed flats with a north-facing aspect would also be afforded either south-facing or east-facing window openings in the interests of providing satisfactory living conditions.

The Council's Environmental Health Department has been consulted upon the scheme and has issued no objection subject to the imposition of appropriately worded planning conditions to secure a Demolition and Construction Method Statement, an Air Quality Assessment, a remediation scheme, a noise scheme (to ensure appropriate noise levels for the residential units) and appropriate working hours. It is considered that it would be prudent to apply such conditions.

6. Highways & Parking

Policy 6 of the CAAP references residential car parking and states that low or zero parking residential developments may be acceptable on sites in close proximity to services, amenities and public transport where it can be demonstrated that sustainable travel alternatives are accessible and are integrated into travel plans. Policy 6 goes on to say that proposals of over 15no. dwellings will include at least one parking space for a car club / car share vehicle and a minimum of one secure cycle storage space per unit.

The scheme has been formulated on the basis of a low level of on-site car parking provision – 3no. on-site car pool spaces are proposed to the rear of the site (i.e. accessed from St. Andrews Street. This approach has been taken following pre-application discussions with the Local Highway Authority. The application site is sustainably located in the heart of Kettering town centre and the site immediately opposes a bus terminus on Newland Street (which is served by a variety of different services). These site-specific circumstances have been recognised in the stance taken by the Local Highway Authority in supporting a low level of car parking provision in this instance.

Following negotiations with the applicant, the scheme now incorporates a large bike store area at ground floor level (providing an internal area of 36 sq. m) – this is indicated to have capacity for up to 24no. cycles. The applicant has also provided assurances that the car pool places would be appropriately laid out and served by associated visibility splays. It is considered that the scheme, subject to a planning condition being applied to require the submission of a Travel Plan laying out full details of how the car pool facility would operate, achieves compliance with Policy 6 of the CAAP and with Policy 13 (n) of the Core Spatial Strategy, which requires schemes not to have an adverse impact on the highway network and not to prejudice highway safety. Final details of the cycle storage facilities should also be secured via condition in light of full details being requested by the Local Highway Authority and in the interests of securing 1no. storage space per dwelling across the site (i.e. 28no.).

7. Drainage

The application was accompanied by a Flood Risk Assessment that confirms that the site falls within Flood Zone 1 (at lowest risk of flooding) and confirms the presence of surface water and combined sewer systems in both Newland Street to the front of the site and Eden Street to the rear. Preliminary drainage proposals have been formulated that incorporate a combination of SUDS drainage infiltration techniques and controlled drainage to the existing sewage systems.

The Lead Local Flood Authority (LLFA) has been consulted upon the scheme; they have stated that insufficient information is currently available to comment on the acceptability of the proposed surface water drainage scheme. They have referenced the particular form of modelling they desire in terms of calculated drainage rates and have stated that there is an onus upon the developer to aim to achieve Greenfield runoff rates to public surface water sewer apparatus. Future maintenance and adoption of the proposed surface water drainage system also needs to be considered at this stage.

The applicant is currently formulating a response to the comments raised by the LLFA. In light of the lack of vulnerability of the site in flood risk terms and the potential options that are available to introduce SUDS features on-site, it is anticipated that an acceptable drainage scheme for the site can be progressed. It is therefore considered that any recommendation for the approval of the scheme should be subject to delegated authority being passed to officers to oversee the submission of further information from the applicants that allows the LLFA to confirm the acceptability of the scheme in surface water drainage terms, and to apply further related planning conditions if required.

8. S106 & Affordable Housing

The application is supported by Financial Viability Analysis (FVA) to

demonstrate that the scheme is unable to sustain any S106 infrastructure contributions or onsite affordable housing. The submitted FVA has been assessed internally by officers (including within the Housing department) and by an external viability expert from North Northants Development Company (NNDC). It is concluded that the assumptions that have been made in the FVA appear reasonable (e.g. in terms of site acquisition costs, build costs, finance costs, abnormal development costs and open market housing values). It is accepted that the scheme offers the potential to accrue only marginal profit levels and that it would be onerous to insist upon S106 or on-site affordable housing units in such circumstances.

Conclusion

The proposed development would make efficient use of an underutilised, vacant and derelict town centre site, would respect the character and appearance of the surrounding area including the neighbouring Kettering Conservation Area, would safeguard residential amenity and would not prejudice highway safety in compliance with Policies 1, 9, 10 and 13 of the North Northamptonshire Core Spatial Strategy (2008), Policies 1, 2, 3, 6, 12 and 15 of the Kettering Town Centre Area Action Plan (2011), Emerging Policies 2, 8, 12, 29 and 20 of the North Northamptonshire Joint Core Strategy and the policy guidance contained within the National Planning Policy Framework.

Background Papers

Title of Document:

Date:

Contact Officer:

Andrew Smith, Senior Development Officer on 01536
534316

Previous Reports/Minutes

Ref:

Date: