

## **BOROUGH OF KETTERING**

<b>Committee</b>	<b>Full Planning Committee - 11/04/2017</b>	<b>Item No: 5.3</b>
<b>Report Originator</b>	<b>Andrew Smith Development Team Leader</b>	<b>Application No: KET/2016/0779</b>
<b>Wards Affected</b>	<b>Queen Eleanor and Buccleuch</b>	
<b>Location</b>	<b>Cherry Hall Lane, Weekley</b>	
<b>Proposal</b>	<b>Full Application: Two storey training and learning facility with associated parking and landscaping</b>	
<b>Applicant</b>	<b>Northamptonshire Police And Crime Commissioner</b>	

### **1. PURPOSE OF REPORT**

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

### **2. RECOMMENDATION**

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

1. The 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 and details referenced below.

REASON: In the interest of securing an appropriate form of development in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

3. Prior to the commencement of development a 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 duration of the construction works.

REASON: In the interests of safeguarding highway safety and residential amenity in accordance with Policy 8 of the Northamptonshire Joint Core Strategy.

4. Prior to the first occupation of the development all garden and landscaped areas shown on the approved plans shall have a capping layer of soil (top and/or sub soils) applied to a minimum depth of 300mm in general landscaped areas. A verification report detailing that the required depth of cover has been achieved shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development, which shall include a topographic survey or a visual

inspection at numerous points across the site supported by photographic evidence. Details of the supplier and confirmation of the source(s) and total quantity of imported soil material must be stated in the verification report. The soil should be free from asbestos, metals, plastic, wood, glass, tarmac, paper and odours associated with contaminated soils and otherwise comply with the requirements of BS 3882:2007 - Specification for topsoil and requirements for use.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised in compliance with Policy 6 of the North Northamptonshire Joint Core Strategy.

5. No development shall take place on site until a scheme for the protection of all existing trees to be retained on and adjacent to the site (as specified on approved site plan NOR-PE-04-XX-DR-A-9002- P03) 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: Details for the protection of trees and hedgerows are necessary prior to the commencement of development to ensure the continuity of amenity afforded by existing trees or hedgerows in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

6. 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 8 of the North Northamptonshire Joint Core Strategy.

7. The approved landscaping scheme (as depicted upon approved plan MK PE FT 01 dated 14/10/2016) shall be carried out in the first planting and seeding seasons following the first occupation of the building, unless these works are carried out earlier. Any trees or plants which, within a period of 5 years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

REASON: To improve the appearance of the site in the interests of visual amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

8. The development once occupied shall at all times be operated in full compliance with the measures outlined with the submitted 'Interim Travel Plan' (Issue Number 02 dated 01/11/2016).

REASON: To promote sustainable forms of transportation in compliance with Policy 8 of the North Northamptonshire Joint Core Strategy.

9. Development shall be carried in full accordance with the essential ecological enhancement measures presented in List A on page 26 within Section 5 of the approved Extended Phase 1 Report (V1 October 2016) and in full accordance with the construction and post-construction mitigation measures outlined within the Summary on page 39 of Appendix 3 of the same Report.

REASON: In the interests of safeguarding biodiversity in accordance with Policy 4 of the North Northamptonshire Joint Core Strategy.

10. The surface water drainage scheme shall be implemented in full prior to the first occupation of the development and thereafter shall be maintained for the duration of the lifetime of the development in accordance with the following approved plans and documentation: Drainage Statement (Issue Number 01 dated 12/10/2016); Site-Wide Drainage Layout (NOR-PE-04-00-DR-C-0550 P02 dated 04/01/17); Foul and Surface Water Drainage Plan (NOR-PE-04-XX-DR-C-0500 P02 dated 18/11/16); Maintenance Schedule dated 17/01/2017 and signed by Jane Hawkes, Estates Project Manager).

REASON: To reduce the risk of flooding on and off site in accordance with Policy 5 of the North Northamptonshire Joint Core Strategy.

## **Officers Report for KET/2016/0779**

This application is reported for Committee decision because the application requires an agreement under s.106.

### **3.0 Information**

#### **Relevant Planning History**

KET/2002/0943 – Outline planning permission for industrial and leisure uses – mixed B1, B2 and B8 with ancillary retail, commercial and leisure (A1, A3 and D2) uses and hotel (C1) (Approved subject to conditions)

#### *Applications in the immediate vicinity of the site*

KET/2015/0605 – Non-material amendment to KET/2013/0681, Police Investigation Centre (Approved)

KET/2015/0330 – Erection of 3 storey office building with associated parking, including secure rapid response vehicle parking, access, landscaping and drainage works (Approved subject to conditions)

KET/2013/0681 – Erection of Police Investigation Centre with associated access, parking and landscaping (Approved subject to conditions)

KET/2012/0713 – Approved full permission for petrol filling station with associated shop, canopy, forecourt and ATM (Approved subject to conditions)

KET/2012/0498 – 1 no. externally illuminated fascia sign (Approved subject to conditions)

KET/2007/0195 – Approval of Reserved Matters: Construction of hotel and pub restaurant and related works (Approved subject to conditions)

KET/2007/0187 – Outline planning permission for 929m<sup>2</sup> of offices (B1), 929m<sup>2</sup> of restaurant space (A3), 929m<sup>2</sup> of retail space (A1) and a 120 bed hotel (C1) (Approved subject to conditions)

KET/2007/0148 – Outline planning permission - Offices (Class B1) (Approved subject to conditions)

#### **Site Description**

Officer's site inspection was carried out on 25/11/2016.

The site is a currently undeveloped, roughly square shaped, piece of land of 0.33 Ha in area; it is located 1.8 miles north west of Junction 7 of the A14 and approximately 2.5 miles north of Kettering Town Centre. It is located within the Kettering Business Park off the A6003 (Rockingham Road) where a traffic-light-controlled roundabout leads to Weekley Wood Avenue and thence to Cherry Hall Road (where the site is positioned). To the immediate north-west of the site is a development site related to the Police Investigation Centre (PIC), which is currently under construction. To the immediate south-west of the site is land also currently under construction, it is being developed as a

three-storey office block. Both aforementioned adjacent sites are contained within the defined blue line area of the application (i.e. to indicate that the sites are in the same ownership as the applicant in this instance – Northants Police).

An inspection of the site shows that the land level rises slightly from its south-western side up to its north-eastern side. It is currently being used as a construction compound to support the adjacent developments that are occurring. Cherry Hall Road, which forms an estate road, runs the south-western boundary of the site. To the south-east of the site is located an extant 2no. storey timber-clad office development whilst to the north-east is an area of plantation / woodland. Beyond Weekley Wood Avenue to the south of the site are located a variety of commercial uses including a hotel, a restaurant and retailing outlets.

### **Proposed Development**

The proposals are for a 2no. storey building of approximately 11m in height and of rectangular footprint (48.5m x 19.3) to contain 1,588 sq. m of gross internal floor space. It is anticipated that 18no. full time employment opportunities would be provided. The building is to be used as a Training & Learning Facility by Northants Police.

The proposed building has been designed with its principal front elevation facing south-west and containing the building's main entrance so as to face Cherry Hall Road. The building would be articulated by curtain walling punctuated with vertical louvre blades. A varied material palette is proposed, to include brickwork, rendering, timber-boarding, stainless steel cladding and glazing.

The proposed building would be sited to the north-eastern side of the application site, it would face over an area of car parking to its frontage which it is proposed would be accessed via the adjacent PIC site to the north-west and would include pockets of soft landscaping. A total of 59no. car parking spaces are proposed (to include 2no. fully accessible spaces) and 1no. motorcycle space. 8no. covered cycle storage spaces are also proposed close to the building's main entrance (in addition to internal showering and changing facilities).

### **Any Constraints Affecting The Site**

Local Wildlife Site (adjacent)

Classified A-Road – Rockingham Road

## **4.0 Consultation and Customer Impact**

**Rushton Parish Council:** No comments to make.

**Weekley Parish Council:** Support, it would be beneficial to have increased police presence in the area.

**KBC Environmental Health:** No objection subject to conditions being applied

where relevant, including to secure a verification report to confirm that remedial works have indeed been implemented and conditions to secure appropriate working hours and a Construction Method Statement.

**Anglian Water:** If planning permission is granted it is recommended that a planning condition to secure a surface water management strategy is applied. An informative relating to the satisfactory disposal of trade effluent is also suggested.

**NCC Lead Local Flood Authority:** Provided that the surface water drainage scheme is constructed in accordance with the submitted documents, the impacts of surface water drainage have been adequately addressed.

**NCC Archaeology:** No response received. Previous response in respect to KET/2015/0330: the site has been extensively quarried; there is no potential for archaeological survival.

**Highway Authority:** No objection subject to planning conditions if required related to parking, signalling improvements and construction management.

**The Wildlife Trust for Bedfordshire, Cambridgeshire and Northamptonshire:** In general terms the scope and content of the submitted Extended Phase 1 Report is considered to be both acceptable and satisfactory. Appropriately worded planning conditions should be applied to ensure that the mitigation, further survey and enhancement measures contained within are indeed undertaken. The proposed buffer planting to the adjacent woodland should comprise native species choices.

**Neighbours:** Notification letters were sent out to close proximity neighbours. No responses were received.

## **5.0 Planning Policy**

### **National Planning Policy Framework**

Policy 1: Building a strong, competitive economy

Policy 2: Ensuring the vitality of town centres

Policy 4: Promoting sustainable transport

Policy 7: Requiring good design

Policy 11: Conserving and enhancing the natural environment

### **Development Plan Policies**

#### **North Northamptonshire Joint Core Strategy**

Policy 1: Presumption in Favour of Sustainable Development

Policy 3: Landscape Character

Policy 8: North Northamptonshire Place Shaping Principles

Policy 9: Sustainable Buildings and Allowable Solutions

Policy 11: The Network of Urban and Rural Areas

Policy 22: Delivering Economic Prosperity

Policy 36: Land at Kettering North

**Local Plan for Kettering Borough**

Saved Policy 58: Employment within Towns – site is within Kettering Town boundary

**SPGs**

Sustainable Design SPD

Kettering Town Central Area Action Plan (CAAP)

**6.0 Financial/Resource Implications**

None

**7.0 Planning Considerations**

The key issues for consideration in this application are:-

1. Principle of Development
2. Design & Visual Impact
3. Ecology
4. Residential and General Amenity
5. Access & Highways
6. Flood Risk
7. Sustainable Construction
8. S106

**1. Principle of Development**

Outline planning permission was granted for mixed-use developments across the wider business estate in 2002 (KET/2002/0943). Separate outline consent for up to 5,353 sq. m of offices was granted in 2010 (KET/2007/0148) on a 1.9Ha site within the Business Park (which lies adjacent to the site relevant to this newly proposed scheme). Although these consents have expired, selected reserved matters schemes have been submitted and implemented – including a hotel and restaurant development as well as an office scheme to the immediate east of the site. Separate full planning consent was granted under reference KET/2013/0681 for a Police Investigation Centre (PIC) on the north-western side of the site and under KET/2015/0330 for Police offices on the south-western side of the site. Both schemes are currently being implemented and shall provide 1,803 sq. m of residential institution floor space (Use Class C2) and 2,760 sq. m. of office floor space (Use Class B1a) respectively. The previous outline planning permissions and site history are considered to be material considerations in respect of this latest proposal.

The National Planning Policy Framework (NPPF) seeks to encourage and promote competitive town centre environments and encourages local planning authorities to apply a sequential test to planning applications for main town centre uses (including recreational uses) that are not in an existing centre and

not in accordance with an up-to-date Local Plan. It should be noted that, whilst the development would incorporate both a training hall and a gymnasium as well as classrooms and meeting rooms, it would be a bespoke facility designed to specifically cater for the training requirements of Northants Police and would only be accessible to members of the police force. Importantly the facility would not be open to the general public and cannot therefore be thought of as a recreational facility.

Notwithstanding the above considerations, the application is accompanied by a Planning Statement that provides commentary upon the sequential approach. It has also been stated that there would be clear synergy between the operations of the newly proposed facility and the adjacent police buildings that are currently under construction, given that their functions would overlap. It is therefore felt that the principle of such development has already been well established via the planning history of the wider site referenced above.

The proposals would help to deliver economic prosperity through the provision of a strategic employment site and are therefore in compliance with Policies 11 and 22 of the Joint Core Strategy, which seek to direct growth towards the urban core of growth towns and prioritise the enhancement of existing employment sites. Although focus should be on the regeneration of the town centre, the site is considered to complement this aim and would not be to its detriment. The site would ultimately help to fulfil the growth strategy for Kettering Borough.

## 2. Design & Visual Impact

It is proposed that the building be 2no. storeys in height and cover a footprint of approximately 48.5m x 19.3m (which translates to covering approximately 28% of the overall area of the site). It is considered that the scale and massing of the building would sit comfortably in its proposed location to the rear of the site and would relate well to the other Police developments that are currently under construction upon adjacent sites. It should be noted that the main office headquarters building would be more prominently located adjacent to Rockingham Road and would be a full storey higher (although set at a slightly lower ground level).

It is also considered that an appropriate relationship would be provided with the timber-clad office development located to the south east. The new building would be of a similarly scaled rectangular footprint and two-storey height whilst an approximate 30m separation distance would be achieved to the nearest of these adjacent buildings. The scale and massing of the building would sit comfortably in this context.

The proposed building would pick up and respond to design cues offered by adjacent development in terms of its elevational appearance. A similar palette of materials is proposed, to include vertical louvre blades, timber boarding, cream render, low-level brickwork and stainless steel cladding. Importantly an attractive, active and well-balanced front-facing elevation with a projecting stainless steel framed element would be provided and supplemented by active



side elevations also. A simplistic brickwork north-east facing rear elevation is proposed, but this would not be publically visible and would back on to an area of plantation situated to the rear.

In light of the extensive areas of hard standing that are proposed as part of the scheme (so as to provide car parking to the front of the building), the applicant was encouraged to seek ways of breaking this parking provision up in the interests of visual amenity and to guard against a bland and featureless expanse of hard standing. The car parking is therefore proposed to be broken up by pockets of soft landscaping to the perimeter of the site to include shrub planting and specimen tree planting. Importantly the proposed landscaping plan references the retention of the existing area of plantation that abuts the north-eastern boundary of the site and includes reference to further supplementary planting of native shrubs along this particular boundary. It is considered that the proposed soft landscaping scheme includes wildlife attracting native plants, which is in compliance with the submitted Phase 1 Habitat Survey.

In design terms the proposals would respond to the site's immediate and wider context and local character in compliance with Policy 8(d) of the Joint Core Strategy.

### 3. Ecology

The application is accompanied by an Extended Phase 1 Habitat Survey Report (Report), which notes that there are two statutory sites of nature conservation identified within 1km of the site – Barford Meadows & Barford Wood and Meadow, although both are separated from the site by a major road and there is no connectivity therefore. There are also non-statutory sites of nature conservation value located in the vicinity of the site, including Cherry Hall Plantation a Local Wildlife Site (LWS) located adjacent to the north east boundary of the application site. The Report suggests that mitigation measures are required to ensure that the integrity of the Cherry Hall Plantation is protected. These include the provision of suitable tree and root protection measures, which can be secured via an appropriately worded planning condition, and dust suppression measures (such as the dampening down of haul routes during dry weather), which can be controlled through the Construction Management Plan to be secured via condition.

The Report contains desk study and field survey assessment of a wide variety of protected species, including bats, badgers, dormice, reptiles and great crested newts and broadly highlights the limited potential of the site to provide suitable habitat for such species. However, the Report highlights that the adjacent woodland provides suitable foraging and commuting habitat for bats – excessive light spill during the construction period should therefore be avoided (this can be controlled through the Construction Management Plan to be secured via condition). In terms of enhancement measures, the Report highlights the need to install 2no. bird and 2no. bat boxes which can be covered by a suitably worded planning condition. The application is accompanied by a confidential badger assessment report that confirms the presence of a sett within the surrounding environs of the application. A series

of construction and post-construction mitigation measures are laid out in the report in the interests of properly safeguarding badgers; the Wildlife Trust has confirmed their acceptance to these measures being conditioned a part of any approval. The applicant has also adjusted their proposed planting mix to the rear of the site (adjoining adjacent woodland) to include the provision of ecology-friendly native species as requested by the Wildlife Trust. Subject to the imposition of planning conditions as suggested above, existing biodiversity and geodiversity assets shall be appropriately protected in compliance with Policy 4 of the Joint Core Strategy.

As a further note, the applicant has indicated the need to remove 4no. unprotected trees to the rear of the site. This would not undermine the integrity of the wider tree belt in-situ, subject to landowner consent.

#### 4. Residential and General Amenity

In light of the Business Park location of the site, there are no residential occupiers situated in the immediate vicinity of the application site. The proposed development is not therefore thought to hold the potential to adversely impact upon residential amenity in compliance with Policy 8 (e) of the Joint Core Strategy.

The Council's Environmental Health team has commented with no objections upon the application. A Construction Management Plan has been requested via condition, which can be used to control hours of construction work.

A mixture of wall-mounted, column and bollard lighting is proposed as part of the scheme so as to illuminate external areas. Full specification and luminance details have been provided, which appear appropriate. Environmental Health has not requested anything further in this regard.

In respect to potential contamination issues, the application is supported by a Ground Investigation Report (January 2015). The Council's Environmental Health team has commented that a verification report shall be required in due course (to be secured via condition) to demonstrate that the specified remedial measures are indeed implemented.

#### 5. Access & Highways

The application is accompanied by a Transport Statement and subsequent addendum (dated 10<sup>th</sup> February 2017), which was prepared in response to initial comments received from the Local Highway Authority and included updated junction modelling results. The Addendum concludes that very minor / insignificant impacts would be felt upon the relevant modelled junctions.

The Local Highway Authority (LHA) has confirmed no objection to the proposals subject to the imposition of planning conditions if required and the agreement of a S106 agreement to secure a scheme for signalling improvements at the nearby Hamburger roundabout to ensure that it continues

to operate satisfactorily in accordance with the future junction modelling work that has been undertaken by the applicant.

A total of 59no. car parking spaces are to be accommodated upon the site (including 2no. defined disability spaces), these would also be supplemented by defined areas for motorbike and cycle parking. It is considered that this equates to an appropriate level of car parking on-site, particularly given the other extensive areas of parking that are in the control of the applicant within the immediate vicinity (i.e. the new facility would complement existing Police officing and a Police Investigation Centre).

As a further note, the applicants have submitted a Travel Plan that references a suite of measures to be implemented in the interests of encouraging sustainable forms of transportation – a planning condition should be imposed to ensure compliance with these measures once the scheme is operational. The scheme would not prejudice highway safety and allow for sustainable forms of transportation in compliance with Policy 8 of the Joint Core Strategy.

#### 6. Flood Risk

The applicant has submitted a Drainage Statement that notes that the site is located within the lowest risk flood zone (Flood Zone 1). With respect to surface water drainage, the Drainage Statement states that a connection is made into the existing public surface water sewer within Cherry Hall Road. The application is also accompanied by a detailed Foul and Surface Drainage Plan. The Lead Local Flood Authority has confirmed acceptability – the impacts of surface water drainage have been adequately addressed. The scheme would not increase the risk of flooding on or off site in accordance with the requirements of Policy 5 of the Joint Core Strategy.

#### 7. Sustainable Construction

Policy 9 of the JCS requires development to incorporate sustainable construction techniques. Where technically feasible, decentralised energy networks should be enabled or provided. Non-residential developments involving over 1,000 sq. m. of new floor space are expected to demonstrate that BREEAM ‘very good’ standards are to be attained.

The applicant has produced a Sustainable Design Statement which contains an explanation why it is considered that a BREEAM ‘very good’ is not technically feasible in this instance. The Statement also outlines a commitment to heat the building through air source heat pumps and the provision of energy efficient building fabric. It has been explained that a number of mandatory credits are required to achieve BREEAM ‘very good’, one of which is related to ecology. It is acknowledged that the proposed site layout, which is required to include notable car parking to complement the proposed operation, does not lend itself readily to ecological enhancement (notwithstanding the opportunities that have been taken by the applicant to propose additional native landscaping where possible on the site). It is considered that, given the firm commitment made to delivering a sustainable and energy efficient development that includes the use air source heat pumps

to assist in heating the building, adequate compliance with Policy 9 of the Joint Core Strategy has been achieved in this particular instance.

#### 8. S106

As discussed in the 'Access & Highways' section above, a S106 agreement is required to secure a monetary contribution towards signalling improvements at the nearby Hamburger roundabout to ensure that it continues to operate satisfactorily. This agreement is in the process of being drafted and agreed, the officer recommendation reflects that this shall be resolved before a decision is issued.

### **Conclusion**

The proposed development would help to deliver economic prosperity through the provision of a strategic employment site and would respect the character and appearance of its surroundings whilst safeguarding residential amenity and not prejudicing highway safety in compliance with Policies 1, 8, 11, 12 and 22 of the North Northamptonshire Joint Core Strategy and the guidance contained within the National Planning Policy Framework.

#### **Background Papers**

Title of Document:

Date:

Contact Officer:

#### **Previous Reports/Minutes**

Ref:

Date:

Andrew Smith, Development Team Leader on 01536 534316