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#### PLANNING COMMITTEE

Tuesday 25<sup>th</sup> August 2020 at 6.00pm www.kettering.gov.uk/youtube

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<u>Committee Members, officers and registered speakers will be sent Zoom meeting joining instructions separately</u>

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# AGENDA

- 1. Apologies
- 2. Declarations of Interest
  - (a) Personal
  - (b) Prejudicial
- 3. Minutes of the meetings held on 15<sup>th</sup> July 2020 to be approved as a correct record and signed by the Chair
- 4. Any items of business the Chair considers to be urgent
- 5. Planning Application Reports

# **BOROUGH OF KETTERING**

# **PLANNING COMMITTEE**

Meeting held: 15th July 2020

**Present:** Councillor Ash Davies (Chair)

Councillors Linda Adams, Scott Edwards, Clark Mitchell, Jan O'Hara, Cliff Moreton, Mark Rowley, Greg Titcombe,

Lesley Thurland

# 20.PC.20 APOLOGIES

Apologies for absence were received from Councillors Shirley Stanton.

It was noted that Councillor Scott Edwards was acting as a substitute for Councillor Shirley Stanton.

# 20.PC.21 MINUTES

**RESOLVED** that the minutes of the meetings of the Planning

Committee held on 26th May 2020 be approved as a

correct record

# 20.PC.22 DECLARATIONS OF INTEREST

None

# 20.PC.23 <u>ANY ITEMS OF BUSINESS THE CHAIR CONSIDERS TO BE</u> URGENT

None.

# 20.PC.24 PLANNING APPLICATION REPORTS

The Committee considered the following applications for planning permission, which were set out in the Head of Development Control's Reports and supplemented verbally and in writing at the meeting. Four speakers attended the meeting and spoke on applications in accordance with the Right to Speak Policy.

The reports included details of applications and, where applicable, results of statutory consultations and representations which had been received from interested bodies and individuals, and the Committee reached the following decisions:-.

# 20.PC.24.1 KET/2020/0107

# **Proposed Development**

\*5.3 Full Application: Replace conservatory with orangery at The Old Rectory, Cranford Road, Grafton Underwood for Mr & Mrs Chan

Application No: KET/2020/0107

Speaker:

None

#### Decision

Members received a report about a proposal for which full planning permission was being sought for the removal of the single storey extension and its replacement (on the same footprint) with an 'Orangery' consisting of mostly timber glazed elevations on a low stone wall under a glazed metalled frame roof lantern.

It was noted that the full height stone wall to the northern elevation shall be retained and form part of the proposal.

Members then agreed that the proposed development was satisfactory and saw no issue with approving the application as per the officer's recommendation.

It was agreed that the application be **APPROVED** subject 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.
- 2. The development hereby permitted shall not be carried out other than in accordance with the approved plans detailed below.
- 3. No work shall be carried out above slab level until full architectural details of the retained north elevation wall and the timber finishes 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 and shall remain in that form thereafter.
- 4. All works of repair, restoration and replacement (including re-pointing to the retained walls) shall exactly match the features on the original building.

(Members voted on the officers' recommendation to approve the application)

(Voting: For: 7; Against 0; Abstain: 1)

The application was therefore **APPROVED** 

# 20.PC.24.2 KET/2020/0108

#### **Proposed Development**

\*5.4 Application for Listed Building Consent: Replace conservatory with bespoke timber-framed orangery with double glazing and roof lantern

Application No: KET/2020/0108

Speaker:

None

#### Decision

Members received a report about a proposal for which full planning permission was being sought for the removal of the single storey extension and its replacement (on the same footprint) with an 'Orangery' consisting of mostly timber glazed elevations on a low stone wall under a glazed metalled frame roof lantern.

It was noted that the full height stone wall to the northern elevation shall be retained and form part of the proposal.

Members then agreed that the proposed development was satisfactory and saw no issue with approving the application as per the officer's recommendation.

It was agreed that the application be **APPROVED** subject to the following conditions:

- 1. The works to which this consent relate shall be begun before the expiration of 3 years from the date of this consent.
- 2. The development hereby permitted shall not be carried out other than in accordance with the approved plans and information detailed below.
- 3. All works of repair, restoration and replacement (including re-pointing to the retained walls) shall exactly match the features on the original building.

(Members voted on the officers' recommendation to approve the application)

(Voting: For: 7; Against 0; Abstain: 1)

The application was therefore **APPROVED** 

# 20.PC.24.3 KET/2020/0176

#### **Proposed Development**

\*5.5 Full Application: Two storey rear extension with linked access to existing care home, demolition of outbuildings and additional parking at The Yews, 73 Kettering Road, Burton Latimer for Mr G Khaw, The Yews Residential Home For The Elderly

Application No: KET/2020/0176

# Speaker:

James Leigh provided a written statement as a third party objector to the proposed development which stated that that the application would have had a detrimental impact on neighbouring properties and that the development resulted in an overdevelopment which was not in keeping with the character of the local area.

#### Decision

Members received a report about a proposal for which planning permission was being sought for a two-storey rear extension consisting of 16 bedrooms with linked access to existing care home, demolition of outbuildings and additional parking.

Members raised concerns regarding the visual impact of the proposed development and raised concerns regarding highways safety with regards to the access point to the site.

It was heard that enhanced conditions could be included which would enable additional works to be carried out in order to maximise the efficiency of the entrance point and to alter the materials of the proposed cladding to something more sympathetic to the area.

It was agreed that the application be **APPROVED** subject 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.
- 2. The development hereby permitted shall not be carried out other than in accordance with the approved plans detailed below.
- 3. Construction works audible at the site boundary will not exceed the following times unless with the written permission of the Local Planning Authority. Monday to Friday 08.00 to 18.00 hrs, Saturday 08.30 to 13.30 and at no time whatsoever on Sundays or Public/Bank Holidays. This includes deliveries to the site and any work undertaken by contractors and sub-contractors.
- 4. No development shall take place until a plan 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.
- 5. Prior to Construction a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved Plan shall be adhered to throughout the construction period and the approved measures shall be retained for the duration of the construction works.
- 6. No trees shall be felled during the bird besting season (March- August inclusive) unless written recommendation to do so has been provided by an Ecologist and

- submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
- 7. The development shall not proceed above slab level until a detailed scheme of the trees shown on approved Site Plan (SK01E) along the southern boundary, which shall specify species, planting sizes, spacing and numbers of trees to be planted has been submitted to and approved in writing by the by the Local Planning Authority. The submitted scheme shall involve the provision of trees at a planting height of at least 2m and capable of growing to at least 4m in height. The approved scheme shall be carried out prior to first occupation. The approved trees 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. The trees shall be allowed to grow to a height of no less than 4m and retained at least at that height thereafter.
- 8. The development shall not progress above slab level until details of the types and colours of all external facing and roofing materials to be used and details of the hard-surfacing materials 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.
- 9. All external walls to shown as being constructed in stonework on the approved plans shall not be laid, coursed or pointed other than in accordance with a sample panel which shall have been constructed on site and approved in writing by the Local Planning Authority prior to the commencement of construction of any such external walls. As approved, the sample panel shall be retained on site and kept available for re-inspection throughout the construction period.
- 10. No works shall proceed above slab level until full details of all windows, doors (including their surrounds), verge detailing and rainwater goods and precise details of the method of connection between the existing building and the proposed building 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.
- 11. Prior to construction above slab level full details of remodelled access arrangements shall be provided to and approved in writing by the local planning authority. These details shall include no gates within 5.5m of the highway (footway), 2x2m visibility splays. In addition, details of a cycle storey shall be provided and approved in writing. The development shall be carried out in accordance with the approved details which shall be in place prior to first occupation and remain in that form thereafter.
- 12. The parking and turning spaces shown on approved site plan drawing SK01E shall be provided and made available for use prior to first occupation of the building and shall be permanently retained and kept available for that purpose.
- 13. Any damage (or repair work required) to the boundary wall shall be repaired using materials that match the existing.
- 14. The extended parapet proposed to the existing building shall be constructed in materials that match the existing wall.

- 15. The building hereby permitted shall be used as a care home and for no other use whatsoever.
- 16. In the event that unexpected contamination is found at any time when carrying out the development hereby approved, it must be reported immediately to the Local Planning Authority. Development works at the site shall cease and an investigation and risk assessment undertaken to assess the nature and extent of the unexpected contamination. A written report of the findings shall be submitted to and approved by the Local Planning Authority, together with a scheme to remediate, if required, prior to further development on site taking place. Only once written approval from the Local Planning Authority has been given shall development works recommence.

(Members voted on the officers' recommendation to approve the application)

(Voting: For: 5, Against: 3)

The application was therefore **APPROVED** 

# 20.PC.24.4 KET/2019/0177

# Proposed Development

\*5.6 Application for Listed Building Consent: Two storey rear extension with linked access to existing care home via a glazed link, demolition of outbuildings and additional parking at The Yews, 73 Kettering Road, Burton Latimer for Mr G Khaw, The Yews Residential Home For The Elderly

Application No: KET/2019/0177

Speaker:

None

#### Decision

Members received a report about a proposal for which Listed Building Consent for a two-storey rear extension consisting of 16 bedrooms with linked access to existing care home, demolition of outbuildings and additional parking.

Members raised concerns regarding the visual impact of the proposed development and raised concerns regarding highways safety with regards to the access point to the site.

It was heard that enhanced conditions could be included which would enable additional works to be carried out in order to maximise the efficiency of the entrance point and to alter the materials of the proposed cladding to something more sympathetic to the area.

It was agreed that the application be **APPROVED** subject to the following conditions:

- 1. The works to which this consent relate shall be begun before the expiration of 3 years from the date of this consent.
- 2. The development hereby permitted shall not be carried out other than in accordance with the approved plans and information detailed below.
- 3. No works shall proceed above slab level until precise details of the method of connection between the existing and the proposed building 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.
- 4. All works of repair, restoration and replacement to existing and boundary walls (including re-pointing) and the proposed extension to the parapet shall exactly match the features on the original building.

(Members voted on the officers' recommendation to approve the application)

(Voting: For 5, Against: 3)

The application was therefore APPROVED

# 20.PC.24.5 KET/2020/0092

#### Proposed Development

\*5.2 Full Application: 4 no. dwellings at 21-23 Church View Road (land at), Desborough for Mt D Cekrezi, Blythe Homes Ltd

Application No: KET/2020/0092

#### Speaker:

Mark Marshall attended the meeting and addressed the committee as the agent on behalf of the applicant stating that the proposed development had been following officer reduced recommendations consultation and and all neighbour feedback that concerns had been addressed. There minimal disruption would be neighbouring properties and the development would positively enhance the local area.

# **Decision**

Members received a report about a proposal for which planning permission was being sought for four detached residential dwelling. two two-storey dwellings at the front of the site and two bungalows to the rear.

It was noted that the applicant had been through the pre-application advices process and had made amendments during the scheme to reduce the scale of the rear bungalows, amend parking and access layouts and a number of other elements though discussion with the case officer.

The Planning Officer addressed the committee and provided an update which stated that an additional condition was to be included to ensure surface water from the access does not run onto the highway.

Members then agreed that the proposed development was satisfactory and saw no issue with approving the application as per the officer's recommendation.

It was agreed that the application be **APPROVED** subject 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.
- 2. The development hereby permitted shall not be carried out other than in accordance with the approved plans and details listed below.
- 3. Prior to the commencement of development a Construction Management Plan 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.
- 4. No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority. This written scheme will include the following components, completion of each of which will trigger the phased discharging of the condition:
  - (i) fieldwork in accordance with the agreed written scheme of investigation;

- (ii) post-excavation assessment (to be submitted within six months of the completion of fieldwork, unless otherwise agreed in advance with the Local Planning Authority);
- (iii) completion of post-excavation analysis, preparation of site archive ready for deposition at a store (Northamptonshire ARC) approved by the Local Planning Authority, completion of an archive report, and submission of a publication report to be completed within two years of the completion of fieldwork, unless otherwise agreed in advance with the Local Planning Authority.
- 5. No above groundwork shall take place until full details of the surface water drainage scheme for the site, based on the SUDS consent design plan ref.2363-057B have been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include details (i.e. designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets and attenuation structures (if required) and details of management and maintenance.
- 6. No development above building slab level 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.
- 7. No development above slab level 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.
- 8. No development above slab level shall occur until full details of the proposed bat and bird boxes proposed within the Planning Statement (KET/2020/0092/4a) and the Sustainability and Energy Statement (KET/2020/0092/1) shall be submitted to and approved in writing by the Local Planning Authority, The approved boxes shall be located prior to first occupation of any dwelling.
- 9. Works to implement this permission shall accord with the following times: Monday to Friday 08.00 to 18.00 hrs, Saturday 08.30 to 13.30 and at no time whatsoever on Sundays or Public/Bank Holidays. This includes deliveries to the site and any work undertaken by contractors and sub-contractors.
- 10. 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 A 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.

A. Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11(or any model procedures revoking and replacing those model procedures with or without modification)'.

#### 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 in accordance with the requirements of condition A, 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.
- 11. The parking areas, garaging and private drive as depicted on approved plans 2363- 054A, 2363-052B and 2363-055 shall be provided prior to the first

occupation of the buildings hereby permitted and kept available for the parking of vehicles and manoeuvring around the site.

- 12. No gates, barrier or means of enclosure shall be erected across a vehicular access within 5.5m of the highway boundary. Any such feature erected beyond that distance shall be hung to open inwards away from the highway.
- 13. The maximum gradient over the first 5m distance from the access shall not exceed 1in 15 and the surface shall be hard bound.
- 14. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no building, structure or other alteration permitted by Class A, B,C, D or E of Part 1 of Schedule 2 of the Order shall be constructed on the application site.
- 15. All dwellings shall be constructed to achieve a maximum water use of no more than 105 litres per person per day in accordance with the optional standards 36(2)(b) of the Building Regulations 2010 (as amended) as detailed within the Building Regulations 2010 Approved Document G Sanitation, hot water safety and water efficiency (2015 edition);
- 16. There shall be no external illumination on the site at any time other than in accordance with a detailed scheme which shall first have been submitted to and approved in writing by the Local Planning Authority.
- 17. There shall be no construction of the access hereby permitted, unless and until details of a positive means of drainage to ensure that surface water from the vehicular access does not discharge onto the highway, have been submitted to and approved in writing by the Local Planning Authority. Such approved details shall thereafter be installed and be operational prior to the first occupation of the first dwelling on site, and thereafter maintained at all times.

(Members voted on the officers' recommendation to approve the application)

(Voting: For: Unanimous)

The application was therefore APPROVED

# 20.PC.24.6 KET/2020/0880

# **Proposed Development**

\*5.1 Outline Application: Residential development for 3 no, single storey dwellings with access off Church View Road at Church View Road (land to the rear of 10, 14 & 16, Desborough for Mr P York

Application No: KET/2020/0880

### Speaker:

None

#### Decision

Members received a report about a proposal for which outline planning permission was being sought to construct a residential development on the site. The application was for outline with access considered in detail and all other matters reserved.

It was noted that during this application the agent had reduced the number of dwellings from 5 to 3 dwellings within the site with each dwelling proposed to have a detached garage adjacent to the dwelling.

The Planning Officer addressed the committee and provided an update which stated that in addition to a number of alterations within conditions, an additional condition was recommended to require details of drainage from site and to ensure all dwellings on site are built to achieve a maximum water use.

Members then agreed that the proposed development was satisfactory and saw no issue with approving the application as per the officer's recommendation.

It was agreed that the application be **APPROVED** subject to the following conditions:

- 1. Approval of the details of the appearance, landscaping, layout and scale (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.
- 2. Plans and particulars of the reserved matters referred to in condition 1 above, relating to the appearance, layout and scale of any buildings to be erected and the landscaping of the site, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.
- 3. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this planning permission.
- 4. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission or before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

- 5. The total number of dwellings within the approved site shall not exceed 3.
- 6. The dwellings hereby approved shall be of single storey design with a pitched roof, with no rooms above ground floor level. There shall be no openings in the roof planes. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015, (or any Statutory Instrument revoking, reenacting or amending that Order),following approval of reserved matters for a single storey design, no development under Schedule 2 Part 1 Class A, B. C, E shall be undertaken.
- 7. No development above building slab level 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.
- 8. Demolition and construction works shall not take place other than between the hours of Monday to Friday 08.00 to 18.00 hrs and at no time whatsoever on Saturdays or Sundays or Public/Bank Holidays. This includes deliveries to the site and any work undertaken by contractors and sub contractors.
- 9. Prior to the commencement of development a Construction Management Plan 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.
- 10. 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 A 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.

#### A. Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s). This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11(or any model procedures revoking and replacing those model procedures with or without modification)'.

#### 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 in accordance with the requirements of condition A, 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.

- 11. No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority. This written scheme will include the following components, completion of each of which will trigger the phased discharging of the condition:
  - (i) fieldwork in accordance with the agreed written scheme of investigation;
  - (ii) post-excavation assessment (to be submitted within six months of the completion of fieldwork, unless otherwise agreed in advance with the Local Planning Authority);
  - (iii) completion of post-excavation analysis, preparation of site archive ready for deposition at a store (Northamptonshire ARC) approved by the Local Planning Authority, completion of an archive report, and submission of a publication report to

be completed within two years of the completion of fieldwork, unless otherwise agreed in advance with the Local Planning Authority.

- 12. Prior to first occupation of the development hereby permitted the vehicular access and parking spaces to serve each dwelling shall have been completed in accordance with the details shown on approved plan YORK/P4C and pedestrian visibility splays of at least 2.0m by 2.0m shall be provided on each side of the vehicular access. These splays shall thereafter be permanently kept free of all obstacles to visibility over 0.6m in height above the access/footway level.
- 13. The maximum gradient over the first 5m distance from the access shall not exceed 1in 15.
- 14. No gates, barrier or means of enclosure shall be erected across a vehicular access within 5.5m of the highway boundary. Any such feature erected beyond that distance shall be hung to open inwards away from the highway.
- 15. Prior to the commencement of the development hereby permitted, details of a positive means of drainage to ensure that surface water from the vehicular access does not discharge onto the highway and/or Right of Way shall be submitted to and approved in writing by the Local Planning Authority. Such approved details shall thereafter be installed and operational prior to first use and thereafter maintained at all times.
- 16. Prior to the commencement of development, a scheme for the provision of the surface and waste water drainage shall be 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 scheme.
- 17. All dwellings shall be constructed to achieve a maximum water use of no more than 105 litres per person per day in accordance with the optional standards 36(2)(b) of the Building Regulations 2010 (as amended) as detailed within the Building Regulations 2010 Approved Documentation G Sanitation, hot water safety and water efficiency (2015 edition).

(Members voted on the officers' recommendation to approve the application)

(Voting: For: Unanimous)

The application was therefore **APPROVED** 

# 20.PC.24.7 KET/2020/0207

#### **Proposed Development**

\*5.7 Outline Application: Demolition of existing house and construction of 4 no. dwellings at Grey Gables, 15 Pytchley Road, Kettering for Mrs E R Pearce

Application No: KET/2020/0207

# Speaker:

Maria Ferrito attended the meeting and addressed the committee as a third party objector to the proposed development stating that the application is a severe overdevelopment of the site and is not in keeping with the character of the surrounding area. Maria Ferrito that also stated the proposed development was out of contrast to what is currently on the site and would lead to the loss of privacy and amenity for neighbouring properties.

Tarquin Millican submitted a written statement on behalf of the applicant for the proposed development stating that the application design and layout was appropriate for the site and that there had been no objections from a number of statutory consultees.

#### Decision

Members received a report about a proposal for which outline planning permission was being sought with access (reserved for later determination: appearance, landscaping, layout and scale) for demolition of the existing house and construction of four dwellings. Access was proposed to be taken from its current location.

Members raised concerns regarding the unsafe access point to the proposed site which would cause a detrimental impact to traffic flow on surrounding roads which were already at capacity.

Members also raised concerns regarding the overbearing and overdevelopment of the site

Following debate it was proposed by Councillor Thurland and seconded by Councillor Edwards that the application be refused due to the overdevelopment of the proposal site and the detrimental and cumulative impact on the character and appearance of the area as well as highway safety.

It was agreed that the application be **REFUSED** for the following reasons

- 1. By reason of its density and associated works including parking areas, driveways and garages the proposal fails to respect the open and verdant character of the site and surrounding density and fails to preserve the open setting of the adjacent Grade II Listed Wicksteed Park, which includes cumulative impacts when taken together with other recent housing developments either side of the site. The proposal has therefore also failed to demonstrate that the demolition of the existing dwelling on the site is justified. Thereby the proposal constitutes overdevelopment harmful to the visual amenities of the site, the area and the setting of the Grade II Listed Park. The application therefore is contrary to Policy 2 and 8 (d)i) of the North Northamptonshire Joint Core Strategy 2011-2031 and is inconsistent with paragraph 127, 130 and chapter 16 of the NPPF.
- 2. By reason of the proximity of the access point to the Lewis Road junction on to the heavily trafficked Pytchley Road and the increased intensification of its use together with the poor access arrangements proposed, that fail to meet highway standards, (including its narrow width and visibility) the development would result in an unacceptable impact on highway safety including cumulative impacts and

thereby have an adverse impact on highway safety in the locality of the proposed access. The application therefore is contrary to Policy 8 (b)i)ii) of the North Northamptonshire Joint Core Strategy 2011-2031 and is inconsistent with paragraph 108-110 of the NPPF.

(Members voted on the motion to refuse the application)

(Voting: For: Unanimous)

The application was therefore **REFUSED** 

\*(The Committee exercised its delegated powers to act in the matters marked \*)

(The meeting started at 6.00 pm and ended at 8.15 pm)

Signed
Chair



# Tuesday, 25 August, 2020

# No. 5 Planning Application Reports

5.1	KET/2020/0101	PJC	Cowper Street (land off), Kettering Full Application: Erection of 49 no. dwellings including associated access and public open space Expiry date: 31-August-2020	1
5.2	KET/2020/0106	JPS	Crabtree Farm, Hermitage Road, Brampton Ash Full Application: Change of use from woodland to leisure use with two pods and four bell tents and associated parking area Expiry date: 26-May-2020	32
5.3	KET/2020/0147	RJM	Plot 4b, SEGRO Park, Kettering Gateway, Land off A14 Junction 10 Approval of Reserved Matters (EIA): Erection of B8 distribution facility with ancillary offices, gatehouse, car parking and landscaping Expiry date: 31-July-2020	44

Application Reference Numbers and Expiry Dates in bold type are within the permitted time frame

The Planning Officer's initials are in the third column. For further details please refer to the end of the individual reports.

The membership for this Full Planning Committee is as follows:-

Councillors:- S Stanton (Chair), A Davies (Deputy Chair), J O'Hara, L Adams, C Mitchell, C Moreton, M Rowley, L Thurland, G Titcombe

Substitutes:- Councillors S Edwards, D Howes, I Jelley, A Lee, J West



#### **BOROUGH OF KETTERING**

Committee	Full Planning Committee - 25/08/2020	Item No: 5.1				
Report	Peter Chaplin	Application No:				
Originator	<b>Development Manager</b>	KET/2020/0101				
Wards	All Saints					
Affected	All Sallits					
Location	Cowper Street (land off), Kettering					
Dropool	Full Application: Erection of 49 no. dwellings including associated					
Proposal	access and public open space					
Applicant	Mr Harmon, Harpur Developments 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 a S.106 OBLIGATION being entered into, and to the following conditions:-

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 except in complete accordance with the detailed shown on the submitted plans, nos

BR-2018-PLNG-02-G - Elevations;

BR-2018-PLNG-05-D - Landscaping Plan 01;

BR-2018-PLNG-06-F - Landscaping Plan 02;

BR-2018-PLNG-07-F - Landscaping Plan 03;

BR-2018-PLNG-08-C - Landscaping Plan 04;

BR-2018-PLNG-04-G - Street Scenes;

BR-2018-PLNG-16- D Public Open Space Scheme 3

BR-2018-PLNG-09-Z - Site Layout Plan (subject to vehicular access to the land in front of the bowling alley remaining suitable without crossing kerb upstandings etc;

BR-2018-PLNG-03-H - Floor Plans;

TA05 A - Vehicle Tracking Turn left in and out;

TA06 A - Vehicle Tracking Turn right in and out;

TA07 A - Vehicle Tracking Turn in the Road.

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

- 3. No earthworks or groundworks 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 to protect the privacy of the occupiers of adjoining properties in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.
- 4. Prior to the occupation of any dwelling all garden and landscaped areas shown on the approved plans shall have a capping layer of soil (top and/or sub soils) as outlined in report ref. STQ4344-G01 dated May 2018 (to a minimum depth of 600mm in private residential gardens and 300mm in general landscaped areas). A verification report to demonstrate that the required depth of cover has been achieved, to include a topographic survey or a visual inspection at numerous points across the site supported by photographic evidence, shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the first dwelling. Details of the supplier and confirmation of the source(s) and total quantity of imported soil material shall 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. Occupation of the development shall only be permitted on approval of the verification report.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised in accordance with Policies 6 and 8 of the North Northamptonshire Joint Core Strategy.

5. Prior to the commencement of development a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved CMP shall be adhered to throughout the construction period and the approved measures shall be retained for the duration of the construction.

REASON: The details are required prior to commencement of development because the CMP needs to be in place and in force throughout the construction period and in the interests of safeguarding highway safety and residential amenity in accordance with Policy 8 of the Northamptonshire Joint Core Strategy

6. In the event that unexpected contamination is found at any time when carrying out the development hereby approved, it must be reported immediately to the Local Planning Authority. Development works at the site shall cease and an investigation and risk assessment undertaken to assess the nature and extent of the unexpected contamination. A written report of the findings shall be submitted to and approved by the Local Planning Authority, together with a scheme to remediate, if required, prior to further development on site taking place. Only once written approval from the Local Planning Authority has been given shall development works recommence.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised in accordance with Policies 6 and 8 of the North Northamptonshire Joint Core Strategy.

7. Prior to the construction of any buildings above slab level a scheme for achieving the noise levels outlined in BS8233:2014 with regards to the residential units shall be submitted and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the approved scheme has been implemented in full in the dwellings to be occupied. The scheme shall be retained in full thereafter and no alterations shall be made to the approved structure including roof, doors, windows and external facades, layout of the units or noise barriers.

REASON: In the interest of safeguarding residential amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

8. No development shall take place until a scheme and timetable detailing the provision of fire hydrants and their associated infrastructure has been submitted to and approved in writing by the Local Planning Authority. The fire hydrants and associated infrastructure shall thereafter be provided in accordance with the approved scheme and timetable. REASON: To ensure adequate water infrastructure provision is made on site for the local fire

REASON: To ensure adequate water infrastructure provision is made on site for the local fire service to tackle and property fire in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

9. No above ground work shall take place until full details of the surface water drainage scheme for the site, based on the approved Flood Risk Assessment ref R-FRA-9842M-01-H, rev. H, dated November 2018, prepared by JPP Consulting Ltd, have been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include details (i.e. designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets and attenuation structures (if required). Details of the drainage system are to be accompanied by full and appropriately cross-referenced supporting calculations.

REASON: To reduce the risk of flooding both on and off site in accordance with the NPPF and Policy 5 of the Core Strategy for North Northamptonshire by ensuring the satisfactory means of surface water attenuation and discharge from the site.

10. No above ground work shall take place until a detailed scheme for the ownership and maintenance for every element of the surface water drainage system proposed on the site has been submitted to and approved in writing by the Local Planning Authority and the maintenance plan shall be carried out in full thereafter.

Details are required of the organisation or body responsible for vesting and maintenance of individual aspects of the drainage system. The maintenance and/or adoption proposal for every element of the surface water drainage system proposed on the site should be considered for the lifetime of the development and a maintenance schedule setting out which assets need to be maintained, at what intervals and what method is to be used including details of expected design life of all assets with a schedule of when replacement assets may be required, should be submitted.

A maintenance schedule should be accompanied by a site plan to include access points, maintenance access easements and outfalls. Maintenance operational areas to be identified and shown on the plans, to ensure there is room to gain access to the asset, maintain it with appropriate plant and then handle any arising's generated from the site.

REASON: To reduce the risk of flooding both on and off site in accordance with the NPPF and Policy 5 of the Core Strategy for North Northamptonshire by ensuring the satisfactory means of surface water attenuation and discharge from the site.

- 11. No Occupation shall take place until the Verification Report for the installed surface water drainage system for the site to be submitted in writing by a suitably qualified independent drainage engineer and approved by the Local Planning Authority prior to occupation of the site based on the approved Flood Risk Assessment ref R-FRA-9842M-01-H, rev. H, dated November 2018, prepared by JPP Consulting Ltd. These shall include:
- a) Any departure from the agreed design is keeping with the approved principles
- b) Any As-Built Drawings and accompanying photos
- c) Results of any Performance Testing undertaken as a part of the application process (if required / necessary)
- d) Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges etc. REASON: To ensure the installed Surface Water Drainage System is satisfactory and in accordance with the approved reports for the development site and in accordance with the NPPF and policy 5 of the North Northamptonshire Joint Core Strategy.
- 12. No development shall commence on site until full details of a scheme including phasing, for the provision of mains foul sewage infrastructure on and off site has been submitted to and approved in writing by the Local Planning Authority. No building shall be occupied until the works have been carried out in accordance with the approved scheme. REASON: To prevent flooding, pollution and detriment to public amenity through provision of suitable water infrastructure in accordance with Section 14 of the National Planning Policy Framework and Policy 5 of the North Northamptonshire Joint Core Strategy.
- 13. No development above slab level shall take place until details of the types and colours of all external facing and roofing materials, windows and rainwater goods 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: In the interests of the visual amenities of the area in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

- 14. The public open space hereby approved shall be laid out in accordance with plan BR-2018-PLNG-16-D received on 15/07/2020. The works approved shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development whichever is the sooner. 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.
- 15. No development above slab level shall take place until details of the materials to be used for hard and paved surfacing have been submitted to and approved in writing by the Local Planning Authority. The approved surfacing shall be completed before the adjoining dwellinghouses are first occupied, in accordance with the approved details. REASON: In the interests of visual amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.
- 16. There shall be no external illumination on the site at any time other than in accordance with a detailed scheme which shall first have been submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of the amenities of the area and adjoining residential properties in particular in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

- 17. All dwellings shall be constructed to achieve a maximum water use of no more than 110 litres per person per day in accordance with the optional standards 36(2)(b) of the Building Regulations 2010 (as amended) as detailed within the Building Regulations 2010 Approved Document G Sanitation, hot water safety and water efficiency (2015 edition); REASON: In the interests of water efficiency in a designated area of water stress in accordance with Policy 9 of the North Northamptonshire Joint Core Spatial Strategy.
- 18. Notwithstanding the approved details no boundary treatment shall be constructed until a revised scheme for boundary treatment has been submitted to and approved in writing by the Local Planning Authority which seeks to replace closed board fencing visible within the public realm with an acceptable alternative. The dwelling, which the boundary treatment relates shall not be occupied until the relevant part of the approved scheme has been fully implemented in accordance with the approved details and retained as such thereafter. REASON: In the interests of the visual and residential amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.
- 19. In the event that the approved layout of streets and sewers are not adopted by the Highway Authority, the development shall not be carried out other than in accordance with an approved 'Legal setup of a Management Company' document and maintained to standards that have been set out and approved by the LPA prior to and in regard to the laying out of any roads, sewers and other common facilities.

REASON: In the interest of highway safety and in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

- 20. Prior to completion of the development a signing strategy shall be submitted to the local planning authority in writing for approval. The Signing Strategy shall include such details, drawings, specifications, schedules and programme including but not limited to the following:-
- Plans identifying all existing signs and way marking that direct highway users (which for the avoidance of doubt shall include motorists, cyclists, pedestrians and equestrians) to the redundant football ground including repeater or graphic signage;
- A strategy setting out which existing signs and way marking are proposed to be removed, replaced, amended or modified so as to remove reference to the redundant football ground as a legend or destination;
- Full sign design details of replacement signs, modifications to existing signs and reinstatements for removed signs, such details shall include appropriate detailed location plans including, sign face design, post design and associated foundation design;

REASON: In accordance with Policy 8 b) of the North Northamptonshire Joint Core Strategy

21. No development shall take place on site until full details (in accordance with the specification of the Highway Authority) for a Toucan Crossing across Rockingham Road has been submitted to and approved in writing by the Local Planning Authority. First occupation of the site shall not occur unless provision to implement such a crossing has been first secured.

REASON: Access for prioritising the needs of pedestrians is required in accordance with Policy 8 b) of the North Northamptonshire Joint Core Strategy.

22. No development above slab level 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 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 in the interests of visual amenity/character of the area, in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

#### Officers Report for KET/2020/0101

This application is reported for Committee decision because there are unresolved, material objections to the proposal and the application requires an agreement under s.106.

#### 3.0 Information

#### **Relevant Planning History**

Ref No.	Decision	Date	Address	Description
KET/2017/0761	Prior Approval Granted	23-10-17	Kettering Football Ground, Cowper Street, Kettering Northamptonshire	Demolition of stands, terraces and flood lights
KET/2018/0519	Refused **	23-01-20	Cowper Street (land off), Kettering Northamptonshire	Erection of 49 no. dwellings including associated access and public open space

<sup>\*\*</sup> This application is currently under appeal (ref. APP/L2820/W/20/3246936).

The application ref: KET/2018/0519 when first reported to KBC Planning Committee was based on an expected S106 offer of 14 affordable houses and a total S106 financial contributions of £456,085, a figure identified before independent viability evidence was subsequently provided.

A second Officer report and recommendation to Committee on 17 December 2019 considered viability evidence and assessment produced in 2019. However, KBC Planning Committee on 17 December 2019, resolved to refuse for the following reason:

The Proposed development is subject to Policy 30 of the North Northamptonshire Joint Core Strategy which requires 30% affordable housing contributions for growth towns like Kettering. The previously agreed level of development contributions is set out in section 6 of the Committee Report dated 20.02.2019, upon which the resolution to grant, subject to \$106 and conditions, had been made. In the opinion of the Local Planning Authority the proposed degree of reduction for the Affordable Housing mix and tenure and reduced financial contributions in other respects would result in a development that is considered to be unsustainable in terms of North Northamptonshire Joint Core Strategy Policies 1, 10 and 30.

Based on viability, the appeal proposal is for either of two options of 6 and 8 affordable houses respectively (with commensurate reduction of other S106 contributions) The refused scheme (ref: KET/ 2018/ 0519) is awaiting an appeal decision from the Planning Inspectorate (PINS)

#### Reasons for latest application

However, as an alternative, the same applicant has submitted a new application (ref: KET/2020/0101) which is the subject of this report. By comparison with the above, the latest offer is for 10 affordable housing units to seek to address earlier concerns that the LPA had, but for reasons of viability the S106 sum for other headings is reduced to £260,000.

#### Site Visit

Officer's site inspection was carried out on 06/03/2020.

#### Site Description

The site is located to the eastern side of Rockingham Road, which forms one of the main arterial routes running north from the town centre. It covers an area of 1.52ha and is rectangular in shape and was the former home of Kettering Town Football Club who vacated the site in 2011. The site has now been cleared. To the north of the site is the New York Thunderbowl indoor bowling centre and car parking area. To the east it is bounded by Cowper Street and a row of terraced houses together with a large commercial building. On the southern boundary the site is bounded by Britannia Road which is predominantly residential apart from one commercial building. Finally, the western boundary fronts onto Rockingham Road and the north western corner of the site has a shared access with the bowling centre from a roundabout on Rockingham Road providing a junction with Northfield Avenue.

# **Proposed Development**

The proposal is to erect 49 no. dwellings with associated access and public open space. The proposed development comprises a mix of 2 and 3 bed semi-detached and detached houses and 4 bed detached dwellings, 10 of these houses are affordable units equating to 20%.

Physically, the scheme is largely identical to that which was put forward under KET/2018/0519 which some minor alterations in window arrangements. The changes proposed are largely focused on the levels of affordable housing and S.106 contributions, upon which the application was previously refused. The developer has engaged with KBC Housing and a secondary consultant to discuss viability issue which arose through the previous application (discussed in detail below)

As with KET/2018/0519, Housing fronts directly on to Britannia Road and Cowper Street and provides off-street parking via shared drives and garages. A main access to the site is provided off the shared access for the car parking area of the Bowling Centre linking to the roundabout on Rockingham Road. This access serves housing which is set back and separated from Rockingham Road by an area of Public Open Space (1,210sqm in size) including a subterranean SUDS drainage facility as well as housing in the centre of the site. The access road forms an L-shape within the site with a turning head at the end and private shared drives accessed from this. Under the previous application KET/2018/0519, a second area of Public Open Space (316 sqm) was proposed located on the junction of the access road in the centre of the site, however during the earlier application, through negotiation this was reallocated for residential use within the masterplan creating a further dwelling and raising the overall number of houses from the original 48 proposed.

# **Any Constraints Affecting the Site**

A Road Nene Valley NIA Outdoor Sport Facility

#### 4.0 Consultation and Customer Impact

#### NCC Highways - Local Highway Authority

Objection – There are unacceptable instances of tandem parking in blocks of three, triple length single width private drives, lack of bin collection points detailed for shared private drives.

#### Observations:

- -The applicant is requested to provide details of the controlled pedestrian crossing (Toucan crossing) to the north of the Northfield Avenue / Rockingham Road junction to assist the sustainability of the site by increasing the access to both north and southbound bus services for its residents.
- Revised plan BR2018 PLNG 09 Z (which shows 10 affordable houses) fails to meet some of the LHA basic standards.

In response to the Transport Statement – NCC Highways comment are:

"Although the applicant states that phase 2 of the development will be subjected to a separate planning application, NH would still require an understanding of the cumulative impact of trips relating to this and the current application on the existing Rockingham Road / Northfield Avenue roundabout.

It is accepted that the scale of development being proposed is unlikely to have a significant adverse impact on the wider highway network, however with the Rockingham Road/Northfield Avenue roundabout serving as the first point of entry onto the highway network for the majority of development trips, it is important to understand the existing and future operational capacity of that roundabout. NH would therefore request that a detailed capacity assessment of the existing Rockingham Road / Northfield Avenue roundabout, for a base year and 2031 future year 'with' and 'without' development assessment scenarios for both morning and evening peak periods be undertaken by the applicant. A further sensitivity assessment using the additional trips from the 13 dwellings associated with phase 2 of the development should also be undertaken by the applicant. A validate base model should be prepared to provide an acceptable basis for future year analysis."

#### LPA Officer response:

When the layout was examined at the time of the first occasion the refused application was presented to Committee in February 2019 it had been explained by Officers that in response to concerns raised, a proposed pedestrian access from Britannia Road had been removed, and that on plot parking of a total of 124 spaces had been provided across the site which made an average of 2.5 per dwelling. A parking survey at the time demonstrated that only 50% of available parking spaces on street were being used.

Criticism by the LHA that the layout did not fully meet standards for the purpose of adoption included some minor variances such as the provision of permeable paving within the highway in order to create the surface water drainage capacity for the site which Highways said was not adoptable.

Other comments repeated now are the tandem parking. The LHA have objected on the triple tandem parking bays between Plots 40/41 and 44/45.

However, the layout remains as it was when presented to committee previously and these issues did not form part of the reason for refusal. The layout had been amended to respond to Highways concerns, albeit with these minor differences to what was asked for by the LHA.

An important point to note is that the applicant has stated it is not their intention to have the roads adopted due to the drainage strategy required to satisfy SUDS requirements (NCC will not adopt SUDS within an adopted highway) They anticipate were the application to be approved there would be a condition to deal with matters in this regard for a management company and the details and mechanics of this to be submitted and agreed by the LPA.

#### **Environment Agency:**

No comments received for this application.

Previous comments under KET/2018/0519 - No objection to the application as submitted. Based on the review of the Ground Investigation Report consider the site to pose a low risk to controlled waters. Advice provided regarding SUDs approach and potential for ground water contamination.

#### **Local Lead Flood Authority:**

No comments received for this application.

Previous comments under KET/2018/0519 - LLFA initially considered there was insufficient information available to comment on the acceptability of the proposed surface water drainage scheme for the proposed development. The concerns of the LLFA can be overcome by submitting surface water drainage information which addressed the deficiencies that are highlighted.

Re-consultation 21/12/18 (on KET/2018/0519): Subject to conditions provided the impacts of surface water drainage have been adequately addressed at this stage. Without the conditions the proposed development on this site may pose an unacceptable risk of surface water flooding

#### Cadent Gas:

Operational gas apparatus identified on the application site. If development is above gas apparatus, then diversion required before development proceeds. If construction traffic is likely to cross a Cadent pipeline the Plant Protection Team must be contacted to see if any protection measures are necessary. Informative to this effect should be added to any consent.

#### **Anglian Water:**

Assets owned by Anglian Water have been identified within or close to the development boundary that may affect the layout of the site. Should permission be granted Anglian Water requests that an informative be added.

There is currently insufficient capacity at the Broadholme Water Recycling Centre to treat waste flows from this development site, however, if planning permission were granted Anglian Water is obligated to accept the flows and will take the necessary steps to increase the capacity.

The sewerage system presently has capacity for these flows, however, if permission is granted the developer should serve notice under Section 106 of the Water Industry Act 1991 and the most suitable point of connection will be advised.

In relation to surface water disposal the preferred method of surface water disposal would be to a sustainable drainage system (SUDS) with connection to a sewer seen as the last option. The proposed method of surface water management does not relate to Anglian Water managed assets. The LLFA and Environment Agency should be consulted in this regard.

#### **Crime Prevention:**

Northamptonshire Police have the following comments, which if implemented will reduce the likelihood of crime, disorder and anti-social behaviour occurring. This is in the interest of the security and quality life of future occupants of the development in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

- Plots 42 and 43 that are adjacent to the walkway should be set back and give meaningful surveillance over this area. It would be preferable for the houses to front this. If not possible these dwellings must be duel fronted with defensible space. As it stands this walkway had blank gable ends and fencing along its entire length. This area will be vulnerable to anti-social behaviour, criminal damage including (but not limited to) graffiti. This will have a detrimental effect on the quality of life of the occupants.
- Treble tandem parking bays (plots 40 & 42 and 44 & 45) have the potential to cause neighbour disputes/conflict. The parking area are sandwiched between fences/buildings and would be sensitive to the size of vehicle and how straight the vehicle is parked. The residents will also need to shuffle cars. Treble tandem parking spaces should be avoided unless there is plenty of on street parking available and the spaces are large as they are inconvenient and rely on good neighbour etiquette. This has the potential to affect the quality of life of the residents and escalate into prolonged neighbour disputes.
- Vehicle access onto the POS should be prevented.
- The houses that front the POS and plot 25 should have a formal boundary treatment to their front gardens.
  - All doors and windows in domestic dwelling should meet the requirements of Approved Document Q of Building Regulations. Northamptonshire Police recommend the use of 3rd party accredited products.

- When the lighting scheme has been produced it is important that as well as adopted areas being considered that unadopted areas are similarly treated for safety and security reasons.
- Internal fence panels should be 1.8m high for the length of the garden.
   This can be made up with various configurations.

#### NCC Education:

A development of this size will generate 16 nursery/pre-school pupils, 16 primary school pupils and 13 secondary and sixth form students base on the housing mix and the Council's pupil generator multipliers.

Early Years - The County Council's 'sufficiency of capacity' evidence base for Early Years indicates that within the area of the proposed development, there is a shortage of Early Years entitlement places, with the number of eligible pupils exceeding the spaces available. Therefore, it is expected that a S.106 planning obligation will be necessary to meet the needs of this development and ensure children can be accommodated locally. Based on the current Department of Education cost multipliers for Early Years Education a S.106 contribution of £198,596 will be required towards provision of additional Early Years capacity based on the proposed dwelling mix provided.

In terms of primary education, the site is served by a number of schools as at February 2020 the majority of these were operating above the DofE recommended capacity threshold with several schools at 98% and above. Therefore, it is not expected that capacity would be available, and a contribution based on the housing mix and cost multipliers for Primary education provision would be £201,196.

Secondary education –There are a number of schools within the vicinity of the site which would potentially serve the development. However, Secondary education capacity across the Kettering area is currently severely limited, with the majority of schools in the vicinity operating at above 100% capacity as at February 2020. Furthermore, current forecasts indicate continued high levels of demand for places based on birth rate and three-year trend data alone. A number of projects are being planned to meet this increase in capacity and therefore a contribution of £242,678 will be required for secondary school contribution.

#### LPA Officer Comments

The S106 contribution requested have been calculated on previous split of unit sizes. This application has a proposed split of 10x2bed, 21x3bed and 18x4bed. Bases on the multipliers provide by NCC Development Services the correct figures are:

- Earlier years £196,612
- Primary £182,208
- Secondary £215,238

This gives a total request of £594,058 for education contributions.

The education contribution sought has increased by £198,596 since KET/2018/019 and even if the whole residue were put towards education, the viability evidence is that the scheme could not support the total sought.

Early years had not been requested on the previous application (just primary and secondary)

Considering the viability issues onsite the Education Authority has been advised on the proposed S106 offer of £215,495 to be split between education provision. Any response received will be reported to Members via the Committee Update.

#### **NCC Fire Service:**

New developments generate a requirement for additional fire hydrants in order to manage fires if they occur. An assessment of the site will be required; however, it is assumed that 1 fire hydrant will need to be installed at a cost of £892 per hydrant.

It is preferred that fire hydrants are designed into the development at the master plan stage and enforced through a planning condition, the final location of the hydrant must be agreed in consultation with the Fire and Rescue Service prior to installation. A standard condition is provided for securing fire hydrants.

#### **NCC Libraries**:

Where a new development will generate additional need and library space requirement the County Council will require a contribution towards library facilities in line with the Library Strategy to 2021.

In order to establish a proportionate cost towards the new and improvement works to libraries the County Council uses cost multipliers in accordance with adopted guidance. A Libraries contribution of £11,639 is sought for the enhancement, expansion or improvement of library facilities as a result of this development.

#### NCC Broadband:

In order for the commercial communications market to be able to deploy to these new build areas, measures must be introduced at the earliest opportunity. This will provide the required specification to enable full fibre connectivity for all new developments.

Additional supporting information regarding registration of development site has been sent to the applicant.

#### **Sport England:**

Object - As the playing field has not been used for a least five years, the consultation with Sport England is not a statutory requirement. As such the response is of a non-statutory nature.

The site is considered to constitute playing field or land last used as playing field, Sport England has sought to consider the application in light of the NPPF (Para 97) and against its own playing fields policy.

The proposal results in the loss of the former Kettering Town Football club site which contained an adult sized football pitch and stadia facilities. The submitted Area Playing Fields Assessment deals with the history of the site culminating in the club sharing the Burton Latimer ground and the site being demolished.

LPA Officer Comments- Sport England was involved in pre-application discussions prior to the 2018 application and supported the production of the Area Playing Fields Assessment to which conclusions were made.

Since the determination of the planning application KET/2018/0519 the Council has commenced work on a Playing Pitch Strategy (PPS), with the needs assessment of the PPS published on the Council's website.

Unlike the applicant's submitted Area Playing Field Assessment the PPS needs assessment (June 2018) identifies that there are current and future shortfalls in football pitch provision for all pitch types (particularly in Kettering and Burton Latimer). The applicant has failed to take account of the Council's new evidence base which is considered to be more up to date than the Area Playing Fields Assessment. Therefore, based on the above it is viewed that the playing field is not surplus to requirement therefore the proposal would not meet Sport England Exception policy E1, NPPF paragraph 97 and Policy 7 of the NNJCS.

It is also noted that the supporting planning statement states that the principle of development is acceptable with the site being allocated within the emerging Local Plan Part 2. However, the emerging allocation policy states "provide a contribution to improve existing facilities at North Park, Weekley Glebe Road or an appropriate alternative facility". No such provision is made as part of the planning application.

The Football Foundation, on behalf of the FA, objects as (E1) there is no assessment that demonstrates an excess of playing fields in the catchment area based on the recent Playing Pitch Strategy that was completed in 2019. The Football Foundation comment that the previously considered contribution of £30,000 would appear very low given the evidence provided by the PPS, and an increased contribution should be sought – for off-site provision.

They argue that there is evidence now to show that the pitch should be retained. However, as the stadium has now been demolished in part and the pitch is in a poor state of repair, it would appear unlikely that this could be achieved. Therefore, additional or improved grass pitches should be sought within the locality. A number of projects have been identified for improvement within the LFFP this would include Weekley Glebe Playing Fields amongst others.

#### **Environmental Health:**

No objections subject to conditions for a Construction Method Statement, capping/layering of garden/landscaped areas, contamination and mitigation of noise impacts. Consideration by the applicant of what air quality mitigation measures are possible in line with the draft East Midlands Air Quality guidance is also sought. For example, electric vehicle charging infrastructure, travel planning and access to public transport.

#### NHS England:

Confirm that there will not be sufficient capacity in the local primary healthcare system to absorb the anticipated increase in demand created by the proposed new housing development. In line with new health care models a request for a capital contribution is made towards the Primary Care Network. A standard calculation based on the number of dwellings proposed is requested of £20,711.04

#### **Public Comments:**

Notification letters were sent out to neighbours in close proximity and a site notice was erected at the site; 3 response were received as set out below;

## 81 Northfield Avenue – Objection

- Impact on traffic Weekdays and Saturday at peak times cars are stationary outside queuing.
- Air pollution due to queuing traffic will become worse.
- Request for air quality assessment on Northfield Avenue/Rockingham Road.

#### 30 Cowper Street – Comments

- Believe the landscaping and aesthetic of development are of a good design and it could be beneficial addition to the area.
- Query whether surrounding roads (particularly Cowper Street) will be resurfaced. Currently damaged due to heavy vehicles.
- Query if driveways will be long enough for 2 cars.
- Feels that the pavement along Cowper Street should be widened to 3m (1m more) to accommodate cars parking on both sides of Cowper Street.
- Concern for loss daylight from plots 39 to 48 and potential for overlooking resulting in a loss of privacy.
- Concerns that the nearby roundabout (Rockingham Road /Northfield Avenue) is dangerous and far too small. Provision to make this junction safer.
- Query regarding S.106 contributions which are lower that the requested payments.

#### 22 Cowper Street – Objection

- Loss of light and privacy. to small front rooms to properties along Cowper Street.
- Concern with the width of the road in Cowper Street. Which does not allow for parked cards wither side of the road. Visitors and cars surplus to the parking spaces will park on the road and create bottleneck.

# 5.0 Planning Policy

#### **National Planning Policy Framework**

Section 2: Achieving Sustainable Development

Section 5: Delivering a Sufficient Supply of Homes

Section 8: Promoting Healthy and Safe Communities

Section 9: Promoting Sustainable Transport

Section 11: Making Effective Use of Land

Section 12: Achieving Well-designed Places

Section 14: Meeting the Challenge of Climate Change, Flooding and Costal Change

# **Development Plan Policies**

#### North Northamptonshire Joint Core Strategy

Policy 1: Presumption in Favour of Sustainable Development

Policy 5: Water Environment, Resources and Flood Risk Management

Policy 6: Development on Brownfield Land and Land Affected by Contamination

Policy 7: Community Services and Facilities

Policy 8: North Northamptonshire Place Shaping Principles

Policy 9: Sustainable Buildings

Policy 10: Provision of Infrastructure

Policy 11: The Network of Urban and Rural Areas

Policy 15: Well-Connected Towns, Villages and Neighbourhoods

Policy 29: Distribution of New Homes Policy 30: Housing Mix and Tenure

# Saved Policies in the Local Plan for Kettering Borough

35 Housing: Within Towns

#### **SPD**

Sustainable Design SPD Open Space SPD

## **Emerging Policies (Local Development Framework)**

Site Specific Part 2 Local Plan was submitted to the Secretary of State on 28 May 2020 for examination by a Planning Inspector

#### 6.0 Financial/Resource Implications

The development would be expected to off-set its impacts by making a financial contribution towards local services and infrastructure in a Section 106 agreement, subject to viability.

10 affordable Housing units are proposed (50% affordable rent; 50% shared ownership).

There is also a sum of £260,000 being offered that is 57% of the previously anticipated total as at Feb 2019, before viability was tested.

The applicants propose that "this is comprised of £182,208 for primary education, £77,792 for secondary education and there is no longer a contribution for libraries or public open space maintenance. The previous application would have provided higher amounts for education as well as contributions towards libraries and public open space maintenance. The loss of these financial contributions from that previously proposed is counterbalanced by the increase in affordable housing provision and the benefits this would provide"

The applicants have also confirmed that they would be agreeable for the £260k to be divided up differently on (CIL reg compliant) needs e.g. towards a contribution for North Park leisure use/ and open space maintenance on site. In such a case, the balance could go towards education provision.

## 7.0 Climate Change Implications

Addressing climate change is one of the core land use planning principles which the National Planning Policy Framework expects to underpin both plan-making and decision-taking. The National Planning Policy Framework emphasises that responding to climate change is central to the economic, social and environmental dimensions of

sustainable development. National planning policy and guidance is clear that effective spatial planning is an important part of a successful response to climate change as it can influence the emission of greenhouse gases. In doing so, local planning authorities should ensure that protecting the local environment is properly considered alongside the broader issues of protecting the global environment. The adopted Development Plan for Kettering Borough is consistent with and supports these national policy aims and objectives.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise. The development plan comprising the North Northamptonshire Joint Core Strategy, Local Plan and Kettering Town Centre Action Plan makes clear the importance of climate change and seeks to create more sustainable places that are naturally resilient to future climate change. This will be further amplified by the emerging Site Specific Part 2 Local Plan once adopted which is being prepared within this context. Policies contained within the Part 2 Local Plan will help contribute towards a reduction in greenhouse gas emissions and will secure that the development and use of land contributes to the mitigation of, and adaption to, climate change.

## 8.0 Planning Considerations

The key issues for consideration in this application are: -

- 1. Principle of Development
- 2. Design and Impact on Character of the Area and Crime Prevention
- 3. Impact on Residential Amenity
- 4. Impact on Highways and Parking
- 5. Noise Impact
- 6. Flood Risk and Drainage
- 7. Sports/Play Pitch Mitigation
- 8. Public Open Space
- 9. Affordable Housing
- 10. Planning Obligations: Community Infrastructure
- 11. Benefits
- 12. Planning Balance

## 1. Principle of Development

The application site is in an established residential area to the north of Kettering town centre. Housing on this site is compatible with the character and uses of the area.

Paragraph 59 of the National Planning Policy Framework (NPPF) states that in order to support the Government's objective of significantly increasing the supply of homes it is important that a sufficient amount of varied land can come forward where it is needed to meet the housing needs of specific groups.

Paragraph 117 of the NPPF maintains that local planning authorities promote an effective use of land to meet the need for homes and other uses and that a clear strategy for accommodating these needs as much as possible is on previously developed or brownfield land.

Paragraph 68 of the NPPF requires that Local Planning Authorities maintain a 5-year housing land supply. The Council currently has a 5-year supply, this site is part of that figure and included as a proposed allocation in the emerging Local Plan Part 2 (see further discussion below).

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for Kettering Borough currently comprises the adopted North Northamptonshire Joint Core Strategy and saved policies of the Kettering Borough Local Plan 1995

Policies 11 and 29 of the North Northamptonshire Joint Core Strategy direct most of the development to existing urban areas and indicate that Kettering as a Growth Town will be the focus for infrastructure investment and higher order facilities to support all elements of development.

Policy 8 of the North Northamptonshire Joint Core Strategy (NNJCS) is supportive of new residential development provided there is no adverse impact on character and appearance, residential amenity and the highway network, while policy 35 of the Local Plan for Kettering Borough supports residential development within town boundaries subject to other policies within the plan.

The site has been included in the allocated housing sites within the emerging Site Specific Part 2 Local Plan (SSP2). The SSP2 Publication Plan consultation took place between December 2019 and February 2020 and the SSP2 was submitted to the Secretary of State for examination on 28 May 2020. The site is included in the Submission Plan as a housing allocation. The suitability of the site for housing has been evidenced by an assessment informed by consultation with statutory consultees.

Given where the emerging Plan is at the moment it does establish the principle of development on the site, although that plan has limited weight as Council policy which has been submitted for examination, the evidence behind the proposed allocation in the Housing Allocation Background Paper can be given more weight at this stage.

Policy 7 of the North Northamptonshire Joint Core Strategy requires the safeguarding of existing community services and facilities, providing a series of criteria to assess related applications. These criteria include references to safeguarding facilities unless it can be demonstrated that viability and need are not of concern. It is noted the issue of the playing pitch is addressed in the Area Playing Fields Assessment.

It is considered that the site is a former facility rather than a current one and therefore if it can be demonstrated that there is sufficient capacity to accommodate the current need of adult pitches in Kettering Borough without the application site, criterion i), ii) and iii) of criteria c) in Policy 7 of the NNJCS applies, and the proposal can be considered compliant with this policy. The views of Sport England on the significance of this site in terms of pitch provision should be considered.

Furthermore, in relation to criterion d) of Policy 7, any mitigation for the loss of the pitch is reduced, given that it hasn't been used as a football stadium since 2011.

The current use of the land and loss of a former sports facility has been considered. National and local policy supports the reuse of previously developed land in sustainable locations; this land is "brownfield" and can be considered sustainably located.

Taking account of the above, the principle of development for this proposal is therefore consistent with the policies set out above. Attention turns to the other development plan criteria and all material considerations.

#### 2. Design and Impact on Character of the Area and Crime Prevention

Policy 8 (d) of the NNJCS, consistent with Chapter 12 of the NPPF seeks to create development with distinctive local character by responding to local context and the overall form, character and landscape setting of the settlement.

The site comprises the former football stadium of Kettering Town Football Club which is located in a predominately residential area of the town with a prominent frontage onto Rockingham Road a main arterial route of the town. The stadium and associated buildings have been demolished (under prior notification approval KET/2017/0761) and the site cleared leaving a large infill site.

Various pre-application discussions and meetings were held prior to the submission of KET/2018/0519 and prior to the submission of this planning application, through which Officers advised that there was no objection in principle to the development of the site for residential purposes. The proposed site layout plan through the earlier application was altered several times in response to detailed highway comments and urban design; the main issue creating a more urban design friendly layout in terms of road layout and shared surfaces while still allowing for good walking links through the site.

A Design and Access Statement has been submitted to support the application and sets out the overall strategy for the site. This includes a main vehicular access from the existing Rockingham Road mini roundabout with plots on Cowper Street and Britannia Road having direct access onto the street; a mixture of dwellings with gardens and at least 2 off street parking spaces; there is a mix of 2 and 2.5 storey houses and their scale and massing will reflect the surrounding residential area as will the design and materials used. A significant area of open space is provided on the frontage of the development to ensure that the dwellings are set back from the main road.

In respect of the location of the former football stadium this is now a cleared site and will support delivery for housing to supplement the Council's 5year housing land supply. Through prior discussion the layout provides a primary vehicular access to Rockingham Road but does not allow access through the site from Cowper Street or Britannia Road as this would create a 'rat run'. Pedestrian and cycle access are promoted from these edges of the development to encourage permeability, although further amendments to the layout have been submitted which limit these access routes due to crime prevention concerns.

The design of the site incorporates a mixture of detached and semi-detached dwellings, the latter concentrated towards the Cowper Street frontage which would transition the existing form of terraced development on the eastern side of the street. The detached and larger dwellings would be located more toward the western side of the site adjacent to the open space. The overall density of the development is approximately 32dph which is slightly higher than the surrounding residential streets, however, this demonstrates an efficient use of land, and it would be an acceptable density for urban semi-detached developments.

Policy 8 e) iv) of the NNJCS seeks development to design out crime and anti-social behaviour creating safe environments benefiting from natural surveillance, defensible spaces and other security measures.

The Police's Crime Prevention Design advisor provided various comments to enhance the safety of the development and reduce anti-social behaviour and crime through amendments during the previous application to improve the layout of the scheme. Under this application the Crime Prevention Design Advisor has raised some concern regarding the layout of Plots 42 and Plots 43 and the intersecting alleyway between them which is faced by two gable ends.

The rear garden areas adjacent to the alleyway will be protected by 1.8m brick walls to provide a more defensible space for residents. The pathway is approximately 3m in width. Bollards have been added to the entrance to prevent motorcycle or mounted cycle access. It is not considered practical to set the properties back as these are small plots and surveillance of the western end of the footpath will be provided by residents in plots 25 and 26.

It is recommended that a condition be attached to any subsequent permission requiring all public/private realm interfaces to be of brick construction and a height of 1.8 metres.

The Crime Preventions Design advisor's comments have been forward to the applicant for information and to assist in the preparation of information which would need to be submitted under approval of conditions, should the application be approved.

This is a full application and issues of use, amount, layout, scale, landscaping and appearance need to be assessed to ensure the proposals are acceptable in design terms. The first three issues have been discussed above and it is considered that the design response adequately addresses the use, amount and layout of the scheme and impact of the of the layout on crime prevention, highway design and accessibility.

#### 3. Impact on Residential Amenity

The NNJCS in Policy 8 (e), consistent with Chapter 12 (para. 127(f)) of the NPPF, states that development should protect the amenity of all future and surrounding users of land and buildings.

Due to the location of the site which is bounded on 3 sides by highway roads the separation distances between the proposed houses and existing dwellings within the area are considered to be adequate. The housing which is closest to the busiest road

(Rockingham Road) and therefore most likely to create most noise impacts for future residents is set back by over 20 metres due to the positioning of the public open space. A noise assessment has been submitted with the application and mitigation is proposed (see sub section 5) such that any impact from these noise sources are made acceptable for housing in this area.

In terms of the northern boundary of the site this is adjacent to the existing New York Thunderbowl indoor bowling centre and car park. The nearest proposed house to this facility is approximately 5 metres away and, notwithstanding noise mitigation, it is not considered that this would create a nuisance neighbour with the proposed adjoining residential development.

By virtue of the orientation, relationship and proximity of the houses to one another together with the position and nature of the windows proposed the application would not be harmful to the residential amenities of future occupiers within the development site.

The dwellings provide appropriate levels of private amenity space and comply with National Space Standards consistent with NNJCS Policy 30.

As such the proposal is considered to be acceptable on this basis.

## 4. Impact on Highways and Parking

Policy 8 (b) of the NNJCS consistent with Section 9 of the NPPF is concerned with highway safety, seeking to ensure satisfactory means of access and parking provisions and promoting sustainable forms of transport within and to serve developments. Part of this is to prioritise the needs of pedestrians, cyclists and public transport users and ensure safe forms of movement for all transport modes.

The application is supported by a Transport Statement and Travel Plan. The development is located in an accessible part of the town which is well served by public transport and therefore considered to be a sustainable location. A revised Transport Statement and Travel Plan were submitted during the previous application to address issues raised by the Highways Authority and to account for the further dwelling which was added to the scheme.

The layout of the development provided vehicular access off the existing Rockingham Road/Northfield Avenue roundabout serving 29 houses from an L shaped access road. Houses are also accessed off private drives from this access road. The remainder of the houses front onto Britannia Road and Cowper Street and are accessed directly from these roads. Pedestrian access is also provided to Cowper Street to create permeability across the site. A total of 124 on plot parking spaces (2 spaces per dwelling on drive and 26 garage spaces) are provided across the site which makes an average of 2.5 per dwelling, this is in excess of the amount required by the Local Highway Authority's parking standards guidance. There is no dedicated visitor parking allocated within the development, however, a parking survey of the surrounding area has been submitted which demonstrates that only 50% of the available parking spaces on street are being used (albeit the data is taken from Nov 2017). Therefore, on street parking provision for the development is not considered to be necessary.

The conclusion of the Transport Statement is that the proposed development will be well served by sustainable modes of transport and that residents will have good accessibility to education, health, employment, retail and leisure facilities. It is also considered that the number of new vehicle trips generated from the site is unlikely to result in a significant adverse impact on the surrounding highway network.

#### Assessment of the LHA objections

The aim has been to gain agreement with the LHA on the issues they raise:

- Re possible development in future from the existing roundabout;
- Deviations in the proposed road layout from highway adoption standards

It is acknowledged that the Local Highway Authority has objected to the proposals. on the grounds of parking in blocks of three, triple length single width private drives and lack of bin collection points detailed for shared private drives.

The LHA have also requested details be provided on the toucan crossing to the north of Northfield Ave/Rockingham Road junctions, a facility to assist residents accessing bus services or when crossing the road, and the cumulative impact of potential future residential development on the bowling alley be assessed. The LHA's comments that the layout was not adoptable has been answered earlier in this report and below.

It is important to note that there are no specific proposals affecting the land in front of the bowling alley and any later scheme for housing there would need to be considered as and when they came forward.

During the previous application the applicant responded to comments from the LHA request for further information and sought to address the Highway Authority's outstanding issues.

The access provided is 5.5m in width with standard 2m pavements and the vehicle tracking provided demonstrates that a large refuse truck could negotiate the internal spine road and turn around via the turning head. The proposed cumulative development of any further phase of residential development off this junction through the redevelopment of the bowling centre was assessed.

At the time of consideration of KET/2018/0519 it was considered that up to 13 additional dwellings may be accommodated on this adjoining site, however, the lease for the bowling centre has a further 40 years to elapse and there is no indication from the present owners that they intend to sell the facilities or to develop it for housing.

The revised transport assessment does not provide an additional trip generation for this additional site; however, it is estimated by the transport consultants that a further 9 vehicle movements per day am and pm would be created. This would be a small increase to what is already a limited impact on the roundabout. The Highway Authority has requested that junction modelling is carried out on the roundabout, however, this is felt to be excessive given the size of the development and the potential limited impact from the traffic generated. A second phase which is not in the ownership of the applicant may never come forward and can be adequately assessed at that time should an application be submitted.

Nevertheless, the Highway Authority's rationale in asking for a Toucan crossing be provided to allow residents of the scheme and wider area to cross the road safely has been considered. In context there are controlled pedestrian crossings approximately 400m in both directions from the site along Rockingham Road. There are also two islands for the existing roundabout which provide a refuge in the middle of the road for crossing and it is understood that a Toucan crossing could provide an additional on demand facility to stop vehicles and assist safe passage for local residents.

However, the applicants have agreed to a condition requiring details of a toucan crossing, and to be provided prior to first occupation of any dwellings on site. Implementation would have to satisfy a road safety audit.

The Highways Authority objection that the proposals do not fully meet highway standards for the purpose of adoption include some minor variances such as the provision of permeable paving within the highway in order to create the surface water drainage capacity for the site, which Highways will refuse to adopt.

However, it is considered that there are many schemes around the county and indeed the country now that need to incorporate permeable paving within their design to achieve proper surface water drainage. The requirements for shared surfaces and the desire to design developments that are not overly car or highway dominated is evolving and a balance needs to be achieved. The applicants have indicated that were the road layout not to be adopted this would be privately maintained.

Planning Officers advise that through a condition details of a suitable long-term highway's maintenance plan could be submitted to the LPA to demonstrate that this would be put in place.

In summary, the access to the scheme is deemed to be acceptable and there is no justification for further modelling of the roundabout junction due a potential second phase of development at some time in the future.

The parking for the development is considered acceptable and the LPA can ensure through condition that the road layout, while it may not become adopted, would be subject to a management arrangement whose details were presented to and approved by the LPA.

Therefore, it is considered that the proposals are consistent with the development plan and is acceptable in this regard.

## 5. Noise Impact

Policy 8 e) i) of the NNJCS requires that development should ensure quality of life for existing and future residents through protecting their amenity from unacceptable impacts by way of noise, vibration, smell, light or other pollution, loss of light or overlooking. Paragraph 127 of the NPPF also encourages places that are 'inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.'

A noise assessment accompanies the application in relation to potential impact of road noise from Rockingham Road and the commercial activity of the adjacent indoor bowling centre. The assessment provides noise measurement levels for both noise sources and background ambient noise levels.

Noise levels in the proposed garden areas range between below 45dB and up to 60dB in the worst affected garden areas. The garden areas that require special attention are those that border with Britannia Road and, to a lesser extent, Rockingham Road, specifically gardens associated with unit 4, 6, 11 and 38. These levels are not considered acceptable according to the criteria given in BS8233:2014, the national standard for assessing industrial and commercial sound. Accordingly, mitigation measures are proposed to reduce levels.

For internal noise levels it is estimated that alternative ventilation systems will be required, in addition to the normal double glazing, in order to reduce the outside noise level on certain dwellings on Britannia and Rockingham Roads when windows are opened.

Daytime and night-time noise levels were measured for the bowling centre and the car parking area adjacent to the proposed development. It was identified that some of the bordering dwellings would also require alternative ventilation systems to enable the internal noise levels to not exceed the target criteria. The assessment provides a range of mitigation that is provided in many modern developments and the Council's Environmental Protection team have stated that they have no objection to the development proposals subject to a condition requiring mitigation measures to be agreed by the Authority and in line with those proposed in the noise assessment.

It is considered, therefore, that the proposals in this respect are acceptable and in accordance with Policy 8 of the NNJCS and the NPPF.

#### 6. Flood Risk and Drainage

Policy 5 of the NNJCS states that development should contribute towards reducing the risk of flooding and to the protection and improvement of the quality of the water environment. The policy also states that Sustainable Urban Drainage Systems should be designed into schemes from the outset.

The application is supported by a Flood Risk Assessment (FRA). The site is in flood zone 1 and therefore there is a low risk of flooding from rivers. In respect of surface water flooding the revised FRA, to address concerns raised through the previous application by the Lead Local Flood Authority, which indicated that the site will drain via infiltration and various techniques have been used including permeable paving and geocellular soakaways. Within the eastern side of the site private and shared drives and roads will drain to permeable paving, with roofs draining to plot soakaways. Within the western site area private and shared drives will drain via tanked permeable paving, this runoff will then be piped along the runoff from all roads and roofs to a discharge to a geocellular soakaway. This has replaced a surface balancing pond which allows this area to be fully utilised for public open space and recreation. The outcome is that surface water drainage will be managed and disposed of within the site boundary thereby complying with national planning guidance that any discharge from the site is at greenfield or equivalent run off rates and does not contribute further to flood risk.

Following the submission of further information under KET/2018/0519 the Local Lead Flood Authority stated that the proposals were acceptable at this stage subject to the imposition of conditions requiring a detailed surface water drainage plan; a scheme for the ownership and maintenance of the proposed SUDs components and a verification report to detail that the scheme has been carried out according to the plan. No comments were received from the LLFA during this application, but the previous conditions are recommended to be reapplied.

It is therefore considered that with these conditions applied the development complies with Policy 5 of the Joint Core Strategy and is compliant with the requirements of the NPPF and is acceptable in this regard.

# 7. Sports/Play Pitch Mitigation

Policy 7 of the NNJCS requires that development supports and enhances community services and facilities and that existing facilities are safeguarded unless it can be demonstrated that they are no longer viable; no longer needed by the community they serve; and are not needed for any other community use or that the facility is being relocated and improved to meet the needs of the new and existing community.

Paragraph 97 of the NPPF requires that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless proven to be surplus to requirements; the loss would be replaced by an equivalent of better provision elsewhere; or the development is for alternative sports or recreational provision, the benefits of which clearly outweigh the loss of the existing facility.

The planning application is supported by an Area Playing Fields Assessment. This assessment is required due to the above policies and Sport England's Playing Fields Policy and considers supply and demand of pitches in the area to form the basis for informing a decision on the future of the former Kettering Town FC pitch. It is noted that the Assessment is as submitted in 2018 and has not been updated

The report concludes that as a former (rather than a current) pitch – the site has been closed for 9 years; the loss of the facility would not further reduce capacity. There is capacity at other sites to accommodate the identified shortfalls and growth without the need to replace this pitch. The report indicates there is an excess of provision in the catchment and the site as a single pitch facility does not have any special significance for sport. Finally, the reinstatement of an adult football pitch in this location would provide additional capacity where it is not needed.

The report summarises that the football club are not interested in the site and neither are any other sports. Given the size constraints and location of the site the report concludes that the site is not suitable for other outdoor sport usage and that the site has been identified for housing as an alternative use.

In response to Sport England/ the Football Foundation objection that there has been no assessment (in the application) of the Playing Pitch Strategy (PPS). Whilst there may be evidence of increased demand for football and a call for a bigger S106 contribution, it would be difficult in planning terms to insist as overriding on re provision based on the PPS

In addition to what has been said in submission, a number of factors are taken into account: The pitch at the former football ground is no longer there, the use of the site by community groups has not happened for many years now and no clubs came forward to take this site on before the current owners. As noted, the site has been identified as an allocation in the emerging Part 2 Local Plan.

Therefore, with viability as an issue, the evidence of the PPS is weighed in the planning balance.

Nevertheless, the option exists for directing £30, 000 of S106 contribution towards improved facilities at North Park (equipment / improved drainage) for playing areas there. This would address the consultee's comment that as initially proposed in the latest application, no contribution had been identified for off site improvements.

In discussions with the County FA and the Council, who maintain the pitches at North Park, it had been agreed that the correct equipment to improve the drainage systems at North Park would be an efficient use of funds These pitches are extremely over used and suffering to the point of them becoming unplayable and it would be a suitable way of benefitting grass roots football

The proposals, therefore, comply with policy 7 c) i) of the NNJCS in that the existing facilities are no longer viable (they have been demolished); c) ii) in that the facility is no longer needed by the community it serves (Kettering Town Football Club has relocated to Burton Latimer and a new site has been identified in Kettering); c) iii) in that the facility is not needed for any other community use (the Area Playing Fields Assessment demonstrates that other sports were not interested in locating to the site). In relation to Policy 7 criteria d) the Area Playing Fields Assessment concludes that proposals would not result in a net loss of sports and recreation buildings and land.

The matter of the PPS is weighed in the planning balance as indicated.

#### 8. Public Open Space

Policy 8 a) iii) of the NNJCS requires that development 'improves or creates open green spaces which tie into the wider network of public green space', while Policy 8 d) iii) states that distinctive local character can be achieved through 'the creative use of the public realm through the use of ...incidental play space, bespoke street furniture and memorable features.'

The site layout plan proposed a large area of open space (approximately 1,200 sqm) running north to south along the frontage of the site with Rockingham Road. Through the previous application (KET/2018/0519) a balancing pond occupied some of this space and a small secondary area of POS was also proposed within the site. During the previous application through the Flood Risk Assessment it was demonstrated that a geocelluar tank could be provided, therefore, eliminating the need for the balancing pond and providing much more open space for the development that was usable. Due to this increase in open space it was decided that the additional space in the central part of the site was not required and that maintenance issues and the functionality of this area as public realm meant that it was better to focus the public open space and play facilities in one location. The single large are of open space is proposed through this application.

A Public Open Space Scheme has been submitted which includes tree plant, naturalistic play equipment and park benches set within a grassed park with a meandering path. In accordance with the Crime Prevention Design advisors comments the area will be enclosed by a 1.2m anti-trap bow top railings.

It is recommended that S106/ conditions be applied to secure the delivery of the open space and the maintenance of this area will be covered by the Council

The proposals are therefore considered to be in accordance with policy 8 of the NNJCS and NPPF guidance and are acceptable in this regard.

#### 9. Affordable Housing Provision

NNJCS Policy 30, consistent with Chapter 6 of the NPPF, states that to deliver sustainable residential communities, a balanced mix of housing tenures and types should be provided. An identified target for 30% affordable housing will be expected in growth town and market town locations.

Through S.106 negotiation (post Feb 2019 committee resolution) for KET/2018/0519 a draft package which included 8no. affordable housing was put together, which equated to 16% of the development. However, after the Committee decision of December 2019 when the 2018 application was refused a different S106 (Unilateral Undertaking) emerged that is the offer before the Planning Inspector

Since this the applicant has been in discussion and working with the LPA regarding a fresh proposal and revised package for 10 affordable units and a residue sum as described earlier.

It is regarding this revised offer and based on what is viable that the KBC Housing Development Manager has provided the following comments:

"We currently have a very high need for affordable homes in the Borough. There are over 700 households registered on Keyways (the Council's choice-based lettings system). These are all household who have an identified need for housing. We do not allow applicants who do not have a housing need onto the system. The sharp end of this need can be demonstrated by the number of households who have the highest priority; those who are homeless and in temporary accommodation. Currently we have 126 households living in temporary accommodation. 19 of these households are as a direct result of the current pandemic and have been placed in temporary accommodation using our discretionary powers.

As the officer responsible for enabling the new supply of affordable housing in the Borough my first responsibility is always to maximise the number of new affordable homes being delivered to try to meet the needs of those who need it. This includes ensuring that the number of affordable homes provided on section 106 developments is as high as it reasonably can be. Any attempt to reduce the number of affordable homes from the policy compliant level (in this case, 30%) will always be robustly scrutinised and challenged and the developer is expected to consider other options (changes to tenure mix within the 30%, changes to unit types etc etc.) in order to protect the overall percentage.

Of course affordable housing is not the only obligation on a developer and the need for affordable housing always has to be weighed against the other public benefit "asks" that are being levied on a developer, who needs to be able to make a profit in order to deliver the site. In order to make the decision about whether it is reasonable to accept a lower level of affordable housing than policy dictates we request that a viability appraisal is carried out.

In this case, the viability appraisal has been carried out on behalf of the applicant by a consultant who has worked extensively in the local area, and has previously carried out work on behalf of the Northamptonshire Housing Strategy teams

The report was then independently scrutinised by another consultant on behalf of KBC I have reviewed the initial appraisal and the correspondence from our consultant and I am thoroughly satisfied that the assumptions and costs included in those appraisals are reasonable and reflect what I would expect from a development of that size, in this area and which required extensive demolition.

I am satisfied that the offer of 10 affordable homes for this site is reasonable and reflects a good compromise position which provides a number of affordable homes and also allows some money to be collected for other public benefit, including education.

It is considered therefore that the revised proposals, which delivers 20% affordable housing on the site and conforms to the requirements of Policy 30 of the NNJCS, are acceptable in this respect and will be secured through a s106 agreement in the event that this application is approved by the Planning Committee.

#### 10. Planning Obligations: Community Infrastructure

In accordance with Policy 10 of the NNJCS the proposed development would be expected to off-set and mitigate its impact on local services and infrastructure by making a financial contribution through a Section 106 legal agreement. The requests from responsible stakeholders are detailed above in section 4 of this report The National Planning Policy Framework (NPPF) paragraph 56 states that

'Planning obligations must only be sought where they meet all of the following tests

- a) necessary to make the development acceptable in planning terms;
- b) directly related to the development; and
- c) fairly and reasonably related in scale and kind to the development.

Paragraph 57 goes on to say that 'The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force.'

The National Planning Practice Guidance (NPPG) states "Viability assessment is a process of assessing whether a site is financially viable, by looking at whether the value generated by a development is more than the cost of developing it. This includes looking at the key elements of gross development value, costs, land value, landowner premium, and developer return..." "...In plan making and decision making viability

helps to strike a balance between the aspirations of developers, landowners, in terms of returns against risk, and the aims of the planning system to secure maximum benefits in the public interest through the granting of planning permissions."

The NPPG also states that contributions should be realistic and not compromise sustainability and that the cumulative costs of 'all relevant policies' will not undermine deliverability.

The applicant submitted a viability appraisal of the scheme carried out by a qualified practitioner and the Council has employed a similarly qualified professional to assess the appraisal.

The 20% affordable housing and other developer contributions is based on viability assessment.

It is recognised that the revised offer presents a difficult choice but the increased 10 unit AH proposals, albeit reduced contributions for education would provide a sustainable development on this site with proximity to the town and public transport; distinct benefits identified and with impacts sufficiently mitigated.

There would be £260,000 that could be divided up as proposed for education; or alternatively £30,000 to support extended sports field use at North Park; £14,505 for open space maintenance; and £215,495 towards education needs

The revised offer is therefore recommended for approval, subject to S106 and conditions as identified, with the exact split of contributions delegated to officers to finalise

#### 11. Benefits

The proposal would offer a number of social, environmental and economic benefits. These include the redevelopment of a brownfield site and provision of 49 homes in a sustainable location and contribute to the delivery of the Council's housing land supply; direct and indirect jobs and increased local spend by future occupiers; Section 106 and Council Tax contributions. The provision of on-site open space to be adopted by the Council is also considered to be amongst the wider benefits for the local area.

#### 12. Planning Balance

The benefits that would accrue from the development are set out above and together should be afforded significant weight in this planning balance.

The increased offer of 20% affordable housing (10 No.) is an improvement to that of the earlier refused proposal; an improved offer that is supported by the Council's Housing Manager.

It is acknowledged that the concerns raised through the highway authority's objection and the possibility or likelihood that the roads will not be publicly adopted are material issues. However, In respect of the highway issues it is considered that the vast majority of highway standards such as the width of highway and pavements; junction radii; visibility splays; parking provision; vehicle tracking etc meet the required standards and highway safety would not be compromised. The development does, however, require an element of SUDs/permeable paving within the highway which is deemed to be unadoptable by the Highways Authority. While it is preferable to achieve the adoption of highways within the Borough there is a balance to be struck between providing safe access and adhering to highway standards and creating a layout which works in design terms for the residents and which can help to address surface water drainage issues.

If approved, and as discussed above, a condition will be required to ensure that the road, pavements, areas within the highway land and sewers if not adopted by the LHA would be maintained by a management body as a private road to an agreed standard. This will ensure that the road and public realm will be adequately maintained in future for the residents of the development.

The site has been unused as a football pitch for over 9 years. Part 2 of the Local Plan has taken forward this site as an allocation for housing and through this application a contribution of £30,000 could be applied towards improvements to other local playing pitch facilities The evidence of possible increased demand for playing pitches though the PPS has been considered and for the reasons stated it is considered that this is not a sufficient reason to weigh against the proposal in the planning balance.

# Summary

The Officers conclude this proposal represents sustainable development with considerable benefits for the delivery of housing

In accordance with advice at the foot of section 10 of this report, Officers recognising the choices to be made, recommend that a S106 is agreed based on

- 20% affordable housing (10 units)
- Of the £260,000 that would be available for other contributions
- £30,000 to support extended sports field use at North Park;
- £14,505 for open space maintenance; and
- £215,495 towards education needs

Any harm identified is considered to be limited and would not outweigh the significant benefits highlighted and particularly those that are derived from the provision of 49 homes (including 10 affordable) in a sustainable location.

# Conclusion

In light of the above the proposals are considered to be in accordance with NPPF and Development Plan Policies.

As such this application is recommended to the Planning Committee for approval subject to the attached conditions and a Section 106 being secured, in accordance with the recommendation

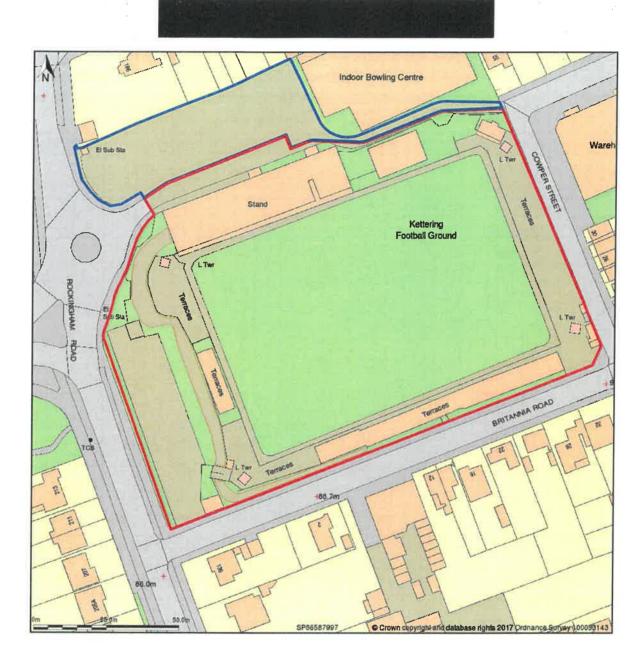
Background Papers Previous Reports/Minutes

Title of Document: Ref: Date: Date:

Contact Officer: Peter Chaplin, Development Manager on 01536 534316







Site Plan shows area bounded by: 486484.23, 279874.37 486684.23, 280074.37 (at a scale of 1:1250), OSGridRef: SP86587997. The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

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PRIVATE DRIVES

ALL DWELLINGS ARE PROVIDED WITH TWO PARKING SPACES PLUS 26 GARAGE SPACES

ALL FOOTPATHS 2m WIDE ROADS 5.5m WIDE

SOCIAL SHARED OWNERSHIP PLOTS 26,27,41,43.& 44

SOCIAL RENTED PLOTS 42,45,45,47 & 48

Rev.	Description	Date
A	ORIGINAL ISSUE	03/07/18
J	TYPE C ALTERED	0407:18
K	AMENDMENTS FOR HIGHWAYS	2408/18
L	RAISED CROSSROADS REMOVED	D4/09-15
M	VARIOUS LAYOUT AMENDMENTS	05/08/10
N	VARIOUS LAYOUT AMENDMENTS	12/09/18
Р	VARIOUS LAYOUT AMENOMENTS	20/09/10
Q	ACCUTIONAL PLOT & CHANGES TO POS	19/10/18
R	SCHEDULES UPDATED	29/10/1
8	PLOT NUMBERS UPDATED	30/10/1
т	PLOT 33 ALTERED	18/12/18
U	SOCIAL HOUSING NUMBERS ALTERED	22/03/19
٧	VARIOUS AMENDMENTS	10/06/19
₩	FOOTPATHS OVERLAID	11/10/18
×	LAYOUT UPDATED	14/10/19
X1	SOCIAL HOUSING HIGHLIGHTED	03/12/11
Y	SOCIAL HOUSING ALTERED	12/02/20
Z	SCALE CHANGED AT REQUEST BY LPA	24/02/2

# FOR INFORMATION

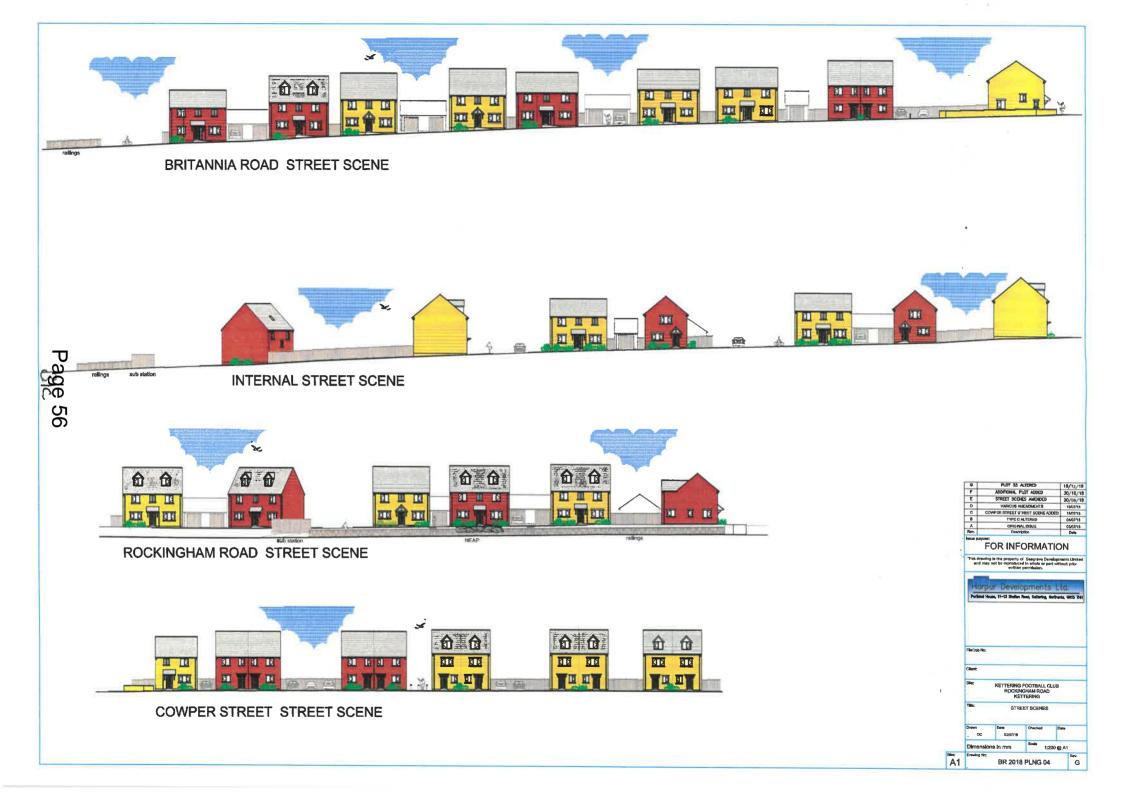
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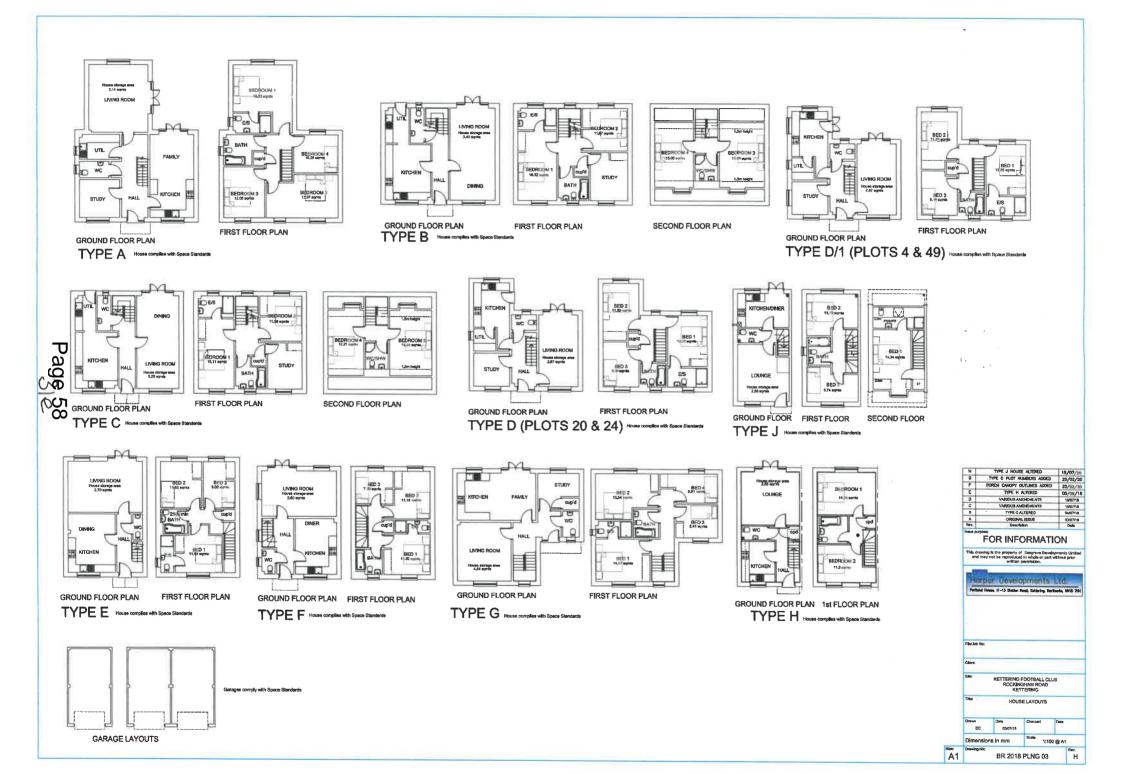
ROCKINGHAM ROAD KETTERING SITE LAYOUT PLAN

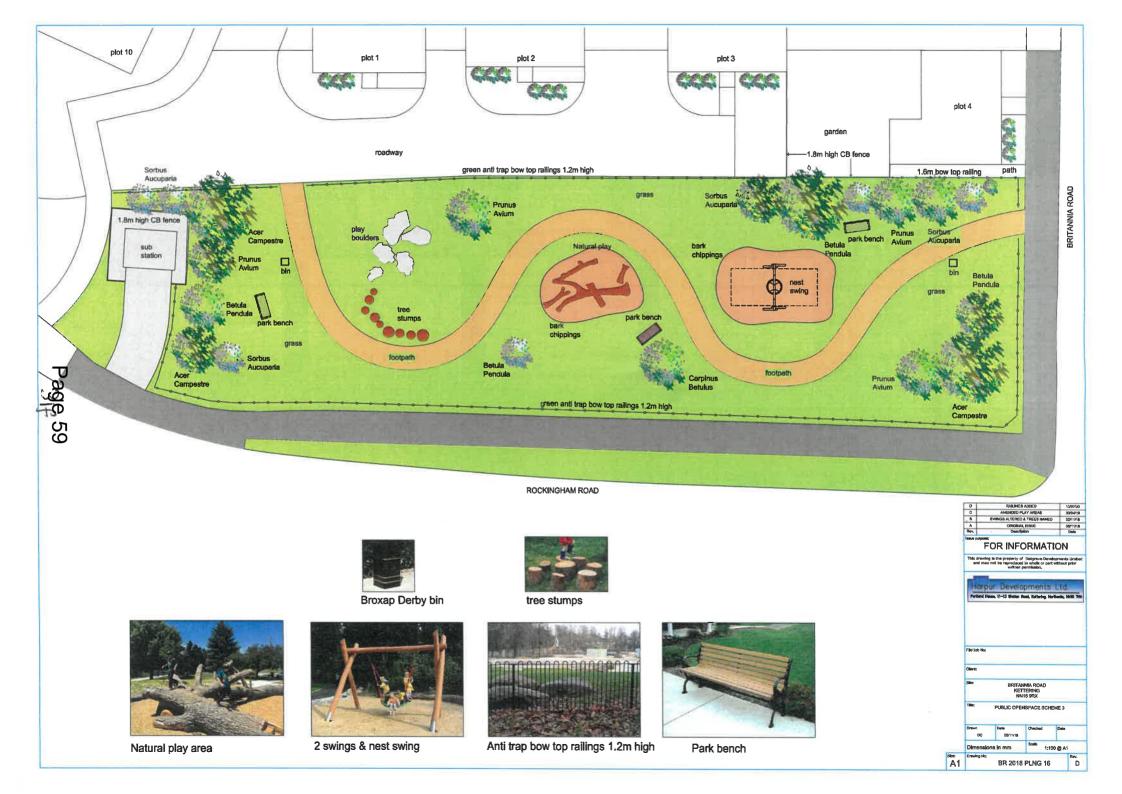
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## **BOROUGH OF KETTERING**

Committee	Full Planning Committee - 25/08/2020	Item No: 5.2	
Report	Jonathan Pavey-Smith	Application No:	
Originator	Development Officer	KET/2020/0106	
Wards	Welland		
Affected	vvenand		
Location	Crabtree Farm, Hermitage Road, Brampton Ash		
Proposal	Full Application: Change of use from woodland to leisure use with two pods and four bell tents and associated parking area		
Applicant	Mr J & S White		

#### 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 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. No development above building slab level shall commence on site until details of the types and colours of all external facing and roofing materials to be used, 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 in the interests of the visual amenities of the area in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.
- 3. The visibility splays at the access to Crabtree Farm shall be permanently retained and kept free of all obstacles to visibility over 0.9m in height above carriageway level.

REASON: In the interests of highway safety in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

4. No development shall take place on site until details of the trees being removed on site which shall specify species, spacing and numbers and any existing trees to be retained shall be submitted to and approved by the Local Planning Authority. The approved scheme shall be carried out in the first planting and seeding seasons following the first occupation of the development or completion of a "pod" whichever is the sooner, unless these works are carried out earlier. Any newly approved 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 and to ensure that residential amenity is safeguarded in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

5. In the event that unexpected contamination is found at any time when carrying out the development hereby approved, it must be reported immediately to the Local Planning Authority. Development works at the site shall cease and an investigation and risk assessment undertaken to assess the nature and extent of the unexpected contamination. A written report of the findings shall be submitted to and approved by the Local Planning Authority, together with a scheme to remediate, if required, prior to further development on site taking place. Only once written approval from the Local Planning Authority has been given shall development works recommence.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised in accordance with Policies 6 and 8 of the North Northamptonshire Joint Core Strategy.

6. The development shall only be used for holiday let accommodation and not for any primary residential use for any occupier, including temporary workers dwellings. The site shall not be occupied by any persons for a greater period than 21 days in any three-month period. The owners/operators of the site shall maintain an up-to-date register for a rolling 12 month period of the names and main home addresses of all occupiers of individual pods and tents and shall make this information available on request at all reasonable times to the Local Planning Authority.

REASON: To ensure that the approved holiday accommodation is not used for unauthorised residential occupation

7. A maximum of 4 tents and for 2 glamping pods shall be erected on the site at any one time together with the approved toilet and facilities to serve the occupiers in accordance with the details shown on the approved block plan revision B.

REASON: To safeguard the visual amenities of the area in accordance with polices 3 and 8 of the North Northamptonshire Joint Core Strategy.

8. Prior to the commencement of development details of foul and surface water drainage, including future maintenance shall be submitted to and agreed in writing by the Local Planning Authority and thereafter implemented and maintained in accordance with the agreed details.

REASON: To ensure that foul and surface water from the site are disposed of in a safe and appropriate manner in order to protect the integrity of the waterway structure and water quality.

9. No lighting shall be erected to the external areas of the buildings or the site, unless details of any such lighting have first been submitted to and approved in writing by the local planning authority.

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

10. The pods hereby permitted shall not be first brought into use until a Site Operational Statement with respect to the site management has been submitted to and approved in writing by the Local Planning Authority. The statement shall include information relating to the responsible person(s) and their contact details. The site shall thereafter be managed in accordance with the approved statement.

REASON: In the interests of neighbouring amenity and the proper management of the site in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

11. The development shall only take place in complete accordance with the Ecology report produced by CGO Ecology on the 12/08/2020.

REASON: In the interests of nature conservation and the promotion of biodiversity in accordance with policy 4 of the North Northamptonshire Joint Core Strategy

#### Officers Report for KET/2020/0106

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

#### 3.0 Information

# **Relevant Planning History**

KET/2010/0790, Temporary workers dwelling 2 no. livestock buildings, Approved, January 2011.

KET/2019/0742, Demolition of temporary dwelling and erection of two storey agricultural farmhouse Approved.

#### Site Visit

Officer's site inspection was carried out on the 05/08/2020.

#### **Site Description**

The application site lies to the east of Hermitage Road, south west of the hamlet of Brampton Ash and south of the A427, a main road which runs between Corby and Market Harborough.

The site is an area of woodland approx 330m x 90m. The topography of the site is undulating although there is a fall on the land from north downwards to the south. The surrounding land is currently agricultural land which provided grazing for cattle. The field boundaries are primarily mature hedges with some wire and electric fencing in places.

The application has two farm buildings and a temporary agricultural worker's dwelling to the east of the site.

#### **Proposed Development**

The proposal is for a change of use from existing agricultural land to Leisure Use (D2). The proposal includes two Pods and four Bell Tents and an associated parking area. The pods comprise wooden bow topped accommodation on stilts/legs with an outdoor balcony area at the raised level.

The pods will measure 7.0m long, x 3.2m wide x 3.4m high. They will be elevated 2.35m above local ground levels with 20cm wide timber posts and wooden stairs for access. The area underneath the pods will be grass. The two pods will be serviced by water and electric, the water and electricity supply will run from the existing residential property on site. Drainage will be to an underground septic tank (1500L capacity) and the heating will be electric.

The bell tents measure 5m in width, 3m to the apex and 160cm to the top of the door, see figure one and two. They will be serviced by compost toilets only. The short stay nature of the bell tents will require no shower facilities. The tents will sit on wooden sleepers that are approximately 25cm tall. Due to the seasonality of the bell tents, they will only be erected during the summer months.

#### **Any Constraints Affecting the Site**

Outside village boundary

## Consultation and Customer Impact

#### 4.0

## **Brampton Ash Parish Council**

**Support** – Regeneration of the woodland area would be beneficial to the community and to the environment.

Whilst the size of the proposed development in its current form is a sustainable development in the country environment, any further expansion would be considered intrusive and would be resisted by the parish council.

Access to the site would be via Hermitage Road, which is an unclassified single track. It is acknowledged that, at holiday times, there would be an increase in traffic movements, but it is thought probable that the number would be negligible

#### **Environmental Health**

No objection recommend condition of unexpected contaminated.

County Council Ecologist: No Objection to Proposal.

**NCC – Local Highway Authority (LHA):** Cannot support the application requiring further information to fully assess the impacts. The LHA would require information showing access and parking arrangements and have concerns about impacts caused to the highway by construction traffic.

**Neighbours:** There has been one letter of support, one objection letter and letter stating comments but not formally objecting.

The letter stating only comments is summarised below:

- -As the wood has not been thinned for many years, careful consideration must be made regarding the maintenance of an enhanced shelter belt along the northern and western aspects of the wood.
- -Suggests a minimum of twenty metres deep of additional planting taking place to mitigate any light and noise affecting neighbouring dwellings.

#### The support letter is summarised below:

- -The proposed development is very distant and would hardly be noticed by us or from the Hermitage Road entrance to Crabtree Farm.
- -Will create some employment in an area where there are few local employment opportunities.
- -By comparison with the A6 or A14, any additional traffic due to the development would be negligible.

# There has been one neighbour objection. The comments from this neighbour are summarised below:

- -The proximity and the fact that we look over the woodland, will make the development highly visible from our property.
- -The height of Bell tents will make them protrude out of the woods.
- -The proposed development will light up the wood like a beacon!
- -We are equally as concerned about the visitors to the site having direct visibility into our home.
- -Concerns regarding the security of my family and home!
- -This development will completely destroy their natural habitats.
- -The other serious concern is the noise parties, shouting, laughter, music and yapping dogs. Potentially disturbing us late at night and in the early morning.
- -Smoke and smells from campfires and barbecues, as well as potential fire hazards in a woodland.

#### 5.0 Planning Policy

# **National Planning Policy Framework (NPPF):**

- 2. Achieving sustainable development
- 6. Building a strong, competitive economy
- 8. Promoting healthy and safe communities
- 9. Promoting sustainable transport
- 12. Achieving well-designed places
- 14. Meeting the challenge of climate change, flooding and coastal change
- 15. Conserving and enhancing the natural environment

# **Development Plan Policies**

#### North Northamptonshire Joint Core Strategy (JCS):

- 1. Presumption in favour of sustainable development
- 2. Historic Environment
- 3. Landscape character
- 4. Biodiversity and geodiversity
- 5. Water environment, resources and flood risk management
- 8. Place shaping
- 11. The network of urban and rural areas
- 25. Rural economic development and diversification

# **Saved Local Plan Policies**

Policy 7

RA4

RA5

#### 6.0 Financial/Resource Implications

None

## 7.0 Climate Change Implications

Addressing climate change is one of the core land use planning principles which the National Planning Policy Framework expects to underpin both plan-making and decision-taking. The National Planning Policy Framework emphasises that responding to climate change is central to the economic, social and environmental dimensions of sustainable development. National planning policy and guidance is clear that effective spatial planning is an important part of a successful response to climate change as it can influence the emission of greenhouse gases. In doing so, local planning authorities should ensure that protecting the local environment is properly considered alongside the broader issues of protecting the global environment. The adopted Development Plan for Kettering Borough is consistent with and supports these national policy aims and objectives.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise. The development plan comprising the North Northamptonshire Joint Core Strategy, Local Plan and Kettering Town Centre Action Plan makes clear the importance of climate change and seeks to create more sustainable places that are naturally resilient to future climate change. This will be further amplified by the emerging Site Specific Part 2 Local Plan once adopted which is being prepared within this context. Policies contained within the Part 2 Local Plan will help contribute towards a reduction in greenhouse gas emissions and will secure that the development and use of land contributes to the mitigation of, and adaption to, climate change.

#### 8.0 Planning Considerations

The key issues for consideration in this application are:-

- 1. The principle of the development
- 2. Impact on character and appearance of the area
- 3. Impact on heritage assets
- 4. Impact on residential amenity
- 5. Impact on highway safety
- 6. Impact on Ecology
- 7. Impact on Contaminated Land

# The principle of the development

The site is located in open countryside, the nearest settlement is Brampton Ash, which is designated through Saved Policy RA4 as a scattered village with no defined settlement boundary. Brampton Ash has no facilities, apart from a church, and is reliant on nearby villages such as Stoke Albany and Wilbarston which are 2.5 and 3.5 miles away respectively, although the nearest settlement of significant size is Market Harborough, approximately 4 miles to the west.

Saved Policy 7 of the Local Plan for Kettering Borough (1995) (LP) states that planning permission for development within the open countryside will not be granted except where otherwise provided for in the Plan. Both Saved Local Plan Policy RA5 as well as Policy 13 of the JCS do, in exceptional circumstances, provide support for residential development in the open countryside, however given that this is not a residential proposal these exceptions are not applicable. Although Policy 25 of the JCS can be given due consideration given the nature of the proposals. This is discussed further, below.

Policy 11 (Network of Urban and Rural Areas) (using Table 1) of the Joint Core Strategy (2016) (JCS) defines the settlement hierarchy and spatial roles that underpin the focus and priorities for new development throughout North Northamptonshire. Criteria 2a to 2e of Policy 11 set out the approach to development in the rural area. Criterion 2a) of Policy 11 states that development in the rural areas will be limited to that required to support a prosperous rural economy or to meet a locally arising need, which cannot be met more sustainably at a nearby larger settlement. In addition, criterion 2d) sets out that rural diversification and the appropriate re-use of rural buildings will be supported in accordance with Policy 25.

Policy 25 of the JCS seeks to promote sustainable opportunities to develop and diversify the rural economy that are of an appropriate scale for their location and respect the environment quality and character of the rural area, including those which may be located in open countryside. An emphasis on supporting a prosperous rural economy is also shown in the NPPF, in paragraphs 83 and 84, which reflect the principles within Policy 25, the principles of which are discussed below.

These proposals evidently attempt to diversify an existing agricultural business in the rural area, given the site is located on land which forms part of an existing agricultural holding. Criterion a) of Policy 25 encourages the diversification of agricultural and other land based businesses, of which these proposals sit in accordance with. Also, criterion b) of this policy looks to provide support for proposals that provide and expand tourist and visitor facilities, criteria b recognises that locations which have access to local services and facilities by foot, cycle or public transport provide the greatest opportunity for sustainable rural development. This proposal seeks to provide visitor accommodation; therefore, consideration needs to be given to whether the scale of development proposed is appropriate for the location.

In addition, paragraph 2 of Policy 25 requires proposals for rural diversification to complement and support the ongoing viability of the existing business. The applicant has given information related to the pods and to the tents in terms of the existing business viability.

The pods would be marketed at £200/night which would equate to £400/night for the two. Based on a year-round opening but at a 30% occupancy rate would equate to £43,800 of income per annum.

The bell tents would be marketed at £70/night which would equate to £280/night for the four. Based on a 6-month season at a 30% occupancy rate would equate to £15,288 of income per annum. Therefore, the luxury pods and bell tents would generate approximately £59,088 per annum.

Nevertheless, the accommodation itself is of low density and involves the construction of timber pods and canvas tents, which are not visually obtrusive, given they are of a small scale and made from materials which allows sympathetic integration between the built structures and natural environment, the woodland. The location of the accommodation within the woodland, means there would be natural screening of the structures, protecting the open countryside which surrounds the site from any visual harm as well as providing amenity for occupants of the accommodation.

The principle of this type of proposal in this location centres on whether the development sufficiently satisfies Policy 25 to overcome concerns relating to its location, in open countryside, where JCS Policy 11 and the saved Local Plan Policy 7 seek to resist development outside of existing settlement boundaries.

It is considered that the proposed development fulfils the requirements of Policy 25 to overcome policy constraints due to its open countryside location. The proposed accommodation is small in scale and discreet in nature and is well hidden from the open rural landscape which surrounds it, whilst simultaneously contributing to the rural economy.

It is considered the application would meet in principle Development Plan policies and policies contained within the NPPF.

#### 2. Impact on character and appearance of the area

Policy 8 (d) of the JCS is relevant and consistent with Chapter 12 of the NPPF seeks development to respond to a site's immediate and wider context. Policy 3 of the JCS consistent with Chapter 15 (para. 170) of the NPPF seeks development to be designed in a way that is sensitive to its landscape setting.

The application site lies in a very pleasant rural area characterised by undulating open countryside spanning. Although there are long views across the valley from the A427 and footpaths such as the Macmillan Way, which runs parallel to the northern boundary of the site and the nearby Mid-Shires Way, the views are broken by mature hedges forming field boundaries and small areas of woodland..

The two pods will be sited in the southern area of the wood. The field boundaries are primarily mature hedges with some wire and electric fencing in places. The design of the two pods are seen to be in keeping with the open countryside location with a reduced bulk which will blend into the woodland. The use of sensitive colours and finishes on the pods can make the two building assimilate with the surrounding landscape more effectively, and therefore conditions are recommended requiring the materials and finishes to be approved by the Local Planning Authority.

#### 3. Impact on Heritage Assets

S. 66 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 required Local Planning Authorities (LPA's) to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest. S. 72 of the same act requires LPA's to have special regard the desirability of preserving and conserving the character and appearance of Conservation Areas.

The two pods are over 500m from the edge of the Conservation Area in Brampton Ash. The pods would be 780m from the nearest Grade II Listed Building. The distance between the Grade I Listed St Marys Church and the pods would be 870m. The screening provided by the trees and field boundaries and the distance between the pods and the heritage assets the proposed development would not detract from the setting of the nearby listed buildings or the Conservation Area.

It is considered the proposal respects the character and appearance of the site and therefore is inconsistent with the development plan and particularly Policy 8 (d) of the JCS. The proposal is considered to compliment the landscape and therefore is not in conflict with Policy 3 of the JCS.

## 4. Impact on residential amenity

Policy 8 (e) of the JCS and Policy 10 (iv) of the Local Plan consistent with paragraph 127 of the NPPF, seeks to protect amenity, which amongst other things aims to secure a good standard of amenity for all existing and future occupants of land and buildings.

The nearest non associated dwelling-house is at Fieldhouse Farm approximately 200m to the north. The objection from Fieldhouse Farm is noted. The applicant has amended the position of the two pods moving them 20m away to the southern end of the woodland. This not only creates more distance but also due to the topography of the site results in the pods being at a lower ground level. The new location of the pods also results in more trees screening the pods from Fieldhouse Farm. As the pods are at this new location, it is considered that any overlooking or loss of privacy would not be sufficient to warrant a reason for refusal.

Concerning any additional lighting to the area, it has been conditioned that no external lighting to the pods can be placed on site. In terms of noise, the distance and the scale of the development would not result in Fieldhouse Farm incurring an unacceptable level of noise. Kettering Borough Council's Environmental Heath Team have been consulted and they have raised no concerns regarding the addition noise. Nevertheless, as part of the approved decision it has been conditioned that the applicant submit a site operation plan to help to control any noise complaints. It should be made clear to the applicant that any upheld noise complaint can be enforced through site operation plan.

Therefore, any impacts associated with the site's intensification, are not considered to be significant and thereby would not give rise to nuisances that may cause disturbance to neighbours amenity.

The proposal therefore is considered to be acceptable in this respect.

#### 5. Impact on Highway safety

Policy 10 (v) of the Local Plan and Policy 8(b) of the JCS consistent with Chapter 9 of the NPPF seeks to ensure that development maintains highway safety.

The highway access onto Hermitage Road has good visibility in either direction. It is noted that the highway authority has stated that they cannot support the proposal with more information required confirming no trees to be permitted within visibility splays and vehicular visibility splays to be shown. These can be conditioned prior to occupation of the tents and pods. It must be stated that the access to Crabtree Farm will not change as part of this proposal. The car park proposed is large enough for the proposed scale of the accommodation it serves.

It is noted that the intensification of the access will be limited by the size of the proposed four tents and two pods and the number of customers at any one time will be of a low volume. This size of intensification of the access is controlled by condition, limiting the number of accommodation units to 4 tents and 2 pods.

As such and in absence of a Local Highway Authority formal objection the proposal is not considered to be detrimental to the surrounding highway network.

#### 6. Impact on Ecology

The applicant has commissioned an Ecologist to review the proposal. The ecologist has stated that the 'The woodland is plantation woodland, and the trees are too young to have any features of interest to roosting bats, and there isn't any evidence of other protected species.'

The Ecologist added that the woodland hasn't been managed and he said that cutting down some trees to make room for the pods will actually be a good thing as it'll let some light in which will help diversify the ground flora. This would ultimately be a good thing for what is a fairly poor-quality woodland.

The County Ecologist has reviewed the findings of the applicant's ecologist and is satisfied for the application to go to determination.

The application is therefore in accordance with Policy 4 of the JCS, which seeks to protect existing biodiversity and geodiversity assets.

#### 7. Contaminated Land

Policy 6 of the JCS seeks development to be safe in this respect. Any impacts arising as a result of possible ground contamination will be prevented through the provision of an unexpected contamination condition as recommended by the Council's Environmental Health Team.

#### Conclusion

It is considered that the proposed development fulfils the Policy requirements to overcome policy constraints due to its open countryside location.

The proposed accommodation is small in scale and discreet in nature and is well hidden from the open rural landscape which surrounds it, whilst simultaneously contributing to the rural economy.

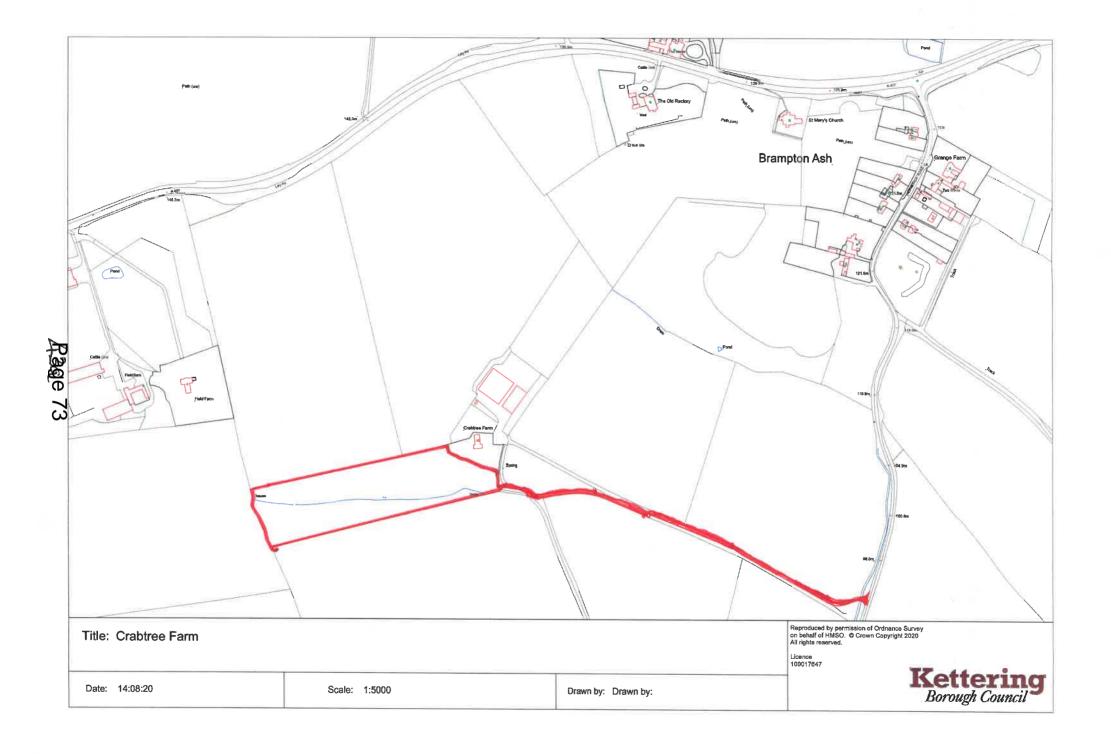
The accommodation itself is of low density and involves the construction of timber pods and canvas tents, which are not visually obtrusive, given they are of a small scale and made from materials which allows sympathetic integration to the woodland. The impact on the ecology on the site is also viewed to be to be acceptable.

It is considered the application would be in accordance with the Development Plan policies and policies contained within the NPPF.

Background Papers Previous Reports/Minutes

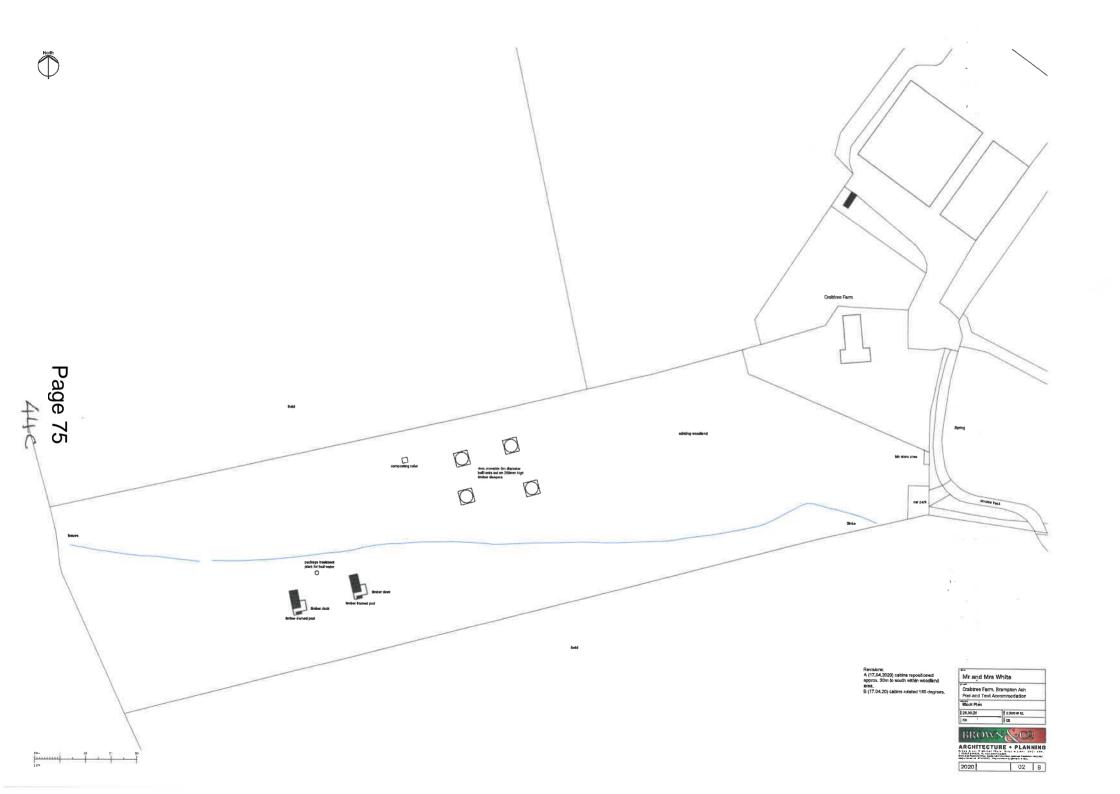
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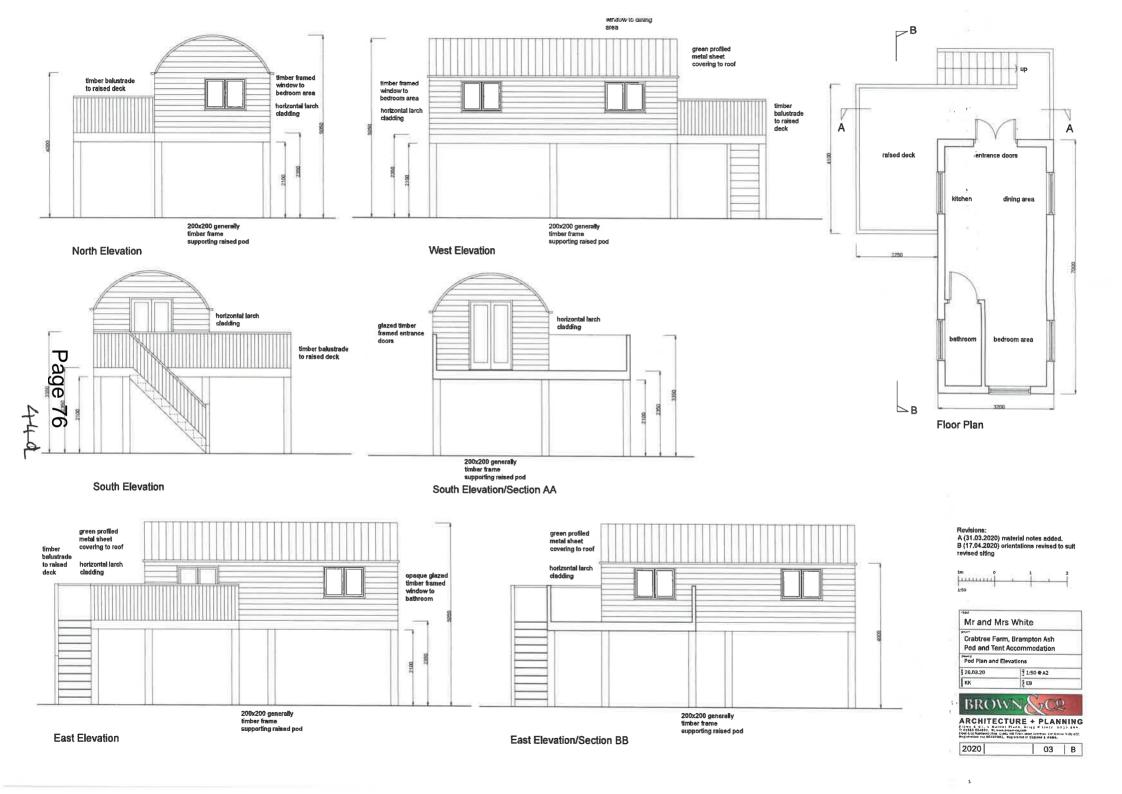
Contact Officer: Jonathan Pavey-Smith, Development Officer on 01536 534316



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2020





# **BOROUGH OF KETTERING**

Committee	Full Planning Committee - 25/08/2020	Item No: 5.3	
Report	Richard Marlow	Application No:	
Originator	Senior Development Officer	KET/2020/0147	
Wards Affected	Burton Latimer		
Location	Plot 4b, SEGRO Park, Kettering Gateway, Land off A14 Junction 10		
Proposal	Approval of Reserved Matters (EIA): Erection of B8 distribution facility with ancillary offices, gatehouse, car parking and landscaping		
Applicant	SEGRO (Kettering) Ltd	•	

#### 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 not be carried out other than in accordance with the approved plans and details listed below.
- REASON: In the interest of securing an appropriate form of development in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.
- 2. This consent is for a B8 storage and distribution building with associated office space and shall only be operated as a single unit. No subdivision of the unit or change of use of the building shall be undertaken without the prior written approval of the Local Planning Authority. REASON: In the interests of clarity and in order to define the limitations of the reserved matters approval in compliance with the outline permission
- 3. Prior to the first beneficial use of the building hereby permitted, details of a CCTV system covering the site in particular the staff/visitor carpark shall be submitted to and approved in writing by the Local Planning Authority. The approved CCTV system shall be installed in accordance with the approved details in advance of the first beneficial use and the system shall thereafter be maintained in accordance with the approved details. REASON: In the interests of safety and crime prevention in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.
- 4. Prior to the first beneficial use of the building hereby permitted the bird, bat and insect nests set out in paragraphs 3.9 3.14 of the approved Biodiversity Enhancement Management Plan shall be installed in accordance with the approved details. REASON: In the interests of securing a net gain in biodiversity in accordance with Policy 4 of the North Northamptonshire Joint Core Strategy.

## Officers Report for KET/2020/0147

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

# 3.0 Information

## **Relevant Planning History**

KET/2013/0661 - Employment development of up to 109,000sqm within uses classes B1, B2, and B8, roadside and ancillary uses, associated landscaping and infrastructure Permitted

KET/2016/0422 Variation of condition 9 of KET/2013/0661, in respect of height and size of buildings Permitted

KET/2016/0678 Development of bespoke B2/B8 packing facility totalling 23,313sqm external floor space, which includes ancillary office accommodation, with associated access road, car-parking, ancillary servicing areas and security gatehouse approved

KET/2017/0164 Non-material amendment to KET/2016/0678 (Development of bespoke B2/B8 packing facility totalling 23,313sqm external floor space, which includes ancillary office accommodation, with associated access road, carparking, ancillary servicing areas and security gatehouse): Introduction of a bus turning loop. Approved

KET/2016/0905 140 metres of estate road which will be a continuation of the road which has a reserved matters consent under KET/2016/0678 approved

KET/2018/0774 Outline EIA development of site for industrial/distribution (use classes B1(c), B2 and B8 including ancillary offices together with roadside uses (petrol filling station and A3/A5 restaurant/café) and associated parking, highways infrastructure and landscaping.

All matters for the development plots are reserved for future approval. The implemented highway infrastructure, associated landscaping and drainage works were submitted for reconfirmation of their approval. Approved 05.12.18

KET/2019/0481 Plot 4a reserved matters. Erection of B8 distribution facility with ancillary office, gatehouse, car parking and landscaping Approved 13.09.19

KET/2020/0204 S73 Variation of condition 20 of KET/2018/0774 in respect of approved plans and documents Pending

#### Site Visit

Officer's site inspection was carried out on 10/08/2020.

The application site is the Roxhill business park site which has a previous implemented outline appoval for B1, B2, B8, roadside and ancillary uses, associated landscaping and infrastructure. The business park is located at the

intersection of the A6 and A14. The A14 lies to the north whilst the realigned A6 lies to the south

On the eastern side of the wider site is a minor road (Cranford Rd) and Blackbridge Farm. It lies to the north east of Burton Latimer and on the south eastern edge of Kettering. The site is mostly levelled and the alignment of the A6 has been completed as part of the previous outline consent.

The site is ready for development having been implemented and prepared under the previous approval. This application seeks approval of reserved matters under the current outline permission KET/2018/0774.

Plot 4a located to the west of the application site and approved through KET/2019/0481 is nearing completion.

# **Proposed Development**

The application seeks permission for a total of 62,448sqm gross internal floor area including 59,166sqm of B8 Warehouse and Storage floor space. In addition, the unit is served by 2,322sqm of associated ancillary 2-storey B1(a) 'semi-detached' offices as well as 2x 2-storey pod offices, each offering an internal floor area of 465sqm.

The maximum permitted floorspace limit on zone 4 under the outline permission equates to 83,945sqm. 21,497sqm of floor space was permitted for construction on Plot 4a, therefore this proposal utilizes the available residual balance of 62,448sqm and is therefore within the maximum permitted floorspace parameters.

The proposed height to underside of eaves stands at 15.72m above finished floor level with a ridge height of 17.8m.

The B8 unit proposes comprises:

- 100 no. Loading dock doors
- 8 no. Level access doors
- 271 no. HGV parking spaces
- 601 no. Car parking spaces (inc 60 accessible, 60 electric vehicle charging)
- 23 no. Power Two Wheeler (PTW) spaces.

### 4.0 Consultation and Customer Impact

#### **Environmental Protection**

No comment or objection

#### **Environment Agency**

No objection

### **Lead Local Flood Authority**

Having reviewed the submitted surface water drainage we would advise that surface water drainage has been addressed at this stage.

## **Northamptonshire Police**

Recommendations regarding crime and safety improvements Details/improvements suggested include:

- Access control for main access point to office block
- Perimeter security for car parking area including CCTV
- Office/Warehouse access points should be alarmed to summon a response from the 24/7 manned gate house or appropriate key holder to cover areas not normally open during out of normal office opening times etc.

# **Northamptonshire Highways**

Cannot support and require further information

- Office area must be conditioned as ancillary to B8 unit.
- The proposal omits pedestrian crossing points across new vehicular accesses. This is unacceptable to the LHA. Pedestrian crossing points must be provided at all new junctions consisting of two dropped kerbs and two tapered kerbs. To be provided in accordance with the LHA's approved details. The colour must be buff.
- Parking bay dimensions for car, disabled, PTW & HGV are adequate.
- The nearest bus stop is believed to be west of the adjacent plot 4a which
  is around a 400m walk from the site. A bus stop closer to the site may be
  needed. The applicant is advised to identify if a bus stop closer to plot 4b
  is necessary.
- The car park access is not perpendicular to the highway, which is unacceptable to the LHA. All accesses must be perpendicular to the prospectively adoptable public highway and should remain so for a minimum of 5.5m from the rear of the highway boundary. This helps ensure visibility splays can be fully utilised

Additional information submitted – reconsulted with further info and amendments The reconsultation response includes the following observations:

- Cycle shelters at a correct width of 4.7m for 10 cycles
- The footway has been extended towards the gatehouse
- Pedestrian crossings have been emplaced
- Trees are not within 2.5m of the highway

#### **Environment Agency**

No comments received

## **County Ecological Advisor:**

The proposed landscaping is fine, however I would recommend a few changes to make it more ecologically appropriate including species found in Northamptonshire, and the removal of some non-native species.

The Biodiversity Enhancement Management Plan also sets out requirements for a bat-sensitive lighting scheme, and a series of bat/bird/bug nesting opportunities. I would be happy for these to be conditioned but they must be delivered prior to occupation.

## **Third Party Comments**

One letter of objection received on behalf of the 5 no. properties at nos. 1-5 Windmill Cottages raising the following points:

- Windmill Cottages were identified within an early pre application scoping report in visual effects table (appendix 5.e) as receptors that will experience a 'Moderate/ Major – Adverse' effect from Segro Park from construction through to 15 years.
- Our homes are 125 metres from the developments eastern boundary. At 17.8 metres tall they will stand twice as high as Windmill Cottages and it would be possible to fit our row inside the building 454 times.
- Plot 4b is the largest unit on the development and was located in the corner of the site in order that it did not impact Burton Latimer Hall, which is considerably further than 125m from the site, and whose owners are/were the owners of the farmland that is now being developed.
- This is a building of gargantuan proportions and landscaping proposed along the south and eastern boundaries is woefully inadequate and will do little to mitigate the adverse visual impact that we will have to endure. It will in no way camouflage the building and vast car parks nor lessen the impact of noise, air and light pollution.
- A considerable amount of Air Pollution will be generated from a significant number of vehicle movements to, from and on site, putting the long-term health of workers and those living nearby at risk.
- We would have expected that at least a substantial bund planted with mature native shrubbery and tall native trees to form an adequate screen along the eastern boundary between the site and Windmill Cottages would be proposed to, in some measure, mitigate the imposition of an 18 metre high building so close to our homes.

# 5.0 Planning Policy

### **National Planning Policy Framework**

- 2. Achieving Sustainable Development
- 6. Building a strong, competitive economy
- 9. Promoting sustainable transport.
- 10. Supporting high quality communications
- 11. Making effective use of land
- 12. Achieving well-designed places
- 14. Meeting the challenge of climate change, flooding and coastal change
- 15. Conserving and enhancing the natural environment
- 16. Conserving and enhancing the historic environment

# **North Northamptonshire Joint Core Strategy**

- 1. Presumption in favour of Sustainable Development
- 2. Historic Environment
- 3. Landscape Character
- 4. Biodiversity and Geodiversity
- 5. Water Environment, Resources and Flood Risk Management
- 8. North Northamptonshire Place Shaping Principles
- 9. Sustainable Buildings
- 10. Provision of Infrastructure
- 11. The Network of Urban and Rural Areas

- 15. Well-connected Towns, Villages and Neighbourhoods
- 16. Connecting the Network of Settlements
- 17. North Northamptonshire's Strategic Connections
- 18. HGV Parking
- 19. The Delivery of Green Infrastructure
- 22. Delivering Economic Prosperity
- 23. Distribution of New Jobs
- 24. Logistics

# 6.0 <u>Financial/Resource Implications</u>

None

# 7.0 Planning Considerations

The key issues for consideration in this application are:-

- 1. Compliance with the outline permission;
- 2. Highways/Access
- 3. Landscaping and Appearance
- 4. Other matters

## 1. Compliance with the outline permission

This application for reserved matters relates to plot 4b, which is the largest parcel on the eastern side of the site within zone 4. The outline permission KET/2018/0774 set the parameters for future development of the site and allows for B2 or B8 units to be placed within zone 4 with a building eaves height of up to 18m and 83,945m<sup>2</sup> gross floorspace within the 21.63ha parcel of land.

The maximum permitted floorspace limit on zone 4 under the outline permission equates to 83,945sqm. 21,497sqm of floor space was permitted for construction on Plot 4a, therefore this proposal utilizes the available residual balance of 62,448sqm and is therefore within the maximum permitted floorspace parameters.

The proposal seeks a building for B8 use with 15.72m eaves and 17.8m ridge. The proposed building's use includes associated offices to the main use, however, this would be ancillary to the main storage and distribution use and therefore this element would be in accordance with the outline approval.

#### 2. Highways/Access

The proposed building is approximately 376m by 157m (with an area of 59,166m<sup>2</sup>), with 3 small ancillary office elements (with an area of 3252m<sup>2</sup>) and a small gatehouse building.

The proposal involves a car park for visitors and staff which includes cycle storage and disabled parking. The proposal includes 601 car parking spaces within the car parking area, 60 of which would provide electric vehicle charging, along with 240 cycle spaces. The access to the car parking has been revised to

run perpendicular to the highway to ensure visibility splays can be fully utilised as required by the Local Highway Authority (LHA).

The cycle storage meets the LHAs requirements and is located close to the main staff access to the building which is considered to be appropriate and encourage usage together with a degree of natural surveillance.

The LHA has suggested that an additional bus stop might need to be provided. Officers consider that the existing bus stop located within 400m of this site is sufficient and conveniently located to enable suitable access to the proposed unit for those using public transport.

The service yard which wraps around the building is separately accessed from the car park. The service yard incorporates both the loading bays along with HGV parking areas. The Highways Authority have confirmed that the HGV loading and parking identified is aligned with their criteria.

A travel plan is required to be submitted by the occupier in accordance with condition 16 of the outline approval.

Overall it is considered that the highways and access arrangements for consideration under the reserved matters is acceptable.

### 3. Landscaping and Appearance

The visual impact of the development was primarily assessed as part of the outline permission which sets the parameters for future development, and the provision of an industrial/commercial design building in this location is acceptable.

The proposed building is a portal steel frame construction with curved roof and profiled metal external cladding. Due to the nature and use of the building, the building is large and is primarily functional in appearance with a large-scale industrial design. The building is broken up in scale by the use of different cladding profiles and colours, complemented by the use of full height glazing to the office elements. The use of lighter coloured cladding on the higher elements of the building seeks to assist in reducing the apparent height of the building by fading it into the skyline. Smaller office elements midway along the north and south elevations of the building help to visually break the longest elevations.

Soft landscaping is proposed around the site and would include species rich grassland, thicket planting, tree planting and several attenuation ponds. These areas of landscaping would help to soften the appearance of the proposed buildings and operational areas and are considered acceptable.

Revisions to the landscaping have been made to incorporate the comments of the County Ecological Advisor and incorporate the recommended species and biodiversity measures along with an acceptable management programme as required by the outline consent. The submitted Biodiversity Enhancement Management Plan sets out requirements for a bat-sensitive lighting scheme, and a series of bat/bird/bug nesting opportunities. The County Ecological Advisor considers these elements to be acceptable and has requested a condition which ensure these elements are delivered prior to occupation of the unit. External Lighting is governed by condition 9 of the outline consent and therefore will not be repeated through this approval.

A letter of objection has been received on behalf of the residents of nos. 1-5 Windmill Cottages as set out in section 4.0 of this report which raises concern regarding the visual impact of the proposal and the environmental impacts of the scheme.

Windmill Cottages are a row of 5 no. terraced properties located to the eastern side of Cranford Road. The submitted location plan shows the nearest of the dwellings (no. 1) to be 156 metres from the eastern boundary of the application site. The intervening area includes an arable field and Cranford Road itself which is tree lined with mature coniferous vegetation. Importantly the dwellings are orientated broadly north to south with views back towards Burton Latimer or countryside rather than west towards the application site, with no windows facing west.

The building proposed is set a minimum of 20 metres from the eastern site boundary and therefore a minimum of 176 metres from Windmill Cottages. Whilst the size of the proposed building is acknowledge its scale and position is fully in accordance with the terms of the outline consent which approved the suitability of building(s) comprising nearly 84,000m<sup>2</sup> floorspace with eaves height up to 18 metres within zone 4 closest to Windmill Cottages.

The objection highlights that a visual effects table within the scoping report for the outline consent identified that Windmill Cottages were receptors that would experience a Moderate/ Major – Adverse' effect from Segro Park from construction through to 15 years. This impact would have formed part of the consideration for the outline consent, however it is important to note that the assessment within the reference table notes the following:

This small group of properties sit side on to the site and have limited views in a westerly direction. The clearest existing views from these properties is to the north and south. Existing planting to the boundary and roadside (including coniferous trees) limits potential views towards the development to angled views largely from first floor windows. Construction and building in the east of the site will be visible, however the significance of the effect is reduced in part by the orientation and existing planting to the Cranford Rd boundary.

The officer report for the outline approval highlights similar objections from Windmill Cottages at that stage. The officer report highlights:

The letter raised concerns regarding that there are no mention of Windmill Cottages and its close proximity to the development in particular in regards to the visual impacts. There are numerous mentions of Windmill Cottages within the Environmental Statement main documents including within the

Visual Impact Appraisal assessment. The main assessment within the VIA is from public vantage points including Cranford Road which is between the site and Windmill Cottages.

The letter incorporates a request in relation to the provision of a bund and screening between the site and Windmill Cottages along the eastern boundary, in order to mitigate visual, noise and lighting impacts of the development. There is an agricultural field located between the application site boundary and Cranford Road, with the cottages on the other side of the road.

The reserved matters for the site include landscaping in relation to the development parcel sections and along the site boundaries. However, the buildings' potential eave's height of 18m means that screening the buildings through planting is impractical and that design consideration including colour band fade to the skyline would need to be considered when the reserved matter of appearance is assessed.

Given the separation distance, orientation of Windmill Cottages and proposed thicket planting any visual impacts for neighbouring residents are likely to be limited and viewed within the wider landscape rather than being readily apparent within the immediate vicinity. These impacts would not be at a level that would warrant refusal of this scheme which accords with the outline approval. Accordingly, a substantial planted bund is not warranted and was not required at the outline stage.

### 4. Other Matters

The objection letter also raises concern about air, noise and light pollution generated from the scheme. These matters were considered at outline stage and within the Environmental Statement. In addition, the Council's Environmental Protection have considered the scheme as submitted and have raised no objection to what is proposed. External lighting is covered through condition 9 of the outline and site specific noise assessments are required for any B2 (industrial) development proposed as specified by condition 14.

Reference is also made in the objection to the UK's commitment to bring all greenhouse gas emissions to net zero by 2050 through legislation signed in 2019. The outline approval pre-dates this legislation and set the principles to determine this reserved matter application. As development requiring an Environmental Impact Assessment the environmental impacts of the overall scheme were fully assessed through the Environmental Statement submitted in support of the outline planning application. This proposal is in full accordance with the outline consent which was approved less than 2 years ago with no environmental issues which require further consideration through EIA at this Reserved Matters stage. The environmental information already before the LPA is therefore adequate to assess the potential impacts and with the conditions specified at outline stage, particularly those relating to a travel plan and emissions and noise from B2 uses, does not result in likely significant adverse impacts on the environment at this time.

In terms of environmental sustainability the building will achieve a BREEAM 'very good' rating using sustainable design methods and principles established within the Outline Planning permission throughout the entirety of the development, as required by policy 9 of the North Northamptonshire Joint Core Strategy and condition 17 of the outline approval. The provision on 60 no. electric vehicle charging bays is also proposed.

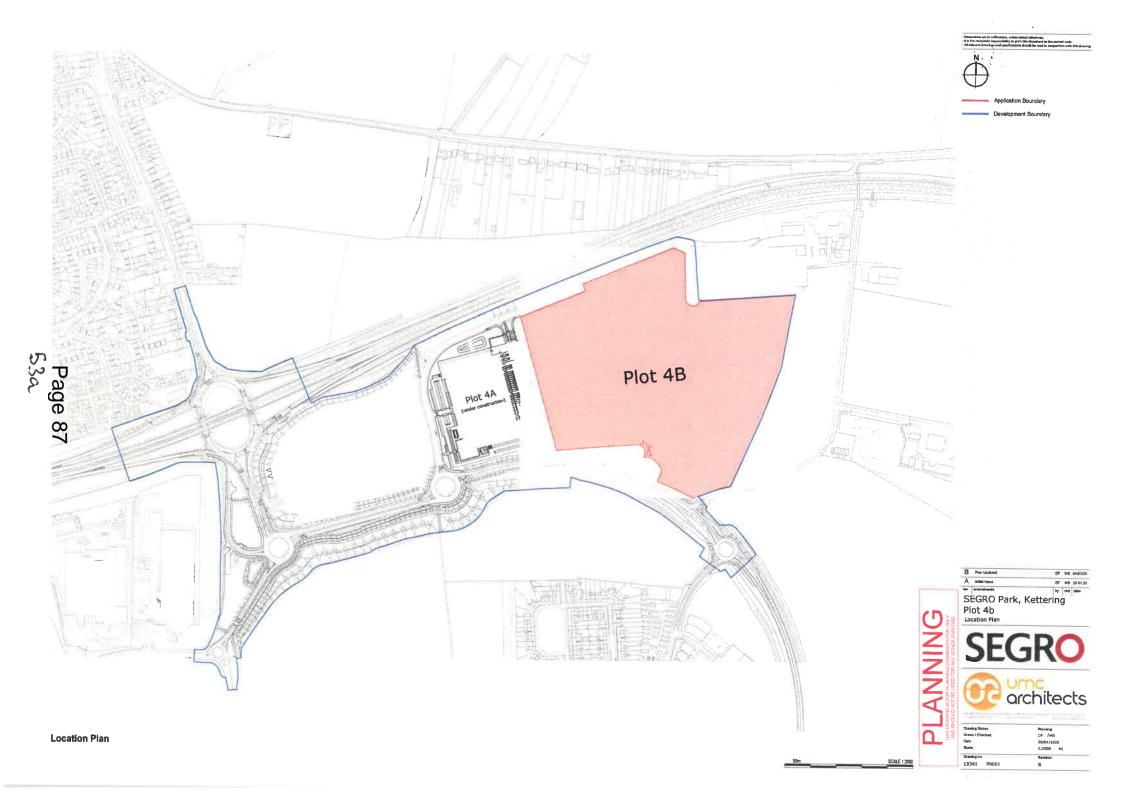
# Conclusion

The submitted reserved matters is considered to be acceptable and complies with the outline permission subject to conditions.

Background Papers Previous Reports/Minutes

Title of Document: Ref: Date: Date:

Contact Officer: Richard Marlow, Development Team Leader on 01536 534316





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#### Schedule of Accommodation

Total	62 449	079 400
Gatehouse	30	323
2-Storey Pod Office B	465	5,000
2-Storey Pod Office A	465	5,000
2-Storay Office	2,322	25,000
Warehouse	59,166	636,863

62,448 672,190

100 no. Loeding dock doors 8 no. Level access doors 271 no. 1407 parting spaces 607 no. Car parking spaces (inc. 60 accessible, 60 electric vehicle charging) 240no. Cycle spaces 23no. PTW spaces

Application Boundary

on Boundary 40.25 acres 18.29 ha

Development Bounda

Proposed Retaining Wall (See drawings by structural engineer for proposed levels design)

For full planting and landscaping design refer to Landscape Architects drawings and specifications

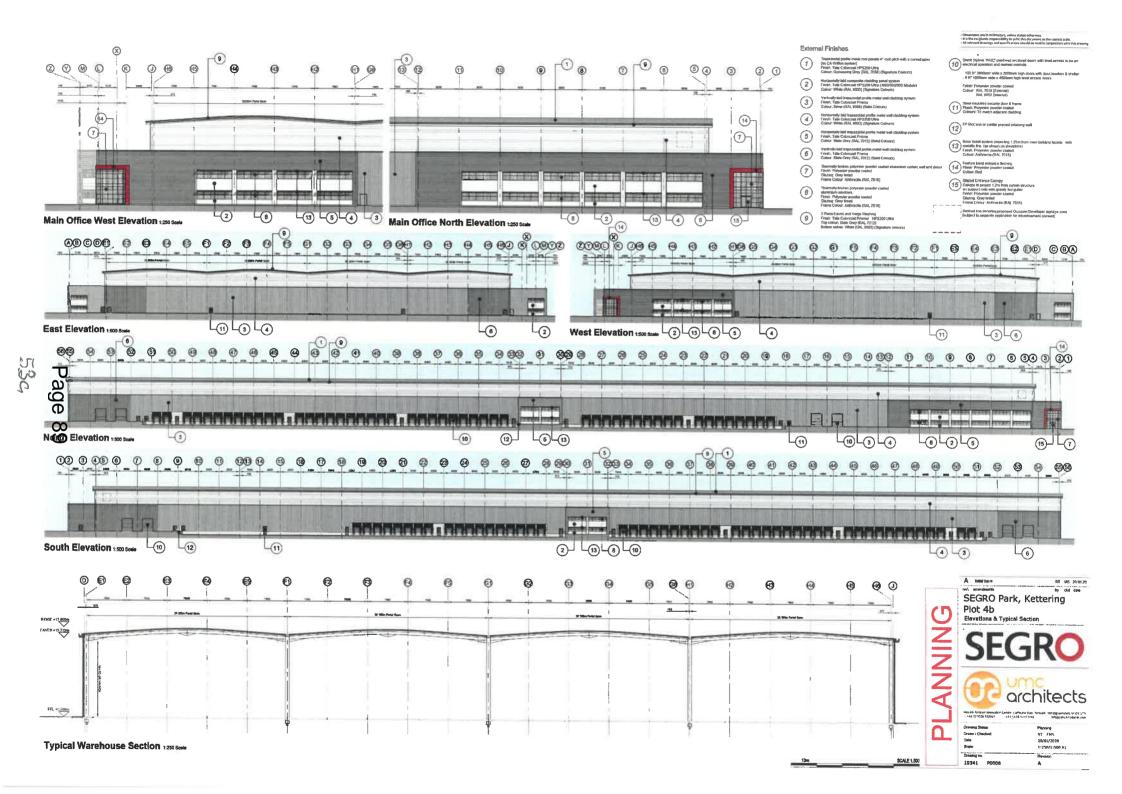
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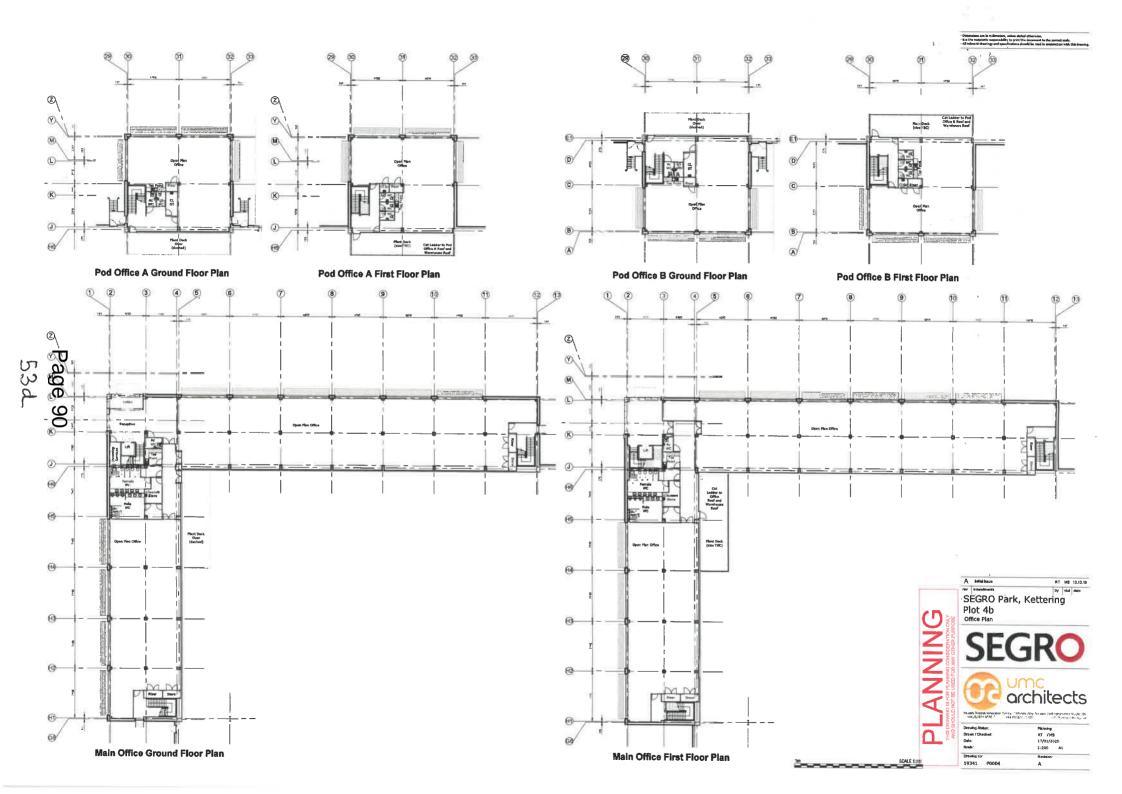
SEGRO Park, Kettering Plot 4b Proposed Site Layout



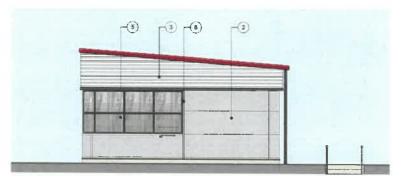


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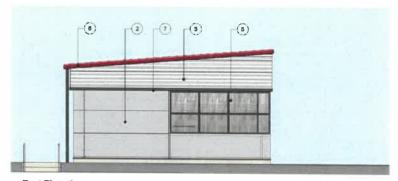
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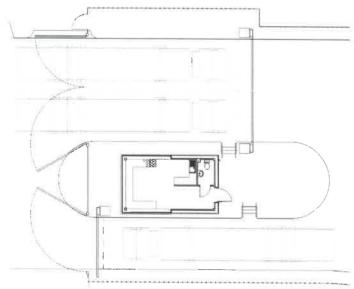
West Elevation Scale 1:50



**⊘** South Elevation some 1:50



East Elevation Sonia 1:50



Gatehouse Layout scale 1:100

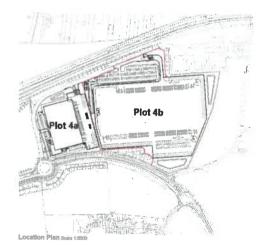
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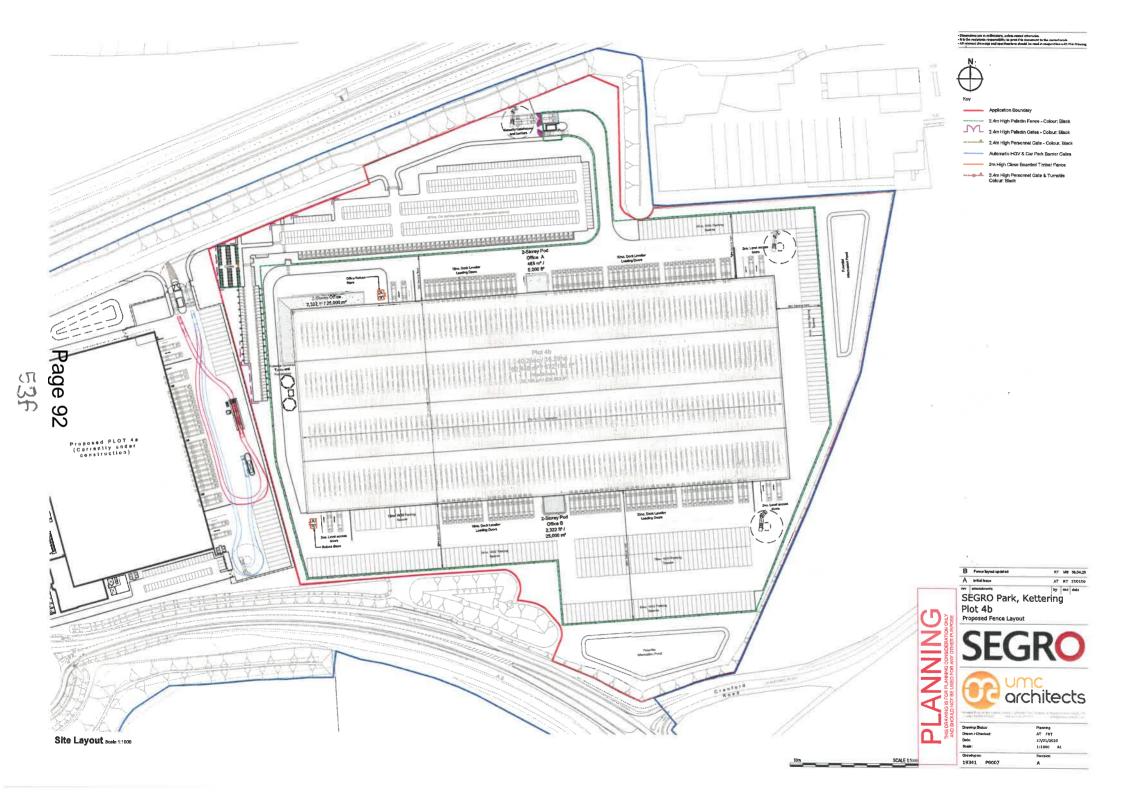
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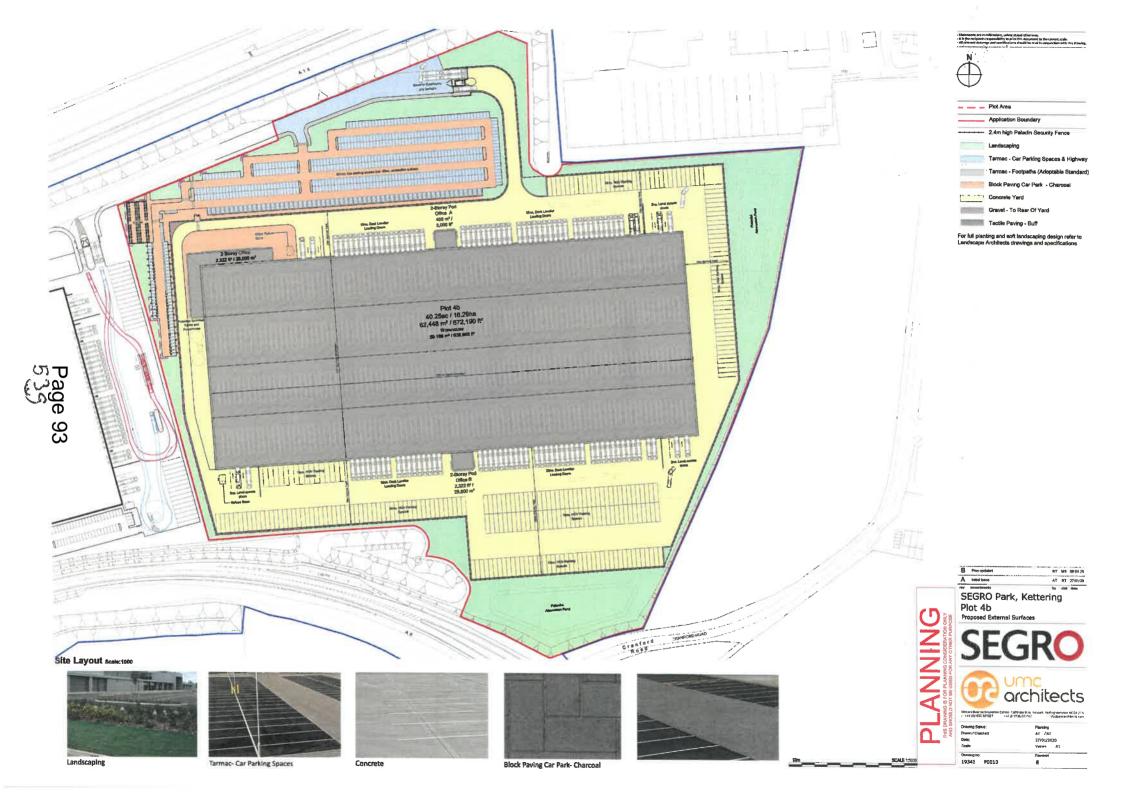
- Trapezoidal roof penele, Finish: Tata Colorosal HPSZD0 Ultra Colour: Goosewing Grey (RAL 7038) (Signature Colours)
- 2 Hortzontally faid composite cladding panel system Finish: Tata Colorcost Priessa Colour; Silver (RAL 9005) (Signature Colours)
- Horizontally laid trapezoidal profile metal wall disdding system.

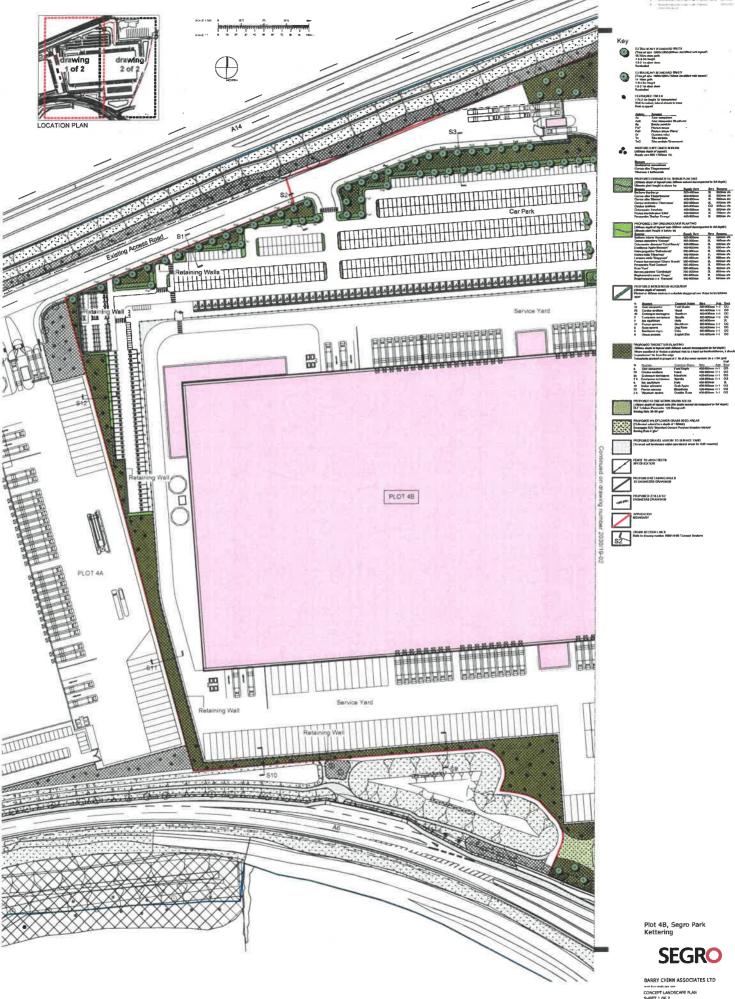
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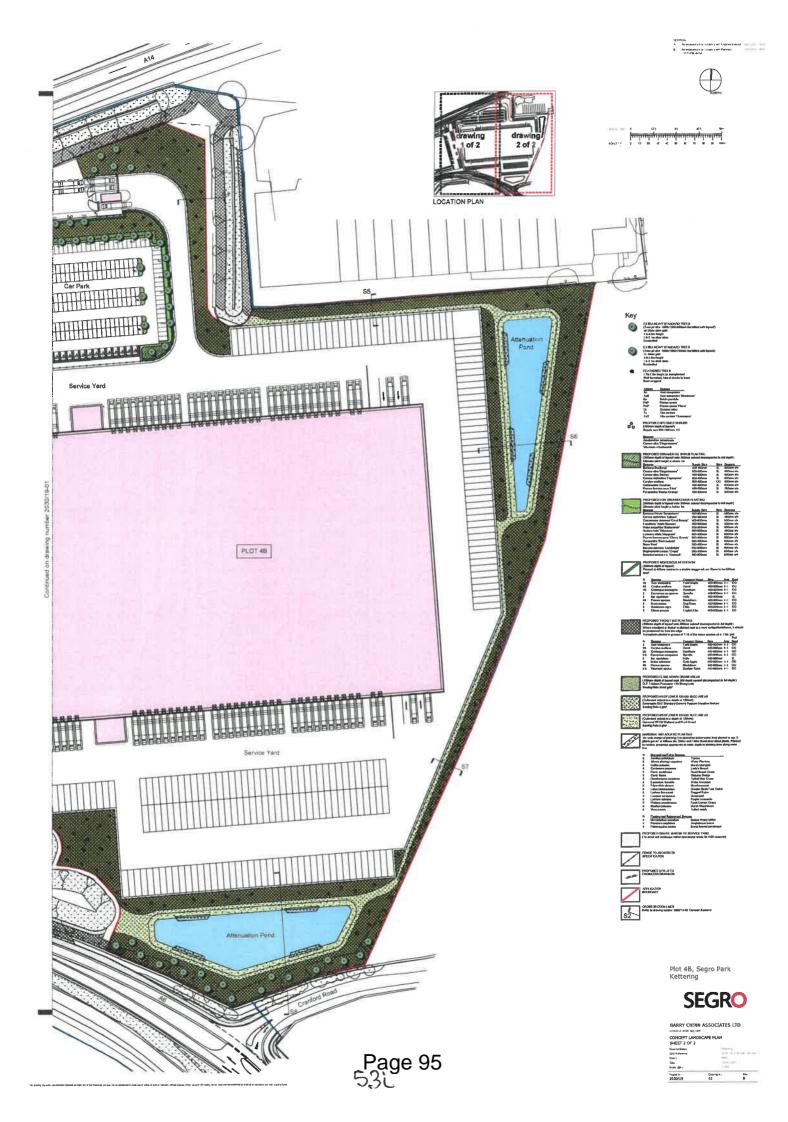




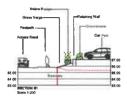


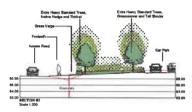


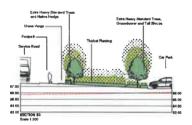
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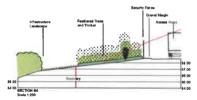


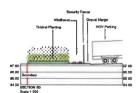
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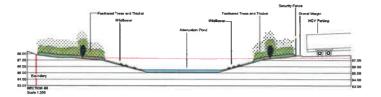


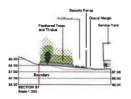


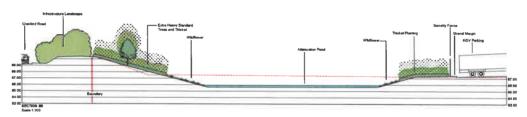


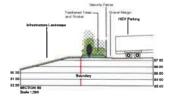


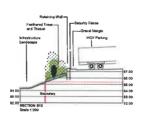


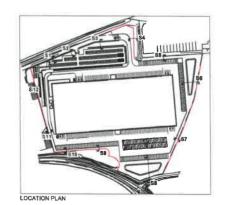


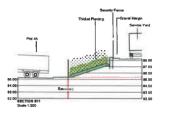


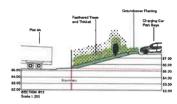


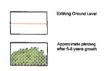














NOTE: For soft landscape gradients greater than 1:3 slope stability to be confirmed by Structurál Engineer.



Plot 4B, Segro Park Kettering



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CONCEPT LANDSCAPE SECTIONS

Drawing Status:	Planning 2030-19_016-028-038.dwg		
CAD Reference.			
Drewn:	MGQ		
Date. 23/01/2020		320	
Scale @A1:	1:200	1:200	
Project Ne:	Drawing No:	Rev.	
2030/19	03	В	

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