

Central England Co-Operative Ltd
c/o Mather Jamie
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NOTICE OF REFUSAL

TOWN & COUNTRY PLANNING ACT 1990 (as amended)

REFERENCE No: **KET/2016/0044**
APPLICANT: **Central England Co-Operative Ltd**
DEVELOPMENT: **Residential development of up to 304 dwellings with associated access, infrastructure, public open space, nature areas and surface water management measures**
LOCATION: **Desborough (land to south of), Desborough**

KETTERING BOROUGH COUNCIL, having considered a valid application submitted on 19 January 2016, for the above development in pursuance of their powers under the above mentioned Acts,

REFUSE PERMISSION

for the development as described for the following reasons:-

1. Policy 11 of the NPPF and Policy 13 (o) of the North Northamptonshire Core Spatial Strategy require Local Planning Authorities when determining planning applications to conserve and enhance biodiversity. The Biodiversity SPD for Northamptonshire (August 2015) further states that Biodiversity is a key aspect of sustainable development. The effect on biodiversity has not been shown to be acceptable. The application fails to demonstrate through the information submitted how biodiversity will be suitably conserved and enhanced and would not lead to a loss of habitat in accordance with Policy 11 of the NPPF, Policy 13 (o) of the North Northamptonshire Core Spatial Strategy and the adopted Biodiversity SPD for Northamptonshire.
2. The application site falls within an area of natural beauty. Policy 13 (h) of the North Northamptonshire Core Spatial Strategy goes on to state that new development should 'respect and enhance the character of its surroundings and be in accordance with the Environmental Character of the area'. The proposal by nature of its built form would fail to preserve the natural beauty of this area and the character of this landscape

to its detriment and is therefore considered contrary to Policy 13 (h) of the North Northamptonshire Core Spatial Strategy.

Notes (if any):-

1. The Local Planning Authority has worked positively and proactively with the applicant to seek solutions to problems arising from the application including seeking additional information during the application process. However, it was not possible through seeking additional information to overcome all the planning issues and planning permission is refused.
2. The plans and documents, some of which may have been subsequently referenced by the LPA and set out below, form the basis for this decision:

Title	KET Ref.	Agent's Ref	Received Date	Status
Article 13 Notification	KET/2016/0044/1		19/01/16	For information
Masterplan Plan		AL-90-003	19/01/16	For information
Topographical Survey – plan 1		S1337-02	19/01/16	For information
Topographical Survey – plan 2		S1337-03	19/01/16	For information
Topographical Survey – plan 3		S1337-04	19/01/16	For information
Topographical Survey – plan 4		S1337-05	19/01/16	For information
Statement of Community Involvement		1699/5307 SCI	19/01/16	For information
Flood Risk Assessment		SHF.1209.001.HY.R.01.B	19/01/16	For information
Sustainable Design SPD Checklist		1699/5307 SusDes	19/01/16	For information
Transport Assessment	KET/2016/0044/3		19/01/16	For information
Preliminary Ecological Assessment		RT-MME-119581-01	19/01/16	For information
Great Crested Newt Survey		RT-MME-119581-02	19/01/16	For information
Arboricultural Survey		RT-MME-119581-03	19/01/16	For information
Botanical Survey		RT-MME-120106-03	19/01/16	For information
Otter and Water Vole Survey		RT-MME-120106-04	19/01/16	For information
White Clawed Crayfish Survey		RT-MME-120106-05	19/01/16	For information
Outline Ecological Mitigation Strategy		RT-MME-120106-06	19/01/16	For information
Aquatic Macro-		RT-MME-120677	19/01/16	For

Invertebrate Survey				information
Phase 1 Geo-Environmental Assessment		KCS/23647	19/01/16	For information
Public Consultation Comments – Online	KET/2016/0044/4		19/01/16	For information
Public Consultation Comments - Event	KET/2016/0044/5		19/01/16	For information
Public Consultation Comments - Post	KET/2016/0044/6		19/01/16	For information
Travel Plan	KET/2016/0044/7		05/02/16	For information
Reptile Survey		RT-MME-120106-02	09/02/16	For information
Bat Survey		RT-MME-120106-01	09/02/16	For information
Wildlife Strategy Heads of Terms			11/05/16	For information
Design and Access Statement			14/04/2016	For information
Planning Statement		April 2016	14/04/2016	For information
Location Plan		AL-90-001	19/01/16	Refused
Proposed Access		210076-01 C	06/05/2016	Refused
Proposed Access off Sycamore Drive		210076-02	06/05/2016	Refused

Date of Decision: 26 May 2016



Robert Harbour
Head of Development Services

Contact:-

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In accordance with paragraphs 186 to 192 of the National Planning Policy Framework the Local Planning Authority has acted positively and proactively in dealing with this application.

Appeals Against Decision

The rules for lodging an appeal against this decision are set out in Article 37 of Town & Country Planning (Development Management Procedure) (England) Order 2015. The following is a summary of the rules:

1. If you wish to appeal against this decision you must do so on the Planning Appeal form. Appeals may be made online at <https://www.gov.uk/appeal-planning-inspectorate> . If you are unable to use the online service, please contact the Planning Inspectorate's Customer Services Team on 0303 444 5000 and ask for a Planning Appeal form.
2. Completed appeals (forms and supporting documents set out in the appeal form) must be received by the Planning Inspectorate within the relevant time scale set out in the table below. The Secretary of State has the power to allow a longer period for you to give notice of an appeal, but he will not normally exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal.:

Appeal Type	Time Period
Appeal against decision where no enforcement action taken or pending	Six months from date of this decision notice
Appeal against decision where enforcement notice served in respect of substantially the same development: <ul style="list-style-type: none">• within two years before the date of the planning application, or• before the date of this planning decision and still in force.	28 days from date of this decision notice
Appeal against decision where enforcement notice served in respect of substantially the same development: <ul style="list-style-type: none">• on or after the date of this planning decision, and• is still in force.	The earlier of the following dates: <ul style="list-style-type: none">• 28 days from date enforcement notice is served, or• Six months from date of this decision notice

These time scales are in relation to the appeal against the planning decision.

The time scales for appeals against the enforcement notice (as set out in the enforcement notice) are not affected by this decision.

Purchase Notices

If permission is refused, whether by the Local Planning Authority or by the Secretary of State and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonable beneficial use by carrying out of any development which has been or would be permitted, he may serve on the Council of the district in which the land is situated a purchase notice requiring that Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.