

## BOROUGH OF KETTERING

<b>Committee</b>	<b>Full Planning Committee - 29/10/2013</b>	<b>Item No: 5.5</b>
<b>Report Originator</b>	<b>Richard Marlow Development Officer</b>	<b>Application No: KET/2013/0553</b>
<b>Wards Affected</b>	<b>Northfield</b>	
<b>Location</b>	<b>Dryden Street &amp; Field Street (land at junction of), Kettering</b>	
<b>Proposal</b>	<b>Full Application: Re-configuration of Block A to increase no. of units from 12 to 16</b>	
<b>Applicant</b>	<b>Lindum Group</b>	

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

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

### **2. RECOMMENDATION**

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

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

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

2. The hard and paved surfacing shall be carried out in accordance with the following details approved on 4 March 2013 by Local Planning Authority:

- Hard Landscape Finishes Schedule
- Marshall Sandstone Natural: Victorian Gold,
- Marshall Keyblock: Natural, Marshall Tescina: Charcoal and brindle

REASON: In the interests of visual amenity in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

3. The development shall be carried out in accordance with the approved contaminated land details and remediation scheme as detailed in the report reference 09-1037.01 dated December 2010 by Delta Simons and the remediation method statement reference 09-1037.02 dated November 2012 which require that:

- A clean capping layer of 600mm is placed in all residential garden areas.
- A clean capping layer of 300mm is placed in all landscaped public open spaces
- A suitable geotextile membrane is placed between the existing soil and the clean capping layer in all areas.

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 (referred to in PPS23 as a validation 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 part A, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of part 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 by the Local Planning Authority in accordance with part C.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

4. No development shall take place other than in accordance with the submitted 'Energy Efficiency and Sustainable Construction' report received by the Local Planning Authority on 27th August 2013.

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

5. No development shall take place other than in accordance with the Construction Management Plan received 15 February 2013 by the Local Planning Authority.

REASON: To protect residential amenity in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

6. The highways, footways and accesses shall be provided in accordance with the following details received by the Local Planning Authority:

- Plan 12-2117/315 P1 Highways External Works Details, received 21/3/13
- Plan 12-2117/317 P3 Highways S184 Vehicular Cross Over Layout, received 21/3/13
- Plan 12-2117/316 P1 Proposed Manhole Schedule, received 7/1/13

- Plan AP0240\_F Site Layout Plan (showing lighting column locations), received 22/3/13

REASON: To ensure that the roads are constructed to a satisfactory standard in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

7. The factory windows of block A shall be Kawneer GT70 slimline renovation windows as set out in the following details received 12 February 2013 by the Local Planning Authority:

- Kawneer GT70 Manufacturing details received 12/02/2013
- Scott Halliwell email dated 30/01/2013 received 12/02/2013
- Plan 1558 AP0250 received 12/02/2013
- Retention of the existing frontage doors to Block A

REASON: To ensure an appropriate form of development in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

8. The boundary treatments shall be carried out in accordance with the details shown on drawing 1558 AL0503 P01 received 7 January 2013 by the Local Planning Authority.

REASON: In the interests of the privacy of neighbouring occupants in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

9. Landscaping shall be carried out in accordance with drawing AM/LC/RD/DS/K/DRWG01 and Appleyard Smith-Morgan Landscaping proposals document received 7 January 2013 by the Local Planning Authority.

REASON: To improve the appearance and ecological interest of the site in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

10. Bin and cycle store facilities shall be provided in accordance with the following plans received by the Local Planning Authority:

- Sheffield Cycle Stand details, received 8/3/13
- Lockable communal bin store details 1558 AL0207, received 7/1/13
- Plan 1558 AL0210 P02 showing cycle storage locations and security measures, received 21/3/13.

REASON: To ensure adequate amenities are provided for this development in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

## **Officers Report for KET/2013/0553**

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

### **3.0 Information**

#### **Relevant Planning History**

KET/2011/0405 Partial demolition of existing building, development of 44 affordable homes. APPROVED 9/10/2012.

KET/2013/0048 Non-material amendment to KET/2011/0405 for the relocation of the site access and changes to the dwellings fronting Field Street. REFUSED 19/2/2013.

KET/2013/0161 Relocation of site access and amendments to two dwellings approved through application KET/2011/0405. PENDING.

KET/2013/0272 Non-material amendment to planning permission KET/2011/0405 for alterations to roofs, opening and detailing across the site. APPROVED 16/5/2013.

#### **Site Description**

Officer's site inspection was carried out on 02/10/2013.

The site comprises of a disused prominent four storey factory building on the corner of Dryden Street and Field Street which has fallen into a state of disrepair and is being redeveloped for affordable units through permission KET/2011/0405. The surrounding area is predominantly residential and presents a strong Victorian street pattern of terraced streets with buildings fronting the highway. Land levels are consistent both within and immediately surrounding the site.

#### **Proposed Development**

The application seeks permission to reconfigure block A of the development from that approved through application KET/2011/0405 with the introduction of an additional of 4 flats. This would increase the number of 1 bedroom units in this block from 4 to 16, by removing the previously consented 2 bed units within this block. No external alterations to the previously approved scheme are proposed.

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

None

### **4.0 Consultation and Customer Impact**

#### **Housing Strategy**

Full support for the application which meets the increased demand for 1 bedroomed accommodation resulting from Welfare Reform and Housing Benefit changes brought in by Central Government since the original

planning application.

### **Environmental Health**

No comment or objection.

### **Neighbours**

One letter of objection on the lack of car parking spaces.

## **5.0 Planning Policy**

### **National Planning Policy Framework**

Part 4 – Promoting sustainable transport

Part 6 – Delivering a wide choice of high quality homes

Part 7 – Requiring good design

Part 8 – Promoting healthy communities

Part 10 – Meeting the challenge of climate change, flooding and coastal change

Part 11 – Conserving and enhancing the natural environment

Part 12 – Conserving and enhancing the historic environment

### **Development Plan Policies**

#### **North Northamptonshire Core Spatial Strategy**

1 – Strengthening the Network of Settlements

6 – Infrastructure Delivery and Developer Contributions

7 – Delivering housing

9 – Distribution & Location of Development

10 – Distribution of Housing

13 – General Sustainable Development Principles

14 – Energy Efficiency and Sustainable Construction

15 – Sustainable Housing Provision

#### **Local Plan**

35 – Housing: Within Towns

#### **Kettering Town Centre Area Action Plan**

1 – Regeneration Priorities

6 – Residential

8 – Parking

12 – Heritage Conservation & Archaeology

13 – Open Space, Green Infrastructure and Biodiversity

15 – The Shopping Quarter

#### **Supplementary Planning Documents**

Open Space (September 2008)

Sustainable Design (February 2009)

Biodiversity (July 2011)

## **6.0 Financial/Resource Implications**

Section 106 – Deed of variation to the S106 dated 9 October 2012 to secure all units for affordable housing.

## **7.0 Planning Considerations**

The key issues for consideration in this application are:-

1. Principle of Development
2. Housing Mix
3. Design, Character and Appearance
4. Residential Amenity
5. Environmental Matters
6. Highways and Parking
7. Sustainable Design and Construction
8. Developer Obligations

### 1. Principle of Development

Part 6 of the National Planning Policy Framework (NPPF) encourages use of land within existing settlements where future occupants can benefit from established amenities and public transport. Policy 9 of the CSS states that priority will be given to previously developed land and that this should provide for at least 30% of the overall housing requirements for North Northamptonshire. The site is brownfield and is currently being developed for 44 affordable homes approved through KET/2011/0405.

The Core Spatial Strategy (CSS) defines Kettering as a ‘Growth Town’, a primary focus for development; as such, the town is considered an appropriate location for the proposed development and this is further strengthened by policy 35 of the adopted local plan which supports the provision of housing within towns.

Policy 13 of the North Northamptonshire Core Spatial Strategy is supportive of development subject to a number of general sustainable development criteria, including that the proposals do not result in adverse impact upon neighbouring properties or the highway network and that schemes present a good standard of design.

The proposed development falls within The Shopping Quarter defined within the Kettering Town Centre Area Action Plan. This area contains most of the primary shopping streets within the town and it is envisaged that any development proposals should reinforce the retail focus of the area. Residential development will also be supported where it can support these aims and town centre prosperity. The site now subject of this application is in fact designated (SHQ7) for residential development within the plan and the proposed scheme is therefore consistent with the objectives of the Development Plan.

### 2. Housing Mix

The scheme proposes 100% affordable housing and this would be unchanged by the additional 4 no. 1 bedroom units proposed through this application and the change from a mix of 1 and 2 bedroom units within this block to purely single bed units. The Council's Housing Strategy team has confirmed that these types of property are much needed in Kettering as result of wider welfare reforms and housing benefit changes.

### 3. Design, Character and Appearance

Block A of the development comprises of the prominent four storey former factory building on the corner of Dryden Street and Field Street which dates from the late 19<sup>th</sup> Century/early 20<sup>th</sup> Century.

This application proposes no external alterations to the elevations of this building from those approved through KET/2011/0405. The scheme is mindful that parts of the existing building present architectural quality and historic interest through their reference to Kettering's strong industrial heritage. Quality materials will ensure that a high quality of finish is secured for this element of the wider site and can be secured through condition.

In summary the proposal is considered to be appropriate in design and character terms and is in accordance with the requirements of criterion h of Core Spatial Strategy Policy 13.

### 4. Residential Amenity

Policy 13(l) of the Core Spatial Strategy requires that development does not result in an unacceptable impact on the amenities of neighbouring properties, by reason of noise, vibration, pollution, loss of light or overlooking.

The existing factory building fronting Field Street and Dryden Street would present a typical front to front relationship with properties on the opposing side of the street and this is considered appropriate. A back to back distance of in excess of 40m would be provided between the proposed residential properties within the wider site and those on subject of this application and this is sufficient to avoid unacceptable levels of overlooking or loss of privacy.

The amenity of neighbouring residents will be safeguarded through this proposal and it is therefore considered to be in accordance with criterion l of Policy 13 of the North Northamptonshire Core Spatial Strategy.

### 5. Environmental Matters

A detailed contaminated land assessment including site investigation report and site sampling has been submitted with the application to ensure that the site is appropriately remediated prior to the introduction of a sensitive residential land use. Whilst no significant potential sources of contamination are identified compliance with the contaminated land assessment can be secured through condition.

Conditions should also be used to secure appropriate refuse storage and collection facilities and to prevent the installation of external lighting without prior approval of the LPA in the interests of neighbouring amenity.

#### 6. Highways and Parking

The application is accompanied by a Transport Statement which concludes that the traffic movements associated with the proposed development would be less than that which could be generated by the previous industrial use on the site. Furthermore, movements are likely to involve private motor cars as opposed to the large delivery and service vehicles associated with the existing use.

No increase from the 5 car parking spaces allocated for use in association with block A is proposed through this application, resulting in 37 parking spaces across the entire scheme for the 48 dwellings. This has resulted in a neighbour objection on the grounds of insufficient parking.

The Highways Authority has not objected to this application and has previously been satisfied that the development can be accommodated on the highway network, although with four less units overall. However the site is located on the edge of Kettering town centre and therefore is in a highly sustainable location. Part 4 of the NPPF makes it clear that Local Planning Authorities should support development which can make use of sustainable modes of transport. In this case, the site is within walking and cycling distance of the town centre, its wide range of employment, amenities and facilities including public transport hubs such as the bus terminal and railway station.

The Highway Authority has previously suggested that the need for parking would be reduced if the dwellings are secured as affordable housing; this is to be achieved through a S106 agreement. This is supported by evidence from the Councils housing register which concludes that 60% of the households currently registered as needing 1 bed accommodation have no car. The proposed parking provision is therefore considered to be proportionate to the scale, nature and location of the development.

The proposed layout and highway design provides for acceptable vehicular access and as such the proposal will not adversely impact the highway network or prejudice highway safety in line with the requirements of policy 13(n) of the North Northamptonshire Core Spatial Strategy.

#### 7. Sustainable Design and Construction

Policy 14 of the Core Spatial Strategy requires that development meet the highest viable standards of resource and energy efficiency and reduction in carbon emissions. Schemes should demonstrate



techniques of sustainable construction and energy efficiency, provision for waste recycling/reduction and provision for water efficiency and water recycling.

The applicant has submitted an 'Energy Efficiency and Sustainable Construction' statement which includes an Sustainable Design SPD Checklist. Provision is made for achieving 10% of the demand for energy through renewable or low carbon sources as required by policy 14 across the wider site through the use of Photovoltaic Panels secured through condition on the original application. The units within block A are planned to be delivered in 2013/14 and will therefore meet the relevant CSH code level as a minimum as required by policy 14 of the CSS.

#### 8. Developer Obligations

This scheme would provide 100% affordable housing in line with the local housing need identified by the Council. The applicant has previously demonstrated through viability assessment that the scheme would not be viable if additional planning obligations were proposed and has continued to seek to minimise costs across the scheme in order to deliver both phases of the scheme with Housing Association partners. It is therefore suggested that financial contributions should continue to be waived for the additional four units that have resulted from national welfare and housing reforms outside of the applicants control.

The Housing Market Assessment for Kettering establishes a significant need for the type of housing proposed and this represents an opportunity to secure a high quality scheme which effectively re-uses a redundant Brownfield site. A deed of variation should be applied to this application to ensure that the four additional dwellings covered by this proposal are secured for the purposes of affordable housing in perpetuity.

#### Conclusion

The proposed development is in accordance with the national and local planning policies and there are no material considerations which indicate planning permission should not be granted. The principle of development is established, there would be no unacceptable detrimental impact on neighbouring residential amenity and the design is appropriate. The application is recommended for approval, subject to conditions and S106 deed of variation.

#### **Background Papers**

Title of Document:  
Date:

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

Ref:  
Date:

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534316