

BOROUGH OF KETTERING

Committee	Full Planning Committee - 01/07/2014	Item No: 5.6
Report Originator	Anne Dew Senior Development Officer	Application No: KET/2014/0256
Wards Affected	Barton	
Location	30 Warkton Lane, Kettering	
Proposal	Full Application: Change of use from residential to day care nursery with garage conversion and single storey rear extension to link to the swimming pool	
Applicant	Abeona Day Care	

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 use hereby permitted shall not be carried out before 07:30 hours or after 18:30 hours on Mondays to Fridays, nor at any time on Saturdays, Sundays or any recognised public holidays.

REASON: To protect the amenities of the occupiers of nearby properties in the interests of amenities in accordance with policy 13 (l) of the North Northamptonshire Core Spatial Strategy.

3. Prior to the commencement of the use hereby approved, details of the acoustic fencing on the south, east and west boundaries of the site, which shall have taken into account the existing vegetation on these boundaries, shall be submitted to and approved in writing by the Local Planning Authority. The approved acoustic fencing shall be erected prior to first use of the nursery and thereafter retained.

REASON: In the interests of the amenities and privacy of the neighbouring properties in accordance with policy 13 (l) of the North Northamptonshire Core Spatial Strategy.

4. 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 amenity of occupants of neighbouring properties in accordance with policy 13 (l) and (h) of the North Northamptonshire Core Spatial Strategy.

5. Prior to the commencement of the use hereby approved, a scheme for the storage and collection of refuse and recycling shall be submitted to and approved in writing by the Local Planning Authority. Development shall not be carried out other than in accordance with the approved scheme and these facilities shall be retained as approved thereafter.

REASON: In the interests of the amenity of occupants of neighbouring properties in accordance with policy 13 (l) of the North Northamptonshire Core Spatial Strategy.

6. The use hereby permitted shall not commence on site until details of a scheme for the storage of cycles has been submitted to and approved in writing by the Local Planning Authority, and has been implemented in accordance with the approved details. The approved scheme shall be retained as approved thereafter.

REASON: In the interests of encouraging modal shift and general amenity in accordance with policy 13 (e), (h) and (l).

7. The maximum number of children in the nursery at any one time shall not exceed 40.

REASON: In the interests of residential amenity and highway safety in accordance with policy 13 (l) (n) of the North Northamptonshire Core Spatial Strategy.

8. Prior to first use of the nursery, the existing vehicular access to the site from Warkton Lane shall be removed, in accordance with a scheme which shall first have been submitted to and approved in writing by the Local Planning Authority. The new access as shown on approved drawing number WARKTON4R received 13.06.2014 from Warkton Lane shall be provided prior to first use of the children's nursery hereby permitted.

REASON: In the interests of highway safety in accordance with policy 13 (d) (n) of the North Northamptonshire Core Spatial Strategy.

9. The means of access shall be paved with a hard bound material for the width of the access for a minimum of 10 metres into the site measured by the highway boundary.

REASON: In the interests of highway safety in accordance with policy 13 (d) (n) of the North Northamptonshire Core Spatial Strategy.

10. The parking arrangements shown on approved drawing number WARKTON4R received 13.06.2014 shall be completed and available for use prior to first use of the development hereby permitted. The area shall thereafter be retained as car parking.

REASON: In the interests of highway safety in accordance with policy 13 (d) (n) of the North Northamptonshire Core Spatial Strategy.

11. Prior to the commencement of development, details of the hard surface material to the parking, manoeuvring and access shall be submitted to and approved

in writing by the Local Planning Authority. Development shall not be carried out other than in accordance with the approved details.

REASON: In the interests of highway safety, residential and general amenity in accordance with policy 13 (h) (l) (n) of the North Northamptonshire Core Spatial Strategy.

12. Prior to the commencement of development, a scheme to prevent vehicles parking on the verge in front of numbers 30, 28 and 26 Warkton Lane shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full and thereafter retained prior to first use of the development hereby approved and thereafter retained.

REASON: To prevent vehicles parking on Warkton Lane in the interests of highway safety in accordance with policy 13 (n) of the North Northamptonshire Core Spatial Strategy.

13. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match, in type, colour and texture those on the existing building.

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

14. Prior to installation, details of any gates to the new vehicular access hereby approved shall be submitted to and approved in writing by the Local Planning Authority. Development shall not be carried out other than in accordance with the approved details.

REASON: In the interests of highway safety and the character of the area in accordance with policy 13 (h) and (n) of the North Northamptonshire Core Spatial Strategy.

15. The development hereby approved shall not be carried out other than in accordance with the amended approved plans and details.

REASON: In the interests of residential amenity and highway safety in accordance with policy 13 (d) (h) and (n) of the North Northamptonshire Core Spatial Strategy.

16. The development shall not be carried out otherwise in accordance with the approved Sustainability Appraisal and Energy Statement reference 14236-R03 received 28.04.2014.

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

17. Prior to the first use of the nursery hereby approved, pedestrian visibility splays of at least 2m x 2m shall be provided on each side of the new vehicular access. These measurements are taken from and along the highway boundary. These splays shall thereafter be permanently retained and kept free of all obstacles to visibility over 0.6 m in height above access/ footway level.

REASON: In the interests of highway safety in accordance with policy 13 (d) of the North Northamptonshire Core Spatial Strategy.

18. The vehicular access gradient from the Highway Boundary shall not exceed 1 in 15 for the first 5m from the highway boundary.

REASON: In the interests of highway safety in accordance with policy 13 (d) of the North Northamptonshire Core Spatial Strategy.

19. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping which shall specify species, planting sizes, spacing and numbers of trees and shrubs to be planted. The approved scheme shall be carried out in the first planting and seeding seasons following the occupation of the building. 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 13 (h) of the North Northamptonshire Core Spatial Strategy.

Officers Report for KET/2014/0256

This application is reported for Committee decision because a ward member has asked for it to be considered.

3.0 Information

Relevant Planning History

KE/86/805 Car Port. Approved 10.10.1986

KE/87/0452 Conservatory. Approved 08.07.1987

KE/99/311 Swimming pool. Approved 30.06.1999

KE/03/849 Demolition and replacement of double garage. Approved 30.6.1999

Site Description

Officer's site inspection was carried out on 23/05/2014.

The site is located on the south eastern side of Warkton Lane and is located close to the junction with Warkton Lane and Poplars Farm Road. The application site is a large detached dwelling, comprising 4 bedrooms over two floors and set within a large plot. There is an existing vehicular access to the east of the Warkton Lane frontage with substantial hedge planting on this frontage. The front garden area is laid down with gravel and lawn. The east, west and south boundaries to the site comprise mature tree and hedge planting.

The surrounding area is primarily residential in character comprising large detached dwellings within spacious plots. Land to the south of the site forms part of the East Kettering development.

Proposed Development

The proposal is for the change of use of the whole of the dwelling house to a children's day nursery. The nursery will be open between the hours of 07.30 to 18:30 Monday to Friday and at any one time the number of children will not exceed 40 (including 0 -4's and pre and after school clubs). The nursery will employ 10 full time members of staff and 2 part time members of staff.

The scheme also includes a small single storey extension to the existing garage to provide a link with the existing detached single storey swimming pool building. The extended garage will be converted into a dedicated space for pre school/ after school club. The swimming pool will be retained for use of the nursery children with extended changing room facilities.

A new vehicular access is proposed from the western most part of the Warkton Lane frontage (adjacent to 28 Warkton Lane) with the existing vehicular access from Warkton Lane being blocked up. The original layout submitted provided for 10 off street car parking spaces. Revised plans have been submitted which show the front garden being laid out for 18 spaces.

Any Constraints Affecting the Site

Warkton Lane is a C Road

4.0 Consultation and Customer Impact

Highway Authority (Comments received on original layout)

- Revised access is better located than the existing one away from Poplars Farm Road.
- Could be more parking for staff on site, see no reason why tandem spaces could not be introduced next to No.28.
- For parents parking in the area, their parking arrangements need to be controlled. Absolutely no parking can occur on Warkton Lane as this is a main route which is heavily trafficked. Bollards required to physically prevent parking on the verges near the site.
- Overflow parking can park on Poplars Farm Road which is acceptable, subject to drivers obeying the rules of the road and not blocking accesses, parking on footways or manoeuvring in unsafe fashion when turning. Little can be done to control the use of Poplars Farm Road for parking and it is safer than Warkton Lane.
- Keen to see junction between Poplars Farm Road and Warkton Lane improved to make the angle nearer to 90° and it may be appropriate to seek a contribution from the developer to allow this to occur.
- Travel Plan with annual monitoring required for five years to be enforceable in case the number of vehicles arriving at the site in the peak period does not match a reasonable number or keeps increasing.

Highway Authority (Comments on revised layout)

- There are no highway reasons to resist this application
- Access and internal parking layout are compliant
- Poplars Farm Road is available for car parking, this is an unrestricted road in parking terms and so long as drivers do not block private accesses then it should be a safe option to use
- The provision of extra bollards on Warkton Lane is welcomed

Environmental Health (Comments received on original layout)

- No objection.
- Request informatives regarding the use of the swimming pool as part of the nursery provision, separate toilet facilities for staff and children and registration with Environmental Health for food provision.
- A 1.8 metre high fence to be installed per supporting statement reference 14236-R01.
- Refuse area to be separate from any habitable area and the facilities to be retained at all times thereafter.

Neighbours (Comments received on original layout)

26 letters of **objection** received with the following material planning considerations:

Principle

- The introduction of a commercial use within a residential area is contrary to policy 58 if the Local Plan.

- No justification for rationale behind the assertion that policy 58 is out of step with the NPPF and Core Strategy because these encourage sustainable development and provide community educational facilities within the development they serve.
- Why is preferential weight being given to the Core Strategy over the adopted Local Plan?
- The definition of 'educational facilities within the development they serve' is being too broadly applied to this application. This is a well established road of houses that have never required a day nursery so it should be understood that demand for the development they serve clearly does not exist and will only draw attendance from a wider catchment.
- Do not understand where the demand has come from.
- The deeds of the property may not allow a business use

Character of the Area

- The application is not in keeping with the area.
- Warkton Lane is the most exclusive road within Kettering and is residential in character, allowing a children's day nursery would fundamentally change the character of this road and potentially set a precedent for other properties to be converted.
- The property is within a large plot which is characteristic of the area and should be retained.
- The introduction of signage which no doubt a commercial would want would be out of character in this location.
- Stand alone in its service with no integrated link to other educational facilities and therefore I refute that this development would promote sustainable development.
- 10 parking spaces is far from adequate for staff and parents to drop off, which is likely to lead to an overspill onto the verge on Warkton Lane, creating visibility issues and again changing the character of Warkton Lane.

Noise and Amenity

- Noise from children inflicted on local residents during the day is not acceptable.
- No mitigation possible in respect of either traffic and parking, and noise.
- How much noise will be generated from children playing in the garden and how many children will there be?
- The repositioning of the driveway opposite our property will mean during winter hours approximately 150 car lights shining directly into our house daily.
- Not clear if maximum is 40 children or if this is the maximum number on site at any one time. How will this be enforced?

Traffic and Parking

- Location totally unsuitable for anything other than a residential property, being on the corner of a 300 degree bend already marked with dangerous bend signs and directly next to Poplars Farm Road where

- cars already cross the central white line.
- The application site is on the apex of a curve on Warkton Lane which has been the exact site of many road accidents in recent years. NCC has applied non-skid surfaces but the accidents still recur.
 - Traffic from parents of 30+ children (4 vehicle movements each – in/out twice) and staff is expected to amount to around 150 vehicle movements a day.
 - In addition, we would expect Poplars Farm Road to be blighted by parents/carers/staff parking their vehicles on Poplars Farm Road or even the verge of Warkton Lane further endangering road users, damaging the environment, amenity and safety of anyone trying to access the site on foot.
 - A nursery so close to this junction will produce more traffic at this difficult point.
 - Parents and especially staff may choose to park close to the exit of Poplars Farm Road which is bound to make entry into this road even more dangerous than at present.
 - Additional traffic generated will add to the danger exacerbated by the increased traffic flows generated by the building and completion of access roads to the East Kettering Development.
 - The applicant suggests they will not allow use of Poplars Farm Road as a drop off zone. There are no powers to enforce or police such a ban which will simply add to an already congested junction and impede existing access to residents.
 - Proposed development is only going to make visibility, traffic, congestion and therefore, child safety in the area, deteriorate.
 - Application states parents may use public transport – nearest bus stops are on Barton Road or Deeble Road 5-10 minutes walk from the nursery. Parents will drive to the nursery as most will be on their way their way to work and will be time restricted.
 - Fail to see how staff parking at the local garden centre will work, as it will take approximately 15 minutes per car, the reality is that they will be using the car parking spaces or Poplars Farm Road.
 - No demonstration of a binding agreement between the garden centre and the nursery. What reserve position has been allowed if the garden centre closes
 - Garden centre rarely has enough spaces for its own customers.
 - Immense build up of traffic trying to get onto the A6 early morning and late afternoon/evening. Warkton Lane is congested at peak times and often at a standstill.
 - Allowing up to 40 children at any one time plus staff and deliveries could result in excess of 100 car movements each day.

5.0 Planning Policy

National Planning Policy Framework

Policy 2. Ensuring the vitality of town centres

Policy 4. Promoting sustainable transport

Policy 6. Delivering a wide choice of high quality homes

Policy 7. Requiring good design
Policy 8. Promoting healthy communities

Development Plan Policies

North Northamptonshire Core Spatial Strategy

Policy 1. Strengthening the Network of Settlements
Policy 8: Delivering Economic Prosperity
Policy 9. Distribution & Location of Development
Policy 10. Distribution of Housing
Policy 11. Distribution of Jobs
Policy 13. General Sustainable Development Principles
Policy 14: Energy Efficiency and Sustainable Construction

Local Plan

35. Housing within Towns
58. Employment: Within Towns

Supplementary Planning Documents

Sustainable Development SPD

6.0 Financial/Resource Implications

Section 106 for provision, implementation and monitoring and annual contribution of £1,000 over a five year period.

7.0 Planning Considerations

The key issues for consideration in this application are:-

1. The Principle of Development
2. Character and Appearance
3. Residential Amenity
4. Parking and Highway Safety
5. Planning Obligations
6. Sustainable Development

1. The Principle of Development

The overarching principle of the National Planning Policy Framework (NPPF) is the presumption in favour of sustainable development. In order to deliver sustainable development, policies in the NPPF establish that new development should seek to deliver community facilities and services to meet local needs by securing high quality design, taking into account the character of the area, providing a good standard of amenity for all existing and future occupiers of land and buildings, where possible reuse existing buildings and land, use renewable resources and make fullest use of public transport, walking and cycling, focusing development in locations which are, or can be made, sustainable.

The application site is located within the town boundary of Kettering, as defined

by saved policy 35 of the Local Plan for Kettering. Policy 1 of the North Northamptonshire Core Spatial Strategy states that development will be principally directed towards the urban core, focused on the three Growth Towns of Corby, Kettering and Wellingborough. Policy 9 of the North Northamptonshire Core Spatial Strategy requires that development will be distributed to strengthen the existing network of settlements and preference will be given to locations that are accessible by a choice of means on transport. Given the sites location within the town boundary, in a location which is accessible by a choice of means of transport and close to its catchment area, it is considered the scheme is in accordance with policies 1 and 9 of the North Northamptonshire Core Spatial Strategy as well as policies set out within the NPPF.

Saved policy 58 of the Local Plan for Kettering Borough permits proposals for commercial development within existing areas of the Borough's towns where the area is already predominantly commercial in character. In residential areas, planning permission will not normally be granted where the proposal is for an extension to, redevelopment of, or a reorganisation of, existing commercial operations provided there are no significant effects on amenity, the environment or the surrounding area and there would be operational, amenity or environmental benefits. Whilst the scheme is a commercial development, it is not an industrial use and is a use that could operate within a residential area, for which it would in part serve, without detrimentally affecting the character of the area. Whilst such a use is not fully compliant with policy 58, it is considered the site is a sustainable location for a nursery and is supported by policies in the NPPF which sets a presumption in favour of sustainable development.

In conclusion, given the sites sustainable location, the use as a nursery in this location represents sustainable development which is generally in accordance with the NPPF and the North Northamptonshire Core Spatial Strategy.

2. Character and Appearance

Policy 13 (h) of the North Northamptonshire Core Spatial Strategy requires that development be of a high standard of design, architecture and landscaping and respect and enhance the character of its surroundings.

The proposed extensions will have only a minor impact to the front elevation of the dwelling, which is the only part of the dwelling visible from the public domain. Notwithstanding this, the design of the extension reflects the scale, design and size of the existing dwelling, and subject to a condition requiring materials to match existing, will be in keeping with the character.

The scheme will provide for the existing vehicular access to be blocked up which runs adjacent to the shared boundary with number 28 Warkton Land and to be replaced with a new vehicular access which will run along the shared boundary of number 29 Warkton Lane. Subject to the existing vehicular access being blocked up with appropriate landscaping to match the existing hedge fronting onto Warkton Lane, it is not considered that this will impact on the overall character of the site or wider area.

To provide for the required level of car parking, it will be a necessity that the whole of the front garden will be hard surfaced and used for parking and manoeuvring space. With the retention of the existing hedging views of this parking area will not be particularly visible from the public domain. Subject to the use of appropriate landscaping and hard bound materials, which will be secured by condition, it is considered that the character of the site and wider area will be preserved.

Whilst the use of the site will intensify, it is considered that the building and the site itself are of a sufficient size to accommodate the proposed use without resulting in a detrimental impact on either the character of the building or that of the character of the surrounding area. In conclusion, subject to conditions, the scheme is thereby considered to be in accordance with policy 13 (h) of the North Northamptonshire Core Spatial Strategy.

3. Residential Amenity

Policy 13 (l) of the North Northamptonshire Core Spatial Strategy requires that developments do not result in an unacceptable impact on the amenities of neighbouring properties or the wider area, by reason of noise, vibration, smell, light or other pollution, loss of light or overlooking.

The surrounding areas is primarily residential in character with properties immediately to the north, east and west all being in residential use. The use of the site as a nursery for up to 40 children at any one time will represent a significant intensification of use in comparison to the four bedroom dwelling. One of the main impacts that the nursery will have on the amenity of the occupants of nearby dwellings is in respect of noise and disturbance from children and staff arriving/ leaving the nursery and noise from children playing in the play areas. The scheme provides in total for 18 car parking spaces for both members and staff and parents. A re-located vehicular access will be provided which will run alongside the shared boundary with number 28 Warkton Lane and car parking spaces and associated turning space will be located adjacent to both the shared boundaries with both 32 and 28 Warkton Lane. The applicant has agreed on these boundaries to erect 1.8 metre high acoustic fencing, and this measure alongside the use of a hard bound material in the parking / turning areas will ensure that any noise generated will not be sufficiently harmful to warrant refusal of the application. All other nearby dwellings are considered to be located sufficiently far away so as not to be affected by the proposed use.

Access into the building for parents will be via one of two entrance doors on the front elevation, depending upon which room the child is based. The existing centrally located main entrance door to the building will be used by parents of children aged 0 – 4, whilst the existing entrance within the attached single storey structure will be used by parents and children for the pre school and after school club. Both of these entrance doors are located in excess of 8 metres from adjacent properties at 28 and 32 Warkton Lane. This is considered a sufficient separation distance to avoid any adverse noise or disturbance, given the number of children proposed.

The whole of the rear garden will be used as an external play area for the children. The applicant has confirmed that children outside will be supervised in small groups. With the addition of 1.8 metre high acoustic fence on the rear and side boundaries of the building, it is not considered that any resultant noise to occupiers of adjacent dwellings will be sufficiently harmful, particularly given the sound of children playing is not unusual to hear in a residential area. Environmental Health have been consulted and have raised no objections to the scheme from a noise perspective. Subject to a condition requiring acoustic fencing, any concerns over noise from the childrens play area can be overcome.

The opening hours proposed for the nursery are 07.30 to 18:30 Monday to Friday. Details of arrivals and departures from a comparable nursery indicate that both arrivals and departures will be staggered with the busiest morning period being between 08:00 – 09:00. Given this staggered drop off times, the provision of 1.8 metre high acoustic fencing, use of a hard bound surface to the parking area and restriction on the number of children all of which will be controlled by condition, it is not considered that the proposed opening hours will result in any harmful noise implications. A condition is also recommended restricting the nursery to these opening hours.

The proposed single store link extension will be located close to the boundary with number 32 Warkton Lane. The scheme proposes a small single storey link to the side and rear of the garage to provide a link with the swimming pool building. Given the height of the extension will not exceed 2550mm, with existing mature planting on the boundary and the dwelling in place at no. 32 Warkton Lane being set in approximately 10 metres from the shared boundary, it is not considered any adverse overshadowing, overbearing impact of overlooking will result.

Concerns have been from the occupiers of number 33 Warkton Road (to the north of the site on the opposite side of Warkton Lane) that car lights from vehicles leaving the site will result in lights shining directly into their dwelling, to the detriment of their amenity. The proposed vehicular access to the nursery will be almost opposite to one of the vehicular accesses which serves number 33 Warkton Lane and will face the detached garage in place at number 33 Warkton Lane. Given this juxtaposition, existing frontage boundary treatment serving 33 Warkton Lane and the large front garden area serving this dwelling, it is not considered that any adverse light pollution will result.

In conclusion, subject to conditions covering numbers of children, hours of use, and provision of acoustic fencing and hardbound material, it is considered that the scheme will not have any harmful impact on residential amenity and is in accordance with the requirements of policy 13 (I) of the North Northamptonshire Core Spatial Strategy.

4. Parking and Highway Safety

Policy 13(d) of the North Northamptonshire Core Spatial Strategy requires that developments have a satisfactory means of access and provide for parking,

servicing and manoeuvring in accordance with adopted standards. Policy 13 (n) of the North Northamptonshire Core Spatial Strategy also requires that developments do not have an adverse impact on the highway network and will not prejudice highway safety.

As part of the scheme the existing vehicular access which is adjacent to number 32 Warkton Lane and located approximately 3 metres from the junction of Poplars Farm Road will be closed up. A new vehicular access is proposed to the site adjacent to number 28 Poplars Farm Road. This new access will be located as far as possible away from the junction with Poplars Farm Road, with a separation distance of approximately 30 metres from the junction. The new access is of a sufficient width to allow for two vehicles to pass. NCC Highways have been consulted on the new vehicular access and have advised that this new access is in a better location than the current access and have raised no highway objections to this.

Significant concern has been raised by third parties about the lack of car parking provided for the nursery. The original scheme submitted provided for 10 car parking spaces on the site. To address concerns about the lack of car parking, a revised plan has been submitted which provides for 18 car parking spaces (10 for parents and 8 tandem parking spaces for members of staff). NCC Highways have been consulted on the revised layout and have confirmed it is acceptable and provides for the necessary turning space to allow vehicles to turn and exit the site in forward gear.

In support of the application the applicant has advised that they have agreement with the operators of the garden centre on Warkton Lane for members of staff park at certain times of the day. This is not a binding agreement and given the separation distance between the application site and the garden centre, there is no certainty that staff will park here.

In terms of the amount of car parking provided, the level of car parking provided may result in some increased pressure for on street, particularly during peak drop and pick up times. Third parties have expressed significant concern that parents will park on verges on Warkton Lane and on Poplars Farm Road. NCC Highways have been consulted and advised that on highway safety grounds vehicles cannot park on Warkton Road and measures, such as timber bollards, will need to be installed as part of the application on the verge on Warkton Lane, outside the application site and numbers 26 and 28 Warkton Lane. The applicant has agreed to this measure and this will be secured by condition. NCC Highways have advised that it would be acceptable for vehicles to park on Poplars Farm Road. Whilst NCC Highways have advised that they are keen to see this road junction improved and it may be appropriate to seek a contribution, they have advised this is not something they could insist upon and a refusal on these grounds could not be sustained. NCC Highways have emphasised the importance of having a travel plan which is monitored and measures taken to ensure that the number of vehicles at the site in the peak period do not increase.

In response to the comments from NCC Highways, the applicant has agreed to travel plan and an associated annual monitoring fee of £1,000 for a five year period to reduce the number of vehicles arriving at the site. The applicant has not agreed to make any contribution to the improvement of the Poplars Farm Junction. In response to this request the applicant has advised that there is no need for an improvement to the Poplars Farm Road junction arising from the scheme and the increase in car parking provided on site, coupled with the green travel plan it cannot be linked to the development. This argument put forward by the applicant is accepted, particularly with the increase in car parking spaces on site and the agreement to a travel plan and associated monitoring to ensure any traffic using this junction is kept to a minimum.

Concern has been expressed that additional traffic generated will add to the danger exacerbated by the increased traffic flows generated by the East Kettering development. NCC Highways have considered the highway issues of the proposed nursery use alongside the issues associated with the East Kettering development and have raised no objections with respect to the capacity of the roads and highway safety. In consideration of the various applications for East Kettering, with the various highway improvement proposed, it has been demonstrated that Warkton Lane will continue to operate within capacity. In addition, access E which is an access off Warkton Lane associated with Kettering East will be in full operation within the next 12 – 18 months.

In conclusion, subject to conditions covering bollards on Warkton Lane and a travel plan and associated monitoring, which will be secured by a S106 obligation it is not considered that the use the scheme will give rise to any adverse highway safety implications and as such is on accordance with policy 13 (d) and (n) of the North Northamptonshire Core Spatial Strategy.

5. Planning Obligations

Policy 6 of the North Northamptonshire Core Spatial Strategy requires that new development will be supported by the timely delivery of infrastructure, services and facilities necessary to provide balanced, more self-sufficient communities and to secure a modal shift away from car use.

As discussed under section 7 of this report, to reduce car parking and encourage modal shift, the applicant has agreed to enter into a S106 obligation to provide and implement a comprehensive travel plan and pay an annual monitoring fee of the travel plan of £1,000 annually for a five year period. The provision is considered to be in accordance with the requirements of policy 6 and 13 of the North Northamptonshire Core Spatial Strategy and to meet the tests set out in paragraph 204 of the NPPF (necessary to make the development acceptable, directly related to the development and fairly and reasonably related in scale and kind to the development).

6. Sustainable Development

Policy 14 (b) of the North Northamptonshire Core Spatial Strategy requires that developments shall incorporate techniques of sustainable construction and energy efficiency, provide for waste reduction and recycling and provide for

water efficiency and water recycling.

In support of the application, a Sustainability Appraisal and Energy Statement has been submitted which demonstrates how the scheme will provide for waste reduction and recycling and reducing water. The measures specified in the Statement are considered commensurate to the development proposed and a condition is recommended requiring the development to be carried out in accordance with this statement.

Conclusion

The scheme is considered to be in accordance with policies in the National Planning Policy Framework and local policy and subject to conditions and a S106 obligation will not give rise to any adverse highway safety implications or amenity implications.

Background Papers

Title of Document:

Date:

Contact Officer:

Anne Dew, Senior Development Officer on 01536 534316

Previous Reports/Minutes

Ref:

Date: