

BOROUGH OF KETTERING

Committee	Full Planning Committee - 23/09/2014	Item No: 5.4
Report Originator	Marie Down Assistant Development Officer	Application No: KET/2014/0382
Wards Affected	Welland	
Location	Braybrooke Primary School, Church Close, Braybrooke	
Proposal	Outline Application: Demolition of primary school. Construction of 14 no. dwellings	
Applicant	Mr R Wilkins Northamptonshire County Council,	

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. 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.

REASON: In order to secure a satisfactory development.

2. 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.

REASON: To comply with Section 92 of the Town and Country Planning Act 1990 and to prevent an accumulation of unimplemented planning permissions.

3. 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.

REASON: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended) and to prevent an accumulation of unimplemented planning permissions.

4. The development shall not commence until details of the following works have been submitted to and approved in writing by the Local Planning Authority and no part of the development shall be occupied or brought into use until these works have been completed in accordance with the approved details:

- Improvements to Church Close, Braybrooke including the widening of the eastern footway to 1.8m and widening the carriageway to 5.5m as set out in an appropriate drawing and such amendments required by the Local Planning Authority as a result of the Stage 1 Road Safety Audit or otherwise approved by it in writing.

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

5. 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.

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 in accordance with policy 11 of the National Planning Policy Framework and policy 13 (l) of the North Northamptonshire Core Spatial Strategy.

6. No development shall take place until a plan prepared to a scale of not less than 1:500 showing details of 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: To preserve the character of the area and to protect the privacy of the occupiers of adjoining properties in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

7. No drainage works shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. No hard-standing areas to be constructed until the works have been carried out in accordance with the surface water strategy so approved unless otherwise agreed in writing by the Local Planning Authority.

REASON: To prevent environmental and amenity problems arising from flooding in accordance with policy 10 of the National Planning Policy Framework.

8. Works audible at the site boundary will not exceed the following times unless with the written permission of the LPA or Environmental Health. 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.

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

9. No development shall commence on site until details of the types and colours of all external facing and roofing materials to be used including windows, 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 13 of the North Northamptonshire Core Spatial Strategy.

10. No development 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.

REASON: In the interests of the amenities and privacy of the neighbouring property in the interests of amenity in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

11. No development shall take place within the area indicated until the applicant, or their agents or successors in title, 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 in writing by the Local Planning Authority.

REASON: To ensure that features of archaeological interest are properly examined and recorded, in accordance with policy 12 of the National Planning Policy Framework.

12. Before the development hereby permitted is begun, a scheme demonstrating how the development will incorporate techniques of sustainable construction and energy efficiency, provision for waste reduction and recycling, provision for water efficiency and recycling and demonstrate that at least 10% of the demand for energy will be met on site and renewable and/or from a

decentralised renewable or low carbon energy supply, shall 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 energy efficiency and sustainable construction in accordance with policy 14 of the North Northamptonshire Core Spatial Strategy.

13. Prior to the installation of any air source heat pumps full details of the plant, including its siting, shall be submitted to and approved in writing by the Local Planning Authority. Such plant shall only be provided in accordance with the approved plans and if at any time the plant become redundant it shall be removed immediately.

REASON: In the interests of protecting the visual amenity and rural character of the locality and to prevent the accumulation of plant equipment in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

14. A Waste Management Strategy and Waste Audit shall be submitted to and approved in writing by the Local Planning Authority prior to construction of development.

REASON: To manage waste and ensure the efficient use of resources in accordance with policy CS7 and CS8 of the Northamptonshire Minerals and Waste Development Framework Core Strategy and the adopted Development and Implementation Principles Supplementary Planning Document.

15. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping works which shall specify species, planting sizes, spacing and numbers of trees and shrubs to be planted, the layout, contouring and surfacing of all open space areas. 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 13 of the North Northamptonshire Core Spatial Strategy.

16. No development shall take place on site until a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately-owned, domestic gardens, has been submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out as approved.

REASON: To ensure that due regard is paid to the continuing enhancement and maintenance of amenity afforded by landscape features of communal public, nature conservation or historical significance in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

17. Before commencement of any part of the approved development a plan indicating the position and specification of protective measures to existing trees shall be submitted to and approved in writing by the Local Planning Authority. The approved measures will be implemented prior to development and retained until the completion of the development. Any land so enclosed shall be kept clear of all materials, machinery and temporary buildings at all times. The plan must also indicate the proposed route of all underground services and measures to be taken to ensure that root damage is avoided.

REASON: To ensure that the existing trees and hedges are retained and are not damaged during the period of construction and in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

18. No development shall commence on site until details of a scheme for the storage of refuse and recycling within each plot has been 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 general amenity in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

19. 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 of the North Northamptonshire Core Spatial Strategy.

Officers Report for KET/2014/0382

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

3.0 Information

Relevant Planning History

KE/04/1173 – Proposed boundary security fence – No objection

KE/04/0287 – Erection of 2 metre black palisade security fencing to replace existing fence – Objection

KE/02/0350 – Erection of a single storey external covered play area – No objection

Site Description

Officer's site inspection was carried out on 09/07/2014. The application site measures 0.63 hectares and comprises a redundant primary school and associated playing field, hard play area and car park. The site is located within the village boundary to the north of Braybrooke and is accessed via Church Close which is off Harborough Road. There is a pedestrian footpath around the north western and western perimeter of site linking it with Newlands Street at the southern corner of the site. There are a number of mature trees within the site, primarily on the site boundary. The site is bounded to the north, south and east by residential development. The Grade II* listed Church of All Saints located to the south east, but does not adjoin the boundary with the application site. To the west of the application site is open countryside.

Proposed Development

The proposal is an outline application for the demolition of the Primary School and the erection of 14 dwellings. All matters are reserved except access.

Any Constraints Affecting The Site

Open Space Type 6

4.0 Consultation and Customer Impact

Braybrooke Parish Council

Comments as follows:

- A contribution of/or payment for fibre optic provision for the village should be requested.
- Sewage disposal is a concern, any works required will need to be carried out before development commences.
- Traffic calming measures are needed on Harborough Road.
- Provision for gritting is needed as Church Close is icy in winter months.
- Cycle connections should be provided on the roads to Market Harborough and Desborough and a link with the Brampton Valley

Way.

- Any lighting installed should be low level street lighting.
- No provision is made for the oil storage tanks.
- There should be enough parking for 25 vehicles but plans only show provision of 17 parking spaces.
- Garages should be constructed to the dimensions required for today's modern vehicles.
- The developer should maintain the road on the site until adopted by the County Council.
- Clarification required as to who will maintain the footpath at the side of the proposed site.

NCC – Highway Authority

- Church Close is only 4.5 metres wide in places which is too narrow to provide sufficient utility for the number of dwellings proposed. The width of the carriageway should be increased to 5.5 metres.
- The footway along Church Close is also too narrow and should be reconstructed to 1.8 metres with concrete edgings.
- Recommends a condition to secure details of these works prior to the commencement of development and completion of the works prior to occupation.
- If the footpath link to Newland Street is to be offered for adoption it will need reconstruction to appropriate standards.
- No public transport and rights of way contributions required.

NCC – Walking and Cycling Officer

No comments received.

NCC – Development Infrastructure and Funding

- Primary education contribution of £52,622.00 based on the following formula:

Size of Dwelling	1 bed	2 bed	3 bed	4 bed	5 bed +
Cost per Unit	£0	£520	£3,565	£7,966	£8,120

- Fire and rescue contribution of £1,288.00 based on £92.00 per dwelling.
- Libraries contribution of £3,180.00 based on the following formula:

Size of Dwelling	1 bed	2 bed	3 bed	4 bed	5 bed +
Cost per market dwelling	£116	£155	£229	£290	£326

- Recommends an informative in relation ducting works for broadband provision.

NCC – Archaeology

No objection subject to the application of a condition for an archaeological programme of works.

Community Services

- The on-site provision of a local equipped area for play (LEAP) is welcomed. The open space should be maintained by the developer for a period of 12 months after it is laid out. The open space will then be transferred to the Council and a commuted maintenance sum will be paid to cover maintenance costs for 15 years. If the developer does not wish to transfer the land and pay over the commuted maintenance sum, a comprehensive management plan for the open space will need to be included in the S106 agreement.
- A contribution of £4,105.00 should be made towards village hall enhancements.
- A contribution to indoor sports is not required.

Sport England

No comments.

Fields in Trust

No comments received.

Wildlife Trust

- The Council must satisfy itself that all appropriate and necessary steps will be taken to ensure the protection and future welfare of local badgers is ensured and that there will be no contravention to either the Wildlife and Countryside Act (1981, as amended) or to the Badgers Act (1992)
- The Extended Phase 1 Habitat Survey recommends further episodes of ecological survey work in respect of bats. This is a material consideration and the application can not be determined until all necessary ecological information is available.

North Northants Badger

No comments.

Natural England

- The proposal is unlikely to affect any statutorily protected sites or landscapes.
- No assessment has been made as to the impacts on protected species and the Local Planning Authority has been directed to Natural England's national standing advice on protected species.
- The Local Planning Authority should consider securing measures to enhance the biodiversity of the site, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes.

Northamptonshire Police

- No objection.
- The development should be in accordance with and attain Secured by Design accreditation.
- The formal play area is towards the rear of the development adjacent to a garden fence and behind a garage block. This can cause issues of criminal damage and graffiti and minimises the surveillance of the area. It would be better placed towards the front of the development which will create more surveillance less opportunity for crime and hiding places and make it feel more inclusive to existing residents.
- Recommend the addition of a number of informatives which, if implemented, will reduce the likelihood of crime, disorder and anti-social behaviour occurring.

Environmental Health

No objection subject to the application of conditions relating to contaminated land, noise for air source heat pumps and working hours for construction sites.

Environmental Care

No comments received.

Northamptonshire Fire and Rescue

No comments received.

NHS Primary Care

The development will result in 33.6 additional registrations. Desborough Surgery has limited ability to accept new patients. As the surgery premises are land locked the only option is to move the practice to a purpose built premises. A contribution of £8,694.00 is required based on £621.00 per dwelling.

NHS Secondary Care

No comments received.

Anglian Water

- There are no assets owned by Anglian Water or those subject to an adoption agreement within the development site boundary.
- The Braybrooke Water Recycling Centre and the foul sewerage network have capacity for flows from the development.
- The preferred method of surface water disposal would be to a sustainable drainage system (SUDS) with connection to sewer the last option.
- Recommends a condition requiring a surface water management strategy to be submitted and approved in writing prior to the commencement of development.

Housing

Initial response received 02/07/2014:

Should the scheme increase to over 14 dwellings at reserved matters stage there will be a requirement for 30% affordable housing.

Additional response received 12/09/2014 in light of the provision of 4 no. affordable dwellings on the site:

- The Housing Need Survey carried out in March 2014 indicated little need for rented dwellings and therefore it is recommended that the dwellings are for intermediate tenure.
- Dwellings that are either shared ownership or some form of discounted sale may be appropriate where there are links to affordability and local connection criteria which can be applied given preference to local households who would qualify for intermediate tenure.
- Recommends that the properties are 2 bedrooms and a mix of houses and bungalows.
- Also recommends the dwellings should be advertised through the local help to buy agent who would also assess eligibility for the properties.

Neighbours

Five third party representations received generally supporting the proposal and redevelopment of the site. Issues raised as follows:

- Query regarding who will be responsible for the upkeep of the proposed play area (1)
- Query whether the community will be consulted on the design of the play area (1)
- Boundary trees should be retained in their current form and grouping and should be covered by a tree preservation order to prevent loss of privacy to neighbouring properties (1)
- Boundary treatment to dwellings backing onto Harborough Road will need to be altered to limit overlooking, particularly from garden to garden (1)
- The Utility Assessment is inadequate and misleading and a specific assessment of the pipe that crosses a neighbouring property and its suitability or use by the proposed development is required (1)
- Assurance required that the boundary line will not be changed (1)
- Clarification required as to whether Church Close will be widened and the impact this will have on the peaceful nature of this road (1)

5.0 Planning Policy

National Planning Policy Framework

Paragraph 17 – Core Planning Principles

Policy 4 – Promoting Sustainable Transport

Policy 6 – Delivering a Wide Choice of Quality Homes
Policy 7 – Requiring Good Design
Policy 8 – Promoting Healthy Communities
Policy 10 – Meeting the Challenge of Climate Change, Flooding and Coastal Change
Policy 11 – Conserving and Enhancing the Natural Environment
Policy 12 – Conserving and Enhancing the Historic Environment

Development Plan Policies

North Northamptonshire Core Spatial Strategy

Policy 1 – Strengthening the Network of Settlements
Policy 5 – Green Infrastructure
Policy 6 – Infrastructure Delivery and Developer Contributions
Policy 7 – Delivering Housing
Policy 9 – Distribution and Location of Development
Policy 10 – Distribution of Housing
Policy 13 – General Sustainable Development Principles
Policy 14 – Energy Efficiency and Sustainable Construction
Policy 15 – Sustainable Housing Provision

Local Plan

Policy RA3 – Restricted Infill Villages

Emerging Policies (Local Development Framework)

North Northamptonshire Joint Core Strategy Review (JCS)
Site Specific Proposals Local Development Document (SSP LDD)

SPGs

Sustainable Design SPD
Open Space SPD
Biodiversity SPD

6.0 Financial/Resource Implications

The applicant has agreed to the following draft heads of terms for the Section 106 obligation:

- Primary education
- Fire and rescue
- Libraries
- NHS primary care
- On-site open space
- Off-site community infrastructure (village hall enhancements)
- Affordable housing
- Monitoring fee

7.0 Planning Considerations

The key issues for consideration in this application are:-

1. Principle of Development
2. Access
3. The Reserved Matters – Layout, Scale, Appearance and Landscaping
4. Affordable Housing and Housing Mix
5. Ecology
6. Flood Risk and Drainage
7. Environmental Matters (Contaminated Land and Noise)
8. Waste
9. Heritage Assets
10. Sustainable Construction

1. Principle of Development

The application proposes the demolition of Braybrooke Primary School and the erection of 14 no. dwellings. The application site is located within the village boundary and is a partly brownfield site.

Policy 1 of the North Northamptonshire Core Spatial Strategy (CSS) directs development principally towards urban growth towns, with secondary focal points for development in the smaller towns. In rural areas, the policy states development should take place on sites within village boundaries where the scale of development will be led by locally identified housing needs and to support existing services. Development in rural areas, therefore, should be focussed on settlements that clearly provide some services to a wider group of villages. This is supported by Policy 10 of the CSS which allows for limited development to meet the needs of rural communities. Policy 9 of the CSS directs development to support the network of settlements set out in Policy 1 and promotes the use of previously developed land.

The Local Plan defines Braybrooke as a Restricted Infill Village. Policy RA3 states planning permission will only be granted for new residential development in Restricted Infill Villages where the proposal is within the defined village limits, where it is appropriate in terms of size, form, character and setting of the village, where it does not involve the development of open land which is important to the form and character of the village, where it is compatible with all other policies and where it takes account of the need to conserve energy.

There is a limited range of services and facilities available in Braybrooke and the proposed development is in conflict with the growth strategy set out in Policy 1 of the CSS which seeks to direct development to sustainable locations with a wide range of existing facilities. However, the application site is located within the designated settlement boundary of Braybrooke and as the site comprises the redundant primary school and associated playing field it can be considered to be a partly brownfield site. Paragraph 17 of the National Planning Policy

Framework (NPPF) encourages the effective use of land by reusing land that has been previously development provided it is not of high environmental value. Policy 9 of the CSS also supports the reuse of previously developed land, albeit in urban areas. These factors must be afforded some weight in the determination of this application.

The NPPF is a material consideration in the determination of planning applications. Paragraph 49 of the NPPF requires housing applications to be considered in the context of the presumption in favour of sustainable development. Paragraph 55 states that to promote sustainable development in rural areas development should be located where it will enhance or maintain the vitality of rural communities. Paragraph 54 states that local planning authorities should be responsive to local circumstances and plan housing development to reflect local needs particularly for affordable housing. It states that local planning authorities should consider whether allowing some market housing would facilitate the provision of significant affordable housing to meet local needs. Paragraph 58 states that developments should optimise the potential of sites to accommodate development, create and sustain an appropriate mix of uses including incorporation of green space as part of the development and support local facilities.

A Housing Needs Survey for Braybrooke was published in March 2014. Of the 191 survey forms distributed 91 were returned with 11 households indicating that they have a need to move in the next five years. Of these three households indicated that they have a need for affordable housing. Initially this application was for 14 no. market dwellings but given the limited range of facilities in the village and in the context of the growth strategy set out in the CSS this raised some concerns. Following negotiations the applicant agreed to provide 4 no. affordable dwellings (30% of the development) in line with affordable housing policy requirements.

Policy 13 (f) of the CSS states development should not lead to the loss of community facilities unless it can be demonstrated that they are 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. Policy 13 (g) states development should not lead to the loss of open space or recreation facilities unless a site of equivalent quality and accessibility can be provided, serviced and made available to the community prior to use of the existing site ceasing.

The NPPF recognises that participation in sporting activities contributes greatly to social well-being and, therefore, development which may reduce opportunities for participation in such activities should be avoided. Paragraph 70 of the NPPF states that planning decisions should guard against the unnecessary loss of valued facilities and services. Paragraph 74 states existing open space, including playing fields, should not be built on unless it can be demonstrated that the

space is surplus to requirements, the space lost through development would be replaced with equivalent or better provision in terms of quantity and quality in a suitable location elsewhere, or the development constitutes alternative sports and recreational provision where the needs for such development clearly outweigh the loss.

Although the proposal will result in the loss of the school playing field a local equipped area for play (LEAP) will be provided within the site. The existing playing field is associated with a redundant school use; it is not publically accessible and as such offers no benefit to the community at present. The proposed LEAP will be publically accessible and will benefit the wider community and as such the loss of the playing field is acceptable in this instance.

Although there is a degree of conflict with the CSS the site is within the village boundary, is a partly brownfield site, the development will be in keeping with the form, character and setting of the village and will not involve the development of open land which is important to the form and character of the village. Furthermore, the development will provide affordable housing for which there is an identified need in the village and it also provides an area of open space for which there is also a need in the village. Taking all of the above into account it is considered that the principle of residential development on this site is acceptable in principle.

2. Access

Policy 13 (d) of the CSS states that development should have a satisfactory means of access and provide for parking, servicing and manoeuvring in accordance with adopted standards. Policy 13 (k) requires development to allow for travel to home, shops, work and school on foot and by cycle and public transport, while Policy 13 (n) requires development not to have an adverse impact on the highway network or to prejudice highway safety.

The applicant has submitted a Transport Report in support of the application. The site is currently accessed via a 6.3 metre wide entry/exit access point and a 2 metre wide pedestrian access located to the north west site boundary off Church Close. It is proposed to retain these access points and increase the length of Church Close by 62 metres to provide an access road for the proposed 14 no. dwellings. This will terminate with a turning circle arrangement. The existing pedestrian footpath along Church Close will also be extended into the site. The Highway Authority has been consulted on the proposal and has raised no objection to this element of the access proposal.

However, the approach to the site via Church Close is only 4.5 metres wide in places and the Highway Authority has advised that this is too narrow to provide sufficient utility for the number of dwellings proposed. It is recommended that this is widened to 5.5 metres. The Highway Authority has also advised that the footway along Church Close is too

narrow and has recommended that this is reconstructed to 1.8 metres with concrete edgings. It is recommended that these works are secured by condition with details to be submitted to and approved in writing by the Local Planning Authority prior to commencement of development and no part of the development to be occupied or brought into use until the works have been completed in accordance with the approved details.

There is an existing pedestrian route which runs along the south western boundary of the site connecting Church Close with Newland Street. It is proposed to retain this route and this will be the subject of further detailed consideration within a reserved matters application.

3. The Reserved Matters – Layout, Scale, Appearance and Landscaping

Layout

As layout is a reserved matter the applicant is only required to provide an indicative layout showing the approximate location of buildings, routes and open spaces. The indicative layout shows development along the perimeter of the site fronting the access road which somewhat mirrors the layout of development to the north off Church Close. A LEAP is also provided to the south west of the site.

The indicative layout shows that 14 no. dwellings can be comfortably accommodated on the site. The Design and Access Statement states that each property will have off-road parking for at least two vehicles each. However, the Transport Report states that provision will be made for 17 off-road parking spaces. The level of off-road parking appropriate for the development will depend on the final housing mix and as such this will be considered in further detail at the reserved matters stage.

The indicative layout shows the proposed LEAP to the south west of the site, adjacent to a garden fence and to the rear of a garage block. Currently there is a lack of natural surveillance to this area which, at this stage, raises some concerns in terms of crime and safety but this will be considered in further detail at reserved matters stage. It is proposed to retain the existing footpath which runs along the south western boundary of the site and this will be the subject of further detailed consideration in consideration of the overall layout of the site.

Neighbour comments received regarding boundary treatments to prevent overlooking are noted but as layout out is a reserved matter and the submitted plan is indicative only all detailed layout issues will be dealt with at reserved matters stage.

Scale

The site is 0.63ha in size, including the proposed open space, which equates to a density of 22 dwellings per hectare (dph). This is considered an appropriate density given the site's edge of village location. The density is also somewhat reflective of the site to the north

which at 0.75ha has a density of 24 dph. The Design and Access Statement indicates that the majority of properties will be two storey pitched roof constructions but bungalows will also be provided on the site. This is considered to be in keeping with the character of the area and particularly with Church Close to the north.

Appearance

No details have been provided about the proposed appearance of the development. The appearance of the development, in terms of design and materials, should take account of the surrounding context. Full details of appearance can be secured at reserved matters stage.

Landscaping

The trees on site have been assessed. Four no. trees have been identified as Category U (dead, dying or dangerous) trees and as such it is proposed to remove these trees. One Category A (high quality) tree has been identified and this will be retained. The remaining trees have been identified as Category B and C (moderate and low value) trees. It is proposed to retain the majority of these trees which will retain character and add maturity to the development. However, the applicant has not specified exactly which trees will be retained and has been requested to update the tree survey and the tree constraints plan to clarify this. This will be reported in the Committee update. Subject to the appropriateness of this information a condition will be added to retain the recommended trees and will also be included in the Committee update. The trees to be retained can be incorporated into an overall hard and soft landscaping scheme.

4. Affordable Housing and Housing Mix

Policy 15 of the CSS states that in order to deliver sustainable residential communities provision should be made for the delivery of a balanced mix of housing types and tenures. To meet local need and to ensure that a percentage of all new development is genuinely affordable, the policy states that 30% affordable housing provision will be sought. This contribution is typically sought on developments of 15 no. dwellings or more and as such there is no obligation for this development to provide affordable housing. However, in light of concerns in relation to the sustainability of Braybrooke and its ability to accommodate this level of market housing the applicant has agreed to provide 30% affordable housing on the site. This equates to 4 no. dwellings.

In light of this the Council's Housing Strategy team has advised the dwellings should be for intermediate tenure as the Housing Needs Survey indicated little need from respondents for rented dwellings. Dwellings that are either shared ownership or some form of discounted sale would be appropriate and it is recommended that the properties should be 2 bedroom and a mixture of houses and bungalows.

The indicative layout includes a proposed mix of 2 no. 4 bedroom

detached dwellings, 10 no. 3 bedroom semi-detached dwellings and 2 no. 2 bedroom bungalows but this is subject to change and will be finalised at the reserved matters stage. The location of the affordable units will, therefore, also be approved at the reserved matters stage.

5. Ecology

Paragraph 109 of the NPPF states that the planning system should minimise impacts on biodiversity and provide net gains in biodiversity where possible. Paragraph 118 states opportunities to incorporate biodiversity in and around developments should be encouraged. Policy 13 (o) of the CSS requires development to conserve and enhance biodiversity.

The applicant has submitted an Extended Phase 1 Habitat Survey in support of the application. This report concludes that the scattered trees are a biodiversity rich habitat and in order to minimise biodiversity loss the development should retain as many of the trees as possible. The applicant is providing further clarification as to which trees will be retained and this will be reported in the Committee update.

In terms of protected species the report states that the likelihood of reptiles and badgers being present on the site is considered to be negligible. Some of the trees on site have been identified as having bat roosting potential and the report recommends that further survey work should be undertaken for bat roosts in trees that are proposed for removal. It also recommends that emergence/dawn re-entry surveys of the building should be undertaken to assess current bat use and activity. The Wildlife Trust was consulted on the proposal and advised that all the necessary ecological surveys had to be completed and submitted for comment before a determination could be made on the proposal. The applicant submitted a Bat Survey Report on 10/09/2014 and this has been passed to the Wildlife Trust for comment. The report contains a number of recommendations and the Wildlife Trust's response will be reported in the Committee update.

6. Flood Risk and Drainage

Paragraph 103 of Policy 10 of the NPPF states local planning authorities should ensure flood risk is not increased elsewhere as a result of development. The site is less than 1 hectare located in Flood Zone 1 which has low probability of river and sea flooding. The NPPF Technical Guidance states that in Flood Zone 1 development should seek to reduce the overall level of flood risk through the layout and form of development and the appropriate application of sustainable drainage systems.

Anglian Water has been consulted on the proposal and has advised that the preferred method of surface water disposal would be to a sustainable drainage system with connection to the sewer seen as the last option. Anglian Water has recommended the application of a

condition requiring a surface water management strategy to be submitted to and approved in writing by the local planning authority prior to the commencement of any drainage works on site. Neighbour comments raise concern about the capacity of a pipe the crosses his land. However, Anglian Water has confirmed that the foul sewerage network and waste water treatment has capacity for flows from the development and as such has raised no technical objection to the proposal.

7. Environmental Matters (Contaminated Land and Noise)

The Council's Environmental Health Department has been consulted on the proposal and has advised that an investigation is required to assess and quantify any risks to human health associated with any previous potentially contaminative use of the site and/or the underlying geology present throughout Northamptonshire. It is recommended that the standard full contaminated land condition is applied.

In terms of controlling noise generated by the development Environmental Health has recommended that a condition be applied restricting works audible at the site boundary to 08.00-18.00 on Mondays to Fridays, 08.30-13.30 on Saturdays and at no time whatsoever on Sundays or Bank Holidays in the interest of the neighbouring amenity.

8. Waste

Policies CS7 and CS8 of the Northamptonshire Minerals and Waste Development Framework (MWDF) Core Strategy require new development to demonstrate the efficient use of resources in both construction and subsequent operation, and the integration of waste management facilities. The policies require the submission of a Waste Audit and a Waste Management Facilities Strategy which should include details set out in the MWDF Development and Implementations Principles Supplementary Planning Document (SPD). No such details have been provided by the applicant at this stage but this can be secured by condition to ensure compliance with Policies CS7 and CS8 and the SPD.

9. Heritage Assets

Paragraph 128 and 129 of the NPPF requires local authorities to identify and assess the particular significance of any heritage asset that may be affected by a proposal, including development affecting the setting of a heritage asset. Policy 13 (o) of the CSS requires development to conserve and enhance the historic landscape designated built environmental assets and their settings.

The application site is located in close proximity to the Grade II* listed Church of All Saints which is located to the south east of the site. The site holds a relationship with this heritage asset with distant views through the site to the Church. However, any potential impact upon the setting of the heritage asset can be considered in detail at the reserved

matters stage which will be considered the detailed layout, scale, design and appearance of the development. It is noted that the indicative layout submitted illustrates that bungalow style properties will be located in the south eastern corner of the site which would assist in retaining views through the site and mitigate any potential impact upon the heritage asset.

Northamptonshire County Council's Archaeology Department have been consulted on the proposal and have advised that there is potential for remain of archaeological interest to survive on the site, though any remains are likely to be truncated by the development of the school. In light of this it is recommended that a condition for an archaeological programme of works is applied requiring adequate provision is made for the investigation and recording of any remains that are affected.

10. Sustainable Construction

Policy 14 (b) of the CSS requires development proposals to demonstrate that the development incorporates techniques of sustainable construction and energy efficiency, provide for water reduction/recycling and provide for water efficiency and water recycling. For developments involving 10 or more dwellings proposals should demonstrate that at least 10% of the demand for energy will be met on-site or renewably. The Utilities Report submitted in support of the application briefly mentions air source heat pumps and/or photovoltaic panels as potential forms of renewable energy appropriate for the development. It also mentions the use of water saving devices and aerated taps to reduce the water consumption for the development. However, as the proposal is outline the details of energy efficiency measures can not be determined at this stage and a condition is recommended to ensure compliance with Policy 14 (b) of the CSS.

Conclusion

Although there is a degree of conflict with the CSS the site is within the village boundary, is a partly brownfield site, the development will be in keeping with the form, character and setting of the village and will not involve the development of open land which is important to the form and character of the village. Furthermore, the development will provide affordable housing for which there is an identified need in the village and it also provides an area of open space for which there is also a need in the village. Subject to the imposition of the recommended conditions and the signing of a S106 legal agreement the application is recommended for approval.

Background Papers

Title of Document:
Date:

Previous Reports/Minutes

Ref:
Date:

Contact Officer: Marie Down, Assistant Development Officer on 01536
534316