

## BOROUGH OF KETTERING

<b>Committee</b>	<b>Full Planning Committee - 23/09/2014</b>	<b>Item No: 5.8</b>
<b>Report Originator</b>	<b>Trevor Feary Development Officer</b>	<b>Application No: KET/2014/0432</b>
<b>Wards Affected</b>	<b>Avondale Grange</b>	
<b>Location</b>	<b>Avondale Junior School, Laburnum Crescent, Kettering</b>	
<b>Proposal</b>	<b>Outline Application: Demolition of school buildings. Construction of up to 72 dwellings with junior grass sports pitch and children's play area</b>	
<b>Applicant</b>	<b>Northamptonshire County Council</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 the following Condition(s):-

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. 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 C 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 of the Core Spatial Strategy.

5. The total number of dwellings within the approved site shall not exceed 72.

**REASON:** In the interests of the amenities and character of the area and to secure a satisfactory form of development in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

6. The landscaping details required by Condition 1 above shall include a scheme of hard and soft landscaping works (including boundary treatments) 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 31st dwelling 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.

7. No development shall take place on the site until a scheme for the protection of all trees to be retained (as identified in the submitted Arboricultural Report produced by BHA Trees Ltd dated 03/07/2014) produced in accordance with BS5837 (Trees in Relation to Construction 2005: Recommendations) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the method of excavation, method of construction and protective fencing. The development shall not be carried out other than in accordance with the approved details and the protection measures shall be maintained throughout the development.

REASON: To avoid detriment to trees to be retained in the interests of visual amenity in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

8. Prior to the commencement of development, a scheme demonstrating how the development will incorporate techniques of sustainable construction and energy efficiency, provision for waste and water recycling and provision for water efficiency and recycling shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out 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.

9. No development shall take place until a Demolition and Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period and the approved measures shall be retained for the duration of the demolition and construction works unless previously agreed in writing by the Local Planning Authority. The Statement shall detail the following:

- the parking and turning of vehicles for site operatives and visitors
- loading and unloading of plant and materials
- storage of plant and materials used in constructing the development
- details of measures to prevent mud and other such materials migrating onto the highway from construction vehicles
- wheel washing facilities
- measures to control the emission of dust and dirt during demolition and construction
- a scheme for waste minimisation and recycling/disposing of waste resulting from the demolition and construction works, which must not include burning on the site
- design of construction access
- hours of demolition and construction work
- control of noise and/or vibration
- measures to control overspill of light from security lighting.

REASON: In the interests of highway safety and residential amenity in accordance with Policy 13 of the Core Spatial Strategy.

10. No building works which comprise the erection of a building required to be served by water services shall be undertaken in connection with any phase

of the development hereby permitted until full details of a scheme, including phasing, for the provision of mains foul sewage infrastructure on and off site has been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the mains foul sewerage works relating to that building have been carried out in accordance with the approved scheme.

REASON: To ensure a satisfactory development in accordance with Policy 13 of the Core Spatial Strategy.

11. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a detailed scheme indicating the positions, design, materials and type of screen walls and fences to be erected. The screen walls and fences shall be erected as approved before the adjacent dwellings are first occupied.

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

12. No development shall commence on site until details of the types and colours of all external facing and roofing materials to be used, together with samples, have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

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

13. Prior to the commencement of development, a scheme detailing the security measures/standards to be incorporated within the development with reference to the ACPO 'Secured By Design' scheme shall have been submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with these approved details.

REASON: To reduce the potential for crime in accordance with policy 13 of the Core Spatial Strategy for North Northamptonshire.

## **Officers Report for KET/2014/0432**

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

### **3.0 Information**

#### **Relevant Planning History**

All previous Planning Applications on the Application Site relate to the existing educational buildings and multi games sports area.

#### **Site Description**

Officer's site inspection was carried out on 05/09/2014

The site is located on Laburnum Crescent in the North-Eastern part of the town, lying within a predominantly residential area. The site is enclosed within a "square" bounded by housing in Laburnum Crescent, Orchard Crescent, Almond Road, and Sycamore Road. This surrounding housing is mainly a mix of terraced housing with semi-detached housing. Adjacent to the site lies the Crescent Community Centre and Ronald Tree children's nursery (both owned by the Applicant).

The site is currently occupied by vacant former school buildings (the Avondale infants and junior schools) and their related playgrounds and playing fields. It also includes a hardened multi-use games area operated in conjunction with the Community Centre.

In total the site extends to 2.37 hectares.

#### **Proposed Development**

The Application proposes the removal all buildings presently on site, and to replace them with up to 72 dwellings (of unspecified type and size) with associated open space. The Application acknowledges that improvements will be required to the junction of Laburnum Crescent with Maple Road.

The submission is in "Outline" only but seeks to agree the "means of access". An illustrative layout has been forwarded showing 72 dwellings in total being a mix of 2 storey dwellings of 2, 3, and 4 bedroom sizes. The illustrative layout also indicates a "balancing pond", 5,320 square metres of open space to be used as a junior grass football pitch, a Local Equipped Area for Play, and an area of the existing tarmac games area to be retained as overspill parking for the Community Centre.

The illustrative layout also shows an area of the existing games court being retained for use by the Ronald Tree nursery.

The Planning Application is accompanied by a Planning, Design and Access Statement, a Noise Impact Assessment, an Arboriculturalist's Report, a Phase 1 Ground Condition Assessment, a Transport

Assessment, an Archaeological desk-based Heritage Assessment, a Flood Risk Assessment, a Preliminary Ecological Assessment, a Nocturnal Bat Activity Survey Report

The Applicants did hold a public exhibition of their proposals within the Crescent Community Centre prior to the formal submission of the Planning Application.

**Any Constraints Affecting The Site**  
Protected Open Space

**4.0 Consultation and Customer Impact**

**Environmental Health (KBC)**

I have reviewed the report submitted together with historical maps and concluded that further information is required to assess and quantify land contamination risks to human health. Requests Land Contamination Condition be imposed requiring further information to be submitted for consideration.

I have reviewed the noise report and advise this is accepted on the basis that the Suitable cumulative plant noise emission limits contained are implemented.

A Demolition and Construction Method Statement should be required to be submitted.

**Community Services (KBC)**

Have clarified that all calculations and contributions have been based upon 72 dwellings and could require adjustment for a different number of dwellings,

On site provision is required for outdoor sports (a dedicated football pitch area), amenity green space (a minimum of 1,400 m<sup>2</sup>), and a children's play area (to conform to LEAP standards as specified by fields in Trust)

The new area for outdoor sports indicated in the Application is approximately 5,320 m<sup>2</sup> whereas on site provision is currently 13816m<sup>2</sup> (1968 at Crescents Community Centre Multi use games area, 11848 at former Avondale School playing fields) a reduction of 8,496m<sup>2</sup>. The area 'lost' has already been provided at alternative premises e.g. the Buccleuch Academy.

An off site contribution of £66,535 will be required for enhancing community infrastructure:-

- Public open space (enhancement of any open space within 1000 metres of application site)  
£735
- Community facilities (Crescent Community Centre) £467

- Sports facilities (Indoor sports)

£65,332

### **Housing Strategy (KBC)**

30% of the development should provide Affordable Housing with this split 70% for rent and 30% intermediate housing. With few town centre sites coming forward we would welcome inclusion of a 3 bed fully adapted wheelchair standard bungalow and/or lifetime homes standard property with the adaptations built in from the outset. There should be the inclusion of some 1 bed properties as over 60% of our applicants are single people or couples who would only be eligible for 1 bed.

The Affordable Housing should be built to HCA Design and Quality Standards as a minimum and should be HQI compliant. The Affordable Housing should be integrated throughout the development.

### **Highway Authority (NCC)**

No formal response received to date.

### **Archaeology (NCC)**

Has no comments to make.

### **Development Management (NCC)**

A development of this size is expected to generate approximately 22 primary school pupils and 15 Secondary/Sixth Form pupils. A contribution based on the number of bedrooms in each dwelling should be secured to ensure there is adequate capacity for the Primary school pupils. There is sufficient capacity at Buccleuch Academy to accommodate Secondary school pupils.

A contribution per dwelling is requested for Fire and Rescue services.

A contribution per dwelling based on the number of bedrooms is requested for library services.

### **Northamptonshire Police**

At the Reserved Matters stage there should be a commitment to achieve Secure by Design.

Illustrative layout shows an excessive number of rear alley ways which should be avoided at all costs. – security issues and problems with recycling bins

The public open space/football pitch areas are too close to the rear gardens of existing properties – will need robust boundary treatment.

There should be clearer demarcation of public and private areas. Open spaces should be overlooked from “active rooms” within dwellings.

Affordable units should be pepper potted throughout the development.



**NHS (GP Services)**

72 dwellings will result in approximately 173 additional registrations. (equivalent to 0.0864 WTE GP.) This development will affect Dryland Surgery which because of lack of capacity is not able to accept any more new patients. There is a potential to build an extension at that site which has been estimated to cost £44,703 to build.

A contribution, therefore, of £621 per dwelling is requested to be sought.

**NHS (Secondary Services)**

No response received

**Anglian Water**

No response received

**Environment Agency**

Planning Permission should only be granted if the following Conditions are imposed:

- One relating to land contamination
- One relating to no development being commenced until a scheme for foul sewage infrastructure on and off site has been agreed.

The water company should confirm that surface water drainage to the main sewer is satisfactory.

A site waste strategy is strongly advised in order to reduce waste during construction works and during demolition at end of life.

**Sport England**

The site forms part of, or constitutes a playing field as defined in Statutory Instrument 2010 no. 2184 in that it has been used as a playing field within the last 5 years, encompasses at least one playing pitch of 0.2 ha or more, or that it is land allocated for use as a playing field in a Development Plan.

The aim of Sport England's Policy is to ensure that there is an adequate supply of quality pitches to satisfy current and estimated future demand for pitch sports within the area. Seeking to protect all parts of the playing field from development, unless specific circumstances apply.

The Avondale School was closed in 2012 following the construction of a new school at the Buccleuch Academy site nearby. The retention of approximately 50% of the former playing field (at Avondale) was agreed as part of the transfer of the school to the new site.

The playing field area which would be lost at Avondale has already been replaced as part of the Buccleuch Academy redevelopment.

The multi use games court operated in conjunction with the Crescent Community centre will also be lost but this has already been replaced by 3G artificial grass football pitches at Buccleuch Academy, Kettering Science Academy and Tresham College.

Sport England does not wish to raise an objection to the submission.

### **Fields in Trust (playing fields)**

No response received.

### **Representation received**

One neighbour queries the use and practicality of the intended balancing pond.

One neighbour has indicated they accept the proposal in its present form

Objectors (13) indicate

- 5,500 new houses are being built at East Kettering no more housing needs shoe-horning in
- Something should be developed that will benefit the greater Kettering Community
- Flood Water Assessment does nothing to convince anyone that surface water drainage can be properly managed. Infiltration drainage should be shown to work at this stage before relying on existing sewers. There is no detail on the feasibility of the mitigation measures such as the balancing pond.
- Application does not consider added pressure on healthcare and educational establishments.
- Do not agree to demolition of schools to make way for houses (whose occupants will need schools).
- Area has always been associated with recreational use and it is important that recreation is encouraged.
- There is an alternative usage for the site which will allow recreational use (providing the town with a sporting profile on a national level) and provide the community with health care facilities.
- Unacceptable level of traffic influx into locality

## **5.0 Planning Policy**

### **National Planning Policy Framework**

Para 17 - Core Planning Principles

4 - Promoting sustainable transport

6 - Delivering a wide choice of high quality homes

- 7 - Requiring good design
- 8 - Promoting healthy communities
- 10 - Meeting the challenge of climate change, flooding, and coastal change
- 11 - Conserving and enhancing the Natural Environment.

### **Development Plan Policies**

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

- Policy 1 - Strengthening the network of settlements
- 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 (saved Policies)**

- Policy 1 - Supplementary Planning Guidance
- Policy 35 - Housing within towns
- Policy 39 - Affordable Housing

#### **Supplementary Planning Documents**

- Sustainable Design SPD
- Open Space SPD

#### **Emerging Policy: Site Specific Document – Options Paper (Local Development Document)**

The area not covered by the actual school buildings is indicated as “open space”.

### **6.0 Financial/Resource Implications**

Section 106 required for :

Highway improvements, affordable housing on site, contribution to primary education, open space on site, a Local Equipped Area for Play on site, off site financial contribution for enhancing community infrastructure, contribution to the fire service, contribution to the library service, contribution to GP service provision.

### **7.0 Planning Considerations**

The main issues for consideration in this application are:-

1. Principle of the proposed development
2. Removal of existing facilities

3. Design – scale and appearance
4. Secure by design
5. Highway safety
6. Landscape impact and visual impact
7. Impact upon neighbouring occupiers
8. Other issues

### 1. Principle of the Proposed Development

National Planning Policy as contained within the National Planning Policy Framework is a material consideration in planning decisions. Paragraph 14 of that document states that there should be a presumption in favour of sustainable development. Policy 1 of the North Northamptonshire Core Spatial Strategy directs development to existing urban areas. Policy 35 of the Local Plan directs development into designated town boundaries.

The application site is in an established residential area within the designated boundary of Kettering, as defined by Policies 1 and 9 of the North Northamptonshire Core Spatial Strategy (CSS) and Policy 35 of the Local Plan. Kettering is defined within Policy 1 of the CSS as a Growth Town where new development will be principally directed towards. As such, the proposed development accords with the policies as set out in the paragraph above and the principle of residential development in this area subject is established.

Although a large portion of the site is allocated within the adopted Local Plan (and identified within the Sites Specific document) for open space purposes this is not a “saved” Policy. Policy 13(g) of the CSS states that new 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 the use of the existing site ceasing’. The affect of the loss of part of the existing playing field and the existing educational buildings is addressed below.

### 2. Removal of existing facilities

As noted in the above responses from Community Services and Sport England the reorganisation of the open space areas and the loss of the tarmac multi games area from within the Application site has been previously agreed to since these facilities have already been replaced elsewhere and particularly at Buccleuch Academy. The existing educational buildings have also already been replaced elsewhere. The proposal also includes the provision of on-site open space. The proposal is therefore considered in accordance with Policy 13(g) on this basis. This site has not been allocated or identified in any existing or emerging policy as a site to be retained for any community facility, nor has it been identified as a potential housing site. Notwithstanding this, it is considered that requiring an alternative community use for the existing buildings is essential in view of the Community Centre and Nursery building adjacent the site and which will remain and that the

existing facilities have been already satisfactorily replaced elsewhere.

### 3. Design – Scale and Appearance

Paragraph 17 of the National Planning Policy Framework requires the Local Planning Authority to seek to secure a high quality of design in new development. Policy 7 gives greater detail stating that good design is a key aspect of sustainable development, which is indivisible from good planning. Policy 13(h) of the North Northamptonshire Core Spatial Strategy requires that developments be of a high standard of design, architecture and landscaping and respect and enhance the character of its surroundings.

The housing development opposite fronting Laburnum Crescent, and indeed in the surrounding area, is strongly of 2 storey terraced housing presenting lengthy frontages directly to the highway. This emphasis is not repeated within the illustrative layout plan forwarded and will need attending to at the “Reserved Matters” stage. Indeed, the illustrative layout plan submitted has been reviewed by Officers and deemed inappropriate for the site since -

- The proposed street pattern is uncharacteristic of the locality with short disconnected streets in irregular patterns
- The scheme is essentially one large cul-de-sac that does not connect well to its surroundings. Whilst it is accepted that vehicular access to adjacent streets will be difficult, cycle or pedestrian links should be sought.
- In the wider area private space is defined and enclosed by the built form so that buildings front onto the street. The proposed layout has a confusing mix with streets lined by rear gardens. Equally this will cause problems when trying to design out opportunities for crime.
- A large balancing pond is indicated but it is unclear how this would be usable as public open space. The equipped play area is in a good location but there should be connectivity and free movement between this and the balancing pond and around the football pitch so that the spaces are linked.

The proposal is for Outline planning permission with matters, including appearance, landscaping, layout and scale reserved for consideration at Reserved Matters stage. In the light of this, a note has been added to the permission making it clear that the illustrative layout is not approved and falls some way below the requirements of the Borough Council. Subject to a revised design and layout, which could be achieved through careful consideration of the wider character of the area then the proposal is considered in accordance with Policy 7 of the NPPF and Policy 13 of the CSS.

### 4. Secure by Design

A number of issues have been raised by Northamptonshire Police, however, as stated above this is an Outline Permission with all matters except access reserved to be considered at Reserved Matters stage. It

is therefore considered that a condition could be applied to any subsequent approval to ensure the matters raised are adequately considered when development the detailed layout and design of the development. The proposal is therefore considered in accordance with policy 13 of the CSS.

#### 5. Highway Safety

Policy 13 (d) of the North Northamptonshire Core Spatial Strategy requires new development to have a satisfactory means of access and provide for parking, servicing and manoeuvring in accordance with adopted standards. Policy 13(n) requires development not to have an adverse impact on the highway network or to prejudice highway safety.

The submitted Application includes for the “means of access” to be agreed at this outline stage. This has been confirmed with the Applicant to solely relate to the proposed highway junction into the estate, and not access to the individual dwellings sought.

It is understood from the Applicant that this new road junction and the proposed works at the existing junction of Laburnum Crescent with Maple Road have been discussed at length with the Local Highway Authority and are agreed by that Authority. To date, however, the Borough Council have received no response to its consultation with the Highway Authority. It is not expected there will be any highway opposition to the submission and Committee will be updated appropriately, with regards to this matter.

#### 6. Landscape impact and visual impact

There are a number of significant trees along the Laburnum Crescent frontage and along the rear boundaries with Sycamore Close and Almond Road. The positions of these is indicated within the illustrative layout and these do need retaining and incorporating within any future layout in order to visually soften the new development and to incorporate it into its surroundings. It is considered that the indicative layout in many cases shows poor relationships between these trees and proposed buildings and will require attending to in any “Reserved Matters” submission. Equally far more new planting will be required within the areas open to public view in any proposed future layout, in accordance with Policy 13 (o) of the Core Spatial Strategy.

#### 7. Impact upon adjoining residents

Policy 13(l) of the Core Spatial Strategy requires that development will not result in an unacceptable impact on the amenities of neighbouring properties, by reason of noise, vibration, pollution, loss of light or overlooking. These issues will have to be looked at in greater detail at the “Reserved Matters” stage. However, adjoining properties in the main are situated some distance from the mutual boundary with the Application Site and it is considered that the proposal can be adequately designed to mitigate any negative impacts on neighbouring properties and no such issues should arise from the proposed new housing. The

proposed grass football pitch needs to be sited with care but as this is sized to be for junior football only this should not present a problem.

#### 8. Other issues raised

##### Archaeology

The archaeological team of Northamptonshire County Council has confirmed there is no need for any further archaeological investigation of the site.

##### Contaminated Land

Due to the underlying geology present throughout Northamptonshire, a full ground investigation will be required to prevent unacceptable risks to future occupants of the site. This can be adequately dealt with via conditions. Subject to this, the proposal is considered acceptable in terms of risk of contaminants and in accordance with policy 11 of the NPPF.

##### Section 106 Agreement

Affordable Housing (30%) will be a requirement in accordance with Policy 15 of the Core Spatial Strategy; this will be required through the Section 106 agreement.

The proposed Section 106 agreement will also include contributions for healthcare and education as required. The replacement school at the Buccleuch Academy has meant that there is no longer a school required in this location and the contributions as required will ensure there is adequate provision for education in this area.

##### Drainage

The Environment Agency has raised no objections to the proposal subject to the addition of conditions. These form part of the officers recommended conditions. On this basis the proposal is considered acceptable and in accordance with Policy 10 of the NPPF.

##### Alternative use

A number of representations have been made on the basis that it would be preferable for the town's Football Club to establish at the Application Site and it is known the Football Club has undertaken its own public consultation exercise. As yet though no discussion has been undertaken with the Borough Council. On these grounds, this can not be taken into consideration in the determination of this application. Nor would the granting of planning permission prevent an alternative application for an alternative use being submitted on this site, which would be considered on its own merits and in accordance with adopted Policy.

## **Conclusion**

The principle of developing the Application site in the manner outlined, and incorporating the Section 106 requirements, is in accordance with national and local planning policy, including policies 1, 6, 7, 13 & 15 of the North Northamptonshire Core Spatial Strategy and Paragraph 17 and Policies 6 and 11 of the National Planning Policy Framework. Any future scheme can be controlled to be in keeping with the character of the area and raise no adverse implications for residential amenity or highway safety.

### **Background Papers**

Title of Document:

Date:

Contact Officer:

### **Previous Reports/Minutes**

Ref:

Date:

Trevor Feary, Development Officer on 01536 534316