

BOROUGH OF KETTERING

Committee	Full Planning Committee - 21/10/2014	Item No: 5.6
Report Originator	Rebecca Collins Senior Development Officer	Application No: KET/2014/0491
Wards Affected	Barton	
Location	Polwell Lane (land at), Barton Seagrave	
Proposal	Full Application: Erection of Community Building	
Applicant	Mrs L Webber Redrow Homes (South Midlands) Ltd	

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. 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. 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 7 of the NPPF and Policy 13 of the North Northamptonshire Core Spatial Strategy.

3. There shall be no external illumination on the site other than in accordance with details which shall first have been submitted and approved in writing by the Local Planning Authority.

REASON: In the interests of the amenity of occupants of neighbouring properties and to conserve biodiversity in accordance with Policy 13 ((l) and (o)) of the CSS for North Northamptonshire.

4. The building hereby permitted shall not be occupied until its designated car parking spaces and covered cycle store(s) have been provided and

constructed ready for use in accordance with the approved plans. The car parking and cycle stores shall thereafter be retained for the parking of vehicles and the storage of cycles only.

REASON: In the interests of the transport requirements of the development in accordance with Policy 4 of the NPPF and Policy 13 ((d), (e), (k) and (n)) of the CSS for North Northamptonshire.

5. The building shall achieve a minimum of Building Research Establishment Environment Assessment Method (BREEAM) level "very good" (or the equivalent standard which replaces BREEAM and is the assessment in force at the time when the building is registered for assessment purposes). In the event that the BREEAM standard achieved for the actual building falls short of the "very good" standard (or the equivalent standard which replaces BREEAM) achieved at design stage, a programme of remediation works shall be agreed in writing by the Local Planning Authority and carried out in accordance with a timetable to be agreed.

REASON: In the interests of sustainable development and energy efficiency in accordance with Policy 14 (a) (ii) of the CSS for North Northamptonshire.

6. An energy statement shall be submitted to and approved in writing by the Local Planning Authority to demonstrate that the development incorporates techniques of sustainable construction and energy efficiency as well as provision for waste reduction/recycling and water efficiency and water recycling.

REASON: To ensure the development meets the highest standard of resource and energy efficiency in accordance with policy 14 of the CSS.

7. No development shall commence on site until details of the materials to be used for hard and paved surfacing have been submitted to and approved in writing by the Local Planning Authority. The approved surfacing shall be completed before the adjoining buildings are first occupied.

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

8. 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 of the North Northamptonshire Core Spatial Strategy.

9. No development shall commence 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. This shall include proposals for the rear eastern boundary

fence. The building shall not be occupied until the scheme has been fully implemented in accordance with the approved details.

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

10. Notwithstanding the approved plans, plans showing the exact size, design and means of security for the bin store shall be submitted to and approved by the Local Planning Authority. Prior to occupation of the community centre, the bin store shall be built in accordance with the approved plans and shall thereafter be retained for the purposes of bin storage only.

REASON: To protect the amenity of the local area in accordance with policy 13 of the CSS.

11. Prior to the commencement of development details of the proposed windows, doors, rainwater goods and any security shutters 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 visual amenity and protecting the character of the street scene in accordance with Policy 7 of the NPPF and policies 13 of the CSS.

12. Prior to the commencement of development, a scheme shall be submitted and approved in writing by the local planning authority which specifies the provision to be made for the control of noise from the centre, to include any external plant and machinery, and noise from inside the building under normal use.

REASON: To protect the amenity of neighbouring properties in accordance with policy 13 of the CSS.

13. The building shall not be occupied until details of a ventilation system for the extraction and disposal of cooking odours from the kitchen has been submitted to and approved in writing by the Local Planning Authority. The use hereby permitted shall not commence until the approved details have been fully implemented.

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

14. 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.

15. Prior to the transfer of ownership of the building hereby approved, a site meeting with the Local Planning Authority shall be undertaken to approve the internal and external specification, which shall first be agreed in writing with the

Local Planning Authority.

REASON: To ensure the building is fit for purpose.

Officers Report for KET/2014/0491

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

3.0 Information

Relevant Planning History

KET/2007/0475

Construction of up to 500 dwellings with associated landscaping, public open space, highway works and ancillary development (Refused)

KET/2008/0785

Erection of up to 450 dwellings associated landscaping, green space, highways works and potential mixed-use development. (Approved)

The Planning Committee resolved to approve this outline planning application, on 18th June 2009, subject to planning conditions and a Section 106 agreement. This application proposed the residential use of the land to the west of Polwell Lane (a maximum of 450 dwellings) with an on-site community centre, the opportunity for some mixed use development and open space. Access was the only matter considered at the outline stage (the primary access was approved as part of the outline planning permission – planning condition number 23). All other matters were reserved for later approval. An Environmental Statement (ES) (a detailed appraisal of a development proposal that considers its potential positive and negative impacts in environmental and social terms) accompanied the planning application.

A number of planning conditions have been discharged including the submission and approval of a Design Code and Phasing Plan. Each subsequent application should accord with this design document.

KET/2011/0534

Reserved Matters for open space infrastructure. (Approved)

KET/2012/0085

Reserved Matters for 122 no. dwellings with associated roads and landscaping. (Approved)

KET/2013/0329

Reserved matters for all details relating to access, appearance, scale, layout and landscaping of Phase Three for 170 dwellings (64 affordable units). (Approved)

KET/2013/0330

Reserved matters for all details relating to access, appearance, scale, layout and landscaping of Phase Four for 135 dwellings (27 affordable units). (Approved)

KET/2014/0120

Variation of Condition 21 of KET/2008/0785 in respect of traffic calming scheme and opening of new access road. (Approved)

Site Description

Officer's site inspection was carried out on 01/08/2014.

The application site is located within the approved Polwell Lane development, which is located approximately 3 kilometres from Kettering town centre, to the south of Barton Road and west of Polwell Lane. The existing built up edge of Barton Seagrave is positioned to the east of the site whilst the River Ise is positioned to the west.

The Ise Valley is defined by the North Northamptonshire Core Spatial Strategy (CSS) as a Sub-Regional Green Infrastructure Corridor. Wicksteed Park, a Grade II Park and Garden of Historic Interest, is also found to the west. A disused railway line, with wooded embankment, bounds the southern edge of the site with the A14 positioned beyond this. A wooded area is found adjacent to the most northern tip of the site. Castle Field, a Scheduled Ancient Monument (SAM), is located to the north of the site. The Conservation Area of Barton Seagrave is found to the north east. The wider site is also located adjacent to the existing allotments accessed from Polwell Lane.

The land slopes down from the defined built up edge of Barton Seagrave towards the River Ise. The topography of the site is undulating with a visible dip in the land found approximately in the north western area of the wider site.

The wider site (south west corner) incorporates part of the Southfield Farm Marsh, Site of Special Scientific Interest (SSSI). The SSSI extends from the site to the south, over the A14 and beyond. The part of the SSSI found within the site is currently within the Environment Agency's flood zone 3a which has the highest level of risk (land assessed as having a 1 in 100 or greater annual probability of river flooding). In addition to the SSSI there are two other wildlife designations in this area, Southfield Farm Marsh Wildlife Trust Nature Reserve and a non-statutory County Wildlife Site. These three areas are overlapping in part but are not necessarily coincident.

A primary and secondary school are found to the east of the site beyond Gray's Field (an existing play area). The school grounds incorporate a community centre which is bounded by the educational buildings.

The 'Polwell Lane development' is currently under construction with works continuing at its northern edge involving a main access point off Polwell Lane and residential development comprising Phase 1 of the development site or 'Castlefields'. Also, works have commenced off Denford Drive with the construction of residential development comprising Phase 4 or 'River view'. Finally, open space works (Phase

2) have commenced including construction of the drainage HAF and approved works to the SSSI.

The application is for a small part of the overall Polwell Lane application site. This land lies to the west of properties off Polwell Lane, behind property numbers 38-46 Polwell Lane. The site lies to the north of a footpath which runs in between properties numbers 46 and 48 Polwell Lane, west into the application site. The site slopes into the application site from east to west, away from properties off Polwell Lane.

The properties to the east are reasonably large dwellings set in large plots, set back off Polwell Lane. Garden sizes are between 23-27 metres in length from the rear elevations of properties and extensions to rear boundary fences. There is a line of poplar trees running along the rear boundaries of these properties with the application site. Other boundary treatments along this boundary include some fence panels, planting and ancillary garden buildings.

Proposed Development

The proposal is for a full application for the erection of a community building.

Any Constraints Affecting the Site

Nene Valley NIA Boundary
Southfield Farm Marsh, Site of Special Scientific Interest

4.0 Consultation and Customer Impact

Parish/Town Council

Barton Seagrave Parish Council – 8th September 2014

No objections subject to the following considerations: The use of renewable energy sources for heating and lighting; additional car parking plus space for coaches; light and noise pollution particularly for the rear of the building; 2.1m close boarded fencing on North West and North East boundaries of the application site; provisions of bollards on adjacent verges in Polwell Lane to prevent over-spill parking; and involvement of Parish Council and residents in determining conditions governing usage.

Highway Authority – 26th August 2014

No objections, the level of car parking is slightly over Highways required standards but the extra provision is made up of disabled spaces, which is welcomed. Some control of car parking in the parking area may be required as drivers visiting properties in the area may be tempted to use these spaces.

Cycle parking is not sufficient and should be increased to 8. This should also be under cover.

Amended Plans

Amended plans were received on 23/09/2014 showing 8 covered cycle bays.

Northamptonshire Police – 21st August 2014

Further information is required with regards windows and door specifications, is the bar to be selling alcohol and what other security measures are to be implemented?

Concerns include the safety and security measures for the rear alleyway which appears to be running the length of the rear boundary of the site and the roof design.

Amended Plans

Amended plans were received on 23/09/2014 showing the removal of the rear alleyway, which was just a duplication of lines and an amended roof design to meet anti-climb design guidance. The applicants have stated that other safety and security measures are to be dealt with via condition or through the transfer of ownership of the building.

Sport England – 20th August 2014

No objection.

Environmental Health – 19th August 2014

No comments subject to conditions with regards to noise, hours of operation and use of ventilation/extraction.

Community Services – 8th August 2014

No comments.

Neighbours

One letter of objection has been received from number 44 Polwell Lane, on the grounds that no public consultation was undertaken; the application states that there are no trees or hedges in this location important to the local landscape, this is disputed on the grounds that there are a row of popular trees on the rear boundary of the site which are important. The plans are incorrect as they fail to show an existing extension to number 44 which is 3.3 metres closer to the rear boundary of the site than that shown and also the slope in grounds levels in this location is not as severe as shown. The proposed 9 metre high building will overlook and overshadow the rear garden of this property and be intrusive. There is insufficient car parking for the centre. Concerns have been raised about the inclusion of a bar and patio doors onto a rear garden close to the rear gardens of existing properties resulting in noise and disturbance from the facility.

One letter of concern has been received from number 42 Polwell Lane. Concerns have been raised over the inclusion of a bar. Car parking appears insufficient; hours of operation should be controlled due to the proximity of the building to neighbouring properties; lighting needs to be controlled especially in the garden area and at night. Poplar trees on

the rear boundary of the site should be retained and the rear boundary treatment increased in height to protect privacy. Boundary treatment to the nursery should also be carefully considered to suitably screen this facility from surrounding residential properties. Insufficient community consultation has taken place and a visit to properties in this area should be undertaken to view the potential impacts.

5.0 Planning Policy

National Planning Policy Framework

Policy 4 – Promoting Sustainable Development

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 13 – General Sustainable Development Principles

Policy 14 – Energy Efficiency and Sustainable Construction

Local Plan

Policy 35 – Settlement Boundaries

SPGs

Sustainable Design SPD

Open Space SPD

6.0 Financial/Resource Implications

The Community Centre is a requirement of the Section 106 Agreement attached to application reference KET/2008/0785, the original outline planning permission for the wider site. The Section 106 requires the development to be undertaken in accordance with a draft specification included within this Section 106 Agreement. The s.106 also includes a requirement to deliver the Community Centre prior to the occupation of 100 dwellings. No further section 106 agreement is deemed necessary for this application.

7.0 Planning Considerations

The key issues for consideration in this application are:-

1. Principle
2. Design
3. Amenity

4. Highways, Access and Car Parking
5. Sustainability
6. Other matters

1. Principle

The Polwell Lane development, application reference KET/2008/0785 was granted planning permission on 29th June 2010. This was an Outline application for planning permission with all matters reserved except for access. The application was approved subject to a Section 106 agreement requiring the provision of a community building. The obligations within the Section 106 include for the applicants to submit and obtain approval for a community building, which shall be prepared in accordance with the annexed specification. The Section 106 requires the community building to be completed prior to the occupation of 100 dwellings and transferred to the Borough Council.

This application has been submitted as a Full Planning application. This is because the period for submitting Reserved Matters applications pursuant to the Outline Planning permission reference KET/2008/0785 has expired. A Variation of Condition application was approved in 2014 (KET/2014/0120) but this does not allow for an extension to the period for submitting Reserved Matters applications.

Condition 5 of application KET/2008/0785 required a Design Code to be submitted to and approved in writing by the Local Planning Authority and Condition 8 requires any development to accord with the approved Design Code. The Design Code was approved at Planning Committee on 29/03/2011. Condition 10 of the permission required the submission of a comprehensive layout plan and phasing programme. The details required by these conditions have already been discharged and include the provision of a Community Building in this location.

The application site lies in the designated Kettering town boundary in accordance with Policy 1 of the CSS and Policy 35 of the Local Plan for Kettering Borough. The application site is located within the wider Polwell Lane development site where planning permission was granted in 2010 for up to 450 residential dwellings and a community building. The location is as approved in the submitted Design Code and Phasing Plan. The proposal is therefore considered acceptable in principle.

2. Design

As previously outlined the development is controlled by an approved specification which is an obligation of the section 106 agreement and there is an approved Design Code and Phasing Plan all providing guidance for the development of this community building.

The specification in the Section 106 agreement requires the community building to include:

- Main Hall 18m x 13m (the proposal includes 234sqm),
- Stage 18m x 3m (shown as provided),

Main Hall storage 35sqm (provision 36sqm),
Bar to be 6m in length with 3m of working space (provision 15sqm),
Cellar 14sqm (provision 13sqm),
Lounge 10m x 10m (provision 100sqm),
External area adequate for 3/4 picnic style tables and chairs
(provision 54sqm, considered adequate),
Kitchen 20sqm (shown as provided, 20sqm),
Foyer (shown as provided),
Cleaning cupboard 4sqm (numerous cupboards shown as
provided).

The specification also states that the proposal should consider the following:

- Internal changing should provide for sports and arts
- Refer to Sport England Design Guidelines
- The building must be DDA compliant
- The building requires to be energy efficient
- Provision for 140 nursery places
- A dedicated space for the playgroup/nursery.

The planning application, in addition to that listed above, provides the following:

- A nursery/playgroup area with secure entrance off main foyer, including office, storage, kitchen, children's WC's and outdoor area (including tarmac and grass for wet and dry days). This indoor area is in excess of 168sqm, the tarmac/wet days play space is 40sqm and a total outdoor area in excess of 252sqm,
- Female/Male/Disabled WC/changing facilities,
- Office (10sqm),
- Bin store and external plant storage,
- 33 car parking spaces.

The proposed community centre has been designed in accordance with the specification agreed as part of the Section 106 agreement.

The community building is located as shown in the approved Design Code and layout plan. The proposal is located within the designated Gateway Square, designed to be an important nodal point of which the community building is a key part. The Design Code states that the Community Building should reinforce the importance and function of this space and have an appropriate relationship to properties off Polwell Lane. Within the approved Design Code, the parameters for the community building include - the centre of the site should be a two-storey equivalent building with single storey elements to the sides and rear with car parking to the front and south and outdoor space to the rear (east). The proposal has been designed in accordance with these approved details. The Design Code also goes on to say that the community building will adhere to the following:

- Two storey massing will be limited to the main hall;

The ridge height will be kept to a minimum on those elements closest to adjacent boundaries;

The building will be articulated as a series of linked components rather than a single mass.

The proposal is considered to address all these matters given that the main hall two-storey element is only a small part of the design in the centre of the site set away approximately 28 metres from the rear eastern boundary of the application site. Single storey elements wrap around the building to the north and east, a maximum of 5.5 metres in height. To the north are approved two-storey dwellings, to the rear, the single storey element is 16 metres from the rear boundary of the application site. The proposed car parking wraps around the front and southern side of the building.

Amended plans have been submitted to address concerns raised by Northamptonshire Police, NCC Highways Authority and Barton Seagrave Parish Council and include a change to the eaves detail on the single storey building to anti-climb design and the removal of duplicate lines to rear of boundary site, giving the appearance of a rear footway/walkway around the site to improve the safety and security of the site. The nursery fence height has been increased to 1.8 metres to protect children using this facility and a covered cycle rack has been added. The required window & door security specification, as well as details of the buildings security measures are proposed to be dealt with via condition. This is because these will be agreed in consultation with the Borough Council prior to the transfer of the building.

The design of the proposal is therefore considered appropriate and in accordance with approved details associated with applications reference KET/2008/0785 and variation of condition application KET/2014/0120, it is therefore considered in accordance with policy 7 of the NPPF and policy 13 of the CSS.

3. Amenity

Concerns have been raised about the proximity of the development to existing neighbouring properties, noise, lighting and proposal for a bar within the building. The proposed community building is located in the position as proposed in the approved Design Code and it is over 30 metres from the rear elevations of existing neighbouring properties off Polwell Lane. Conditions regarding boundary treatment, hours of operation, lighting and for a noise assessment to be submitted have been proposed to help mitigate any impacts of noise and light pollution and to protect the amenity of existing neighbouring properties. The neighbouring properties and Parish Council have asked for the rear boundary treatment to be increased height. This is considered reasonable and is addressed through condition; a note will be added on any subsequent planning permission.

The inclusion of a bar within the design of the community centre is a

requirement of the section 106. However, there is no requirement for its use as a bar to be implemented. A license for the sale of alcohol would be required, this would need to be obtained from the Borough Council and use limitations could be applied to the license. The section 106 also requires the transfer of the community building to the Borough Council who can control the internal specification and use of the building including the use and management of the bar. As the proposal is for a replacement facility for the existing Community Centre in Barton Seagrave, which also has a bar. As it is a requirement of the section 106 then it is not appropriate to remove it at this stage.

Subject to the conditions suggested it is considered that the proposed building is sufficiently distanced from neighbouring properties to not have an unacceptable impact on their amenity and is located in a position which has already been considered in the earlier outline planning application. The proposal is therefore considered in accordance with policy 13(l) of the CSS in terms of impact on amenity.

4. Highways, Access and Car Parking

Concern has been raised by Barton Seagrave Parish Council and surrounding residential properties with regards to the level of car parking provision proposed. The level of provision is actually in excess of the Highways Authority standards and there is no requirement to provide coach parking. The site is a constrained site, in that it is surrounded by approved residential development. The level of car parking and land allowance for the community building is in accordance with that outlined in the Design Code and as shown on the Phasing Plan. Further provision for car parking on site would result in the building being pushed further into the application site, resulting in the loss of outdoor space to detriment of future users as well as moving the building closer to existing neighbouring properties off Polwell Lane, which is not considered acceptable.

The original application was accompanied by a travel plan, secured as an obligation in the section 106 agreement. The travel plan includes measures to promote walking and cycling as well as an upgraded bus service. The section 106 requires the travel plan to be monitored and reviewed. These secured measures will assist the users of this community building in accordance with policy 13(k) of the CSS.

There is adequate provision for car parking on site in accordance with Highways Standards. Phase 4 of the development site has already been approved, this Phase of development adjacent to the Community Building (KET/2013/0330) locates the community building opposite a block of nine affordable flats with car parking and the linear park, this would mean that there would be available on-street car parking opposite the community building. On this basis the use of unsightly bollards is not considered necessary and the proposal is considered in accordance with policy 13 of the CSS.

5. Sustainability measures

Policy 14 of the CSS requires new development to meet the highest standards of resource and energy efficiency and a reduction in carbon emissions. All proposals for new development should demonstrate how they are intending to incorporate techniques of sustainable construction and energy efficiency and make provision for waste reduction and recycling and for water efficiency and water recycling. A condition is therefore suggested to ensure that the development meets the highest standard of sustainable construction and design. Condition 29 of the Outline planning permission requires Non-residential buildings to meet a minimum standard of BREEAM 'very good', as required by Policy 14 of the CSS. A condition has therefore been added to this to ensure this building meets the same standards. A further condition requiring an energy statement to be submitted has been added to address the Parish Council's comments with regards to renewable energy sources.

6. Other Matters

Consultation

Concern has been raised that insufficient public consultation has been undertaken. This application has been consulted upon in accordance with Planning Regulations and the North Northamptonshire Statement of Community Involvement. Previous consultation has been undertaken at the time of the original planning applications, Variation of Condition application and with regards the submitted Design Code. It is considered that sufficient consultation has been undertaken for the Council to reach a decision on this application.

Environment Impact Assessment (EIA)

The original Outline planning application (KET/2008/0785) was accompanied by an EIA, subsequent development on this site has been through a Screening process to establish whether further EIA is required. This proposal has also been Screened, despite an application solely for this purpose not being likely to generate significant environmental impacts to warrant an EIA, its relationship with surrounding residential development could have led to unacceptable cumulative environmental impacts and the requirement for further EIA. However, following the Screening of this application it is considered that no further EIA is required.

Transfer of Building

The Section 106 agreement accompanying the planning application requires the transfer of the community building to the Borough Council. The future management of the community building will either fall to the Borough Council or an appointed management company to be selected by the Borough Council. Given the transfer is dependent on the Borough Council being happy with its specification (internal and external) and the layout of the site then it is considered that we have reasonable control over the building to approve this application with conditions.

Conclusion

The proposal is considered to have an acceptable impact on the character of the development as it establishes; and the amenity of neighbouring properties. The proposal will be a positive addition to the local area and the design of the centre, subject to conditions is considered acceptable and recommended for approval.

Background Papers

Title of Document:

Date:

Contact Officer:

Rebecca Collins, Senior Development Officer on 01536
534316

Previous Reports/Minutes

Ref:

Date: