

BOROUGH OF KETTERING

Committee	Full Planning Committee - 20/01/2015	Item No: 5.5
Report Originator	Alison Riches Development Officer	Application No: KET/2014/0593
Wards Affected	St. Peters	
Location	Thurston Drive (Land off), Kettering	
Proposal	Outline Application: Construction of up to 40 dwellings with access	
Applicant	Mr P Dixon Robert Dixon 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 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. Plans and particulars of the reserved matters referred to in condition 1 above, relating to the appearance, layout and scale of any buildings to be erected and the landscaping of the site, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

REASON: In order to secure a satisfactory development

3. 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.

4. 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.

5. Due to the underlying geology present throughout Northamptonshire at which the levels of some naturally occurring contaminants frequently exceed the levels at which the risk to human health would be considered acceptable for residential land use; it is expected that there may be unacceptable risks to future occupiers of the site without the following investigation being carried out:

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 conditions 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,
 - ground waters 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'.

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 12 of the National Planning Policy Framework.

6. No development shall take place until a plan prepared to a scale of not less than 1:500 showing details of existing and 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 development shall take place until a 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 construction works unless otherwise agreed in writing by the Local Planning Authority. The approved method statement shall be adhered to throughout the construction period and the approved measures shall be retained for the duration of the construction works.

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

8. The development hereby permitted shall be limited to no more than 47 dwellinghouses.

REASON: To secure a satisfactory form of development in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

9. The dwellinghouses hereby permitted shall be a maximum of two storeys in height.

REASON: To ensure the development respects the character of the location in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

10. The development hereby approved shall be carried out in accordance with the sustainable construction and energy efficiency techniques detailed in the Energy Statement dated August 2014, reference KET/2014/0593/3 received by the Local Planning Authority on 29th August 2014.

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

11. No development shall take place on site until details of the method of construction of the means of access have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented before the use hereby permitted is commenced, or the building is occupied, whichever is the sooner.

REASON: To ensure a satisfactory means of access to the highway in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

12. No development shall commence on site 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 building shall be occupied until the works have been carried out in accordance with the approved scheme.

REASON: To prevent flooding, pollution and detriment to public amenity through provision of suitable water infrastructure in accordance with policy 10 of the National Planning Policy Framework and policy 13 of the North Northamptonshire Core Spatial Strategy.

13. Prior to the commencement of development a scheme for the provision of surface water drainage shall be 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 scheme.

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

14. No development shall commence on site until details of the types and colours of all external facing and roofing materials, windows and rainwater goods 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.

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. 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 first 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 properties in the interests of amenity in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

18. 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 dwellinghouses are first occupied.

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

20. The development shall not be carried other than in accordance with the mitigation measures and recommendations set out within the Ecological Survey of Land at Thurston Drive, dated July 2014, received by the Local Planning Authority on 29th August 2014.

REASON: In the interests of improving and conserving the ecological and biodiversity interest and value of the site in accordance with policies 5 and 13 of the North Northamptonshire Core Spatial Strategy.

21. No development shall take place until a scheme for the provision and management of a seven metre wide buffer zone with ecological enhancement alongside the Slade Brook shall be submitted to and agreed in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the local planning authority. The buffer zone scheme shall be free from built development including lighting, domestic gardens and formal landscaping.

REASON: For the protection and ecological enhancement of Slade Brook in accordance with policy 11 of the National Planning Policy Framework and policies 5 and 13 of the North Northamptonshire Core Spatial Strategy.

Officers Report for KET/2014/0593

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

Adjacent Site

KET/2013/0303. Variation of condition 15 of KET/2010/0741 in respect of Energy Statement (from solar panels to photo voltaic). Approved 28/06/2013.

KET/2010/0741. 43 no. dwellings and associated roads and parking. Approved 23/02/2011.

Site Description

The application site is vacant land located to the south of Kettering town centre and to the northeast of the A14. The site is bounded to the northeast by the Midland Mainline railway from London to Sheffield, to the southwest by Slade Brook, to the southeast by the Pytchley Lodge Road Industrial Estate, and to the northwest by an established housing estate. The site is accessed through the housing estate from Thurston Drive.

There is a decrease in land levels over the site from north to south and from east to west towards Slade Brook.

An Anglian Water sewer easement runs through the adjacent site and enters the application site at the northwest corner running along the northeast edge of the site.

Proposed Development

The application seeks outline planning consent for up to 40 2 and 3 bedroom dwellinghouses with consideration of the reserved matter of access. The other matters of appearance, landscaping, layout and scale are reserved for future consideration.

The application proposes 30% affordable housing.

Any Constraints Affecting the Site

Within Nene Valley Nature Improvement Area Boundary

Adjacent to a waste site

Adjacent to a Flood Plain

4.0 Consultation and Customer Impact

Anglian Water

- **No objection.**
- Anglian Water owned assets within or close to the development

boundary that may affect the layout of the site. Advice to be added to the decision notice.

- Available capacity for foul drainage at Broadholme Sewage Treatment Works.
- Available capacity in foul sewerage system. Notice to be served under section 106 of the Water Industry Act 1991 for connection to the sewerage network.
- Request condition for agreed surface water strategy.

Community Services

- **No objection.**
- Financial off-site public open space, community facilities and sports facilities contributions sought totalling £51,202.

Environment Agency

- **No objection.**
- Subject to condition requiring no development until full details of a scheme for mains foul sewage infrastructure on and off site.
- As developers/owners have riparian rights and responsibilities for watercourses up to the middle of the watercourse, request an additional condition for protection and ecological enhancement of Slade Brook which includes a 7 metre wide buffer zone to be kept free of from any built development including lighting, gardens and formal landscaping.
- Informatives to be added for direct consent from the Environment Agency.

Environmental Care

- **No objection.**
- Vehicles may park in the turning head which happens in other developments. Could the area be marked or lined somehow.

Environmental Health

- **Objection.**
- Noise concerns due to proximity to the railway, the A14 and an external fan. External noise in garden areas is predicted to be at the upper limit as required by BS8233:2014. Guidance is clear that development should be designed to achieve the lowest practicable levels in external amenity spaces.
- Internal noise levels can only be reduced to daytime and night time levels with the windows shut thereby affecting the amenity of residents. An active ventilation system would be more appropriate than a passive one to ensure a suitable internal environment.
- Applicant to revisit design, layout and type of residential accommodation for this site e.g. flats with public amenity space rather than gardens and the siting of non-habitable rooms on facades most affected by noise.

- Fan located on neighbouring building is a concern. Further assessment required at the nearest proposed noise sensitive premises to discount any indication of future noise issues.
- Contaminated land condition and construction management condition requested.
- Informatives to be added regarding acoustic separation insulation and external lighting at the site.

Housing Strategy

- Seeking 30% affordable secured via a S106.
- 70% rent/30% intermediate tenure.
- Preference for social rent but degree of flexibility on this within S106.
- All affordable to meet minimum HQI requirements with maximum number of bed spaces in each property.

Natural England

- **No objection.**
- Site in close proximity to South Field Farm Marsh Site of Special Scientific Interest (SSSI), but scale and nature of the proposal means satisfied this is not a constraint, provided the proposal is carried out in strict accordance with the details of the application as submitted.

NHS Hertfordshire and South Midlands

The proposed development would result in approximately 96 additional registrations. Dryland Surgery could not accept new patients without an extension. Based on build costs including fit out and all fees, the following contribution is required:

- £621.00 per dwelling

The applicants queried the amount of contribution required as 5 other surgeries within the area could also accept future residents as patients. The NHS responded with a reduced contribution request for 1/6 of the total sum towards an extension for Dryland Surgery. The revised contribution would be:

- £104.00 per dwelling.

Northamptonshire County Council – Highways Authority

- Contribution of £76,000 for two years funding (£38,000 per annum) towards improvements to the Thurston Drive leg of service 34 to allow for school obligation to be removed, to amend the timetable to be spread across the day, extend the service beyond the Leisure Centre stop and provide a replacement school service.
- A new bus stop on Thurston Drive and two new stops at the Leisure Centre will also be required. A commuted sum of

£15,000 per shelter will be required (£1,000 per annum for 15 years).

- Travel Plan to be amended to reduce single occupancy car to 20% rather than 10%.
- Applicant to provide further information in the Transport Statement to show calculations for parking provision, vehicle tracks for refuse vehicles, cycle parking calculations.

Northamptonshire County Council – Minerals and Waste

- **No objection.**
- The majority of the site is within a sand and gravel Minerals Safeguarding Area (MSA).
- The applicants have demonstrated that the site is such that the potential value of extracting minerals from the site when weighed against the cost of extraction does not warrant the safeguarding of the site for mineral extraction as a viable use of the site.

Northamptonshire County Council – Nene Valley Nature Improvement Area

- **No objection.**
- Concerned with the loss of ruderal but diverse vegetation in the middle of the site which may be relict wetland or meadow habitat
- Full application should include creating new high quality meadow habitat of similar species composition, for example on the sewer easement where a shallow root structure is required.
- Landscape Design Statement states it includes native mix but some species listed not native.

Northamptonshire County Council – Principle Projects

Financial contributions sought for primary and secondary education, fire and rescue and libraries as follows.

Education

This development would be served by Greenfields Primary School which is due to be extended and is in the process of becoming a 2 form of entry school in order to increase capacity.

Current projections show that numbers at both schools are expected to grow over the next 5 years, without taking into account the impact of new housing development in this time. It is therefore appropriate to secure a contribution for primary education to ensure adequate capacity:

Primary (cost per unit)

- Two bedroom unit - £520.00
- Three bedroom unit - £3,565.00
- Four bedroom unit - £7,966.00
- Five bedroom unit - £8,120.00

The development is linked to Bishop Stopford School which is operating

over capacity. It is therefore appropriate to secure secondary/sixth form education contributions.

Secondary and Sixth Form (cost per unit)

- Two bedroom unit - £599.00
- Three bedroom unit - £2,820.00
- Four bedroom unit - £5,110.00
- Five bedroom unit - £10,024.00

Fire and Rescue

£92.00 per household

Libraries

Based on BCIS building costs Northamptonshire adopts a minimum tariff of £88.00 per person in new housing. The following outlines the cost per dwelling type based on the expected number of occupiers for each type of unit:

- One bedroom unit - £116.00
- Two bedroom unit - £155.00
- Three bedroom unit - £229.00
- Four bedroom unit - £290.00
- Five bedroom unit - £326.00

Northamptonshire Fire and Rescue

- 1 fire hydrant to be installed.

Northamptonshire Police

- **No objection.**
- Suggest informatives to reduce the likelihood of crime, disorder and anti-social behaviour in relation to location of bungalow, housing mix, boundary treatments, access to factory development, design, glazing, lighting and rear alleyways.

North Northants Badger Group

- No comments to make.

The Wildlife Trust

- **No objection.**
- Ecological consultant's findings and conclusions acceptable in broad terms.
- Recommend conditioning the ecologist's recommendations for mitigation/enhancement.
- Site within Nene Valley Nature Improvement Area.

Neighbours

3 letters of **objection**.

- Concerned about wildlife and don't feel proposed measures are enough.
- Lot of bat activity, badgers, and family of foxes.

- The area is abundant with birds and frequented by birds of prey including red kites and herons.
- Since phase I was constructed the noise level has increased significantly and concerned the proximity of new buildings will increase it further.
- Number of incidents involving intruders breaking into the Sir Robert McAlpine yard has increased since the completion of the first phase of housing. Consider improved/additional fencing along the length of Slade Brook to reduce the risk of intruders entering the yard.
- Not overlooked by housing but the application the other side of the railway will compromise our garden.
- Keep the trees on site.

5.0 Planning Policy

National Planning Policy Framework

Policy 4. Promoting sustainable transport

Policy 6. Delivering a wide choice of high quality homes

Policy 7. Requiring good design

Policy 10. Meeting the challenge of climate change, flooding and coastal change

Policy 11. Conserving and enhancing the natural environment

Development Plan Policies

North Northamptonshire Core Spatial Strategy

Policy 1. Strengthening the Network of Settlements

Policy 5. Green Infrastructure

Policy 7. Delivering Housing

Policy 9. Distribution & 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

35. Housing: Within Towns

Supplementary Planning Documents

Sustainable Design SPD

6.0 Financial/Resource Implications

Requested contributions for the Section 106 obligation are as follows:

- Affordable Housing – 30% on a 70%/30% Rent/Intermediate tenure basis.
- Education – Primary, Secondary and Sixth form amount dependent on housing mix.

- Fire and Rescue Service – £92 per household
- Healthcare – £104 per dwelling.
- Libraries – Amount dependent of housing mix.
- Monitoring Fee – 5% of total financial obligations.
- Open Space – £51,202 for off-site community facilities.
- Public Transport Provision – £76,000 for new service plus £15,000 for shelter maintenance.
- Travel Plan – Financial contribution towards a Welcome Pack plus full travel plan details included within the S106.

7.0 Planning Considerations

The key issues for consideration in this application are:-

1. The Principle of Development
2. Access and Highways
3. Other Reserved Matters
4. Housing Mix
5. Land Contamination
6. Flooding and Drainage
7. Wildlife and Ecology
8. Sustainable Construction and Energy Efficiency
9. Minerals and Waste
10. Planning Obligations

1. The Principle of Development

The application proposes residential development for up to 40 dwellinghouses of which 30% are to be delivered as affordable on a Greenfield site located in the centre of Kettering within the settlement boundary.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Local Planning Authority to determine planning applications in accordance with the Development Plan unless material planning considerations indicate otherwise.

The application site is a parcel of Greenfield land situated in the centre of Kettering within the town settlement boundary as defined by policy 35 of the Local Plan for Kettering Borough.

The North Northamptonshire Core Spatial Strategy provides the spatial vision for North Northamptonshire and outlines the need to deliver quality housing and jobs alongside infrastructure, services and facilities. Policies 1 and 10 of the North Northamptonshire Core Spatial Strategy direct new development principally to the urban core which comprises the three Growth Towns of Corby, Kettering and Wellingborough. As well as regenerating the Town Centres, the growth agenda will also be delivered by the provision of sustainable urban extensions to those growth towns which will provide major locations for housing and employment and help to reinforce the roles of those settlements.

Policy 7 of the North Northamptonshire Core Spatial Strategy sets out the housing delivery strategy for North Northamptonshire with the target for Kettering Borough being the provision of 13,100 houses between 2001 and 2021, of which 5,500 is to be provided by the Sustainable Urban Extension of Kettering East. The policy also requires a deliverable five-year land supply of housing sites to be maintained.

Policy 9 of the North Northamptonshire Core Spatial Strategy states that priority will be given to the reuse of suitable previously developed land and buildings within urban areas, and although high priority is given to the reuse of suitable Brownfield sites within the urban areas, North Northamptonshire has a limited supply of such sites and with the substantial amounts of growth required in this area it is estimated that a significant proportion of housing will need to be built on Greenfield sites by 2021.

Policy 15 of the North Northamptonshire Core Spatial Strategy looks to the delivery of a balanced mix of housing types and tenure with a provision of 30% affordable housing to meet local need. The application proposes to deliver 30% affordable housing which will help meet the need for affordable housing in the Borough as a whole.

Given that the application provides for much needed affordable housing for the local area, it seems the site is suitable and broadly accords with Development Plan policies.

The National Planning Policy Framework (NPPF) is also a material planning consideration in planning decisions. One of the core principles of the NPPF is that planning should be plan-led with every effort made to objectively identify then meet the housing and other development needs of an area, responding positively to the wider opportunities for growth.

Policy 6 of the NPPF requires Local Planning Authorities to ensure their Local Plans meet objectively assessed needs for market and affordable housing and identify a and update a five-year supply of deliverable housing sites, with a buffer of either 5% or 20% depending on delivery.

Paragraph 49 of policy 6 of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development, with relevant policies for the supply of housing not to be considered up-to-date if the Local Planning Authority cannot demonstrate a five-year supply of deliverable housing sites.

Kettering Borough currently demonstrates in excess of a five-year supply of deliverable housing sites but, as the site is located centrally within the residential core of Kettering town within its designated settlement boundary in a sustainable location due to the good level and services, facilities and public transport links, it is considered that the

proposed housing development at this site is considered acceptable in principle.

2. Access and Highways

Policy 13(d) and (n) of the North Northamptonshire Core Spatial Strategy requires new development to have a satisfactory means of access and not to have an adverse impact on the highway network or prejudice highway safety. Access is the only reserved matter to be considered as part of this Outline application. The access into the site is from the adjacent residential site to the northwest and the Highway Authority have accepted that the access arrangements are sufficient to support the additional traffic generated by the development on the surrounding highway network.

The applicants have provided a Transport Assessment and Travel Plan in line with the requirements of policy 4 of the NPPF which the Highway Authority accept subject to financial contributions of £76,000 for two years funding (£38,000 per annum) towards improvements to the Thurston Drive leg of bus service 34 to allow for the school obligation to be removed, to amend the timetable to be spread across the day, extend the service beyond the Leisure Centre stop and provide a replacement school service. A new bus stop on Thurston Drive and two new stops at the Leisure Centre will also be required and the Highway Authority has requested a commuted sum of £15,000 per shelter (£1,000 per annum for 15 years).

The applicants have proposed a welcome pack as part of the Travel Plan for which the Highway Authority has requested a contribution for the provision of travel information within the welcome packs.

The financial contributions will be secured by way of a Section 106 agreement and the details of the Travel Plan secured within the S106.

A fire hydrant is to be provided within the site, the location of which will be determined at Reserved Matters stage when the highway layout is secured. A condition will be added to secure the provision of the hydrant.

All other parking and highway details will be determined through the Reserved Matters application(s) once the site layout has been secured.

As such, subject to the imposition of the suggested conditions and the S106 requirements, the proposed access is considered to accord with policy 13(d) of the North Northamptonshire Core Spatial Strategy.

3. Other Reserved Matters

The full details relating to the remaining reserved matters of appearance, landscaping, layout and scale fall to be determined as part

of a later submission or submissions.

Appearance

Policy 13(h) of the North Northamptonshire Core Spatial Strategy requires new development to be of a high standard of design and be reflective and respective of the character of its surroundings.

The applicants have provided an indicative site layout, showing details of the roads, parking areas, open space and bedroom numbers for the development but no specific details have been received.

Objections have been received in terms of the indicative layout, raising concerns about the compromising of neighbouring gardens. Given the style of surrounding development and the link with the adjacent site, which is predominantly two-storey, the appearance of the proposed development is to take account of this context. The materials palette used for the adjacent development will also be used to inform the material choice for the proposed development in order to ensure the character and appearance is reflective of its surroundings. A condition will be added to require materials to be approved prior to the commencement of development.

As appearance is a reserved matter, full details are to be secured for later detailed consideration and will take into account comments received in accordance with policy 13(h) of the North Northamptonshire Core Spatial Strategy.

A note has been added reminding the applicants that the submitted layout has not been agreed in the determination of this application.

Landscape

Policy 13(o) of the North Northamptonshire Core Spatial Strategy requires new development to be reflective and respective of the landscape character of its surroundings.

The applicants have submitted a Landscape Master Plan and tree survey which indicates the location and details for the proposed planting as well as an assessment of the status of trees within the site.

The tree report indicates that there are no trees of note within the site sufficient to require their retention. The submitted landscaping scheme proposes the planting of new trees within the site particularly along the site boundary abutting the railway line and the industrial estate to the southeast, and in the area of open space, and it is considered subject to the trees being of suitable native species to encourage and retain local wildlife, as requested by the Northants County Council Natural Development Office, the proposal will reflect the landscape character of its surroundings.

The landscape details will be secured by condition and a full detailed

landscaping scheme will be considered at Reserved Matters stage.

Layout

Policy 13(h) and (l) of the North Northamptonshire Core Spatial Strategy requires new development to be reflective and respectful of the character of its surroundings and to result in no unacceptable impact on neighbour amenities.

As layout is a reserved matter, the applicants have provided only the approximate locations of the dwellinghouses, roads and open spaces as part of an indicative layout. The indicative layout shows residential development throughout the site on 0.92 hectares of the 1.2 hectare site. The remaining 0.28 hectares provides an area of public open space at the southeast corner of the site.

The site is to the northeast of the A14 and is bounded to the northeast by the Midland Mainline railway from London to Sheffield, to the southwest by Slade Brook, to the southeast by the Pytchley Lodge Road Industrial Estate, and to the northwest by an established housing estate. Beyond Slade Brook to the southwest is a large storage depot for construction plant and equipment.

An Anglian Water sewer easement runs through the adjacent site and enters the application site at the northwest corner running along the northeast edge of the site. Easements have to be kept clear of permanent buildings. As such, the access into the site is a continuation of the adjacent site which has been located in line with the easement in order to make the most efficient use of land.

Slade Brook is situated to the south of the site and part of the land to which this application relates lies within Flood Zone 2. Potential flooding issues will be dealt with in more detail later on in the report.

The applicants have provided a noise assessment which states that the dominant noise sources are the A14 and the railway. They have also highlighted a continuously used extraction fan on an industrial unit to the south of the site.

Noise concerns were raised by Environmental Health due to the proximity to the railway, the A14 and the neighbouring external fan. The Noise Assessment report submitted by the applicants predicted external noise in garden areas to be at the upper limit as required by BS8233:2014, and internal noise levels could only be reduced to daytime and night time levels with the windows shut, thereby affecting the amenity of residents. Environmental Health required the development to be designed to achieve the lowest practicable noise levels in external amenity spaces in line with current guidance. It was suggested an active ventilation system would be more appropriate than a passive one to ensure a suitable internal environment and that the site layout was amended to site non-habitable rooms on facades most

affected by noise.

With respect to the external fan, Environmental Health also required an additional assessment at the nearest proposed noise sensitive premises to discount any indication of future noise issues.

Other than the noise issues already raised, it is considered that, due to the location of the site in relation to other surrounding development, no further noise issues will arise as a result of the proposal. An amended noise survey has been submitted which is under consideration by Environmental Health. The details will be reported to the committee as part of the update.

As such, the layout is to be fixed at reserved matters stage, taking into account the noise issues raised and subject to any requested mitigation conditions.

Scale

Policy 13(h) and (l) of the North Northamptonshire Core Spatial Strategy requires new development to be reflective and respectful of the character of its surroundings and to result in no unacceptable impact on neighbour amenities.

The indicative layout shows that the 0.92 hectare development area can accommodate up to 40 dwellinghouses which equates to a density of 43 dwellings per hectare. For the whole 1.2 hectare site this equates to 33 dwellings per hectare which is relative to the density of the existing housing estate immediately adjacent to the application site. A condition is to be added to secure the number of dwellinghouses to ensure the density is maintained relative to surrounding development.

The indicative layout details submitted by the applicant suggest two-storey terraced and semi-detached properties which is in context with the adjacent development and a condition will be added requiring final ground and finished floor levels to be submitted to secure this.

In general terms, in addition to the suggested conditions to cover the remaining reserved matters, a further condition for a construction management plan is to be secured to ensure the development does not unduly impact on the amenity of neighbouring properties.

4. Housing Mix

Policy 15 of the North Northamptonshire Core Spatial Strategy requires new development to have a balanced mix of housing types and tenures in order to deliver sustainable residential communities. To meet local need 30% of all new development is to be affordable, and all new dwellings are to be capable of being adapted in line with the 'lifetime homes' standard.

The Council's Housing Strategy team have indicated a requirement for

70%/30% rent/intermediate ownership but recognise the need for a degree of flexibility.

The applicants have agreed to the 30% affordable housing provision, and have indicated the inclusion of a 1 bed bungalow in a predominantly 2 bed scheme.

Detailed consideration of the mix and location of affordable units within the site is to be considered at reserved matters stage. Tenure will be secured as part of the S106 agreement.

5. Land Contamination

Due to the underlying geology present throughout Northamptonshire, levels of naturally occurring contaminants found throughout the Borough frequently exceed the levels at which the risk to human health is considered acceptable for residential land use. To prevent any unacceptable risk to human health to future occupiers of the site, further investigation on site will be necessary to assess the extent of contamination which will then inform a remediation scheme.

This further investigation/remediation scheme can be satisfactorily secured by condition in the interests of human health, property and the wider environment in accordance with paragraphs 109 and 121 of the NPPF which requires development to enhance the local environment by remediating and mitigating contaminated land ensuring it complies with Part IIA of the Environmental Protection Act 1990.

6. Flooding and Drainage

Policy 13(q) of the North Northamptonshire Core Spatial Strategy required new development not to cause a risk to, and where possible enhance, the quality of the underlying groundwater or surface water, or increase the risk of flooding on the site or elsewhere, and where possible incorporate Sustainable Drainage Systems (SuDS) and lead to a reduction in flood risk.

Sustainable Urban Drainage Systems (SuDS) aim to replicate natural drainage processes to ensure the rate of surface water run-off from the developed site is no greater than the rate of surface water run-off from the un-developed site.

The application site is adjacent to the Slade Brook which is in Flood Zone 1 and the applicants submitted a Flood Risk Assessment, the contents of which were accepted by the Environment Agency subject to the imposition of conditions for the provision, implementation, ownership and maintenance of the surface water drainage for the site, the provision of mains foul sewage infrastructure on and off site, and as developers/owners have riparian rights and responsibilities for watercourses up to the middle of the watercourse, an additional condition is imposed for the protection and ecological enhancement of Slade Brook which includes a 7 metre wide buffer zone to be kept free

of from any built development including lighting, gardens and formal landscaping.

With respect to waste water, Anglian Water has no objection to the proposed development and confirms that the application site is within the catchment area of the existing Sewage Treatment Works at Broadholme, near Wellingborough, and there is sufficient capacity to deal with the level of waste flows from the proposed development.

As such, subject to the imposition of the requested conditions, it is considered that the proposed development has addressed the issue of flooding at the site to the satisfaction of the Environment Agency and Anglian Water. This is in accordance with policy 13(q) of the North Northamptonshire Core Spatial Strategy, which requires new development not cause a risk to the quality of underlying groundwater or surface water, or to increase the risk of flooding on site or elsewhere. The policies also require that where possible new development is to incorporate Sustainable Drainage Systems leading to a reduction in Flood Risk.

7. Wildlife and Ecology

The Local Planning Authority has a legal duty under the Wildlife and Countryside Act 1981, as amended, the Natural Environment and Rural Communities Act 2006 (NERC Act), the Conservation of Habitats and Species Regulations 2010 (Habitats Regulations 2010), and the Protection of Badgers Act 1992 to ensure the protection and enhancement of wildlife. NPPF policy 11, paragraph 118, requires Local Planning Authorities to aim to conserve and enhance biodiversity by permitting development only where significant harm can be avoided. Policy 5 of the North Northamptonshire Core Spatial Strategy requires new development to enhance local Green Infrastructure and policy 13(o) of the North Northamptonshire Core Spatial Strategy requires new development to conserve and enhance landscape character and biodiversity.

The Biodiversity Supplementary Planning Document refers to the Northamptonshire Biodiversity Action Plan (2008) (NBAP) to identify priorities for action and give guidance on conserving and reversing the loss of habitats and species in relation to new development. The Northamptonshire Biodiversity Action Plan identifies local BAP priority species for vary rare or declining species with significance to Northamptonshire.

The applicants submitted an Ecological Survey, reference July 2014. The survey was carried out on 24/07/2014. The survey recorded no significant deadwood features suitable for use by roosting bats. No reptile or amphibian species were recorded and no evidence of badgers was found at the site.

Further to the phase 1 development to the northwest of the application

site, a mitigation strategy was submitted which consisted of measures to encourage the retention of bats, nesting birds and other protected species by the use of suitable flora, landscaping, lighting and the provision of bat and bird boxes and the carrying out of development outside the nesting and breeding seasons of protected species.

The mitigation strategy has been accepted by the Wildlife Trust and in order to conserve or enhance wildlife and ecology, conditions will be added securing the submitted mitigation measures.

8. Sustainable Construction and Energy Efficiency

Policy 14(b) of the North Northamptonshire Core Spatial Strategy states that new development should meet the highest viable standards of resource and energy efficiency and reduction in carbon emissions. All developments should incorporate techniques of sustainable construction and energy efficiency, provide for waste reduction/recycling and water efficiency, should demonstrate that at least 10% of the demand for energy will be met on site and renewably, and be in accordance with the requirements of the North Northamptonshire Sustainable Design Supplementary Planning Document.

The energy statement submitted with this application states that all units on the development will achieve Code Level 3 for sustainable homes and part L 2010 of the Building Regulation Standards. Level 3 of the Code requires that all dwellings must separately demonstrate a 25% reduction in Carbon Dioxide emissions.

For this development a number of renewable energy options were considered. The outcome of these considerations as detailed within the submitted energy statement concludes that the use of solar thermal panels is the favourable option on this site. Solar thermal panels provide good reductions in Carbon Dioxide levels and are relatively cheaper when compared with other viable technologies. The submitted energy statement confirms that these panels will enable the 10% on site renewable energy target to be met. As such it is considered that the application is acceptable when assessed against the requirements of Policy 14. A condition is recommended which requires a 10% energy reduction in line with the submitted energy statement if the application is approved.

9. Minerals and Waste

The application site is located within a sand and gravel Minerals Safeguarding Area (MSA) as defined by the Northamptonshire Minerals and Waste Local Plan (MWLP) (adopted October 2014).

Policy 32 of the MWLP requires new development within a sand and gravel MSA to demonstrate that the proposal protects the area from significant sterilisation of proven mineral resources by incompatible non-mineral development.

The application site is 1.2 hectares in size and is bounded to the northeast by the Midland Mainline railway from London to Sheffield, to the southwest by Slade Brook, to the southeast by the Pytchley Lodge Road Industrial Estate, and to the northwest by an established housing estate.

The only access to the site is through the housing estate from Thurston Drive and there is no other means of vehicle access, which would mean vehicles and machinery required for extraction purposes would be required to negotiate the narrow estate roads.

As such, it is considered that the landlocked nature of the site, its small size, the noise and disturbance that would be caused to surrounding residents in particular during extraction, and the potential value of extracting minerals from the site when weighed against the cost of extraction, does not warrant the safeguarding the site for mineral extraction as a viable use for the site.

10. Planning Obligations

Policy 6 of the North Northamptonshire Core Spatial Strategy requires new development to be supported by the delivery of infrastructure, services and facilities.

A section 106 legal agreement is to be completed to secure financial and non-financial contributions for 30% affordable housing, education, fire and rescue, healthcare, open space and public transport in compliance with policy 6.

Conclusion

This outline application complies with policies in the Development Plan. Subject to the imposition of the recommended conditions, and the signing of a S106 legal agreement, the application is therefore recommended for approval.

Background Papers

Title of Document:

Date:

Contact Officer:

Alison Riches, Development Officer on 01536 534316

Previous Reports/Minutes

Ref:

Date: