

## BOROUGH OF KETTERING

<b>Committee</b>	<b>Full Planning Committee - 17/03/2015</b>	<b>Item No: 4.1</b>
<b>Report Originator</b>	<b>Louise Jelley Senior Development Officer</b>	<b>Application No: KET/2013/0314</b>
<b>Wards Affected</b>	<b>Queen Eleanor and Buccleuch</b>	
<b>Location</b>	<b>East Kettering Development - Parcel R19, Warkton Lane (land off), Barton Seagrave</b>	
<b>Proposal</b>	<b>Approval of Reserved Matters: All details in respect of KET/2013/0514 for 167 dwellings with access roads, landscaping, drainage works, and other enabling works</b>	
<b>Applicant</b>	<b>Mr J Abbott Taylor Wimpey Developments Limited,</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 a S.106 OBLIGATION being entered into, and to the following conditions:-

1. The development hereby permitted shall not be carried out other than in accordance with the revised layout plan reference number EMS.2358 05-4Q received by the local planning authority on 24<sup>th</sup> February 2015.  
REASON: To define the terms of the consent in the interests of access, design and layout in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

2. The development hereby approved shall only be undertaken in accordance with the Noise Assessment prepared by Auracle Acoustics dated 6th Aug 2014 and received 4th September 2014.  
REASON: To ensure that acceptable noise levels are achieved within the dwellings on site in the interests of residential amenity in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

3. No part of the development shall be occupied unless and until the footpath link as shown on revised layout plan EMS.2358 05-4P received on 30th January 2015 has been completed and made available for use in accordance with the approved details. Thereafter the link shall be retained for public use.  
REASON: In the interests of sustainable travel and quality of the development in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

4. No part of the development shall be occupied unless and until a landscaping scheme for the footpath link as shown on revised layout plan EMS.2358.05-4P received 30th January 2015 is submitted to and approved in writing by the local planning authority. The landscaping scheme will include the provision of a variety of spring bulbs and a selection of pollinating plants/shrubs. The development shall be carried out in accordance with this scheme and shall be fully implemented prior to the occupation of 100th dwelling on site.

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

5. The development must be carried out in accordance with the Contaminated Land Investigation Report reference RSK 301108-1(02) dated April 2014 received by the local planning authority on 4th September 2014. Following completion of the measures identified in the approved document, a validation report must be submitted to and approved in writing by the local planning authority which sets out any changes in circumstances, relocation of on site soils suitable for re-use and the chemical testing of any imported soils. If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until a remediation scheme has been submitted to and approved in writing by the Local Planning Authority which details how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved prior to any further works taking place on site.

REASON: To ensure that risks from land contamination to the future users of the land are minimised in accordance with Policy 11 and paragraph 120 of the National Planning Policy Framework.

6. The development shall be carried out in accordance with the Ecological Appraisal dated May 2014 received by the local planning authority on 4th September 2014. Specifically, the development shall accord with the Recommendations contained within Section 4 of the report.

REASON: In the interests of ecological enhancement and protection in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy and Policy 11 of the National Planning Policy Framework.

7. Prior to the construction of any dwelling a scheme for boundary treatment shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment scheme shall include a timetable for implementation of any boundary treatment beyond residential plots. The development shall be carried out in accordance with the approved scheme. The boundary treatment to a residential plot shall be completed prior to its occupation.

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

8. The development shall be carried out in accordance with the following amended plans:

- House Type Portfolio received 15th January 2015 (affordable housing types and market housing only).
- Crofton G General Arrangement PB33G/5/61A Section A-A received 17th February 2015
- Crofton G General Arrangement PB33G/5/62A Section B-B received 17th February 2015
- Wilton General Arrangement PB52/5/62 Section B-B received 17th February 2015
- Detailed soft Landscaping Plans reference number 15-011-01 and 15-011-02 received 30th January 2015.

REASON: To define the terms of the consent in the interests of access, design and layout in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

9. The development shall be carried out in accordance with the revised Construction Environmental Management Plan received by the local planning authority on received 19th February 2015.

REASON: In the interests of highway safety and residential and visual amenity in accordance with Policy 13 and 16 of the North Northamptonshire Core Spatial Strategy.

10. Prior to the commencement of development details of the types and colours of all external facing and roofing materials to be used shall be submitted as a materials plan, along with samples, to the local planning authority for written approval. The development shall not be carried out other than in accordance with the approved details.

REASON: In the interests of design and visual appearance in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

11. Prior to the commencement of development, details of the hard surfacing materials for the streets, footways, cycleways, shared spaces, courtyards, all other areas of public realm and public and private parking areas (on and off-plot) shall be submitted to and approved in writing by the Local Planning Authority. The details shall include a drawing showing the surfacing materials across the site and sample materials. The development shall be carried out in accordance with the approved details.

REASON: To secure a high quality design and public realm and in the interests of visual amenity in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

12. The development hereby approved shall incorporate measures to minimise the risk of crime and meet specific security needs of the site. The security measures shall achieve the Secured By Design accreditation awarded by Northamptonshire Police. Written confirmation of these measures is to be submitted to and approved by the local planning authority. The approved measures shall be implemented prior to the completion of the development.

REASON: In the interests of security, reducing the risk of crime and promoting well being in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

13. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no building, structure or other alteration permitted by Class A or B of Part 1 of Schedule 2 of the Order shall be carried out on the following plots within the development site as shown on the revised layout plan EMS.2358 05-4P received by the local planning authority on 30th January 2015:

Plots 1-44 (inclusive)

REASON: To protect the existing amenity of occupiers situated along Warkton Lane and Poplars Farm Road in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

14. The development shall be carried out in accordance with the Arboricultural Assessment dated March 2014 received by the local planning authority on 4th September 2014. Specifically, the development shall accord with the Recommendations contained within Section 5 of the report and the Tree Retention Plan Figure 3 (5142-A-03 Rev B) dated March 2014.

REASON: In the interests of landscape enhancement and protection in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy and Policy 11 of the National Planning Policy Framework.

15. Prior to commencement of development a garage portfolio pack shall be submitted to and approved in writing by the local planning authority which shows the internal garage sizes accords with the following measurements:

Single garage minimum internal measurement - 3.3 metres x 6 metres

Double garage minimum internal measurement - 5.8 metres x 6 metres

The garages shall be built out in accordance with the approved details.

REASON: In the interests of design layout in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

## **Officers Report for KET/2013/0314**

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

### **3.0 Information**

#### **Relevant Planning History**

KET/2007/0694 – Outline for 5,500 dwellings and related development – APPROVED

KET/2008/0274 – Outline for 5,500 dwellings and related development – APPROVED

KET/2012/0747 – Request for an Environmental Screening Opinion for Parcel R19

KET/2013/0212 – Extension of time for (KET/2007/0694) – PENDING

KET/2013/0213 – Reserved Matters (all details) for Parcels R7, R9 and R10 for 325 dwellings in relation to outline (KET/2008/0274) – APPROVED

KET/2013/0214 – Extension of time for (KET/2008/0274) - PENDING

KET/2013/0232 – Reserved Matters (all details) for Parcels R23 and R26 for 332 dwellings in relation to outline (KET/2008/0274) – PENDING

KET/2013/0314 – Reserved Matters (all details) for Parcel R19 for 167 dwellings in relation to outline (KET/2008/0274) – PENDING

KET/2013/0514 – Variation and removal of Conditions application in relation to outline (KET/2008/0274) (Tranche 1) – APPROVED

KET/2013/0695 – Variation and removal of Conditions application in relation to outline application (KET/2008/0274) (Tranche 2) – APPROVED

KET/2013/0780 – Reserved Matters for 580m of road from Access E to Parcels R19, R20 and DC2 – APPROVED

KET/2013/0781 – Reserved Matters for surface water attenuation pond, drainage channels and details of Great Crested Newt translocation area – APPROVED

KET/2013/0782 – Request for an Environmental Screening Opinion for Parcel R19

KET/2013/0792 – Reserved Matters for 547m of road from Access F to Parcels R22, R23, R24, R25, R26 and E3 – APPROVED

KET/2013/0836 – Removal of 180m of hedgerow within Parcel DC2 – APPROVED

KET/2014/0255 – Reserved Matters for Primary School on Parcel PS4 – APPROVED

KET/2014/0357 – Variation and removal of conditions application in relation to Conditions 18, 19, 22, 42 and 45 of (KET/2013/0514) – APPROVED.

KET/2014/0604 – Variation of Conditions 18 (Code For Sustainable Homes) and 19 (Lifetime Homes) of KET/2013/0514 – PENDING

KET/2015/0028 – Reserved Matters for 750 metres of Infill Road (Off Cranford Road) - PENDING

Condition details

AOC/0694/0701 – Condition 91 (Archaeology) – APPROVED  
AOC/0694/0702 – Condition 58 (Green Infrastructure) – APPROVED  
AOC/0694/0703 – Condition 39 (Low Zero Carbon) – APPROVED  
AOC/0694/0704 – Condition 43 (Open Space) – APPROVED  
AOC/0694/0705 – Condition 28 (Retail Strategy) – APPROVED  
AOC/0694/0706 – Condition 73a (Traffic Impact Assessment for Junction 10/10a) – APPROVED  
AOC/0694/0707 – Condition 40 (Waste Audit) – APPROVED  
AOC/0694/0708 – Condition 41 (Waste Management Facility) – APPROVED  
AOC/0694/0709 – Condition 63 (Water Efficiency) – APPROVED  
AOC/0694/0710 – Condition 7 (Design Code) – APPROVED  
AOC/0694/0711 – Condition 84 (Walking and Cycling Audit) – APPROVED  
AOC/0694/0712 – Condition 85 (Weekley/Warkton Avenue Traffic Impact Assessment) – APPROVED  
AOC/0694/0713 – Condition 86 (Elizabeth Road Traffic Impact Assessment) – APPROVED  
AOC/0694/0714 – Condition 83 (Access Phasing) – APPROVED  
AOC/0694/0715 – Condition 65 (Stage 2 Flood Risk Assessment) – APPROVED  
AOC/0274/0801 – Condition 56 of (KET/2008/0274) and Condition 35 of (KET/2013/0514) – Reptile Method Statement – APPROVED  
AOC/0274/0802 – Condition 60 of (KET/2008/0274) and Condition 34 of (KET/2013/0514) – Foul Water Drainage Strategy – APPROVED  
AOC/0274/0803 – Condition 75 of (KET/2008/0274) and Condition 46(i) of (KET/2013/0514) – Access D (Warkton Lane/Deeble Road Junction) – APPROVED  
AOC/0274/0804 – Condition 75 of (KET/2008/0274) and Condition 46(ii) of (KET/2013/0514) – Access E (Barton Road/Warkton Lane Junction) – APPROVED  
AOC/0274/0805 – Condition 75 of (KET/2008/0274) and Condition 46(iii) of (KET/2013/0514) – Access F (Barton Road/A14 Junction 10) – APPROVED  
AOC/0274/0806 – Condition 46 of (KET/2008/0274) and Condition 27 of (KET/2013/0514) – Strategic Landscaping works – APPROVED  
AOC/0514/1301 – Conditions 34 and 36 of (KET/2013/0514) – Biodiversity – APPROVED  
AOC/0514/1302 – Condition 6(i) of (KET/2013/0514) – Stage 2 Flood Risk Assessment – APPROVED  
AOC/0781/1301 – Condition 2 of KET/2013/0781 – Ecological Construction Management Plan – APPROVED  
AOC/0255/1401 – Conditions 1 (Construction Management Plan), 2 (Ecological Management Plan), 4 (Materials), 7 (Hard Surfacing), 9 (Construction Access Road), 10 (Drainage) of (KET/2014/0255) and Conditions 15 (Community Use), 22 (Sustainability), 28 (Landscaping), 29 (Arboricultural Method Statement), 36 (Pollution Prevention Measures), 40 (Contaminated Land), 41 (Construction Management Plan) of (KET/2013/0514) - APPROVED

## **Site Description**

Officer's site inspection was carried out on various dates in 2013 and 2014.

This application site forms parcel R19 of the overall East Kettering Sustainable Urban Extension. The land to which this application relates is situated to the east of Kettering approximately 1.5 miles from the Town Centre. It forms part of the western boundary of the East Kettering development and is adjacent to a boundary with existing housing. The site slopes downwards on its western side towards the south east corner. It is roughly triangular in shape and comprises 8.73 hectares of arable land. A public footpath runs along the southern edge of the site and to the north it is bordered by rear gardens of large properties situated along Warkton Lane and Poplars Farm Road. An existing sewer easement runs along the northern boundary of the site to the rear of residential gardens within Warkton Lane and Poplars Farm Road. This sewer easement area currently comprises rough vegetation, garden waste from the properties which back onto the site and is screened from the existing properties by fencing and trees. To the east of the application site lies open countryside but this land forms part of the East Kettering Sustainable Urban Extension specifically Parcels DC2 (the District Centre) and R18 (future residential development).

## **Proposed Development**

This is a Reserved Matters application for 167 dwellings and associated works for development parcel R19 within the East Kettering development site. The proposal includes 20% affordable housing provision with a tenure split comprising 70% rented provision and 30% shared ownership. The site is to be served via Access E and a new access provision leading from this new junction. A condition attached to the outline permission for East Kettering restricts the occupation of the houses for this parcel of development until Access E is complete.

The details submitted relate to access, layout, scale, appearance and landscaping for this parcel of land. As part of the overall development, the first phase of the strategic water drainage system for East Kettering has been approved under (KET/2013/0781). This is a key element of infrastructure which facilitates how surface water runoff for this development will be dealt with.

Amended Plans and further information for this proposal was submitted on 30<sup>th</sup> January 2015. A 21 day re-consultation period was carried out and statutory bodies and local residents were all re-notified of the amendments and additional information. All responses are set out in the consultation section below.

## **Any Constraints Affecting the Site**

Sewer easement  
Public Footpath  
Trees and hedgerows

### **Environmental Impact Assessment**

As the original outline planning applications (KET/2007/0694 and KET/2008/0274) were EIA development, this application is also regarded as an EIA application. Under the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 subsequent EIA applications include Reserved Matters and matters requiring approval before development can commence e.g. Approval of Conditions.

As part of the requirements contained within the Regulations, a Screening Opinion has also been carried out for this application. The local planning authority has adopted the screening opinion that the proposed development as described by the applicant is EIA development but that the original Environmental Statement (ES) dated July 2007 and as amended in Aug 2008 and Jan 2009 accompanying KET/2007/0694 and KET/2008/0274 adequately addresses the environmental effects of the proposals. Therefore, in accordance with Regulation 8 (2) no further ES is required. Under Regulation 8 (2) where the environmental information before a local planning authority (submitted with an original application) is adequate to assess the environmental effects of the development, that information shall be taken into consideration in the determination of a subsequent application. The original ES has therefore been taken into account and considered in the assessment of this application, the officer's recommendation and their determination.

## **4.0 Consultation and Customer Impact**

### **Environmental Health**

Response received 12<sup>th</sup> November 2014. Day time internal noise levels can only be achieved when windows are closed. With an open window the internal day time noise levels will be 46dB, this is still 11dB in excess of the standards required. For night time noise with windows open the internal noise levels will be 29dB which is within the standard. It may be possible for noise levels to be improved in terms of building design, layout and residential type. For example, non-habitable rooms or gable ends of houses facing the road. The consultant has indicated in his e-mail that a mechanical extraction system in the bathrooms/kitchens only rather than in other rooms will suffice as it is unlikely that bathroom and kitchen doors will be closed for prolonged periods of time so will provide sufficient air flow. Planning should consult Building Control about the standards required. If planning support the development, noise mitigation is required and will need to be conditioned.

Response to further information received 11<sup>th</sup> February 2015. I have no objection to make on the proposed revisions. The Construction Management Plan is a very comprehensive programme of dust, noise and pollution control measures that should minimise adverse impacts upon neighbours. I would recommend however that Herras Fencing



surrounding the site is sheeted with fine mesh dust sheeting to minimise escape of low level dust into neighbouring properties. The hours of construction are also beyond which we would normally agree to in regard to Saturdays which is proposed as 8am - 4pm. The preferred hours for a Saturday would be 0830 – 13:30. This includes deliveries to the site.

#### **Northamptonshire Police**

Response received 20<sup>th</sup> October 2014. A condition should be applied on any approval that a detailed boundary treatment scheme needs to be submitted and approved in writing by the local planning authority prior to commencement.

Site visit with Richard Wilson (Northamptonshire Police) was carried out on Tuesday 24<sup>th</sup> February 2015. Boundary treatment along the northern perimeter of the application site was discussed in relation to the sewer easement and existing properties backing onto the site (Warkton Lane and Poplars Farm Road). The view was that the boundary treatment should comprise weld mesh fencing in order to provide a commensurate defensive barrier and allow good natural surveillance. The gates into the easement area should have secure locking facilities.

#### **Anglian Water**

Response received on 9<sup>th</sup> October 2014.

We would require an easement of 3 metres either side of our asset. The 6 metre strip would provide the necessary room to gain access for maintenance and any emergency work. It is my understanding that the developers are providing a protected access strip along the existing sewer that agrees to the above needs. With regards to the development site, and the connection to our foul network, the development is to have a dedicated foul water sewer that will not connect into the local network. All the parcels on the site will need to have a permanent connection to the new pumping station and foul rising main. We are currently undertaking the detailed design of this sewer in conjunction with the developers.

Response received 20<sup>th</sup> February 2015.

The circumstances surrounding the recurrent flooding incidents have been resolved by Anglian Water. The flooding to the rear of Poplars Farm Road occurred due to a blockage within the sewer. The blockage reduced the useable capacity of the sewer by 50%. This resulted in a backup in the sewer which culminated in the flooding. The work to explore and prevent this blockage from reoccurring was completed by Anglian Water in September 2014. The sewer is now not a cause for concern. We have seen the plans submitted by the developer as evidence for the provision of access to our sewer located next to Parcel R19. Anglian Water is responsible for the maintenance of this sewer. Assuming that access is provided in accordance with the plan entitled 'Existing Foul Sewers Maintenance Access Points' (12055/SK102/-) then we confirm that we are satisfied that we can maintain this sewer.

**Sport England**

Response received 8<sup>th</sup> October 2014. No comments.

**Northamptonshire Archaeology**

Response received 8<sup>th</sup> October 2014. The parcel of development is not within an area of archaeological sensitivity and as such I have no comments.

**Barton Seagrave Parish Council**

Response received 25<sup>th</sup> September 2014. No objections.

Response received (in relation to revised plans) 16<sup>th</sup> February 2015. No objections.

**Highways Agency**

Response received 26<sup>th</sup> September 2014. No objections.

**Natural England**

Response received 6<sup>th</sup> February 2015. No objection with respect to impact upon Statutory nature conservation sites. The application may provide opportunities to incorporate features into the design to benefit wildlife such as bat roosting opportunities and/or bird nest boxes. The authority should consider securing measures to enhance the biodiversity of the site from the applicant.

**North Northants Badger Group**

Response received 16<sup>th</sup> September 2014. No comments.

**Northamptonshire Highways**

Response received 2<sup>nd</sup> March 2015. We are satisfied with the submitted drawing EMS.2358\_05-4 Rev P in that it has been updated to take account of the previous issues raised.

**Housing**

Response received 22<sup>nd</sup> January 2015. It would be useful to have a plan to indicate tenure for the affordable housing units and how this is split between the unit types and plot numbers. It also then makes it easier for future planning and advising keyways applicants of which properties are coming forward for rent. We are seeking 20% affordable housing provision comprising 70% rented provision and 30% shared ownership.

**Environment Agency**

Response received 20<sup>th</sup> October 2014. Object.

There is no information with respect to the previously consented impermeable areas and whether the proposed impermeable areas are in line with the assumptions made by Peter Bretts Associates. There is

no indication of any onsite sustainable drainage system to improve water quality as recommended in the flood risk assessment and there is no consideration of overland flow routes. Supporting calculations for the proposed surface water drainage system is required.

Response received 9<sup>th</sup> February 2015. We withdraw our objection on flood risk grounds. The points we raised in our last communication have now been addressed. We have however been made aware of existing foul water drainage issues and access constraints on site and recommend that the applicant submits evidence to your Authority which demonstrates that the development will not lead to a greater risk of direct contamination of surface water, soil and potentially groundwater contamination due to the surcharging of the foul water network.

**Philip Hollobone MP**

Response received 13<sup>th</sup> September 2014. Object.

- The proposal to all intents and purposes is the same as that submitted in summer 2013.
- The site is prone to rainwater and sewage flooding. The application does not provide adequate access to foul water drain manholes, instead appearing only to allow the legal minimum distance along the northern perimeter which is where raw sewage floods occur regularly.
- The proposal shows a 'local equipped area of play' across what will be the main road into the District Centre. Page 15 of the transport document shows an expected 772 vehicles using that road between 0800-0900 and 627 vehicles between 1700-1800. This will be a very busy road.
- No consideration is made of additional traffic impacts on ease of access by residents to Poplars Farm Road. There needs to be a yellow hatched box at the junction of Warkton Lane and Poplars Farm Road to facilitate access across queuing traffic.
- No technical details of on site street lighting are provided which is a key planning and design element. Lighting is not only a question of security but also pollution. The design of street lighting must be low energy and not create light pollution given this currently being a rural area.

**Poplars Farm Action Group**

Response received 27<sup>th</sup> September 2014. Objection – on the following grounds (summarised).

- Inadequate width drain access strip on the northern perimeter of the application site.
- The houses will be built on flooded land.
- The transport statement ignores the fact that there are two major category climb (tour de France) hills between the development site and the town centre. As such cycling is a rarity and will not add to modal shift.
- No consideration is given to the additional traffic impacts on the residents of Poplars Farm Road/Warkton Lane.

- What data has been gathered which demonstrates that the traffic flows will not destroy the character of the area?
- Measures need to be taken to ensure that motorbikes and other vehicles cannot exit the site along Poplars Farm Road.
- Light pollution from the development
- The proposed houses are out of keeping with the immediate area of Warkton Lane and Poplars Farm Road and therefore not sensitive to the local context.
- The location of affordable housing should be situated closer to the main road from Access E where they are more closely situated to public transport links.
- Pile driving is required for foundations – this is a substantial noise for local residents.

Response to further information received 8<sup>th</sup> February 2015. We note the revised application has not changed the layout of the development to allow for appropriate access to the foul water drain at the end of the garden of 14 Poplars Farm Road. As it stands raw sewage will outflow onto the strip into plots 32-37 and there would be no way of stopping the flow as the strip is too narrow. It is illegal to block access to drains. Raw sewage is a public and environmental health issue. This matter needs to be addressed once and for all. Other concerns have been summarised below:

- The proposed access for the easement will allow for unimpeded trespass and unauthorised access. The application states that this arrangement has been discussed with local police in accordance with the 'Secured By Design' Standard. We request under the Freedom of Information Act 2000 direct evidence of this.
- Construction traffic and deliveries must be prohibited from entering Poplars Farm Road and only be permitted to the use the new junction/access point.
- Timber bollards should be added to the northern section of the access onto Poplars Farm Road as well as the southern section.
- The Construction Management Plan proposes activity between 0800 -1600 which will cause unnecessary inconvenience, disruption and nuisance to local residents. We seek confirmation that activity will be permitted during normal working hours Mon – Fri only.
- The drainage calculations provided do not reflect the existence in winter of a 40x40 metre lake. Assuming the lake has a mean depth of 30cm this equates to a volume of 480 cubic metres that has not been accounted for. The calculations need to be re-done to reflect this.
- The planning statement states that bus stops are expected along the Primary Street. These should be added as an integral part of the application and not merely as a possible future enhancement.
- The developers wish to downgrade the properties from Code Level 4 to 3 on the premise of financial viability. If permitted this will impact upon sustainability and energy efficiency for the site

whilst the developer reports record profit levels for their business.

**Neighbours and Third Party Objections.**

11 letters of objection received which raise the following concerns/objections:

- The site is prone to rainwater and sewage flooding.
- The site does not provide adequate access to foul water drain manholes.
- No consideration is given to the additional traffic impacts on ease of access by residents of Poplars Farm Road.
- There needs to be a yellow hatched box area at the junction of Warkton Lane and Poplars Farm Road in order to facilitate access.
- No technical details of on-site lighting are provided.
- The sewer system is old and can never be stopped from overflowing into the proposed development area due to the lime build up. Optimistic comments from Anglian Water are incorrect.
- A strong road should be put in along the side of the sewer to the northern boundary of the site which includes large turning circles for Anglian Water tankers to gain access and maintain the sewer.
- If raw sewage flows onto our properties then our houses will become unsellable.
- Object to the style of housing in particular plots 12, 13, 14, 15, 16 and 17. The style of the AA21 house type is not in keeping with the existing character of the area.
- Object to the properties overlooking into existing gardens of houses along Warkton Lane.
- Social housing should be located closer to the main road into the development site for public transport link purposes.
- The proposed access and junction for this development beggars belief. It was objected to by local residents but dismissed by KBC.
- The developers are claiming poverty and reducing their affordable housing quota. My own children cannot afford to get onto the property ladder and so I find this to be a lame and unacceptable excuse.
- The Children's Play area is sited between 2 busy main roads – there is total disregard for the health and safety of children.
- Concerns about the water table which will certainly occur should the land drainage be changed in any way.
- The new junction along Barton Road will create huge traffic problems – surely there must be a better solution?
- Concern over the removal of the drainage pond shown as part of the previous application as this will create further problems with water drainage and flash floods.
- Existing trees and hedgerows bordering the site with properties in Poplars Farm Road should not be removed.
- Too many homes are proposed on the site – too dense.

4 letters of objection in response to further information received 11<sup>th</sup> February 2015. The objections are summarised below:

Access – the proposal for a double signalised junction at Barton Road/Warkton beggars belief.

Affordable housing – the developers are looking to reduce their

affordable housing quota whilst posting that profits are up for their half year end 29/06/14. I find this a lame excuse and totally unacceptable. Children's Play Area – This is sited between 2 very busy roads with a total disregard for the health and safety of children.

Existing sewer infrastructure and access – The sewer to the rear of the houses along Warkton Lane and Poplars Farm Road has a history of problems with raw sewage overflowing into the field, yet no adequate access for ongoing remediation of these events has been taken into account. If there were fewer houses then the access for the drainage easement could be made wider.

Construction Traffic – We would like confirmation that all construction traffic will be permitted to use the new access point only. The use of Poplars Farm Road would be inappropriate.

Construction hours – The Construction Management plan proposes excessive opening hours and activities between the hours of 0800 and 1600 on Saturdays which will cause unnecessary inconvenience, disruption and nuisance to local residents.

The proposed easement to the existing drainage system to the north of the site will create an ideal access way for unimpeded trespass and unauthorised access.

The site location plan states that the above mentioned drainage easement is 'protected green space under management control'. Who is responsible for this and to whom will they be accountable?

The planning statement says that bus stops are expected along the Primary Street – these should be included as an integral part of this application.

The site location plan indicates timber drop bollards to be installed to the southern portion of the access onto Poplars Farm Road. These should also be added to the northern end of the access too to prevent unwanted parking.

The developers wish to downgrade the properties from Code Level 4 to 3 on the premise of financial viability. If permitted this will impact upon sustainability and energy efficiency for the site whilst the developer reports record profit levels for their business.

### **Planning Policy**

#### **National Planning Policy Framework**

Policy 1 – Building a strong, competitive economy

Policy 4 – Promoting sustainable transport

Policy 6 – Delivering a wide choice of 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

Policy 12 – Conserving the historic environment

### **Development Plan Policies**

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

Policy 1 – Strengthening the network of settlements  
Policy 5 – Green infrastructure  
Policy 6 – Infrastructure delivery and developer contributions  
Policy 13 – General sustainable development principles  
Policy 14 – Energy efficiency and sustainable construction  
Policy 15 – Sustainable housing provision  
Policy 16 – Sustainable urban extensions

## **6.0 Financial/Resource Implications**

This Reserved Matters application (if approved) is to be read in conjunction with the outline planning permission and subsequent variation of condition applications and relevant Section 106 legal agreements. The developer is willing to enter into a Section 106 Agreement to deliver the following in line with the obligations contained within the revised Section 106 Agreement for East Kettering dated 4<sup>th</sup> September 2013.

- 20% affordable housing on site
- Roof charge in respect of each unit of market housing

## **7.0 Planning Considerations**

The key issues for consideration in this application are:-

1. Principle of development
2. Access
3. Layout
4. Appearance and Scale
5. Landscaping
6. Drainage and flooding
7. Ecology
8. Sustainability
9. Noise
10. Contamination
11. Archaeology
12. Construction Management
13. Section 106

### **Principle of development**

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

The principle of development at East Kettering has been established through the grant of outline planning permission KET/2008/0274 (April 2010) and subsequent approved variation of condition application

KET/2013/0514 (October 2013). A further variation of condition application has been approved reference number (KET/2013/0695) which secures the development of East Kettering in two phases subject to a deed of variation linking the application to the revised Section 106 legal agreement. Development at East Kettering has outline consent for:

- 5,500 dwellings
  - 4 Primary Schools
  - A Secondary School
  - District Centre
  - Local Centres
  - Health Clinic
  - Employment
  - Hotel
- 
- Formal and Informal Open Space
  - Roads, drainage and other infrastructure

Where outline planning permission has been granted (as set out above) in order to proceed with development, details known as Reserved Matters need to be submitted to the local planning authority for approval. The reserved matters relevant to this application are listed below and are assessed in the subsequent sections of this report in order to determine the acceptability of this application.

- Access
- Layout
- Appearance
- Scale
- Landscaping

### **Access**

Access to the site will be from the junction of Barton Road and Warkton Lane (Access E). This was considered and approved by Members as part of Condition 75 of KET/2008/0274 and Condition 46ii of KET/2013/0514. The approved scheme at Access E is for a double signalised junction with traffic lights at Barton Road/Warkton Lane and at the new access point into the new development. The access connects to the approved 580m stretch of road (KET/2013/0780) which leads into the main development and runs to the south of parcel R19 (Taylor Wimpey site) towards the District Centre area of East Kettering. Vehicular access to the site would be via a series of three, minor, priority controlled 'T' junctions positioned along the Primary street to the south of the application site. Whilst this is less than shown on the Regulatory Plan contained within the approved Design Code, this has been negotiated and agreed with Northamptonshire highways as an adequate means of accessing the development site.

Under condition 44ii of the outline permission for East Kettering, Access E has to be completed before any dwellings can be occupied on site.



Currently, it is anticipated that this access will be provided during the Summer of 2015.

### **Layout**

The approved Design Code for East Kettering has helped to inform a number of design principles within the development site. The code sets out five character areas for the East Kettering site. Parcel R19 (to which this application relates) lies within the Barton Character Area. This area is to provide primary and secondary streets which establish a regular geometry that is synonymous with the garden suburb style.

Other key design principles which apply for this character area include:

- Richly planted public realm areas
- Street trees
- Predominantly detached and semi detached houses
- Consistent elevation and roof design

The applicant and officers of the local planning authority have worked together to amend proposals in order to achieve a good quality design which accords with the key design principles of the Design Code whilst taking account of the various points raised through the consultation process.

Notwithstanding the above considerations, the development also had to be designed around the constraints within the site. Principally, the layout of the site had to take account of the sewer easement located along the northern and western boundary of the site and ensure that an adequate means of access for maintenance purposes could be achieved.

The layout of the site comprises a continuous built frontage around the perimeter of each block with a clear distinction between the public realm and private space. Most properties within the site will have their front doors and some living room windows overlooking the public realm in order to enhance active surveillance within the development and beyond.

The layout of the site (Parcel R19) is defined along its southern boundary by a tree lined avenue which sits outside of the red line of the development and links to Access E. Three streets run off this main avenue to provide the key access points into this development parcel. This provides a clear hierarchy of roads which entices drivers along the main streets but also provides access to the quieter, private, mews areas and lower order streets.

The main avenue will comprise large, detached properties to the north which front onto the avenue but are set well back from it by a private drive and front gardens. These properties provide a consistent building

line for the main avenue with regular spacing of both buildings and street trees. On the other side of the main avenue, to the south (outside of the Parcel R19 red line) is an area of open space known as 'Linear Park' which includes a locally equipped area of play (LEAP). This area is to be delivered as part of the approved application KET/2013/0780 for the proposed new road into East Kettering from Access E. Its delivery is key to creating a positive visual impact for this development parcel and providing good quality open space and enhanced outlook for future occupiers of the Taylor Wimpey development site (R19) and existing neighbouring properties along Barton Road and Warkton Lane.

Generally, proposed houses at the junctions of streets within the development parcel are situated at right angles to create a sense of enclosure and provide passive surveillance. The mews areas of this development have been designed to provide for both frontage parking and on street visitor parking. The provision of front gardens to a large number of properties and the inclusion of street trees ensures that the street scene is not overly dominated by car parking however.

Elsewhere on the site, the layout incorporates a mix of parking solutions. Importantly, larger, family dwellings all include on plot parking with detached garages and adequate numbers of off road car parking spaces. The vast majority of spaces either sit in front of or alongside the dwellings to which they belong and rear courtyard parking has been avoided in favour of on street/parking bay provision. A condition to provide for minimum internal garage measurements is recommended if Members are minded to grant consent for this proposal to ensure that the opportunity exists for future occupiers to satisfactorily park their car inside the garage. The following internal measurements for garages will be sought:

Single garage internal measurement – 3.3m x 6m

Double garage measurement – 5.8m x 6m

In terms of actual car park provision, the development has provided the following:

- 1 to 2 bedroom properties (approx 1 space per dwelling)
- 3+ bedroom properties (approx 2 spaces per dwelling)
- Any detached dwelling (approx 2 spaces per dwelling)

This is considered to be an acceptable amount of provision.

A footpath link is shown in the northern corner of the application site which will help to link the proposed development with existing housing which borders the site e.g. Poplars Farm Road and the Ridgway. It will provide walking links and opportunities for both future and existing local residents and provide pedestrian access to the future East Kettering District Centre which will accommodate a variety of services and facilities. The footpath connection will also promote sustainable transport links (less reliance on the car) and help with the requirements of the Travel Plan. A condition is recommended to be attached (if Members are minded to grant consent) to ensure this link is delivered.

Northamptonshire highways have been consulted throughout the life of this application and the latest amended plans accord with the access requirements in terms of street widths, connectivity and parking provision. They are in support of the proposed scheme.

In accordance with the main principles of the Design Code the development also ensures that:

- All 3 or more bedroom houses have a minimum rear garden depth of 10.5 metres
- All residential properties with windows to habitable rooms facing onto neighbouring properties have a minimum 'back to back' distance of 21 metres or a minimum 'rear to side' distance of 12 metres in order to provide for adequate means of privacy.

In amenity terms therefore, the layout of the development has been carefully designed to maximise privacy and minimise potential overlooking issues. With respect to existing properties which back onto the development site, it is considered that amenity for these properties will not be adversely affected. Properties along Warkton Lane and Poplars Farm road which back onto the site benefit from significantly large rear gardens. Due to this, in addition to the sewer easement and access provision for maintenance, alongside existing boundary vegetation, the separation distance between existing and proposed properties is large and as such amenity considerations easily accord with Policy 13 of the Core Spatial Strategy.

The development layout also provides 20% affordable housing provision on site. 34 dwellings are allocated for affordable housing purposes and the housing mix comprises 1, 2, and 3 bed houses and correlates to the latest housing demand figures from the Strategic Housing Market Availability Assessment (SHMA). The 34 affordable dwellings comprise:

4x 1 bed maisonettes

14x 2 bed dwellings

16x 3 bed dwellings

These properties are distributed across the development site. A small number are centrally located and the remaining properties are sited to the eastern side of the development in close proximity to one of the future District Centre development parcels which will provide local amenities and provisions for the future community of East Kettering. The tenure split for the affordable housing on this site will be 70% rented provision and 30% shared ownership. This is the affordable housing mix being requested by the housing officer and reflects the present needs of the local area.

### **Appearance and Scale**

The scale and density of the development accords with the provisions of the parameter plans approved as part of the original outline planning permission for East Kettering (KET/2008/0274). Higher densities are situated more centrally within the development site with lower to

medium densities towards the edges and where the development borders existing housing development and open space.

The development comprises 16 Taylor Wimpey house types incorporating a mix of detached and semi detached properties, single and double garages and a handful of maisonettes. The scheme contains a variety of roof ridge heights but the majority are two storey which reflect the existing built form of the surrounding area. The overall housing mix (for both market and affordable dwellings combined) is set out in the table below:

<b>Number of Bedrooms</b>	<b>Number of Units</b>	<b>%</b>
1 bed dwellings	4	2.4
2 bed dwellings	27	16.2
3 bed dwellings	76	45.5
4 bed dwellings	56	33.5
5 bed dwellings	4	2.4
	<b>Total: 167</b>	

A mix of materials will be used in accordance with the types and colours permitted by the approved Design Code and Barton Character Area. This includes red brick, ironstone, buff brick, grey or buff mortar and dark roof materials.

The properties comprise header and cill details to the windows forming the principal elevation. Some properties include dormer windows to the front and/or rear of the dwellings, there are bay window features to the ground floor of some house types and additional windows are also included on those house types where properties front onto more than one road in order to help improve natural surveillance and avoid long stretches of blank elevations to street entrances. House types within the development site include porch canopies above the front door of the dwelling to add to the aesthetic quality of the property but also as a practical measure in order to help protect future occupiers from adverse weather.

### **Landscaping**

The landscaping plans as submitted broadly accord with the landscaping and planting recommendations as set out in the approved Design Code for East Kettering. There is an array of landscaping provision proposed including street trees; border hedging and shrubs which will help improve the quality of the overall development by providing colour, height, definition, variety and interest to the proposed street scenes throughout the development site. The landscaping includes shrub/planting varieties from the RHS 'Perfect for Pollinators' list in order to help attract bees e.g. Berbers Thunbergi, Pyracantha and Hebe species. It is envisaged that this landscaping will also complement the landscaping works for Access E and Linear Park which

lies to the south of the application site (outside the red line for this development parcel). Towards the edges of the development existing hedges will be enhanced and where necessary additional buffer planting added to further improve the landscape setting of the site. A number of existing trees along the boundaries of the development will also be protected and retained in accordance with the recommendations of the Arboricultural Assessment.

### **Drainage and Flooding**

A site specific topographic survey has been undertaken for the development parcel. There is a small watercourse located at the east boundary which flows away from the site in an easterly direction. From a review of the Environment Agency's flood maps, parcel R19 lies entirely within Flood Zone 1 (land at least risk of flooding). Since the submission of further information, the Environment Agency is content with the proposal in terms of flood risk and states that the details now accord with the requirements of the Stage 2 Flood Risk Assessment.

A strategic drainage strategy (both on and off site) has been developed for the whole of the East Kettering development and was approved under AOC/0274/0802. A strategy has also been approved for surface water runoff (KET/2013/0781) which includes a series of attenuation ponds, of different sizes and capacities, across the site and a surface water sewer network. The main attenuation pond in the central parkland adjacent to the District Centre will serve this development and a number of other development parcels. The approach taken to deal with surface water will address the existing situation and take surface water away from the site. The topography on the site is such that the land slopes in a south easterly direction. As such, the surface water will drain towards the road which lies to the south of the application site and then it will be directed to the attenuation pond to the east of the development (away from the site).

Both Anglian Water and the Environment Agency were notified of this application and Anglian Water raised no objections to the proposal in drainage terms. They are content that the information provided accords with the overall strategic drainage strategy and Stage 2 Flood Risk Assessment. Anglian Water note that the proposed development will have a dedicated foul water sewer that will not connect to the local network but instead have a permanent connection to a new pumping station and foul rising main. The detailed design is currently being worked on by the developers in conjunction with Anglian Water.

With respect to the existing sewer easement which runs along the northern boundary of the site, the developer has made provision for the access and maintenance of this as set out in the amended layout plan. The plan provides a minimum 6 metre strip at its narrowest part for the sewer easement which increases to 12 metres along part of the northern boundary. Anglian Water is responsible for the maintenance of this sewer and they are also aware of the local objections raised in

relation to this matter. Anglian Water has confirmed (in a response received on 9<sup>th</sup> October 2014 and a letter received on 20<sup>th</sup> February 2015) (set out in the Appendix) that the width of the access strip shown as part of the layout plan provides the necessary room needed for access and maintenance purposes. They are satisfied that they can maintain this sewer in accordance with the plans submitted by the developers and have no concerns with regard to access, maintenance or flooding matters. (Please refer to the Appendix for Anglian Water responses).

### **Ecology**

The outline planning permission KET/2008/0274 and the subsequent variation of condition permissions KET/2013/0514 and KET/2013/0695 require the East Kettering development to be carried out in accordance with a number of ecological recommendations. This reserved matters application will have to accord with these recommendations (in line with condition requirements).

Both Natural England and Northants Wildlife Trust have been consulted on this application. A survey for European Protected Species has been undertaken as part of the ecological investigations on site. Natural England raises no objection to the proposal and confirms that the site would be unlikely to affect European Protected Species. Natural England also confirms that the trees within the site would be unlikely to provide significant bat roosting opportunities. It is therefore concluded that the development will not have adverse ecological impacts but a condition is recommended in order to enhance foraging and roosting opportunities for birds and bats in line with the recommendations of the submitted Ecological Appraisal dated May 2014.

### **Sustainability**

The Reserved Matters to which this application relates is submitted alongside a separate Variation of Condition application reference KET/2014/0604. This seeks to amend sustainability conditions specifically relating to the Code for Sustainable Homes Levels and Lifetime Homes Standards.

At the time of writing this report, Taylor Wimpey are preparing a Financial Viability Assessment for submission to the Council which sets out the justification for not being able to achieve the requirements set out in Conditions 18 and 19 of KET/2013/0514 and KET/2013/0695. Currently, the requirements are such that 100% of the dwellings completed on site during the period January 2013 to December 2015 are to be built to Code Level 4 and 100% of dwellings are to be built to the Lifetime Homes Standard. The reasoning and justification for altering these conditions will be set out to Members in a separate report to Committee in due course.

The Variation of Condition application KET/2014/0604 remains to be determined at this time and as such the determination of this reserved matters application can still proceed as the sustainability requirements of the original condition still apply until such a time as the Variation of Condition application is considered by Members.

### **Noise**

A Noise Impact Assessment has been submitted as part of the Reserved Matters application. The Council requires the achievement of the 'Good' standard from BS8233:1999 for noise in habitable rooms (less than 35 decibels) and less than 55 decibels in external amenity areas such as rear gardens. The current edition of the British Standard is now BS8233:2014. Environmental Health has raised concerns with respect to the background noise levels for certain properties within the proposed site. Below, outlines the main issues.

The noise impact assessment for this application confirms the following:

- Noise levels in all rear gardens within the site are predicted to be below 50 decibels (in accordance with BS8233:2014)
- Satisfactory internal noise levels will be achieved at all locations with the use of standard glazing and trickle ventilation (in accordance with BS8233:2014)
- Night time noise levels with windows open for all properties measure 29.4 decibels which accords with the requirements of BS8233:2014.

Of the 167 dwellings proposed on site, concerns have been raised with respect to approximately 20 properties which front onto the Primary Street of the proposed development (the road leading into the site from Access E). These dwellings are sited around 15 metres from the main street onto which they will face and separated from it by street trees, a footway/cycleway, a private drive for access to the dwellings and the front gardens of the dwellings themselves. Whilst noise levels with windows open for these dwellings will not meet the required noise levels in line with BS8233:2014, it is considered that a balance needs to be struck between providing acceptable standards (with the use of trickle vents) against other material considerations such as the delivery of housing, the layout and the requirements of the approved Design Code for East Kettering.

Therefore whilst part of the site will have background/external noise levels that exceed the BS requirements, these levels are not considered to be so significant to warrant the need for noise mitigation measures in the form of mechanical ventilation. The noise impact assessment reveals that with a window open and standing inside the proposed property fronting onto the road, the noise level will be approximately 46 decibels during the day. At night, this level is measured at around 29 decibels which is well within the BS requirements. With the window closed and trickle vents open the noise level will be below 35 decibels

(both during the day and at night).

Overall, with trickle vents in place, internal noise levels will meet the necessary standards and future occupiers can choose whether or not to open their windows in addition to the use of passive ventilation methods e.g. trickle vents. Mechanical ventilation in my opinion should only be used where noise levels are unacceptable. In order to help establish the type of noise impact this assessment refers to, the table below provides a breakdown of noise levels as a useful comparison.

<b><u>Noise source</u></b>	<b><u>Decibel Level</u></b>
Aircraft take off	180
Fireworks	140
Snow mobile	120
Chainsaw, amplified music	110
Lawn Mower, Noisy Office	90
Vacuum Cleaner, City traffic	80
Normal Conversation	60
Refrigerator humming	40
Whisper	20

Although in some sensitive areas on the development site noise levels will reach around 61 decibels this is an external calculation i.e. standing outside the front of sensitive dwellings fronting onto the road. This is not the level that will be experienced within the property (even with windows open) as set out above. In addition to this point, developments have been approved within the local area where noise levels have been recorded at higher decibel levels than those measured at this site without the need for mechanical ventilation.

Taking the above considerations into account therefore, it is surmised that for the development site to accord with the layout provisions and requirements of the approved Design Code for East Kettering, some of the dwellings will need to front onto the main primary route in order to provide a continuous built frontage. This is a key requirement and seen as critical to the successful master planning of East Kettering. As such, the layout cannot be refigured to avoid habitable rooms facing onto the main road. In any event, the decibel level (with a window open) is not considered to be so detrimental that it would adversely impact upon the amenity of potential future occupiers of the development or the requirements of Policy 13 of the North Northamptonshire Core Spatial Strategy. Therefore, the noise assessment conclusions are recommended from a planning perspective to be a suitable measure in amenity terms for those properties fronting onto the primary route and as such are included as an instructional condition if the application is approved.

### **Contamination**

A contaminated land investigation is secured by condition as part of the



outline planning permission and subsequent variation of condition approvals. This condition requires specific matters to be submitted and approved by the local planning authority before development can commence on site. A site assessment has been submitted with this application which reports that the site has not had previous industrial use and that the soils are acceptable for residential use. Environmental Health raises no objections to the findings of the report but still require a validation report at the Approval of Conditions stage. As such, contamination matters are considered to be acceptable and accord with the requirements of the Development Plan.

### **Archaeology**

Archaeology was a material planning consideration assessed at the outline stage of the application process. The outline permission included a condition in respect of archaeological works for the overall East Kettering site and this programme of works was considered and approved by Members in September 2012. Since that time, further work has been carried out on various parcels contained within the East Kettering development. For this particular development parcel however, the County Archaeologist has confirmed that this parcel is not within an area of archaeological sensitivity. In accordance with these comments and the previous work carried out, it is considered that this application is acceptable with respect to archaeological matters and therefore accords with Policy 12 of the NPPF and Policy 13 of the Core Spatial Strategy.

### **Construction Management**

A construction Management plan has been submitted as part of the application in accordance with the requirements of the outline permission. This has been reviewed by Environmental Health who are content with the details of the document but have requested some further measures to deal with potential dust exposure and also working hours.

Herras Fencing which is proposed to surround the construction site is to comprise additional mesh sheeting to help limit dust exposure for the neighbours which border the development site in line with the recommendations from Environmental Health. In terms of the hours of construction, Environmental Health requested that the working hours are reduced on Saturdays from 0830 – 1330. Although the Council has raised the issue of modifying the hours with the developer, it is known that the hours proposed by Taylor Wimpey are exactly the same as the working hours for the recently approved development parcels for East Kettering (R7, R9 and R10). The local planning authority considers that construction working hours should be consistent for all development parcels (where possible). The proposed working hours are as follows:

Mon-Fri 0700-1800

Saturdays 0800-1600

No works permitted on Sundays or bank holidays.

All deliveries to the site would be made via the new access route off Barton Road and use major roads in order to minimise disturbance to

local residents. As such, the Construction Management Plan is considered to be acceptable in this regard.

If Members are minded to grant consent for this application, the Construction Management Plan states that Construction works would be expected to commence on site mid 2015 with a predicted completion date of 2019 based on an annual completion rate of 40 dwellings per annum. The site is not proposed to be built out in phases but instead would have a build direction and an order to the construction of particular dwellings. The sales area would be located at the entrance to the development site (for show homes) and the site compound located within the centre of the site so as to reduce disturbance to neighbours bordering the development.

### **Section 106**

The existing revised and the original S106 entered into by Alledge Brook does not bind the current Taylor Wimpey and Persimmon application sites. Although unusual, it is therefore required that this Reserved Matters application enters into a very similar Section 106 legal agreement to the revised legal agreement entered into by Alledge Brook (approved by Members in March 2013). This 106 provides roof charge contributions that helps pay its share to deliver the key infrastructure for the overall site.

These sites relate to Alledge Brook as they are obliged to work with each other to deliver the development in accordance with the master plan and approved Design Code.

A Section 106 legal agreement will be signed (if Members are minded to approve this application) which will secure the same roof charge per dwelling as the wider agreement for the East Kettering development.

The legal agreement provides the following:

- Roof charge of £15,250 for each unit of market housing
- 20% affordable housing provision on site
- Travel Plan
- Apprenticeship Skills Strategy (employment of local apprentices)
- A Community Trust

(Along with similar requirements as set out within the Alledge Brook and Hallam Land legal agreements). These financial contributions will go towards off site highway improvements, delivering key infrastructure for the site, a health facility, a community building, leisure and open space provision and education facilities such as the Primary School currently under construction.

This legal agreement is in its final stages and will be completed within a relatively short timeframe to enable the development to take place on the ground towards the end of the summer.

### **Conclusion**

The development proposed will deliver a wide choice of both affordable and market homes for the local area. The character and design of the development accords with the principles contained within the approved Design Code for East Kettering. The layout and permeability of the development site provides for vehicles and pedestrians and links existing development with new. Amenity considerations have been taken into account and accord with Development Plan policy and the requirements of the approved Design Code with respect to living standards. High quality landscaping is proposed and ecological enhancements recommended as part of the development. Many other matters have been considered and assessed as part of this application including noise and drainage. These matters have been addressed to the satisfaction of the local planning authority as set out in the main content of the report. The Reserved Matters application is therefore considered to be in accordance with Development Plan Policy and the National Planning Policy Framework (NPPF). It is recommended to Members for approval subject to a number of conditions and the completion of a Section 106 legal agreement.

**Background  
Papers**

Title of Document:

Date:

Contact Officer:

Louise Jelley, Senior Development Officer on 01536  
534316

**Previous Reports/Minutes**

Ref:

Date: