

## BOROUGH OF KETTERING

<b>Committee</b>	<b>Full Planning Committee - 16/04/2015</b>	<b>Item No: 5.1</b>
<b>Report Originator</b>	<b>Nicola Thompson</b>	<b>Application No: KET/2013/0232</b>
<b>Wards Affected</b>	<b>Queen Eleanor and Buccleuch</b>	
<b>Location</b>	<b>East Kettering Development - Parcels R23 &amp; R26, Cranford Road, Barton Seagrave</b>	
<b>Proposal</b>	<b>Approval of Reserved Matters: All details in respect of KET/2013/0695 for 332 dwellings and related development</b>	
<b>Applicant</b>	<b>Mr R White Persimmon Homes,</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. Nothing herein contained shall be deemed to affect or vary the conditions imposed on outline permission reference KET/2013/0695 dated 13th October 2014 which shall continue in full force and effect, save insofar as they are expressly varied by any conditions imposed hereby.

REASON: For the avoidance of doubt.

2. The development hereby permitted be carried out in accordance with the revised layout plan reference number P.0787\_15P received 08th April 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.

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

- (i) Proposed Drainage Strategy ref. 16963/1006 received 30th March 2015
- (ii) House Types ref. P.0787 received 17th March 2015
- (iii) Barton Square and Focal Space Landscape Details ref. P.0787\_018-B received 17th March 2015
- (iv) Landscape Masterplan ref. P.0787\_10C received 20th March 2015
- (v) Strategic On-Plot Soft Landscape Proposals ref. P.0787\_23 received 30th March 2015
- (vi) Landscape Management and Maintenance Plan ref. P.0787\_19-B received 30th March 2015
- (vii) Site Location Plan ref. P.0787\_4A received 28th March 2013
- (viii) Finished Floor Levels ref. P.0787\_26 received 17th March 2015
- (ix) Enclosure Details ref. P.0787\_7A received 17th March 2015
- (x) Sub-station Elevation ref. P.0787\_25 received 17th March 2015
- (xi) Bin Stores ref. P.0787\_27 received 17th March 2015
- (xii) Topographical Survey ref. 18062 Sheet 1 received 28th March 2013
- (xiii) Topographical Survey ref. 18062 Sheet 2 received 28th March 2013

REASON: To secure an appropriate form of development, high quality design and in the interests of visual amenity in accordance with Policy 13 of the North Northamptonshire Spatial Strategy.

4. Prior to the commencement of development, the programme of development for Parcels R23 and R26, setting out the anticipated timing for development within these Parcels shall be submitted to and approved in writing by the local planning authority. Any change in the programme shall be submitted to the local planning authority within ten days of such change.

REASON: To ensure that the infrastructure can be delivered in a planned and co-ordinated manner to meet the needs of the development.

5. Prior to the commencement of development a Strategic Highways plan and programme of access works for Parcels R23 and R26 shall be submitted to and approved in writing by the local planning authority.

REASON: To ensure that a satisfactory standard of connection through the site and to the surrounding highway networks is provided at an appropriate time.

6. Notwithstanding the submitted draft Construction Management Plan, no development shall take place on site until the developer has prepared and agreed in writing with the local planning authority a final Construction Management Plan which sets out site procedures to be adopted during the course of construction, including how the developer will control dust and other emissions, construction traffic, site compound, marketing and sales units, noise and vibration from the development so as to cause minimum disturbance to residents in the surrounding area. The development shall be carried out in accordance with the agreed final CMP.

REASON: To protect the amenity of the surrounding residential areas.

7. No building or other site works shall be carried out before 7am or after 6pm Mondays to Fridays, nor before 8:30am or after 2pm on Saturdays, or at any time on Sundays or Bank Holidays.

REASON: To limit the detrimental effect on adjoining occupiers by reason of noise and disturbance.

8. The scheme for parking and manoeuvring indicated on the submitted plans shall be laid out prior to the initial occupation of the relevant plots hereby permitted and that area shall not thereafter be used for any other purpose.

REASON: To enable vehicles to draw off, park, load/unload and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway.

9. Prior to construction of dwellings full details of the proposed cycle stores and sheds shall be submitted to and approved by the local planning authority. The development shall be carried out in accordance with the approved details.

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

10. 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.

11. The development shall be carried out in accordance with the highway crossing and bus stop location detail as shown on plan referenced P.0787\_15P received 08th April 2015.

REASON: In the interests of highways safety.

12. The development shall be carried out in accordance with the hard surfacing detail as shown on plan referenced P.0787\_15P received 08th April 2015.

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

13. 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 wellbeing in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

14. The development shall be carried out in accordance with the boundary treatment detail as shown on plan referenced P.0787\_15P received 08th April 2015.

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

15. 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 enlargement, improvement or alteration permitted by Class A or B of Part 1, Schedule 2 of the Order shall be made on the following plots within the application site as shown on the revised layout plan reference number P.0787\_15P received 08th April 2015:

Plot 42

Plot 44 - 62 (inclusive)

Plot 212

Plot 216 - 222 (inclusive)

Plot 229

REASON: To protect the privacy of the existing occupiers of Barton Road, Swallow Close and Cranford Road in the interests of residential amenity in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

16. The development shall be carried out in accordance with the roof cross section drawing referenced P.0797\_30 received on 08th April 2015.

REASON: To protect the amenity of the neighbouring residential properties along Barton Road.

17. Prior to the commencement of development samples of the types and colours of all external facing and roofing materials to be used shall be submitted 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.

18. The development shall be carried out in accordance with the building materials plan referenced P.0787\_11B received on 07th April 2015.

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

19. The level of noise emitted from the substation shall not exceed 20dBA at any time.

REASON: In the interests of general amenity.

20. Prior to the 100th occupation the area of open space known as 'Barton Square' shall be completed.

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

21. No development shall take place until details of measures to protect the existing trees and hedges on the site during construction have been submitted to and approved in writing by the local planning authority. The approved details shall be implemented prior to any construction work and shall remain in place until the building works are completed.

REASON: To ensure that the existing vegetation is not harmed during construction.

22. Prior to the commencement of works a qualified arborist shall carry out an assessment of the condition of the trees within the Eastern boundary landscaping strip. This assessment will be submitted to the local planning authority for approval in writing prior to the construction of the footpath.

REASON: To ensure that the existing vegetation is not harmed during construction.

23. Within 3 months of the commencement of development hereby approved a landscaping scheme shall be submitted to and approved in writing by the local planning authority which sets out the location, type and provision of Spring Bulbs to be planted within public amenity soft landscape areas. The approved details shall also include a timetable for when this planting will be implemented and completed. The development shall be carried out in accordance with the approved details. Any bulbs within a period of 5 years from the date of planting, die, are removed or become seriously diseased shall be replaced in the next planting season with others of a similar size or species.

REASON: In the interests of visual amenity and to provide a high quality design in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

24. Notwithstanding the sustainability report submitted, prior to the commencement of development, a further statement shall be submitted addressing how the development will comply with the principles set out in, 'The Low or Zero Carbon Feasibility Study 2012 Project Ref:25134/Doc Ref:R8/rev 8 dated October approved on 22nd October 2012 under application reference AOC/0694/0703'.

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

25. The development must be carried out in accordance with the Geo-Environmental Site Investigation Reports referenced BRD1951-OR1-A and BRD1951-OR2-A both dated December 2013 received by the local planning authority on 17th March 2015. Following completion of the measures identified in the approved documents, 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 onsite 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.

26. Within 6 months of the date of this decision notice a management and maintenance strategy for the eastern boundary open ditch shall be submitted in writing to the local planning authority for approval. The management and maintenance of this open ditch shall be carried out in accordance with the approved details.

REASON: In the interests of flooding and sustainable drainage systems in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

## **Officers Report for KET/2013/0232**

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

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

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

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 inspections were carried out on various dates between 2013 and 2015.

This reserved matters application site relates to Parcels R23 and R26 of the East Kettering Sustainable Urban Extension site, as shown on the approved strategic master plan for the development.

The land to which this application relates is situated to the east of Kettering approximately 2.5 miles from the Town Centre. It forms part of the south western boundary of the East Kettering development and part is adjacent to existing housing. The site slopes downwards from west to east and the two parcels together are rectangular in shape. They comprise 11.43 hectares of arable land (9.42ha of developable land). A public footpath runs along the eastern edge of the site and to the north is Cranford Road. The site borders the rear gardens of existing large properties along Cranford Road and to the east, Barton Road. Beyond Cranford Road (to the north) and to the south of the application site is currently open countryside, however this land forms further residential parcels of the East Kettering

Sustainable Urban Extension, specifically future residential parcels R21, R22, R24 and R25.

The site is to be accessed from the Barton Road / A14 Junction 10 junction (known as Access F). Junction 10 is approx. 380m to the south of the site. The proposed scheme for this access point is contained within the approval of condition application AOC/0274/0805. There would also be limited access off Cranford Road in compliance with the Design Code.

### **Proposed Development**

The application seeks reserved matters consent for Parcels R23 and R26 (within the East Kettering development site) comprising appearance, landscaping, layout and scale for the following:

#### Summary

- 332 dwellings, 20% of which would be affordable (46 affordable rented and 20 shared ownership) units comprising:
  - 36 houses (mix of 2, 3 and 4 bedroom)
  - 20 flats (1 bedroom)
  - 10 maisonettes (1 bedroom)
- Associated open spaces (Barton Square) and landscaping
- Highway improvements and means of access

The site is to be mainly served via Access F and a new access provision leading from this new junction. A condition attached to the outline permission for East Kettering (Condition 44iii of KET/2013/0695) restricts the occupation of the houses for these parcels of development until Access F is complete.

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 drainage for this development will be dealt with.

Amended Plans and further information for this proposal was submitted on 17<sup>th</sup> March 2015. The amended package included, an increase in residential units from 308 to 332, a suite of additional information (including street scenes, building material drawing, landscape master plan, focal space detail, drainage strategy,

sustainability statement, substation details, bin store details, contamination studies, archaeological reports), updated layout, removal of swale and attenuation area (as drainage will now connect up to the wider EK strategic network), create more distinctive entrances and focal areas, reduction in open space as attenuation area omitted but provided more trees and landscaping to streets, bespoke house design around Barton Square, re-design of house types.

A 14 day re-consultation period was carried out and statutory bodies and local residents were all re-notified of the amendments and additional information. Site notices were erected adjacent the application site. All responses received are set out in the consultation section below.

### **Any Constraints Affecting The Site** 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**

Given the time period the application has been with the LPA and the periods of consultation and re-consultation that have taken place, the responses summarised and reported below represent the most up-to-date view received from the particular consultee or third party.

### **Environmental Health**

On the initial proposal Environmental Health commented that they require a contaminated land survey, noise impact assessment and construction management plan.

Following the submission of the revisions and additional information including a contaminated land survey and construction management plan, Environmental Health has been re-consulted. Given the tight time constraints, at the time of writing this report further Environmental Health comments have not been received, however comments will be set out in an update to Members.

### **Northamptonshire Police**

Requested some minor amendments to the revised scheme including the relocation of rear access gates to avoid creating alleyways between properties, need further detail regarding cycle store design (can be conditioned) and requested a condition regarding secure by design standards.

The amendments have been submitted by the developer and address the points raised by Northamptonshire Police.

### **Anglian Water**

There are Anglian Water assets within or close to the site and therefore Anglian Water request that an informative is added to any permission. They comment that foul drainage to Broadholme STW at present has capacity. With regard to the

original submission Anglian Water commented that the drainage strategy needed to be agreed and therefore requested a condition.

Following the submission of the revisions and additional information including a revised drainage strategy to show the development connecting up to the wider East Kettering approved drainage strategy, Anglian Water have been re-consulted. Comments were received on 07<sup>th</sup> April 2015 and they requested a further amendment regarding easements to be indicated on the layout plan and clarification that the strategic water drainage system will be used to accommodate surface water run off. They comment that the foul drainage detail is acceptable. The requested amendment was submitted and we are waiting a response from Anglian Water to confirm if this is acceptable. Members will be updated.

### **Environment Agency**

Object to the original proposal to connect to the public foul sewer in Cranford Road as there is no capacity in the existing network. The EA comments that there are capacity constraints in the trunk sewer and Broadholme STWs. To ensure this does not pose a risk to water quality environmental limits a phasing of development condition is recommended with regard to offsite strategic infrastructure works. The foul drainage objection could be withdrawn if the applicant provides further information as requested by the EA.

The revised plans and drainage strategy show the attenuation pond and swales omitted from the proposal as the parcels will now connect up to the approved wider East Kettering drainage system. Bearing in mind other similar sites on the East Kettering development, it is expected that no objections are likely to be received, especially given that the principle of the strategic approach has been agreed. The EA have been re-consulted, however given the tight time constraints at the time of writing this report further EA comments have not been received, but comments will be set out in an update to Members.

### **Northamptonshire Archaeology**

Following the submission of the revisions and additional information including an archaeological evaluation report, Northamptonshire Archaeology has been re-consulted. They comment that the outstanding archaeological fieldwork was

undertaken by OAE in February 2014 and this identified that archaeological activity was very limited and as such no further archaeological mitigation will be required.

### **Northamptonshire Highways**

Requested some minor highway amendments including the relocation of a bus stop, ensure that buildings are set away from highway boundaries by 1m and for the types of crossings to be indicated on the layout (one toucan and one zebra crossing).

The further amendments have been requested and submitted, Northamptonshire Highways re-consulted and an update will be provided to Members.

### **Housing**

The Housing Officer has been consulted throughout the life of this application and provided comments on the drafts leading up to this revised submission. The affordable housing proposed is in line with previously approved reserved matters parcels for the East Kettering development to ensure a consistent approach.

Following the submission of the revisions and additional information Housing has been re-consulted. Given the tight time constraints, at the time of writing this report Housing comments have not been received, however comments will be set out in an update to Members.

### **Joint Planning Unit**

Comments include a request for a soft landscape boundary specification to agree front boundary treatment species, suggests a condition is imposed regarding tree protection and tree replacement. A request that the pavements in secondary streets should be either buff asphalt or include proper kerbing and that the Garden Street design to be amended.

### **Highways Agency**

No comments to make regarding this proposal.

### **Natural England**

No objection to the proposed development. Comment that there is not likely to be an adverse effect on this site however there are opportunities to incorporate features into the design which are beneficial to wildlife.

### **The Wildlife Trust**

No objections.

### **North Northants Badger Group**

No comments to make.

### **Barton Seagrave Parish Council**

No objections.

### **Warkton Parish Council**

Observations:

- Need a construction management plan
- The increased traffic will impact surrounding villages including Warkton and Cranford

### **Cranford Parish Council**

Object on the following grounds:

- Detrimental impact on highways and traffic
- Drainage facilities need careful consideration
- Concern regarding the control over construction traffic entering the site
- House types need re-designing, 'too bland'

### **Cllr Hollobone (MP) Ise Lodge Ward**

Object on the following grounds:

- Detrimental impact on highways and traffic
- Offsite highway improvement needs to occur early
- The naming of new roads needs careful consideration

## **Poplars Farm Action Group**

Object on the following grounds:

- Detrimental impact on traffic movement in and around the area
- Detrimental impact on existing infrastructure (sewage system, electricity, health services, school provision)
- Improvements need to be made to the local highway network prior to houses built on site
- Construction traffic must not access the site via Poplars Farm Road
- Detrimental impact on highway safety as a result of the development
- Street names for this development need careful consideration
- Height of dwellings to be limited to two storey for those adjacent existing residential properties
- Would like a green landscaped boundary between existing and proposed development
- Street lighting should be low level

## **Neighbours and Third Party Objections**

16 letters of objection received when consulted on the originally submitted proposal which raise the following material planning concerns/objections:

- Increase in traffic and congestion along Cranford Road and Barton Road as a result of the development
- Overlooking, loss of light and privacy into neighbouring property gardens along Barton Road and Cranford Road
- Scheme should be developed out infrastructure first
- Offsite highways works need to commence first
- Existing trees must be protected
- How will the site be drained (foul and surface water)?
- The development would result in a loss of agricultural land
- The development will affect the ecology of the area
- School and health provision for the development and impact on services
- Detrimental impact on highway safety in and around the area
- Who is going to maintain the landscaped areas
- Boundary treatment detail needs to be provided
- Site density too high

1 letter of comment. It raised that the development needs to be carefully managed with regard to traffic management during the build phase to not harmfully impact the existing surrounding highway network.

Third party re-consultation letters were sent out on 20 March 2015 with a 14 day consultation period. Approximately 130 letters were sent out to surrounding



neighbouring properties and three site notices erected adjacent the application site. At the time of writing this report no further third party representations have been received in response to revised plans and additional information. However any representations received between now and the committee date (16 April 2015) will be set out in an update to Members at committee.

Site advert expired on 08 April 2015.

## **5.0 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 8 – Promoting healthy communities

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

Policy 11 – Conserving and enhancing the natural environment

Policy 12 – Conserving 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

### **Other documents**

East Kettering Design Code approved on 26.03.2013 giving more detailed design guidance for the site as a whole

Planning Update 25 March 2015 (Written Statement to Parliament)

## **6.0 Financial/Resource Implications**

This reserved matters application (if approved) is to be read in conjunction with the outline planning permission, subsequent variation of condition applications and relevant Section 106 legal agreements. For the avoidance of doubt this reserved matters application is being determined under outline approval reference KET/2013/0695 as this outline approval has been implemented by virtue of the commencement of the primary school (PS4).

The developer is willing to enter into a Section 106 Agreement to deliver the following for the Persimmon Parcels R23 and R26 in East Kettering.

- 20% affordable housing on site
- Roof charge in respect of each unit of market housing
- Travel Plan
- Apprenticeship Skills Strategy (employment of local apprentices)
- A Community Trust

## **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

### **Principle of development - Suitability**

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 with a deed of variation (dated 10.10.2014) 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) to then proceed with development, details known as reserved matters need to be submitted to the local planning authority for approval. Although the outline consent covers all of the land and allows reserved matters to come forward, the S106 legal agreement that was signed at outline stage does not bind certain parcels of land (in which these two parcels include) thereby the requirement for a S106 for these parcels to be very similar to that signed at outline stage is required. A consequence is that this S106

will ensure that the necessary infrastructure that a development of this overall scale requires will be delivered from all of the parcels within the outline application.

This S106 would therefore help to address the deficiencies brought about by this reserved matters application and thus tie in with the overall strategy of infrastructure for this 5500 houses and associated development.

The existing revised and the original S106 entered into by Alledge Brook does not bind this Persimmon application site. 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. This S106 provides roof charge contributions that help pay its share to deliver the key infrastructure for the overall East Kettering 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.

The roof charge contributions would be spent on infrastructure across the whole of the East Kettering development such as the four primary schools (one is under construction), a secondary school, a multi-purpose community building, a health facility, leisure and open space, off-site highway infrastructure and affordable housing (this list is not exhaustive). Such contributions are required to mitigate both the direct and broader impacts of the development that have been considered within this report.

A Section 106 legal agreement will be completed (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, indexed to September 2013
- 20% affordable housing provision on site
- Travel Plan
- Apprenticeship Skills Strategy (employment of local apprentices)
- A Community Trust
- Secondary School
- Public Transport provision
- Police and Fire provision

(Along with similar requirements as set out within the Alledge Brook and Hallam Land legal agreements).

This legal agreement is in its final stages and is expected to be agreed by the 16 April 2015. If Members are minded to approve this reserved matters application it will endorse the agreement or require the completion of the s106. It is expected that this will take place within a short timeframe to enable further development to take place with the East Kettering site.

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

The East Kettering Design Code was approved by Members in March 2013 and has helped to inform the access requirements, design principles (including appearance, scale and layout) and landscaping proposals for this application.

It should be noted that there are outstanding pre commencement conditions on the outline approval that this reserved matters application relates too. These conditions must be addressed and complied with prior to any works starting on site.

### **Access**

Access to the site will be from the junction of Barton Road and the A14 Junction 10 (Access F) which is approx. 380m away to the south. This was considered and approved by Members as part of Condition 75 of KET/2008/0274 and Condition 45ii of KET/2013/0514, and the subsequent detail approved under reference AOC/0274/0805. The approved scheme at Access F is for a roundabout and the access connects to 547m of road from Access F into the development site (approval reference KET/2013/0792). This length of road runs north-south through the two parcels, with R23 to the west and R26 to the east; it runs to the east side of the proposed 'Barton Square' and ends at the junction with Cranford Road. A condition attached to the outline permission for East Kettering (Condition 44iii of KET/2013/0695) restricts the occupation of the houses for these parcels of

development until Access F is complete. Currently, it is anticipated that construction works for this access will commence during the Summer of 2015.

The Design Code allows for further secondary accesses off Cranford Road to serve the development. This proposal includes three further vehicular accesses into the site off Cranford Road; two secondary accesses onto streets and one access to serve 4 dwellings off a private drive. The Primary Street runs north – south across the site with the Main Street off the Primary Street east – west across the site. There would be a series of minor junctions positioned along the Primary Street and the Main Street leading onto tertiary roads, some of which are shared surfaces. The access arrangement is generally in accordance with the Regulatory Plan contained within the approved Design Code. Northamptonshire Highways raise no objection to the proposed means of accessing the development site.

With regard to the build out of the development and traffic along Cranford Road, it is recommended that a delivery programme for development including infrastructure is approved prior to the commencement of any development. This is to ensure that the infrastructure can be delivered in a planned and co-ordinated manner to meet the needs of the development and to minimise impact on the surrounding area. Ideally the development build out programme will start at the eastern side of the site and work across east – west using Access F as the main ingress / egress to the site, therefore minimising traffic onto Cranford Road. A phasing plan has been requested from the developer but at the time of writing this report one has not been received. Therefore a condition is recommended to secure a phasing plan prior to the commencement of any works on site.

### **Layout**

The applicant and officers of the local planning authority have worked together to amend proposals and achieve the high quality design required for this development. This has been achieved through a programme of design workshops. The latest layout plan and house types received respond to the design related consultee responses previously received.

The Design Code principles aim to create a high quality environment and deliver some diversity and distinction. The code sets out five character areas for the East Kettering site. This application falls within the Barton Character Area which will be

characterised by Barton Square and green streets. The following key design principles apply in this area:

- The primary and secondary streets will establish a regular geometry similar to the garden suburb style
- A richly planted public realm
- Street trees in formal and informal arrangements
- Predominantly detached and semi-detached houses
- Consistent elevation design, roof design and fenestration
- Barton Square – a focal point for the community

#### (1) Street Layout

One Primary Street travels through this reserved matters site. It runs in a north-south direction on the eastern side of the site with Parcel R23 to the west and Parcel R26 to the east. It runs adjacent to the eastern side of Barton Square and is heavily planted with one type of tree in an informal arrangement. This street will continue north and south linking to future development parcels.

The Main Street will come off the Primary Street and will run east-west across the site and then up to Cranford Road where there is a focal entrance and focal space incorporating traffic calming features. There are two Avenues that come off the Main Street also lined with trees on both sides all of one type, but planted at evenly spaced centres and at a consistent distance from the roadside kerb. Planting at regular intervals will create a unique identity and a distinct and legible environment.

There are several tertiary streets, some of which are shared surfaces in the quieter, private residential areas. Within shared surfaced streets there will be no differentiation between pavements and carriageway and pedestrians will have priority. A shared surface allows pedestrians more space and freedom and drivers will become more aware of other users and will drive more slowly. Around Barton Square, the trees will similarly be of one type although this type differs from the Main Street and Avenues roadside tree.

Along The Main Street there will be sections of block paving at key junctions which will encourage informal crossing points. On the Primary Street there are two points in which there are crossings, one pedestrian and one for both cyclists and pedestrians. Northamptonshire Highways requested that crossing points in the form of a zebra crossing and toucan crossing is included on the site layout plan and this revision has been submitted and is considered acceptable by Northamptonshire Highways. This will facilitate safer and more convenient travel on foot and cycle and

will also act as a traffic calming feature. The final detailed design of these areas will be through the Section 38 process with the Local Highways Authority however the location of the crossings can be included in this reserved matters application. The environment for pedestrians and cyclists within the site is well designed and the development offers connections to the existing pedestrian/cyclist network and opportunities for future links to later development parcels.

The surfacing materials of the streets will be of high quality and will set the design quality for the overall site. Specifications for street surfacing, including appropriate materials, is set out in the code and this application broadly accords with that specification. The proposal moves away from the code on secondary streets where the code specifies pavements to be a buff asphalt type surface. This is due to a highway adoption issue and to move development forward, a wider mix of surfaces is to be applied. This is the approach taken for other approved reserved matter parcels across the East Kettering development and this proposal ensures consistency.

The street design proposed is in accordance with the Design Code specification and will create the desired character and experience for those who travel through this site. It will also ensure movement, including public transport and cycle ways, is facilitated and a safe environment is developed. Providing that Northamptonshire Highways minor amendments are carried out, they have no concerns with the development and consider it acceptable with regard to access requirements, street widths, connectivity and parking provision.

## (2) Layout of Dwellings

The scheme meets most urban design principles and requirements in the Design Code. It helps create a place with its own identity and a definable character for the site, and the structure of the development is clear. The Primary Street and Main Street will comprise larger, detached and semi-detached properties which front onto the street but are set back from it by either private drives or front gardens. These properties provide a consistent building line for these streets with regular spacing of buildings. The proposal uses the perimeter block principle with a clear layout of public frontage and private front and back gardens as well as clear public / private spaces.

The overall layout has a good continuity of street frontage, using tree lined streets, consistent set back distances, regular spacing of buildings and locating main building entrances on the street. Private gardens are provided for houses and are



generally at a minimum depth of 10.5m. In certain circumstances towards the centre of the site, there are instances where the garden areas are slightly shorter in length but a good width, however still provide sufficient useable outdoor space. To the west of the site adjacent the rear gardens of existing properties along Barton Road, is a street of large detached dwellings with garages set back to the side. The garden depth to these properties has a minimal length of 13m. To the north of the site adjacent the existing dwellings along Cranford Road is a mix of detached and semi-detached dwellings with a minimum garden length of 12m.

The submitted boundary treatment strategy shows that there is a clear delineation between private front gardens and the public street to the front. The layout has been carefully designed to ensure that there are no leftover spaces. All public spaces are overlooked by development which will enhance active surveillance within the development and beyond. The houses at the junctions of streets within the development parcels are dual aspect to create a sense of enclosure and provide passive surveillance. Furthermore bespoke buildings have been included to help mark gateways and key corners.

### (3) Parking

The application layout also incorporates a mix of parking solutions. Larger family dwellings on site all include on-plot parking with garages and a number of on-plot allocated parking spaces. Surrounding Barton Square where continuous street frontage is key, link garages and allocated parking to the side of plots is proposed. Where there are rows of short terraces small front parking courts softened with planting are used. In general, wherever possible parking spaces sit either adjacent to or within surveillance of the property to which they belong. There are two instances where rear parking courts are proposed. There serve a maximum of six 1 bed flats and contain a maximum of 6 parking spaces. Both of these parking courts are well overlooked. Careful consideration has been given to the location of visitor/unallocated parking across the application site. They have been well designed into the layout to ensure that parking does not dominate the streets and are in locations where the spaces can be easily identified as visitor spaces.

With regard to the proposed garages, 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 bedroom properties (1 space per dwelling)
- 2+ bedroom properties (2 spaces per dwelling)

This is considered to be an acceptable amount of provision.

#### (4) Open Space and Barton Square

One key feature within Design Code which forms part of this reserved matters proposal is the creation of a formal square known as 'Barton Square'. The code shows how this space can be developed and notes that this will be a key feature within the Barton Character Area. It will be a very visible area of open space from both the Primary Street and Main Street and will act as a 'centre-piece' for the whole character area. Development around the Square has been aligned to create a strong, formal frontage with consistent building lines to provide a sense of enclosure. The majority of the Square is fronted onto by overlooking development with entrances to the front making the public realm feel safe and accessible. The Square provides a play area and a network of footpath and cycle ways. These paths will link up to the wider footpath and cycle way layout. To the east of the site is a public footpath within existing vegetation. This is to be retained and enhanced, and will provide walking links and opportunities for both future and existing local residents.

#### (5) Residential Amenity

In terms of residential amenity, the layout of the proposed development has been carefully designed to maximise privacy and minimise potential overlooking issues. The approved Design Code requires that all properties comprising 3 or more bedrooms have a minimum garden depth of 10.5m and where properties have back-to-back relationships; the separation distance is to be in excess of 21m. The properties that back onto Barton Road have a range of back-to-back distances from approx. 22m to 42m therefore in accordance with the code. Plots 217 – 221 back onto the two existing dwellings along Cranford Road and the back-to-back distance here is a minimum of approx. 34m. To the north east corner of the site there are 3 existing properties (Nos. 1 – 3 Swallow Close) and the proposed back-to-back distance here is approx. 22m although the rear elevations are offset. It is considered that there is sufficient distance between the new properties and the

existing properties to the perimeter of the site to ensure minimal loss of light or privacy occurs and that the development is not overbearing.

Landscaping strips are included as part of the layout proposals to further aid separation and protect privacy of existing and proposed occupiers. The relationship between existing and new properties has been assessed and is considered to be acceptable. To prevent any potential future impact on living conditions, it is recommended that a condition is included removing permitted development rights for the proposed dwellings which share a boundary with existing properties along Barton Road, Swallow Close or Cranford Road. As such, any single storey, first floor or two storey extensions in addition to roof alterations (specifically Plots 42, 44 – 62 (inclusive), 212, 216 – 222 (inclusive) and 229) will require planning permission.

Privacy levels and separation distances for all other proposed properties within the development site have also been assessed and considered to be acceptable and broadly in accordance with the Design Code and Policy 13 of the North Northamptonshire Core Spatial Strategy.

#### (6) Affordable Housing

66 of the 332 dwellings (20%) will be affordable housing which is in line with the requirements of the wider Section 106 (S106) agreement attached to the outline approval for East Kettering. This provision is set out in Persimmon's S106 which is very similar in its requirements to the wider revised S106. The details are set out in subsequent paragraphs within this report. It is considered that a good mix of affordable dwellings has been achieved. The 66 affordable units comprise:

30 x 1 bed dwellings (flats and maisonettes)

28 x 2 bed dwellings

7 x 3 bed dwellings

1 x 4 bed dwellings

The affordable housing units have been 'pepper potted' throughout the site to ensure a mixed and balanced community. The units are located in small groups of 7

– 15 units which are a mix of both rented and shared ownership, and the groups of units are fairly split out across the site. The position of these units is considered to be acceptable both from the point of view of integrating market and affordable units but also from a management perspective. 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 requested and reflects the present needs of the local area.

#### (7) Bin Storage

The proposed refuse stores are to be located in discreet locations away from the public realm with access provided from stores in gardens to collection points. Bin storage buildings have been designed into the scheme where needed.

### **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). Specifically the Housing Density parameter plan states 31 – 35 dwellings per hectare (dw/ha) for parcels R23 and R26, the subject of this application. The amended proposals result in 332 dwellings across the two parcels which is a density of 35dw/ha. The 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.

The development will comprise a mix of detached, semi-detached and terraced properties. The scheme contains a variety of roof ridge heights but the majority are two storey with the occasional two and a half storey properties. The two and half storey properties are located at key vista stop and entrance points as well as along the wider streets to aid wayfinding and create a sense of enclosure. There are three plots that are proposed to be two and a half storey adjacent the west boundary of the site abutting existing residential properties. To the rear of these plots (namely, plots 52, 55 and 62) the roofslope will include three small rooflights to serve a bedroom (1 roof light) and ensuite (2 roof lights). The ensuite roof lights will be obscurely glazed. Given the proposed distance between these plots and the existing properties to the west, it is not considered that the roof light to serve the bedroom will give rise to unacceptable overlooking. A roof cross section drawing has been submitted that demonstrates that the roof lights will be positioned at an appropriate level to limit any outlook into neighbouring garden areas and will only open above 1.7m from floor level within that room.

The development comprises 19 Persimmon house types including a handful of 1 bed flats (2 storey in height) and 1 bed maisonettes. 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	30	9
2 bed dwellings	49	14.8
3 bed dwellings	86	26
4 bed dwellings	140	42
5 bed dwellings	27	8.2
	Total: 332	

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

The properties comprise header and cill details to the windows and some properties include dormer windows to the front with roof lights to the rear. There are bay window features to the ground floor of some house types and additional habitable windows on dual aspect properties that are sited on corner plots to provide natural surveillance, help define spaces and add punctuation to the street scene. House types within the development site include porch canopies above the front door of the dwelling to add visual interest and high quality to the property but also as a practical measure.

The JPU commented on the street scene for the proposed 'Garden Street' located to the west of the application site adjacent the existing dwellings along Barton Road. Comments included that the Garden Street properties are sited inconsistently with no apparent rhythm and that it shows varying roof lines and elevational treatment. An example from Priors Hall was provided to show repeating front gables, roof forms and heights, and as an illustration as to how, in the JPU's view this could be achieved along this street. The view and comments of the JPU are noted, however it is argued that there is rhythm to the spacing between this row of detached

properties along this street. Each property sits within a plot of a similar size to each other with regular spacing between in the form of on plot parking spaces. The Priors Hall example provides integrated garages and therefore less space between properties. This results in a more congested street scene and more properties along the street. It is considered that along the 'Garden Street' the relationship with the adjoining existing properties is important and shortening the space between properties along this street and increasing the number of properties, would increase the impact of the development upon these neighbouring properties. The proposed 'Garden Street' provides better articulation of space appropriate for this site. With regard to elevational treatment, the ridges run consistently and the small front gable sizes are similar along the row of properties. It is therefore considered that on balance, in this instance the importance of the relationship of this street with existing neighbouring properties takes priority over the request for a reduction in spacing and rhythm between the properties.

Overall the design and appearance of the proposed dwellings are considered to create both a sense of cohesiveness whilst introducing variety within the street scene. The properties relate well to each other and respond to their position in the site for example fronting the Primary Street, Barton Square, key corners, gateway to the site and adjacent to existing properties. The design and appearance of dwellings frame key locations, further emphasis legibility and will make a significant contribution to delivering a high quality street scene and public realm.

### **Landscaping**

Landscaping and planting has been used throughout the scheme to achieve the desired character set within the Design Code. Landscaping of key areas such as the Primary Street and Barton Square is coupled with valuable on-plot planting. 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. A soft landscaping specification plan was requested and submitted and details the planting mix in accordance with the code. 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.

Spring bulbs are required to be planted in public amenity areas such as at the focal point on Cranford Road, along the Primary Street in soft landscaped areas beneath trees, surrounding Barton Square in soft landscaped areas and to the southern

boundary of the site where there are open areas of public amenity green space. This will further help to enhance the appearance of the area with respect to visual amenity and ensure that high quality remains a key priority for the East Kettering development. This has been required for previous reserved matter approvals for parcels within the East Kettering development and therefore a condition is recommended for this application to ensure consistency across the development as a whole in terms of visual amenity.

A Landscape Management Plan has been submitted with the application. The aims set out in the plan can be summarised as:

- To present an attractive and safe environment for residents and visitors
- To maintain access for the public for informal recreation purposes
- To ensure that landscaped features are fit for purpose and do not pose a health and safety hazard to the public
- To ensure that newly planted areas become established
- To keep the site clear of litter and rubbish
- To retain and enhance the existing habitats across the site and to protect and enhance biodiversity
- To carry out maintenance work according to best practice

The plan states that existing trees and hedgerows to be retained will be protected throughout the development and this can further be secured by way of condition. It also states that any plants, shrubs, hedges or trees which fail to thrive in the first five years will be replaced (this is also secured via condition 28 of the outline approval ref. KET/2013/0695). The plan notes that it will provide a detailed management regime and an improved footpath for the landscaping strip to the eastern side of the site. It is recommended that a condition is included regarding an assessment of trees to be carried out prior to the footpath construction to minimise any impact of the footpath construction on the existing trees. The plan also sets out how the play equipment will be regularly inspected and that the play and recreation areas will be maintained to comply with current legislation and regulations by the Management Company.

### **Drainage and Flooding**

A site specific topographic survey has been undertaken for the development and parcels R23 and R26 lie entirely within Flood Zone 1 (land at least risk of flooding). 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 will take surface water away from the site. The topography on the site is such that the land slopes down in an easterly direction. Once the development is underway the floor levels are proposed to still drop towards the eastern side of the site but the Primary Street will sit slightly lower to the surroundings and as such, the surface water will drain towards the road and then it will be directed to the attenuation pond to the north of the development (away from the site).

Anglian Water raised a few queries regarding the scheme and clarification has been sought from the developer. The Environment Agency has been re-consulted with the revised drainage strategy and Members will be updated with any comments received from the EA or AW. However the drainage strategy for this development is consistent with the overall approved strategic drainage strategy for the East Kettering site that other reserved matter parcels will connect into and both Anglian Water and the Environment Agency raised no concerns then. 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.

To the east of the application site is an existing boundary strip of landscaping which includes a public footpath, trees and an existing open watercourse (ditch). It is understood that this ditch is to be retained and will be maintained accordingly as it is connected to other open watercourses. An appropriate condition will be attached to any permission to ensure that the area and open ditch is managed and maintained.

### **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. They raise no objection to the proposal and confirm that the site would be unlikely to affect protected species, landscapes, great crested newts and bats. It



is therefore concluded that the development will not have adverse ecological impacts subject to the mitigation strategies approved as part of the outline, are complied with. The proposed development is considered to be in accordance with Policies 5 and 13 of the CSS and Policy 11 of the NPPF.

### **Sustainability**

When outline approval was granted, the outline planning conditions rightly imposed the highest possible standards of sustainability on this development. The current outline condition requires dwellings completed between now and 2016 to be Level 4 of the Code for Sustainable Homes and Code Level 6 beyond then. All properties should also meet Lifetime Homes standards. The current Government has indicated through its Housing Standards Review consultation and more recently the March 2015 planning update statement to Parliament, that energy efficiency and performance of dwellings and accessibility requirements should form part of the Building Regulations as opposed to Planning Policy, which should focus on the environment those buildings sit within. As a result there is a possibility that the Code for Sustainable Homes could be wound down in the near future. A key message from the current Government is that there is a balance to be struck between meeting the Government's on-going commitment to improving energy efficiency and ensuring that this does not stifle growth. It is however imperative that the local planning authority seeks to achieve the highest possible standards in each particular case.

The consultations and statements are noted and are considered carefully against other material considerations. It is understood that there is to be a transitional process to be put into place regarding extant planning permissions that include code level conditions, as does the outline approval this reserved matters application relates to. Until legislation is in place the sustainability requirements as set out in the outline approval conditions will apply to this reserved matters application.

In terms of energy efficiency the emphasis should be on a fabric first approach, insulating and ventilating correctly and the submitted statement indicates that this approach is intended to be taken for this development. With regard to low or zero carbon, condition 6(g) of outline approval KET/2013/0695 requests the proposal to be in accordance with the principles set out in 'the low or zero carbon feasibility study 2012 project.....application reference AOC/0694/0703'. This has not been addressed in the submitted sustainability statement and further information has been sought from the developer. It is however recommended that notwithstanding the submitted sustainability statement, a further statement should be submitted to

address this requirement prior to the commencement of works. This can be secured by way of condition.

### **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. It is noted that the proposed development is located at a position which is distant from major noise generating sources. Some dwellings are located along main primary routes, however they have been designed with a setback including front garden space. The assessment concludes that therefore no acoustic mitigation over standard double glazing is required as part of this development. It is considered that this development is in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy and layout provisions and requirements of the Design Code for East Kettering.

### **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 has been re-consulted with the additional reports and surveys and their comments will be reported to Members at committee. Given the recommendations set out in the land investigation reports, it is however required to secure a validation report at the Approval of Conditions stage.

### **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

archaeological evaluation report concludes that these parcels are not within an area of archaeological sensitivity. The County Archaeologist has been re-consulted and has no objection to the scheme nor requests any further conditions. Given the report conclusions 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**

The outline planning conditions require a construction management plan prior to commencement of development on a parcel. A construction management plan for parcels R23 and R26 has been submitted as part of this reserved matters application. This has been reviewed by officers and although the draft gives a good indication of construction management within the site, there are areas which require further clarification and detail. These areas are such as, plans to demonstrate site management, compound location, wheel washing facilities location, traffic management and construction access routes. This additional detail has been requested from the developer but yet to be received. It is therefore proposed that a construction management condition and a separate working hours condition is included to ensure that the site requirements are fully addressed, should Members be minded to grant this application.

It is proposed to limit working hours on site to those recently approved at committee for reserved matter parcels within the East Kettering development to ensure consistency. The working hours are as follows:

Mon – Fri 07:00 – 18:00

Sat 08:30 – 14:00

Nothing on Sundays and Bank Holidays

### **Conclusion**

The development proposed in this reserved matters application will deliver a wide choice of new homes, both market and affordable and will be built to a high quality design. A 'garden suburb' character will be achieved as the approved Design Code envisaged. The tree lined streets, focal spaces and Barton Square will be impressive features and provide a high quality framework for the development. A unique, safe, interesting and inclusive public realm will be delivered.

The overall layout of street and connections will contribute to the creation of a permeable and legible public realm and the scheme offers connections to the existing pedestrian/cyclist network and opportunities for future links to later development parcels. The access and movement within the site is considered to be well-designed.

The scale and appearance of the proposed dwellings are appropriate and will be key to creating exemplar development. High quality landscaping will complement the design and layout of dwellings and will work together to create an attractive and healthy community. Relationships between existing properties and this development have been assessed and it is considered that the design will not harm existing occupiers and will respect its context. Conditions are recommended to protect living conditions in the future.

Many other matters have been considered and assessed and this reserved matters application is considered to accord with the overall strategy for the East Kettering development, outline planning requirements, Development Plan policies and the principles of the NPPF. It is therefore recommended that this reserved matters application be approved, subject to the conditions set out at the start of this report and the completion of the Section 106 legal agreement.

**Background Papers**

**Previous Reports/Minutes**

Title of Document:

Ref:

Date:

Date:

Contact Officer: Nicola Thompson, Development Officer on 01536 534316