**Full Planning Committee - 16 April 2015**

**Agenda Update**

**5.1 KET/2013/0232**

East Kettering Development - Parcels R23 & R26, Cranford Road, Barton Seagrave

A revised layout plan was submitted on 9th April 2015 in order to address comments raised by Northamptonshire Highways and reflect the updated drainage plan details. The wording of Condition 2 of the report therefore needs to be altered to comprise the revised site location plan number: P.0787\_15Q received 9th April 2015.  
  
Condition 2 should therefore read:   
The development hereby permitted shall be carried out in accordance with the revised layout plan reference number P.0787\_15Q received 9th 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.   
  
Further Consultee comments received since writing the Committee report:   
  
Northamptonshire Highways - Response received 16th April 2015.

Northamptonshire Highways have raised a concern about the adoption of roads.  
There are a number of disadvantages of non-adoptable streets.  
Residents have to pay an additional annual charge in perpetuity into a pot which is used by a management company to maintain the communal assets such as:  
- roads  
- street lights  
- street furniture  
- open space  
- street cleansing and   
- drainage  
  
A commuted sum would be required for all street lights to whoever becomes the lighting authority. NCC would not take them on for private roads and the risk is that the streets remain unlit.   
If no agreement can be reached with a lighting authority, the maintenance and energy costs of the street lights would be borne by the residents.  
  
Access to assets such as sewers would need legal agreements in place between the asset owner and the landowners - this has implications for utility companies and any landowners with land served off the development.  
  
Because the development parcels for East Kettering are relied upon to gain access to subsequent parcels which may not be in the control of Persimmon we must insist that all the highways are constructed to an adoptable standard.

Therefore Northamptonshire Highways have requested the following informative be added to the decision notice:  
'The applicants will be required to enter into an agreement with the Highway Authority under Section 38 of the Highways Act 1980 in order for the proposed estate roads to be adopted'.  
  
Environmental Health - Response received 10th April 2015.  
The Construction Management Plan refers to the hours of working on site which are at odds with the hours recommended. The recommended hours are:   
- Mon - Fri: 0800-1800hrs  
- Sat: 0830-1330hrs  
- At no time whatsoever on Sundays or Public/Bank holidays  
The Plan also refers to dust suppression and monitoring but the information is ambiguous and requires more details. It is preferable for the applicant to list the options that may be employed to manage dust controls.  
  
Officers Response - the proposed construction hours are the same as the hours agreed by Committee for the other parcels of development for East Kettering, as set out in Condition 7 of the report.  
Condition 6 of the Committee report requires the submission of a final Construction Management Plan which will ensure that the issues of dust suppression and monitoring can be fully addressed and will be modified to Environmental Health requirements.  
  
Environment Agency - Response received 13th April 2015.  
The following points need to be addressed:   
- The impermeable area for this application and any others which have come forward in this catchment must be declared.  
- We note that the alternative standalone surface water drainage system has been replaced by a connection to the strategic system.  
- No detailed design drawing has been provided.  
- No details of swales have been provided nor do they appear on the submitted plan.  
- There is no evidence to show the consideration of overland flows. Please note that in order to address this point calculations will need to form part of the submission.  
  
Officer response - The EA have agreed the principle of the surface water approach as part of a condition for the strategic drainage system. Therefore these details can be addressed.  
  
Anglian Water - Response received 10th April 2015.  
We need to ensure that access to the existing foul sewer is safeguarded following development of this site and to ensure it can be maintained by Anglian Water. We acknowledge that the proposed houses and garages would not have an adverse impact on the easement as shown on the site layout plan but it remains unclear that access would be maintained as the existing sewer would be located within private residential gardens. No alternative access is shown on the plan. Access would also be restricted by the inclusion of the 1.8m boundary fences for each property. The applicant has stated that access would be secured through the use of a conveyance agreement for each of the plots. Anglian Water's preference is that foul sewers should be located within public open space or public highways rather than private gardens. The revised layout plan does not address our previous concerns relating to the easement for the existing foul sewer.  
We have no concerns relating to the proposed diversion of the existing sewer or surface water drainage for this site.  
   
Officer response - This matter can be addressed by the applicant and those discussions are on going. It is not likely to result in any additional impact beyond what is currently considered. It is therefore requested that this matter is delegated to the Head of Development Services to resolve satisfactorily.  
  
Housing Officer - Response received 14th April 2015  
Persimmon have provided the necessary information we requested and the house types are acceptable. There are concerns regarding the wording of the Section 106 with respect to tenure type for the site but Housing is now satisfied with the Section 106.  
  
Cranford Parish Council - Response received 10th April 2015.  
Concern was expressed at the removal of the 'balancing pond' to allow for additional housing.  
The drainage from the site is inadequate and there have been a number of flooding incidents to the east of the site. The current drainage ditch requires radical work to it to prevent further flooding incidents.  
The Parish Council requires assurances that no construction work will commence on site until the site access road from Junction 10, A14 (access F) is completed.  
The Parish Council expresses dismay at the continuing downgrading of the housing, fearing that the high expectations for East Kettering are fast disappearing.  
  
Officer response - These matters are addressed in the Committee report and update.  
  
A further third party representation was received on 14th April which raises the following issues:   
- Building on site should start only after the construction of Access F. If not then construction traffic should avoid using Cranford Road.  
- The building of the planned staggered junction across Cranford Road would help to reduce the speed of vehicles.  
- Residents of the new homes should be encouraged not to use Cranford Road as an access to the A14 e.g. Village only signs.  
  
Officer response - Under Condition 44iii of the East Kettering outline permission, no houses can be occupied on the Persimmon site until Access F is completed. Also under condition 46ii prior to commencement of the Persimmon site (and some other parcels) a Transport Assessment is also required to be submitted for the Cranford Road/Barton Road junction. Under Condition 4 of this report, the phasing of the development is to be agreed and Officers are requiring that development starts at the eastern end of this site with only a minimal number to be allowed at the western side of the site.  
  
Revised Recommendation  
Bearing in mind the update and the outstanding consultations, it is now recommended that a revised recommendation is added as follows:  
'Subject to the outstanding consultations being resolved to Officers satisfaction and no additional impact arising from addressing the Anglian Water and Environment Agency concerns, then these matters are delegated to the Head of Development Services, subject to the contents of the report, the update, conditions and the completion of a Section 106 Agreement'.