

BOROUGH OF KETTERING

Committee	Full Planning Committee - 25/08/2015	Item No: 5.1
Report Originator	Nicola Thompson	Application No: KET/2015/0611
Wards Affected	Queen Eleanor and Buccleuch	
Location	East Kettering Development - Primary School Parcel PS4, Cranford Road (land off), Barton Seagrave	
Proposal	Non-Material Amendment: KET/2013/0695 (Outline for 5500 dwellings and related development) to remove Parcel PS4 in respect of occupancy prior to the completion of Access E from Condition 44(ii)	
Applicant	Mr A Wordie Alledge Brook LLP,	

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

Officers Report for KET/2015/0611

This application is reported for Committee decision because the application in the opinion of the Head of Development Services is a matter for the decision of the Committee.

3.0 Information

Relevant Planning History

There is an extensive planning history for the application site. The following is the recent and relevant planning history. The full planning history detail can be inspected at Kettering Borough Council Offices.

KET/2008/0274 – Outline for 5500 dwellings and related development.

Approved 01/04/2010

KET/2013/0695 – S73. Variation and removal of conditions in relation to outline application KET/2008/0274. Approved 13/10/2014

KET/2014/0255 – Reserved Matters. Primary School and associated works.

Approved 13/10/2014

KET/2015/0028 – Reserved Matters. Infill Link Road joining Access F Primary Street (Cranford Road) to Access E Primary Street adjacent to the District Centre incorporating 750 metres of road, footways/cycleways. Maintenance access track to surface water attenuation pond with wildlife management (Parcel SS1), four access points and drainage to Parcel R22, drainage infrastructure, landscaping and associated engineering works. Approved 17/03/2015

KET/2015/0459 – Full application. Upgrade of construction access to form temporary access road and utilities to serve Parcel PS4. Approved 22/07/2015

Site Description

Officer's site inspections were carried out during July and August 2015.

Kettering East is an area of 328.5 hectares to the east of Kettering and Barton Seagrave. The site is positioned adjacent to existing development on the town's eastern edge, bounded by the A14 trunk road to the south and open countryside to the north and east. The site currently comprises arable farmland, allotments and some woodland. The first Primary School on Parcel PS4 is under construction and due to complete and be open by 1st September 2015.

Proposed Development

This application is for a non-material amendment following the approval of outline ref: KET/2013/0695 for the following change:

- To remove Parcel PS4 in respect of occupancy prior to the completion of Access E from Condition 44(ii)

Originally the applicant submitted a proposal to vary condition 44(ii) of KET/2013/0695 via a Section 73 (s73) application. However on assessing the proposal it was considered that it would be more appropriate to determine the proposal to amend condition 44(ii) of KET/2013/0695 via a non-material

amendment (section 96A) rather than a s73 application.

Existing Wording of Condition 44(ii):

'Prior to the occupation of the first dwelling on Parcel R16, R17, R18, R19, R20, R21 or R22, or the occupation of non-residential **Parcels PS4**, DC1, DC2 or DC3, as shown on the approved Strategic Masterplan (Drawing No. BBD005/105 Revision A), Access E (Barton Road/Warkton Lane) shall be completed in accordance with the following plans and details:

- Access E Signalised Junction Plan reference 25134/001/028 H received 18th February 2014;
- East Kettering Access E Signalised Junction Vehicle Swept Path Manoeuvres Plan reference 25134/001/031 B dated 19th June 2013;
- Transport Technical Note 21 received on 19th February 2014;
- PBA VISSIM Assessment Outputs dated 21st February 2014;
- PBA Notes received 14th February 2014;
- Technical Note 8D received 14th February 2014;
- Technical Note 15 Revision A received 14th February 2014;
- Ecology Statement Access E received on 27th February 2014;
- Arboricultural Report dated November 2013;
- Construction Management Plan received 18th February 2014;
- Planning Statement dated November 2013;
- Addendum Planning Statement received 14th February 2014;

under application reference AOC/0274/0804 or an alternative scheme that shall first be approved in writing by Local Planning Authority before the access works are commenced.

REASON: In the interests of highway safety, efficiency, sustainability and amenity in accordance with the National Planning Policy Framework and Policies 13 and 16 of the North Northamptonshire Core Spatial Strategy (2008)'.

Proposed wording of Condition 44(ii):

'Prior to the occupation of the first dwelling on Parcel R16, R17, R18, R19, R20, R21 or R22, or the occupation of non-residential Parcels DC1, DC2 or DC3, as shown on the approved Strategic Masterplan (Drawing No. BBD005/105 Revision A), Access E (Barton Road/Warkton Lane) shall be completed in accordance with the following plans and details:

- Access E Signalised Junction Plan reference 25134/001/028 H received 18th February 2014;
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- Technical Note 15 Revision A received 14th February 2014;
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under application reference AOC/0274/0804 or an alternative scheme that shall first be approved in writing by Local Planning Authority before the access works are commenced.

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Any Constraints Affecting The Site

Flood Zones 2 and 3
 Protected Species
 Trees and Hedgerows
 Archaeology
 Contaminated land
 Public Rights of Way, Bridleways and Footpaths
 NWT Potential Wildlife Sites

4.0 Consultation and Customer Impact

North Northants Badger Group

No comments to make.

Natural England

No comments to make.

Environment Agency

No comments to make.

Anglian Water

No comments to make.

Northamptonshire Police

No objection or comment.

Barton Seagrave Parish Council

No objection.

Northamptonshire Highways

The PBA technical report requires updating to be in line with the latest proposals for Cranford Road S.278 application. This creates the new form of junction to link the Persimmon site R23 and the infill link road with Cranford

Road. If this is the intention then it would be acceptable to Northamptonshire Highways. An amended report has been requested to reflect this.

The traffic numbers and junction analysis in terms of the impact of the primary school traffic are accepted.

KBC Environmental Health

No objection or comment.

Neighbours

No representations received to date.

5.0 Planning Policy

N/a

6.0 Financial/Resource Implications

None.

7.0 Planning Considerations

The key issue for consideration in this application is whether the proposed alteration to the approved condition wording would result in development which is materially different to the development which has been approved.

The principle of development is established by the grant of outline planning permission KET/2008/0274 and the varied outline permission KET/2013/0695. Section 3 of this report contains the existing wording of the condition against the proposed wording of the condition. The condition number would remain the same as the outline numbering.

Despite having consents in place, obtaining technical approvals and then mobilisation of the contractor have resulted in delays to the construction of the Access E junction and the internal access roads. These delays prevent this access being completed and available for use in accordance with the requirements of the outline permission (KET/2013/0695). Presently, planning condition 44(ii) of the outline planning permission restricts the occupation of *inter alia* non-residential Parcel PS4 until Access E (Barton Road/Warkton Lane) has been completed in accordance with the approved plans and details. Hence, the need for an amendment of the planning condition and this application.

Therefore the applicant proposes to alter condition 44(ii) to allow occupation of the Primary School on Parcel PS4 before the completion of Access E (Barton Road / Warkton Lane). In the interim the school will be served by a temporary access and road off Cranford Road which was recently approved under planning reference KET/2015/0459. If this non-material amendment is approved, the amended condition would allow the school to open in

September 2015 and comply with the terms of the outline planning permission. Access E is due to be completed in about a year's time as well as the infill link road approved under KET/2015/0028. Any delay to the Primary School opening date of September 2015 would result in the School remaining closed for the full academic year until September 2016.

The amendment that is sought to condition 44(ii) of KET/2013/0695 would enable the permission to be complied with, and the school would be accessed via an alternative means (the approved temporary access onto Cranford Road and section of temporary access roadway with pedestrian facilities) for 12 months. This is until either the proposed works at Access E are complete or the infill road is complete.

The reason for the condition was for highway safety, efficiency, sustainability and amenity. When the original condition 44(ii) was imposed on KET/2013/0695 it was envisaged that the Primary School sited on parcel PS4, would open as a whole rather than in stages. This has now altered and the school will open in September 2015 as one form entry (1FE) with a smaller amount of pupils and staff attending for at least the first school year. It is therefore considered that the traffic movements to the school would be de minimus in relation to the East Kettering proposal as a whole. The principal volume of traffic is likely to come from the surrounding housing parcels rather than the school at 1FE capacity for a temporary period of 12 months as approved under KET/2015/0459. It is therefore considered that the proposed condition wording amendment would be minor with an insignificant effect on the development as a whole.

A Transport Statement (TS) was produced by Peter Brett Associates (PBA) to assess the alternative routes junction capacity. The assessment was based on the September 2015 Primary School opening maximum attendance of 90 pupils and 20 staff (1FE). The TS assesses the impact on the local highway network at peak times, particularly the Cranford Road junction with Barton Road 'junction g'. It confirms that the 'junction g' traffic signal controlled junction would operate well within capacity in the 12 month period permitted for alternative access under ref. KET/2015/0459, with the modest traffic arising from the Parcel PS4 Primary School with the initial roll of 90 pupils and 20 staff. It concludes that, there are no traffic impact reasons why this amendment of condition application to enable Parcel PS4 Primary School to be served by a temporary access arrangement from Cranford Road for 12 months until the permanent means of access are completed, should not be approved. No objection has been raised by the Local Highways Authority providing that the PBA technical report has been updated to reflect the recent S.278 application detailed layout. This has been requested and will be reported to Members in a verbal update.

In the context of the development as a whole, it is considered that the proposed amendment is a minor change that would not materially alter the development and would therefore constitute a non-material amendment.

Conclusion

The opening of the Primary School will contribute to the educational provision for the East Kettering development and will form one of the first key elements of infrastructure delivered on site. In light of the overall benefits to delivery, Officers are recommending approval of this application which proposes amended condition wording for 44(ii) KET/2013/0695 as it will not have a material effect on the development as a whole. This application for a non-material amendment is therefore recommended for approval.

Background Papers

Title of Document:

Date:

Contact Officer:

Nicola Thompson, on 01536 534316

Previous Reports/Minutes

Ref:

Date: