

BOROUGH OF KETTERING

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Report Originator	Head of Development Services	<i>Fwd Plan Ref No:</i> -	
Wards Affected	William Knibb Ward, Northfield Ward, All Saints Ward, St Michaels and Wicksteed Ward, St Peters Ward	4 November 2015	
Title	KETTERING TOWN CENTRE AREA ACTION PLAN – MONITORING UPDATE		

1. PURPOSE OF REPORT

To inform Members of the results of the fourth Monitoring Report of the Kettering Town Centre Area Action Plan.

2. INFORMATION

- 2.1 The Kettering Town Centre Area Action Plan (AAP) was examined by an independent Planning Inspector in March 2011 and was found to be sound. The AAP was subsequently adopted by the Council on the 6th July 2011. The plan sets out the aspirations for the town centre and surrounding area up until 2021, and sets out the Council's strategy and policies to meet those objectives.
- 2.2 The adopted AAP includes a policy on implementation and monitoring. The plan sets out a monitoring framework to check the effectiveness of the plan in delivering its objectives.
- 2.3 This report has been written to evaluate the progress that has been made in delivering the plan's objectives. The first monitoring update was presented to Members of this Planning Policy Committee in September 2012, the second in November 2013 and the third in November 2014. This fourth monitoring update reviews the progress made in delivering the plan in the last 12 months.
- 2.4 Your officers have also updated the Kettering Town Centre Health Check; this is attached at Appendix 1. The results of the AAP monitoring exercise is provided in summary below, discussed under the 7 objectives of the AAP.
- 2.5 In addition, this report also considers the impact of the amendments to the Town and Country Planning (General Permitted Development) Order 1995 (as amended), which were introduced on 30th May 2013 (Statutory Instrument 2013 No. 1101) and 6th April 2014 (Statutory Instrument 2014 No. 564) with the latest amendment brought into force on 15th April 2015 (Statutory Instrument 2015 No. 596). The implications for the adopted AAP policies are discussed later in this report.

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Monitoring Results

AAP Objective 1: Create a zoned, vibrant town centre which makes best use of available land and existing buildings and maximises potential for regeneration

- 2.6 In order to monitor the progress of the AAP, footfall counts have been used to provide a health check on Kettering Town Centre after the adoption of the policy. The following analysis comes from figures from a footfall count conducted in September 2015, and looks back to 2008 when it was first undertaken, before the adoption of the AAP, to look at the overall trend.
- 2.7 The footfall survey on the non-market day was undertaken on a rainy September day. It shows a small overall decrease in numbers using the town centre compared to 2014. This is a further small drop from the previous year. The market day count was undertaken on a finer morning, the numbers using the town centre were marginally fewer than the previous year. When comparing footfall figures for market days compared to previous years, it indicates that the market has a positive influence on the numbers of visitors using the town centre.
- 2.8 The AAP has a target of at least 38,500sqm new office space in the plan area by 2021. In the last year, there has been a gain of 24sqm; this is on the newly delivered Yards site (part of Y2). The focus for new office development in the plan area is the Station Quarter. The Council is working with Network Rail, East Midlands Trains and land owners in the Station Quarter to bring forward development in that area.
- 2.9 The AAP has a target of 957 new dwellings in the plan area by 2021. In the last year 20 units have been completed. The Council has therefore already delivered a total of 195 (21%) of the minimum requirement in the 3 years since adoption.
- 2.10 Discussions are continuing with the landowners of site SSQ5 (the corner of Queen Street/Horsemarket) which is allocated for commercial/leisure use. Part of the site had planning permissions for retail/restaurant use and a hotel (KET/2011/0196) but this expired in August 2014. The part of the site that fronts onto Horsemarket was granted a three year temporary planning permission in August 2014 for a car park and car valeting service. This strikes an appropriate balance between providing a short-term active use for the land, whilst ensuring that medium to long term town centre development proposals envisaged for the site are not compromised.
- 2.11 At the Examination of the AAP, the Council committed to producing and consulting upon a Development Appraisal for the Cultural Quarter within 24 months of adoption of the AAP. This has not yet been progressed, however the Council continues to add to the range of services based at the Council Offices, securing an agreement from the Probationary Service to take offices and provide its service from the Borough Council offices, joining other sectors

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including phlebotomy, the Police, civil ceremonies, the Registrars, CAB, and other voluntary sector organisations. Discussions are progressing well with other key public sector partners. The 1940's tea rooms/jazz bar which opened last year in the former Tourist Information Centre continues to complement the neighbouring Manor House Museum.

- 2.12 The new restaurant units on allocated site RQ2 in the Restaurant Quarter continue to be successfully operated by Prezzo and Chimichanga's. Planning permission was granted in April 2014 for a change of use of the 1-3 Market Place to a café/restaurant. The unit opened in late August 2014 as the Kino Lounge, part of the Loungers chain, introducing a variation in the offer in the town centre, and adding to vibrancy in the Restaurant Quarter.
- 2.13 The award winning Market Place at the heart of the Restaurant Quarter was again the venue for the 'Kettering by the Sea' event during July and August. The event was again very popular and provided a 'distinctive and fun' family experience in accordance with the vision of the AAP. It will also be the focus for Christmas events next month. The UK Women's Cycle Tour finished at the Market Place on 17th June, attracting a large number of visitors to enjoy a carnival atmosphere along the route and in the town and especially the town centre. The ITV4 televised event reflected upon the attractive countryside in the surrounding areas, as well as showcasing Kettering town centre and profiling the area as a destination.
- 2.14 The Council purchased 20 branded stalls in 2013 to help develop and promote the Kettering market. The stalls are branded with both the Kettering Borough Council and Market branding. This investment has improved the appearance and quality of the market stalls. In May 2014 the inaugural 'Teenage Market' took place alongside the regular market. Following the success of this further Teenage Markets have followed, the most recent in June 2015, and another is planned for 5th December. A brand new monthly food market called 'Foodie Fridays' started up last month. This has added two more traders to the Market on the second Friday of every month, further local food traders and producers have expressed they will be adding to those numbers shortly. The impact of the hard work on market development has been that since 2013 regular traders have increased across the board, with commercial bookings tripling and flea market traders quadrupling.

AAP Objective 2: To implement a step change in quality retail offer incorporating 20,500sqm

- 2.15 The AAP has a target of at least 20,500sqm new retail floorspace by 2021. In the last year approximately 571sqm of net retail floorspace has been gained.
- 2.16 The Newlands Centre, owned by Ellandi, contains a concentration of town centre national retailers, such as Boots, WH Smiths, and TK Maxx etc. Ellandi are keen to invest in the centre and this is compatible with the AAP strategy to develop the site adjacent to the Newland Centre (allocated site SHQ1) for new

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large retail units and additional parking provision. However, they are yet to commit to actively progress the redevelopment of site SHQ1. Ellandi has however forward funded improvements to the Newlands Bus Interchange through the removal of the existing bus shelters and their replacement with a more modern design. This will provide a cleaner, less cluttered environment and should make those units in close proximity more attractive for new investors.

- 2.17 The AAP includes a policy to ensure that no less than 75% of the Primary Shopping Frontage (PSF) is in A1 use (retail). This is to ensure the vitality and viability of the town centre and retain a strong retail focus. In the last year the retail frontages have fallen by 1.58%, and now stand at 70.9%. Vacancy rates in the PSF are calculated to currently be at 6 %. This is a decrease of 1% in a year. In terms of the number of vacant units there has been a significant decrease from 11 to 5 units vacant within the PSF.
- 2.18 Overall vacancy rates in the Plan area are 9.37%, compared to the national average of 12.59%. Units at 1-3 Market Place were purposefully made vacant in the past year with the intention of securing a leisure/restaurant use. Planning permission was granted in April 2014 for a change of use to a café/restaurant. The unit is occupied by Kino Lounge, part of the Loungers chain. It has been operating for over a year, and strengthens the offer available in The Restaurant Quarter and Kettering town centre as a whole.
- 2.19 The plan has a policy to ensure that A4 uses (pubs/bars) and A5 uses (hot food takeaways) do not become excessive and erode the retail function of the Secondary Shopping Frontages (SSF). In the SSF the figures show that both A4 and A5 uses have changed very slightly in the last year. The A5 uses have decreased from 8.27% to 8.09%, and the A4 uses have increased from 16.19% to 16.44%, with a net increase of 0.07% for both uses. Last year it was stated that A4 and A5 uses should be resisted, in accordance with the adopted policy; this is still the case despite a very small increase.
- 2.20 Evidence gathered by Peter Brett Associates, used in guiding town centre policies in the Emerging Joint Core Strategy, indicated that "It will be challenging for the Northern Sub-Area to retain its current market share, due the likely strong comparison goods offer at Rushden Lakes, which can be expected to draw trade from the Northern Sub-Area. The Emerging Joint Core Strategy, about to be examined, includes a policy advocating a minimum increase of 12,500 sqm net comparison shopping floorspace in Kettering town centre by 2031.
- 2.21 The proposed Rushden Lakes out of town retail development in East Northamptonshire District was granted consent by the Secretary of State in June 2014. Permission has been granted by East Northamptonshire Council to increase the retail floorspace beyond that approved by the Secretary of State. The applicant has started on site, but will be far more active in building out the scheme from Spring 2016. The shopping terraces are planned to open in

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Spring 2017. Future Annual Monitoring Reports beyond 2016 will review the health of Kettering town centre against a major new out of town retail development within 25 minutes drive time.

AAP Objective 3: To deliver a new residential community and utilise residential uses to support and complement the quarters

2.22 The plan has a target of 957 new dwellings on the allocated sites; 540 to be within the new residential quarter. The plan has delivered 16 units on allocated sites – 16 on SHQ7. This delivery rate is not a concern at this stage as the plan is new and the housing market is currently deflated. Elsewhere within the plan area 4 additional residential units have been completed this year. It should also be noted that the Council is able to demonstrate a 5 year supply of housing land, as required by national planning policy.

AAP Objective 4: To create a town centre characterised by the high quality of urban design, architecture and public realm and respect for heritage

2.23 The plan seeks the provision of new high quality public realm as part of the Wadcroft/Newlands retail development and the development of the Yards. In addition, public realm improvements in the form of a Station Plaza are also sought in the Station Quarter. In the New Residential Quarter, new public realm is to be delivered on the Meadow Road site. As these developments have not begun, the public realm improvements have not yet been delivered. Provision exists within the Section 106 Agreement for the East Kettering developers to fund these improvements in due course. Although there has been some work implemented to remove and replace the bus shelters along Newland Street alongside the Newlands Centre, which was undertaken in between July and September.

2.24 In addition, some public realm improvements are planned for the junction of Northampton Road/ Sheep Street/ Bowling Green Road as part of the junction improvements due to be carried out in 2016. This is being funded from Section 106 monies held by Northamptonshire County Council and Kettering Borough Council. A further Section 106 receipt will also pay for cycleway improvements on Station Road. Northamptonshire Highways is currently working with us in finalising the design for the Northampton Road/Sheep Street/Station Road junction improvement. This projects looks to improve traffic flow at this part of the town centre. It is expected that depending on when we receive a draft design, work is proposed to start in the New Year.

2.25 Planning permission was granted in 2013 for redevelopment of Soans Yard (allocated site Y2). The development will provide retail and restaurant uses on the site. In October this year, part of the site known as 'The Yards' opened to the public, providing a number of independent retailers, and offering a focus for niche retail in the town centre. At present only a small number of units have opened, although it is anticipated that a range of shops and businesses will

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occupy the remaining units in the near future, to provide additional diversity to the area.

- 2.26 The Seats on Streets Local Development Order, confirmed at Full Council in September 2013, allows town centre units in A3 or C1 use (restaurants, cafés, snack bars and hotels) to place outdoor seating outside their units without the need for planning permission. Only a Street Café Licence from the County Council is now required. This LDO simplifies the permission process for local businesses and encourage vibrant and active streets in the public realm of the town centre. There has been a marked increase in outdoor seating in the town centre, especially on fine sunny days.
- 2.27 The Council has agreed a delivery programme with Northamptonshire Highways to bring forward the next phase of public realm improvements in the town centre. This phase of improvements, known as Public Realm Phase 4, will bring about a change in the appearance of High Street, Meadow Road, Lower Street and Gold Street. The first elements of the proposals to be delivered will be a new Traffic Regulation Order (TRO) for the zone and a rising bollard scheme at each of the gateways. This has now been delivered, providing rising bollards at High Street, Meadow Road, Lower Street, Gold Street and Meeting Lane. This scheme limits vehicular access to these parts of the town centre, where access can only be gained through the use of key fobs, which have been given to those who require it.
- 2.28 The detail of the TRO was subject to public consultation as part of the statutory process that Northamptonshire County Council, as Highways Authority, has to go through. The TRO worked up new arrangements for the town centre these are as follows:
- 20mph speed limit throughout the zone
 - Four rising bollards gateways to be installed
 - A collapsible bollard (manual) at Meeting Lane
 - Blue badge parking to be provided at Meadow Road, Lower Street and Gold Street
 - Loading hours of Sun-Thurs, 5pm-9pm and Fri-Sat, 5pm-8am
 - Cycling prohibited within the town centre, bike racks to be provided at gateway locations
- 2.29 The timetable for delivery of the whole project is determined by release of the East Kettering development, Section 106 receipts, linked in to the speed at which the development progresses. There was £250,000 within the 2014/15 capital budget to pay for the installation of the new bollards and implementation of the TRO. This scheme was delivered in summer 2015.
- 2.30 Following on from the internal improvements carried out at the Newlands Centre in the last monitoring period the owners Ellandi have implemented improvements to the signage at the entrances on Gold Street, Newlands Street and Tanners Lane. Such improvements are consistent with the

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Council's aspirations for a high quality public realm environment. The Council, Ellandi, Northamptonshire Highways and Stagecoach agreed a scheme to replace the existing "wrap around" bus shelters with better shelters which also open up the Newlands Centre's frontage on Newland Street. This will help attract an improved retail offer in the units affected. This work began in July this year and was successfully completed in September.

AAP Objective 5: To create a significant increase in office employment space, along with further regeneration opportunities

- 2.31 As discussed above, the AAP has a target of at least 38,500sqm new office space in the plan area by 2021. In the past year there has been a gain of 24sqm. However, the Council is working with its Station Quarter partners (Network Rail, East Midlands Trains and land owners) to bring forward office development in that area.
- 2.32 The Department of Transport has announced an £800m investment in the Midland Mainline; this includes the cost of electrification and the upgrade of key sections. The investment will improve line speeds, saving journey times, and providing the opportunity to reinstate two trains an hour north from Kettering, as well as better connections south to London St. Pancras. The construction works will cover the period 2014 to 2019. These plans were briefly put on hold for 2 months between July and September, although it was announced that this work will now go ahead as planned, with completion expected in be in 2019. These improvements will improve the attractiveness of the town as a business location. Works to demolish and rebuild the A509 Pytchley Road bridge to accommodate the proposal to electrify the line were completed in February 2014. Upgrading work is also currently on-going to provide two lines between Kettering and Corby, and four lines between Kettering and Bedford.

AAP Objective 6: To make a safe, welcoming, walkable and well connected town centre

- 2.33 Work finished in May 2015 between Junction 7 and 9 of the A14 to reduce congestion and traffic on the road, where both carriageways were widened to 3 lanes. This can have potential benefits for Kettering, with increased capacity of the A14 this will allow for traffic to bypass the town easier, and prevent any unnecessary disruptions in and around the town. These improvements will also allow for easier access to the town, making the town more accessible from a major road, which could result in an increase in investment in the town centre.
- 2.34 The plan has a car parking policy for larger housing sites, which requires a car club/car share space for sites of 15 dwellings or above. In the last year no sites of over 15 dwellings have been granted permission in the plan area, so no car share spaces have been delivered.

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- 2.35 The plan has a policy to provide at least one secure cycle space for each new dwelling. In the last year, no new cycle parking spaces have been secured in association with residential development.
- 2.36 The AAP sets out a number of road and junction improvements in the plan area. Several improvements have been completed including Northampton Road/Northfield Avenue and Northfield Avenue/Rothwell Road roundabout. Further road and junction improvements, public transport and pedestrian and cycle improvements are scheduled for delivery between now and 2016. The next stages of improvements include the junctions of:
- Bowling Green Road/London Road
 - Northampton Road/Station Road/Bowling Green Road

These projects will be funded by existing Section 106 contributions (or those expected to be made as planned developments are delivered). As previously mentioned these projects are approaching the final stages of their design, and work is expected to start early in the New Year.

Operational changes are also planned for:

- Eskdail Street/Victoria Street and Queen Street
- Montagu Street
- Silver Street

These projects are at a much earlier stage in their planning.

- 2.37 The Council is working in conjunction with Northamptonshire County Council to bring forward the next phase of improvements. The County Council published the Kettering Town Transport Strategy for consultation in September 2014. This document sets out the overarching vision for transport in Kettering and sets out a strategy to achieve it.
- 2.38 In the four years since adoption, no large scale enhancements to car parks on the Station Quarter sites or Wadcroft site have been completed. However, the Council is working to generally improve car parks in the town and was recently successful in achieving the 'Park Mark', which recognises car parking excellence, for the 11th year running. Ellandi have made improvements to the multi-storey car park at the Newlands Centre and have supported improvements to the bus bays adjacent to the Centre.
- 2.39 As discussed above the Council has agreed a delivery programme with Northamptonshire Highways to bring forward the next phase of public realm improvements in the town centre. The timetable for delivery of these improvements is phased over an extended period.

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2.40 The Council, alongside partner organisations, instigated a Purple Flag assessment programme in 2013. Purple Flag recognises quality in the night time economy, in much the same way as Green Flags (Parks) and Blue Flags (Beaches). It brings with it, a useful toolkit for towns looking to improve the town centre environment at night. An overnight appraisal of the town centre was carried out in May 2014 which fed into the production of an Action Plan which identified a series of improvements which need to be made to meet Purple Flag standards. The Purple Flag award was presented in July 2015.

The accreditation follows a number of recent improvements to the town's night time economy including:

- A number of new bars and restaurants have added and varied the night time offer.
- A town centre Dynamic Emergency Care centre (DECC) was set up during peak periods and for major event e.g. New Year's Eve and the World Cup
- Kettering Street Pastors have continued to patrol the streets on Saturday nights for over 3 years.
- New lighting, updated signs and clearer alleyways to make the town centre safer.
- A number of new businesses have signed up to Kettering's Community Toilet Scheme.

AAP Objective 7: To deliver a green town centre with an emphasis on provision of green infrastructure, renewable energy initiatives and environmentally efficient buildings to encourage green living

2.41 Several of the allocated sites in the New Residential Quarter are likely to be affected by surface water flooding. To ensure flooding issues, the provision of urban green space and the enhancement of the Slade Brook corridor are considered in advance of the proposed developments in this area, the plan committed the Council to the production of a Surface Water Management Plan (SWMP) and Green Infrastructure Strategy (GIS) by the end of 2012.

2.42 The contract to produce a Surface Water Management Plan (SWMP) was issued in August 2014. The findings will take 18 months to deliver. A Green Infrastructure Strategy for the Slade Brooks has also been issued; work on this will run alongside the SWMP.

Implications of the amendments to the Town and Country Planning (General Permitted Development) Order 1995 (as amended)

2.43 As discussed above, Policy 3 of the AAP seeks to protect the retail focus of the Primary Shopping Frontages (e.g. High Street, Gold Street, Newlands Centre, Newland Street, Market Street) by resisting development that would result in less than 75% of frontages being in A1 (retail) use. The aim of the policy is to ensure that the Primary Shopping Frontages remain the key

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locations for existing and new retail development. The policy is more flexible in relation to the Secondary Shopping Frontages (e.g. Horsemarket, Silver Street) and allows a greater diversification and mix of uses, including restaurants, cafes, public houses and take-aways.

- 2.44 In May 2013 the Government introduced amendments to the Town and Country Planning (General Permitted Development) Order 1995. The Regulations came into force on the 15th April 2015. Class D of Part 3 now allows the following change of use of a building and any land within its curtilage (the site).

Current use	Permitted change
A1 Shops	A2 Financial and professional services

- 2.45 Previously the permitted change of use did not apply in certain circumstances, including if the change of use relates to more than 150sqm of floorspace in the building, or if the building is listed. However a new permitted change of use has been introduced to allow for a non-time limited change from A1 to A2.

- 2.46 The change to the Regulations therefore could allow for A1 shops to be changed to A2 use permanently and not solely on temporary basis (2 years). This could potentially erode the A1 retail focus in the Primary Shopping Frontages of the town centre, contrary to the aim of Policy 3 of the AAP as discussed above. To date the Council has received no notifications of developers wishing to take advantage of the new permitted change under Permitted Development, although one application was granted for permission for A1 to A2 at 22 Silver Street. Therefore at present, there have been no negative implications of the new amendments to the Order.

- 2.47 Class C of Part 3 allows for the following change of use:

Current use	Permitted change to
A1 Shops	A3 Restaurants and cafes

- 2.48 This change to the Regulations allows for change away from retail, and similarly to para 2.46, this could potentially have a negative impact on the Primary Shopping Frontages. 4 applications have been approved and implemented which see this change of use, 3 of these did not require an application and therefore have been implemented under this permitted change of use, 2 of these are Primary Shopping Quarter Frontages, although it is likely to have minimal impact, and will only have a significant impact if there are more applications of this nature in the area. The other 2 changes of use are

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likely to have less of impact given that 1 is a Secondary Shopping Frontage and the other is the Restaurant Quarter, where the predominant use and encouraged use is A3.

- 2.49 Another change of use that was introduced in the latest version of the GPDO was under Part 3 Class J. This permits a change of use from A1 retail to D2 assembly and leisure. This has the potential to impact on Primary Shopping Frontages within the town centre and move away from the area's retail focus, although no applications have been approved for this change of use in the last year.

Current Use	Permitted Change
A1 Shops	D2 Assembly and leisure

- 2.50 Within the permitted uses for Sui Generis (casino and amusement arcades), the new GPDO brought in a new permitted use for change to C3 dwelling houses. It is unlikely that this addition would cause have any significant impact on the town centre, it should also be noted that no applications of this type have been received in the last year.

Current Use	Permitted Change
Sui-Generis (Casino or amusement arcade)	D2

- 2.51 In addition to this the final addition to the permitted change of use, was the change from B8 storage and distribution to C3 dwelling houses. However as there is little or no B8 uses within the plan area, it is likely to have very little impact on the town centre.
- 2.52 It should be noted that betting offices and pay day loan shops (formerly A2) are now included within the Sui-Generis use class.
- 2.53 The time limit for the residential conversion of offices has not been extended, will expire on 30th May 2016.
- 2.54 A new permitted development right for temporary use of buildings and land for commercial film-making.

3. CONSULTATION AND CUSTOMER IMPACT

- 3.1 The monitoring report is for information only, and no consultation is required.

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4. **POLICY IMPLICATIONS**

- 4.1 The monitoring report does not highlight any current trends which may require changes to local policy.
- 4.2 The approved out-of-town scheme to be called Rushden Lakes may have policy implications for Kettering town centre and the wider North Northamptonshire area. No policy changes are recommended at this time but this will need to be considered in further detail when the scheme is operating.

5. **USE OF RESOURCES**

- 5.1 There are no direct costs as a result of this report. However required future revisions to existing policy would have resource implications.

6. **RECOMMENDATION**

It is recommended that Members note that:

- Overall vacancy rates have decreased by 1% to 9%;
- The opening of Kino Lounge has had a positive impact in terms of reduced vacancy rates and increased vibrancy in the Restaurant Quarter;
- The opening of The Yards has introduced a new focus for independent retail and aims to increase the number of visitors to the town, it has also increased retail floorspace;
- Improvements to the public realm, including the rising bollards, have made the town centre a more pedestrian friendly area; and
- Progress is being made at the design stage to improve junctions in and around the town centre.

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Title of Document: Planning Policy Committee Item 6:
Kettering Town Centre Area Action Plan
Date: 20th June 2011

Title of Document: Planning Policy Committee Item 7:
Kettering Town Centre Area Action Plan – Monitoring Update
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Title of Document: Planning Policy Committee Item 8:
Kettering Town Centre Area Action Plan – Monitoring Update
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Title of Document: Planning Policy Committee Item
Kettering Town Centre Area Action Plan – Monitoring Update
Date: 5th November 2014

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