

BOROUGH OF KETTERING

Committee	Full Planning Committee - 15/12/2015	Item No: 5.1
Report Originator	Rebecca Collins Development Team Leader	Application No: KET/2015/0599
Wards Affected	Avondale Grange	
Location	Laburnum Crescent, Kettering	
Proposal	Approval of Reserved Matters: Appearance, layout, and scale in relation to KET/2014/0432 for 72 no. dwellings	
Applicant	Westleigh Partnerships Limited	

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 the following Condition(s):-

1. No development shall commence on site until details of the materials to be used for hard and paved surfacing have been submitted to and approved in writing by the Local Planning Authority. The approved surfacing shall be completed before the adjoining buildings are first occupied.

REASON: Details of materials are necessary prior to the commencement of development in the interests of visual amenity in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

2. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no additional openings permitted by Schedule 2, Part 1 Classes A or C shall be made in the northern side elevation or roof plane of plot 47 or the south-eastern side elevations or roof planes of plots 21 and 37.

REASON: To protect the future amenity and privacy of the occupiers of adjoining property in accordance with policy 13(l) of the North Northamptonshire Core Spatial Strategy.

Officers Report for KET/2015/0599

This application is reported for Committee decision because there are unresolved, material objections to the proposal.

3.0 Information

Relevant Planning History

KET/2014/0432 – Demolition of school buildings. Construction of up to 72 dwellings with junior grass sports pitch and childrens play area. Approved.

Site Description

Officer's site inspection was carried out on 09/09/2015.

The site is located on Laburnum Crescent in the North-Eastern part of the town, lying within a predominantly residential area. The site is enclosed within a "square" bounded by housing in Laburnum Crescent, Orchard Crescent, Almond Road, and Sycamore Road. This surrounding housing is mainly a mix of two storey terraced housing with semi-detached housing. Adjacent to the site lies the Crescent Community Centre and Ronald Tree children's nursery (both owned by the Applicant).

The site is currently occupied by vacant former school buildings (the Avondale infants and junior schools) and their related playgrounds and playing fields. It also includes a hardened multi-use games area operated in conjunction with the Community Centre.

There is currently close boarded fencing to the north-eastern boundary of the application site and metal palisade fencing to the western boundaries of the site. To the eastern boundary with Laburnham Crescent is a mixture of railings, hedgerow and mesh fencing with trees and vegetation behind.

Proposed Development

The proposal is a reserved matters planning application for appearance, layout, scale and landscaping in relation to outline application reference KET/2014/0432 for up to 72 dwellings.

Any Constraints Affecting The Site

Classified Road

Protected Open Space (type 6)

4.0 Consultation and Customer Impact

Highway Authority

19/08/2015, 07/09/2015, 19/11/2015 - No objection – subject to minor amendments to the layout in terms of access width, visibility, car parking, turning, bin collection etc.

Lead Local Flood Authority

26/08/2015 - Object to the submitted Flood Risk Assessment, which does not provide a suitable basis for assessment.

Northamptonshire Police

21/08/2015 – Objection - This area suffers with high incidence of crime. The proposed layout raises serious concerns as the public open space (football pitch) has no surveillance. There is no access to the pitch by the proposed occupants. There are some areas of not functional useable space and it is not clear who would be responsible for them. Rear alleyways should be avoided.

Sport England

21/08/2015 - No objection.

KBC – Community Services

07/08/2015 - S.106 required for open space contributions.

KBC – Housing

08/09/2015 - Support the scheme which is to be 100% affordable housing, offering a housing mix specific to Kettering's housing needs, as determined by Kettering Borough Council – Housing.

Neighbours

Two neighbouring properties have responded to the public consultation. Their comments have been summarised as follows:

27 Sycamore Close

Object - Neighbouring properties were misled about the layout of the site. The provision for a pond and associated wildlife has been removed from the scheme. The housing as proposed is more condensed, which will impact the view from neighbouring properties. The proposed flats (extra) will overlook neighbouring properties. Also, a large length of fencing to the rear of neighbouring properties will need to be maintained. This property has a rear entrance pathway which runs to the rear of two properties – concerns are raised with regards to access and maintenance of this path.

28 Sycamore Close

Object – the plans differ greatly from the originals. This neighbouring property now has houses back to back and flats next to these. This will interrupt views from this property and the bright and peaceful outlook, resulting in a loss of privacy.

5.0 Planning Policy**National Planning Policy Framework**

Para 17 - Core Planning Principles

4 - Promoting sustainable transport

6 - Delivering a wide choice of high quality homes

7 - Requiring good design

8 - Promoting healthy communities

10 - Meeting the challenge of climate change, flooding, and coastal change

11 - Conserving and enhancing the Natural Environment.

Development Plan Policies

North Northamptonshire Core Spatial Strategy

Policy 1 - Strengthening the network of settlements
Policy 6 - Infrastructure delivery and developer contributions
Policy 7 - Delivering housing
Policy 9 - Distribution and location of development
Policy 10 - Distribution of housing
Policy 13 - General sustainable development principles
Policy 14 - Energy efficiency and sustainable construction
Policy 15 - Sustainable housing provision.

Local Plan (saved Policies)

Policy 1 - Supplementary Planning Guidance
Policy 35 - Housing within towns
Policy 39 - Affordable Housing

Supplementary Planning Documents

Sustainable Design SPD
Open Space SPD

Emerging Policy: Site Specific Document – Options Paper (Local Development Document)

6.0 Financial/Resource Implications

A Section 106 Agreement was entered in to for the Outline Planning Permission granted on 26/03/2015 and covered the following matters:

Highway improvements, affordable housing on site, contribution to primary education, open space on site, a Local Equipped Area for Play on site, off site financial contribution for enhancing community infrastructure, contribution to the fire service, contribution to the library service, contribution to GP service provision and a monitoring contribution.

7.0 Planning Considerations

The key issues for consideration in this application are:-

1. Principle
2. Appearance, layout and scale
3. Amenity
4. Landscaping
5. Flood risk

1. Principle

Outline planning permission was granted on 26/03/2015 for the demolition of buildings and the construction of up to 72 dwellings. All matters of appearance, layout, scale and landscaping were reserved with only the main access point

considered as part of the outline planning permission. On this basis the principle of residential has been established subject to detailed considerations of the relevant reserved matters, as set out below.

The application is supported by Kettering Borough Housing on the basis that the resultant development will deliver 100% affordable housing with a mix which is specific to the local housing need. However, the signed Section 106 attached to the current Outline Planning Permission only requires 30% of the total housing provision to be affordable with a mix of dwellings being 70% social rent and 30% shared ownership. A deed of variation to the signed s.106 is required seeking changes to the mortgagee in possession clause to satisfy the lenders.

2. Appearance, layout and scale

The layout and housing design has been amended during the application process on the advice of Officers. Amendments include additional surveillance from dwellings abutting the open space/football pitch to the south-west of the site. Also, surveillance of the proposed open spaces in between plots 6 and 7 and adjacent to plots 63 and 64 and of the main access in between plots 8 and 72. The introduction of dual elevation properties will provide surveillance and enhance the street scene in this location. Further amendments have been sought to ensure these areas are properly surveyed.

The properties fronting onto Laburnham Crescent have been set back to mimic frontage distances of other properties along Laburnham Crescent, a key characteristic of the street scene and surrounding area. An area of public open space (POS) has been introduced to create a key area at the point of access to the site from Maple Close and create additional green space on this junction, a feature of the surrounding area. The setting back of properties with the addition of POS will allow the planting of hedgerow along the boundary with the highway, which is currently a strong feature in the street scene.

The highways layout, car parking, access widths, visibility splays and bin drag distances have been amended to address the highways authority comments and concerns. The highways layout has been amended to reduce the overall domination of adopted highway on the scheme and shared surfaces will be used to add character to the street scene. The level of frontage car parking has been reduced with a maximum of 4 vehicles with frontage car parking without separation.

Two pedestrian access points have been left available from the site adjacent to plot 40 and 31 as potential future access to the open space/football pitch to the west.

Concerns were raised about the view from the main access, as you enter the site over hardstanding and car parking for the flats at plots 54-57. The concern here was there was no elevation/view as you enter the site. The re-positioning of dwellings in this location is not possible due to easements and therefore provided that a strong boundary treatment such as a brick wall can be provided at plot 53 and suitable landscaping either side of this access, then in this instance the proposal as shown is considered to be the preferable design approach.

3. Amenity

There is 21 metres back to back distance from the neighbouring properties off Sycamore Close to the proposed two storey dwellings at plots 50-53. There are windows in the rear elevation of the proposed properties facing the existing, however, given the significant back to back distances, the proposal is judged to not give rise to any adverse amenity concerns. There are flats proposed to the south-east of plot, these are over 25 metres from existing properties off Sycamore Close. The flats proposed are two stories and unlikely to have a significant additional impact on the amenity of these properties.

There is respectively between 16 and 21 metres distance between plots 58-63 and properties off Sycamore Close to the east. Plot 58, which is closest to the boundary is a single storey dwelling. Therefore, its proximity can be mitigated with a good boundary treatment. This is still considered to be a sufficient distance from neighbouring properties to protect their amenity.

There is approximately 18 metres back to back distance from plots 41-44 to properties off Almond Road. There are windows in the rear elevations of these proposed properties facing the properties to the rear. However, this is considered sufficient distance to protect the amenities of existing properties and future residents.

The other surrounding residential properties are sufficiently distanced by existing roads and open spaces to protect their future amenity in accordance with Paragraph 17 of the NPPF and Policy 13(l) of the NNCSS.

The principle of development was previously established on this site through the granting of outline planning permission. The right to a view is not a material planning consideration in the determination of this application. Appropriate boundary treatment has been secured by planning condition on the outline planning permission. Any rights of maintenance or access are civil matters and not the subject of this planning application. On this basis, and that the proposal is unlikely to cause significant impacts in terms of amenity, then it is considered in accordance with Paragraph 17 of the NPPF and Policy 13(l) of the North Northamptonshire Core Spatial Strategy.

4. Landscaping

There are a number of trees and vegetation on the site currently. The existing trees have been assessed and where possible good quality species of tree, which contribute to the character of the street scene, have been retained, to the satisfaction of the Local Planning Authority. Hedgerow planting will be encouraged along the front boundary of the application site with Laburnham Crescent to maintain a green edge. Tree retention and further landscaping within the site is required by planning condition on the outline planning permission.

5. Flood Risk

Further information has been submitted to address the Lead Local Flood Authority's concerns with regards to the submitted Flood Risk Assessment (FRA), an update will be provided to Members at the Planning Committee.

Conclusion

The development is considered in accordance with National and Local Policy and the resultant design is considered in character with the surrounding area and street scene. The proposal will not have a significantly detrimental impact on the amenity of existing residential properties and is therefore recommended for approval.

Background Papers

Title of Document:

Date:

Contact Officer:

Rebecca Collins, Development Team Leader on 01536 534316

Previous Reports/Minutes

Ref:

Date: