

BOROUGH OF KETTERING

Committee	Full Planning Committee - 05/06/2018	Item No: 5.1
Report Originator	Richard Marlow Senior Development Officer	Application No: KET/2016/0883
Wards Affected	Burton Latimer	
Location	Bosworths Nursery, Finedon Road, Burton Latimer	
Proposal	Approval of Reserved Matters: Appearance, landscaping, layout and scale in respect of KET/2013/0750 for 69 no.dwellings	
Applicant	Mr S Bosworth C/O Agent (Phillips Planning Services Ltd),	

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. The development hereby permitted shall not be carried out other than in accordance with the approved plans and details below.

REASON: In the interest of securing an appropriate form of development in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

2. The access, parking and manoeuvring areas shown on the approved plan shall be completed and made available for use prior to the occupation of the units they serve and shall be retained thereafter and kept available for such purposes.

REASON: In the interests of highway safety in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

3. Prior to first construction of plots 35-41 hereby approved, details that provide secured gates to the rear access paths serving plots 35-41 shall be submitted to and approved in writing by the Local Planning Authority. Plots 35-41 shall not be occupied until the approved scheme has been fully Implemented and the gates shall be retained thereafter.

REASON: In the interests of planning out crime and antisocial behaviour in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

4. 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 openings, windows, extensions or alterations permitted by Classes a, B or C of Part 1 of Schedule 2 of the Order shall be made in the rear (north) elevation or roof slope of plot 54.

REASON: To protect the amenity and privacy of the occupiers of adjoining property in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

5. Notwithstanding the submitted plans garage door widths shall be a minimum of 2.5 metres.

REASON: In the interest of highway safety and to encourage usage of the garages for vehicle parking in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

Officers Report for KET/2016/0883

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

3.0 Information

Relevant Planning History

KET/2013/0750 Residential development for up to 69 no. dwellings with access.
Approved 27/06/14

KET/2012/0785 Outline application for up to 30 dwellings with access. Approved
04/07/14

KE/95/0660 Existing retail buildings partially demolished – new retail glasshouse,
tea room/demonstration area and new car park added APPROVED 2/4/96

KE/92/0766 Remove existing cold frames and erect polythene canopy for frost
protection and change of use of bungalow for temporary storage APPROVED
22/12/92

KE/91/0742 Approval of reserved matters residential development APPROVED
23/3/92

KE/88/1366 Outline for residential development APPROVED 9/2/89

KE/88/0108 Outline for residential development REFUSED 16/3/88

KE/87/1156 Outline for residential development WITHDRAWN 29/1/87

Site Description

Officer's site inspections were carried out on 1/2/2017 and 4/4/2018. The site which measures 2.62 hectares in area comprises a garden centre and nursery that is located to the south of Burton Latimer, off Finedon Road. The eastern element of the site, comprising of the garden centre use, is located within the town boundary as defined by Policy 35 of the Local Plan. To the west is the garden nursery and open land, including a number of polytunnels that sits outside the settlement boundary. The site is bounded to the north and south by existing residential development and mature hedgerows to the west and south of the site.

Proposed Development

The application seeks reserved matters approval for appearance, landscaping, layout and scale for 69 dwellings including 1, 2,3 and 4 bedroom properties and would consist of 30% affordable housing, which equates to 21 dwellings

Any Constraints Affecting the Site

C Road

Nene Valley NIA Boundary

4.0 Consultation and Customer Impact

Burton Latimer Town Council

Objection. The layout of the Social Housing dwellings is likely to lead to conflict and vandalism, aggravated by the number of vehicles within the confined space. The area allocated to Social Housing is a significantly small proportion of the total development. A more imaginative/ socially positive mix of dwellings is required.

Suitable access is required to footpath UA19 and the adjacent open space constructed by Orbit homes.

Highway Authority

Objection – Presently the applicant has not demonstrated a site layout that does not impact negatively on highway safety. The site fails on parking levels.

The site can be seen to still fail to supply each dwelling with the parking required by Northamptonshire County Council and the Local Highway Authority.

The site is short of car parking spaces, and few visitor spaces are shown. This disregard for people's amenity and safety will cause obstruction and congestion on the street and places the site at severe risk of not being accessible by refuse trucks, or worse, emergency vehicles. This must not be underestimated as it places lives at risk. This has been brought up several times with the developer failing to meet these basic requirements to ensuring a safe place to live.

The integral garages for the Holdenby and Farndon house types do not meet Northamptonshire Highways internal dimensions, clear of piers, and cannot be detailed as a car parking space. However, the Holdenby's are 3 bedroomed dwellings and all have 2 open car parking spaces which fulfils their resident parking requirements. The Farndon's are 4 bedroomed dwellings and require 3 car parking spaces for residents. One may be in a garage that meets our dimensions as long as a garden shed is supplied where cycle storage, at one space per bedroom, may be placed along with other storage.

A number of the plots have drives over 11m. This has been previously detailed that residents will try to fit another vehicle on resulting in overhang of the footway and obstruction.

Natural England

No comment

Environmental Health

No comments or objection

Sport England

No comment.

Lead Local Flood Authority (NCC)

No comment.

Anglian Water

No comments in relation to the submitted documents.

Northamptonshire Police Crime Advisor

No objection and have made comments regarding measures which will reduce the likelihood of crime, disorder and antisocial behaviour from occurring. Gates should prevent access to private rear access alleyways to plots 36, 37, 38, 39 and at the side of plots 32 and 33.

Neighbours

Six third party objections raising the follow matters:

- Infrastructure cannot cope with the pressure of more traffic on Finedon Road, the GP surgery is oversubscribed and there are no enough school places.
- The houses on the western section of the northern boundary are close to properties on Virginia Crescent.
- Garages at rear of garden detached from the main house might allow nosier activities.
- More houses have an effect on our light and privacy.
- Parking on Finedon Road is an issue.
- Concern at the distribution of affordable housing between numbers 11 - 14 Hollow Wood Road.

Housing Strategy

The inclusion of a small number of 1 bed units is welcomed and we are happy with the distribution of the affordable housing across the site.

5.0 Planning Policy

National Planning Policy Framework (NPPF):

P4 Promoting sustainable transport

P6 Delivering a wide choice of high quality homes

P7 Requiring good design

P8 Promoting healthy communities

P10 Meeting the challenge of climate change, flooding and coastal flooding

P11 Conserving and enhancing the natural environment

Development Plan Policies

North Northamptonshire Joint Core Strategy (JCS) Policies:

4 Biodiversity and Geodiversity

5 Water Environment

7 Community Services and Infrastructure

8 Shaping Places

9 Sustainable Buildings

10 Provision of Infrastructure

11 The network of urban and rural areas

15 Well-connected towns, villages and neighbourhoods

28 Housing Requirements

29 Distribution of new homes

30 Housing mix and tenure

Saved Policies in the Local Plan (LP) for Kettering Borough

35 Housing: Within towns

6.0 Financial/Resource Implications

The outline permission secured a S106 agreement

7.0 Planning Considerations

The key issues for consideration in this application are:-

1. Principle of Development
2. Character and appearance
3. Residential amenity
4. Landscaping
5. Highways
6. Impact on flooding and drainage
7. Impacts of possible contaminated land
8. Impact on biodiversity
9. Impact on existing infrastructure
10. Conditions and other matters

1. Principle of Development

The site has extant outline permission for residential development for up to 69 dwellings through KET/2013/0750. This application accords with that outline approval and its conditions and is submitted within the timescales prescribed.

The principle of residential development is therefore established for this site. The following focus on the impacts of the reserved matters of appearance, landscaping, layout and scale and any other relevant matters.

2. Character and appearance

Policy 8 (d) of the JCS seeks development to respond to local character, which stems from Chapter 7 of the NPPF in requiring good design.

As the site has outline residential approval any absolute harm that the development would have to the site and to its surroundings have been assessed and considered to be acceptable.

The linear layout of the scheme builds on the indicative scheme presented at outline stage and is comparable to residential developments to the north and south of the site. Most of the dwellings are two storey with a small number of 2 and a half storeys, achieving a density of 34 dwellings per hectare across the site comparable to adjacent development and importantly all the dwellings meet the national space standards.

The dwellings whose materials are conditioned through the outline permission include architectural detailing to ensure that they reflect elements of the existing

character of Burton Latimer. The proposal identifies and respects local characteristics and incorporates some of these into the house type designs to integrate more fully within the existing town. Key buildings are placed at nodal points within the development and the scheme provides an area of open space and soft landscaping to complement the built form.

The Town Council and the Council's Housing Strategy team raised concerns about the cluster of affordable housing to the north of the site and its implications for social cohesion and anti-social behaviour. The applicant has produced revised plans which deliver 1 bed units requested by Housing Strategy and revised the distribution of affordable units to disperse the units more widely across the scheme. Accordingly Housing Strategy has confirmed that they are happy with the distribution of the affordable housing across the site.

Conditions on the outline with respect to materials and boundary treatment shall ensure a quality finish and as such the proposal is considered to respect the character and appearance of the area and therefore the proposal is acceptable in this regard.

3. Residential amenity

Policy 8 (e) of the JCS seeks to protect amenity, which is derived from the core principles (point 4) of the NPPF, which amongst other things aims to secure a good standard of amenity for all existing and future occupants of land and buildings.

Due to the proximity, orientation and relationship of the proposal to neighbouring dwellings the proposal would not result in an adverse impact to neighbours as a result of loss of light, privacy or outlook. In particular the adjacent neighbours in Hollow Wood Road have a back-to-back separation distance of minimum 17 metres which is considered to be sufficient to protect neighbouring residential amenity. These neighbouring properties are also set higher than the application site with finished floor levels conditioned on the outline to ensure the amenity of neighbouring and future residents is maintained.

Plot 54 is set 13 metres from the rear of no.10 Hollow Wood Road but importantly has no windows at first floor within its rear gable, which together with the removal of permitted development rights can be secured by condition, and accordingly no unacceptable amenity impacts result. Plot 35 is positioned 15.9 metres from nos. 67 and 69 Virginia Crescent to the north but this represents an acceptable distance for the flank to rear relationship shown.

In terms of impacts on future occupier's residential amenities; the amount of garden space proposed is considered to be sufficient. Other arrangements within the proposal, including the affordable units, whose future residents would not have the same choice of occupation, are considered to be acceptable. Northamptonshire Police has highlighted the need for gates to be provided to a small number of the units with shared rear alleyways to reduce the potential for crime and anti-social behaviour. A condition securing gates to the relevant plots is proposed.

Any impacts arising from construction of the site will be short-lived over the lifespan of the permission with any serious harm prevented through the approval of a construction management plan which is required by condition 16 on the outline approval.

The proposal also accords with National Space Standards which is required by Policy 30 of the JCS. As such the proposal is considered to be acceptable in this regard.

4. Landscaping

The landscaping scheme includes details of top soil, cultivation, planting, mulch, turf, seeding and watering and a revised detailed planting list has been produced which includes native species and a variety of specimens to add variety and vibrancy across the site. A buffer strip is proposed along a section of the northern boundary comprising of common hawthorn supplemented by other trees and plants and within the open space small clusters of trees will enhance the amenity space.

The quantity, location and variety of specimens proposed through the submitted landscaping details, together with condition 24 of the outline regarding landscape management and maintenance, will ensure that the site is integrated into the surrounding landscape characterised by its edge of town location.

5. Highways

Policy 8(b) of the JCS, consistent with NPPF's Chapter 4 requires development to have a satisfactory means of access and provide for parking, servicing and manoeuvring in accordance with adoptable standards and to resist development that prejudices highway safety.

The primary objections of the Local Highway Authority (LHA) are concerned with in plot and visitor parking when referenced against NCC Parking Standards which have not been adopted by KBC. Firstly with respect to the amount of parking provision; each house has two parking spaces, the one-bed maisonettes have one space and the majority of the dwellings feature detached garages, measuring internally 3.3m x 6m, that provide further parking space. This is considered to be sufficient parking provision.

Concern has been raised about the integral garage on the Farndon house type, a 4 bed detached property, whose width is below those stated by NCC. At its narrowest the integral garage is 2.9m in width widening to 3.2m, against highways specifications of 3.3m. The narrower section is only the first 1m of the garage and therefore would not impinge entry or exit of vehicles when fully inside the garage, thus providing a third useable parking space for these properties. Garage door widths of an agreed minimum are to be provided and conditioned.

Whilst the layout plan shows only six dedicated visitor spaces on the access road, the provision of further parking lay-bys would dilute the green open quality and character of the approach secured in this layout with the potential for a highway dominated scheme. Highways consider that 31 visitor spaces, including parking on the carriageway, should be provided across the scheme and have themselves shown that in excess of 35 spaces on the carriageway, excluding the dedicated

visitor bay, could be safely achieved having regard to the vehicle tracking submitted. It is clear therefore that the road can be used for visitor parking as it is not likely to be subject to restrictions whilst also not being a through-road and therefore enabling a refuse/emergency vehicle to pass an opposing or parked vehicle on the main access road as demonstrated by the tracking layout plan provided. As such the proposal as a whole is considered to provide appropriate parking provision.

Connectivity to the Glade Gardens site, off Diana Way, to the north and footpath UA19 to the south has been highlighted by the town council and third parties. Direct connectivity at to the north is not possible due to a parcel of private land between to two sites and therefore outside the applicants control. However access is proposed via a permissive route linking through the retained amenity land. To the southern boundary a permissive footpath link to the public right of way UA19 is proposed across the south east of the proposed public open space.

Comments have been made about the access arrangement onto Finedon Road which was considered at outline stage and therefore not a matter for consideration in this application.

In conclusion it is considered that the proposed internal access arrangements and parking provision will raise no adverse highway safety implications and the scheme is thus in accordance with the requirements of policy 8 of the North Northamptonshire Joint Core Strategy.

6. Impact on flooding and drainage

Flooding and drainage was considered at outline stage and both Anglian Water and the Lead Local Flood Authority have no concerns on these matters subject to relevant conditions attached to the outline approval being satisfied. As such the proposal is considered to be acceptable in these regards.

7. Impacts of possible contaminated land

As above this issue is satisfactorily addressed through the imposition of condition 10 on the outline approval with no change of approach by the Council's Environmental Protection Officer here.

8. Impact on biodiversity

Paragraph 99 of Circular 06/05 states that: *it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision.* Likewise section 40 of the Natural Environment and Rural Communities Act 2006 (NERC 2006) states that: *every public authority must in exercising its functions, have regard ... to the purpose of conserving (including restoring / enhancing) biodiversity.*

These impacts were considered in the outline consent with a number of conditions attached to ensure that the proposal is implemented in accordance with the approved ecological survey and the prior approval of a lighting scheme (condition 25) and also the provision of bat and bird boxes (condition 21).

9. Impact on existing infrastructure

These issues were considered in the outline approval and found to be acceptable.

10. Conditions and other matters

The majority of the standard development management conditions were applied on the outline approval and therefore shall not be repeated although there are certain issues not foreseeable at the time of that approval and therefore these will be covered by conditions attached to this permission. This includes conditions relating to retention of the parking areas, the provision of gates and a condition restricting permitted development rights to certain properties, in the interests of visual and neighbouring amenity.

Conclusion

In light of the above the proposal complies with Development Plan policy and the principles of the NPPF. As such and with no other material considerations that would justify a different view the application is recommended for approval.

Background Papers

Title of Document:

Date:

Contact Officer:

Richard Marlow, Senior Development Officer on 01536 534316

Previous Reports/Minutes

Ref:

Date: