

BOROUGH OF KETTERING

Committee	Full Planning Committee - 18/12/2018	Item No: 5.1
Report Originator	Richard Marlow Senior Development Officer	Application No: KET/2018/0525
Wards Affected	William Knibb	
Location	6 Queen Street, Kettering	
Proposal	Outline Application: Development of 36 no. retirement apartments including communal facilities and parking, with ground floor retail unit for A1 or A3 with all matters reserved	
Applicant	Mr K Jones	

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 a S.106 OBLIGATION being entered into, and to the following conditions:-

1. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission or before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

REASON: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended) and to prevent an accumulation of unimplemented planning permissions.

2. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this planning permission.

REASON: To comply with Section 92 of the Town and Country Planning Act 1990 and to prevent an accumulation of unimplemented planning permissions.

3. Approval of the details of the appearance, access, landscaping, layout and scale (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

REASON: In order to secure a satisfactory development.

4. Plans and particulars of the reserved matters referred to in condition 3 above, relating to the appearance, scale and layout of any buildings to be erected, and the landscaping and access to be provided within the site, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

REASON: In order to secure a satisfactory development.

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

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

6. Prior to first occupation of the development a scheme for the provision of the surface and waste water drainage shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved scheme.

REASON: To prevent pollution of the water environment in accordance with Policy 5 of the North Northamptonshire Joint Core Strategy.

7. Construction works shall not take place on site outside of the following times: Monday to Friday 08.00 to 18.00 hrs, Saturday 08.30 to 13.30 and at no time whatsoever on Sundays or Public/Bank Holidays. This includes deliveries to the site and any work undertaken by contractors and sub-contractors.

REASON: In the interests of the amenity of nearby occupiers in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

8. Prior to the commencement of development an air quality assessment to assess the impact of local air quality on occupiers of the proposed development against the National Air Quality Standards and Objectives shall be submitted to and approved in writing by the Local Planning Authority. The submitted assessment shall identify exceedances of the air quality objectives in addition to any mitigation measures required to reduce exposure. Once approved the mitigation measures shall be implemented in full prior to the first occupation of the development and retained where appropriate at all times thereafter.

REASON: Details are required prior to the commencement of development in the interest of safeguarding residential amenity and to protect public health in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

9. Prior to the commencement of development a scheme for achieving the noise levels outlined in BS8233:2014 with regards to the residential units shall be submitted and approved in writing by the Local Planning Authority. Once approved the scheme shall be implemented before first occupation of the residential units and therefore maintained in the approved state at all times. No alterations shall be made to the approved structure including roof, doors, windows and external facades, layout of the units or noise barriers.

REASON: Details are required prior to the commencement of development in the interest of safeguarding residential amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

10. Prior to the commencement of an A3 use full details of the cooking equipment and odour control system to be installed shall be submitted to and approved in writing by the Local Planning Authority. The equipment shall thereafter be installed and maintained in accordance with the approved details at all times thereafter.

REASON: In the interest of safeguarding residential amenity with regard to odour in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

11. Prior to the commencement of any A3 use hereby permitted a scheme for the acoustic treatment of the odour control system to prevent the emissions of noise affecting noise sensitive premises shall be submitted to and approved in writing by the Local

Planning Authority. The scheme shall be fully implemented in accordance with the approved details and maintained in accordance with the approved details at all times thereafter. Upon completion of all works to implement the approved scheme, testing shall be carried out and a report submitted to and approved in writing by the Local Planning Authority prior to the commencement of the use hereby permitted to verify the scheme's effectiveness.

REASON: In the interest of safeguarding residential amenity with regard to odour and noise in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

12. The A1 or A3 uses shall not be open to the public before 08:00 hours or remain open after 22:00 hours on Mondays to Saturdays, nor before 10:00 hours or after 20:00 hours on Sundays or any recognised public holidays unless alternative hours are agreed in writing in advance by the Local Planning Authority.

REASON: To protect the amenities of the occupiers of nearby properties in the interests of amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

13. The development hereby permitted shall be limited to no more than 36 apartments for over 55s.

REASON: To secure a satisfactory form of development in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

14. No development above slab level shall take place until a plan prepared to a scale of not less than 1:500 showing details of intended final ground and finished floor levels has been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

REASON: To preserve the character of the area and to protect the privacy of the occupiers of adjoining properties in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

15. There shall be no external illumination on the site at any time other than in accordance with a detailed scheme which shall first have been submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of the amenities of the area and adjoining residential properties in particular in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

16. No development above slab level shall commence on site until details of the types and colours of all external facing and roofing materials to be used (including samples), have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

REASON: In the interests of the visual amenities of the area in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

17. No development above slab level shall take place on site until full architectural details of all windows, doors, timber finishes, verge detailing and rainwater goods have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

REASON: In the interests of visual amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy

18. In the event that unexpected contamination is found at any time when carrying out the development hereby approved, it must be reported immediately to the Local Planning Authority. Development works at the site shall cease and an investigation and risk assessment undertaken to assess the nature and extent of the unexpected contamination. A written report of the findings shall be submitted to and approved by the Local Planning Authority, together with a scheme to remediate, if required, prior to further development on site taking place. Only once written approval from the Local Planning Authority has been given shall development works recommence.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised in accordance with Policies 6 and 8 of the North Northamptonshire Joint Core Strategy.

19. Prior to the commencement of development hereby permitted, a scheme and timetable detailing the provision of fire hydrants shall be submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the hydrants serving the development have been provided in accordance with the approved details.

REASON: To secure the provision of fire hydrants in the interests of safety in accordance with policy 8 of the North Northamptonshire Joint Core Strategy

20. Reserved matters for appearance, layout and scale shall be accompanied by a scheme for ecological enhancement of the site. The development shall not be carried out other than in accordance with the approved Ecological Management Plan.

REASON: To protect ecology and secure a net gain in biodiversity in accordance with Policy 4 of the North Northamptonshire Joint Core Strategy.

21. No development above slab level shall take place until a scheme of hard (full details of materials) and soft landscaping works have been submitted to and approved by the Local Planning Authority. The works shall be carried out as approved and shall be carried out in the first planting and seeding seasons following the occupation of any of the dwellings hereby approved, unless these works are carried out earlier. Any trees or plants which, within a period of 5 years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

REASON: To improve the appearance of the site in the interests of visual amenity and to protect and enhance biodiversity in accordance with Policy 5 of the North Northamptonshire Joint Core Strategy.

22. All dwellings shall be constructed to achieve a maximum water use of no more than 110 litres per person per day in accordance with the optional standards 36(2)(b) of the Building Regulations 2010 (as amended) as detailed within the Building Regulations 2010 Approved Document G - Sanitation, hot water safety and water efficiency (2015 edition).

REASON: In the interests of water efficiency in a designated area of water stress in accordance with Policy 9 of the North Northamptonshire Joint Core Spatial Strategy 2016.

Officers Report for KET/2018/0525

This application is reported for Committee decision because there are unresolved, material objections to the proposal and the application requires an agreement under s.106.

3.0

Information

Relevant Planning History

KET/2017/0381 Outline application 41 no. over 55 apartments, including communal facilities, access and parking, and ground floor retail and/or restaurant unit. Refused 11/05/18

KET/2014/0546 Extension to KET/2011/0152 of 21 no. hotel rooms and a re-configured car park, with access onto Queen Street. Approved 28/1/16.

KET/2014/0383 Change of use of site to a car park with car valet service, new vehicular access to Queen Street and erection of portacabin. Approved 04/08/2014.

KET/2014/0234 Change of use of site to a car park with car valet service, new vehicular access to Queen Street and erection of portacabin. Withdrawn.

KET/2011/0196 Redevelopment of car sales and services area car park and access road to form phase 2 of retail (A1/A3) and hotel development. Approved 16/08/2011.

KET/2011/0152 s.73 Application Variation of conditions 2 (materials), 4 (noise mitigation), 5 (contamination assessment), 10 (approved drawings), 11 (servicing facilities) and 12 (highway details) of planning permission KET/2007/0449 (permission allows a hotel, ground floor retail unit and basement health club) in order to accommodate planned highway improvements and changes to fenestration. Approved 03/06/2011.

KET/2010/0344 – Landscaping scheme – Approved 15/07/2010

KET/2009/0661 – Demolition of buildings – Approved 25/02/2010

KET/2008/0924 – Demolish and clear existing buildings – Approved 29/01/2009

KET/2007/0449 – 45 bed hotel with ground floor A1 or A3 unit and basement health club – Approved 11/06/2008

Site Description

Officer's site inspections were carried out on 30/10/18. The application site stands within Kettering Town Centre, at the junction of Queen Street and Horsemarket and is located within the Silver Street Quarter established by policy 22 of the Kettering Town Centre Area Action Plan (AAP).

The site comprises a 32 space Council owned car park and boarded area of land to the west of the site fronting the Horsemarket with consent for a hotel and is surrounded by a mix of commercial and residential uses. Queen Street bounds the site to the north which is currently a one way street leading towards Horsemarket. Planned highway improvements in Queen Street set out in the AAP would accommodate two way traffic and these would encroach into the site. To the south of the site is Hogs Lane, a narrow one way service road that serves the rear of residential properties fronting Green Lane. A car sales site stands beyond Hogs Lane to the south, whilst to the north there is a vehicle body repair specialist and a 4 storey flatted development. To the east is of the site is a restaurant whilst beyond the car sales to the south is the Dalkeith Works factory a three storey grade II listed building.

Proposed Development

The proposal is for outline planning permission for residential development comprising of 36 no. over 55s apartments with ground floor retail/ restaurant unit.

The scheme is in outline with all detailed matters (access, appearance, landscaping, layout and scale) reserved for later consideration.

Any Constraints Affecting the Site

Planned Highway Improvements to Queen Street.

Adjacent to Conservation Area.

To the south of the site is a car sales garage and the Stables Factory, a Grade II Listed Building beyond.

4.0

Consultation and Customer Impact

Highway Authority

The scheme is acceptable in principle depending on securing appropriate access, parking for cars, cycles, motorcycles/scooters and mobility scooters as well as servicing and turning [considered a reserved matters stage]. A Transport Statement will be required to understand the full impact of the development on both the current one-way traffic scheme and the proposed two-way scheme on Queen Street. The development must not compromise the delivery of the proposed traffic scheme and ensure building proximities are to NCC standards as well as footway

widths.

Environmental Health

No objection subject to conditions and informatives regarding air quality, refuse, contaminated land, protection from noise and working hours for construction.

NCC Ecologist

There are no ecological constraints to the site and there is an opportunity to provide some biodiversity enhancement and potential for integral swift bricks which would be an appropriate, low cost and proportionate enhancement measure.

NCC Growth Management

Have set out contributions for libraries and a condition for fire hydrants.

Lead Local Flood Authority (NCC)

Insufficient information available to comment on the acceptability of the proposed surface water drainage scheme for the proposed development Drainage Strategy. The LLFA would be looking for betterment in terms of surface water runoff.

Anglian Water

No objection and recommend a condition to secure a surface water management strategy prior to the commencement of any drainage works.

Cadent Gas

A note is recommended to cover any operational gas apparatus that may lie within the application site boundary.

Historic England

Our main concern is the proposed building's height and scale and consequently the potential impact on the setting of the Church of St Peter and St Paul along with the adverse impact this would have on the character and appearance of the Conservation Area. We have concerns that an outline application stating the number of units required would by default approve a scheme that would not meet the requirements of the NPPF if it were a full planning application.

Northamptonshire Police Crime Advisor

Serious concerns regarding the development in its present form as this area of Kettering has historically and periodically still does suffer from incidences of crime and anti-social behaviour. Due to the location of the site designing out crime should be high on the list of sustainable priorities.

Northamptonshire Adult Social Services

One letter of support from NASS stating that there is a large and rapidly growing demand for specialist housing, particularly for older people.

Neighbours

4 third party objections raising the follow matters:

- The design and layout as presented with open under croft parking appears to be designing in crime.
- The 6 storey building will not fit into the conservation area and will appear dominating and out of place.
- The site as a whole will be over developed
- Residents in Green Lane will have their bedrooms overlooked by the building and noise and disturbance.
- The refuse area is inadequate and present a fire risk
- There will be increase noise and light for the residents of Green Lane.
- Object to the blocking up of Hogs Lane.
- Extra traffic to and from the site
- The service bay is difficult to reach and dangerous
- Deliveries to the retail unit would be from Horsemarket forcing pedestrians into a busy road or blocking the highway
- Hogs lane is unsuitable for full refuse collection and delivery vehicles.
- The development shows an overhang over the footpath that will be a dark and dangerous place shielded from street lighting.
- The roof garden and windows facing Hoggs lane will be an infringement of privacy.
- Enormous development overbearing to other properties
- A five storey building will cause a total lack of natural light to Green Lane and the adjacent car sales forecourt.

5.0

Planning Policy

National Planning Policy Framework

Paragraph 7 – Sustainable Development

Paragraph 17 – Core Planning Principles

Policy 1 – Building a strong, competitive economy

Policy 2 – Ensuring the vitality of town centres

Policy 4 - Promoting sustainable transport

Policy 7 - Requiring good design

Policy 8 – Promoting healthy communities

Development Plan Policies

North Northamptonshire Joint Core Strategy (JCS)

Policy 2. Achieving sustainable development

Policy 5. Delivering a sufficient supply of homes

Policy 6. Building a strong competitive economy.

Policy 7. Ensuring the vitality of town centres

Policy 12 Achieving well designed places

Local Plan for Kettering Borough

Policy 64 – Shopping: Development Within Existing Shopping Areas
Accommodation

Kettering Town Centre Area Action Plan

Policy 1 – Regeneration Priorities

Policy 2 – Urban Quarters, Urban Codes and Development Principles

Policy 5 – Culture, Tourism and Leisure

Policy 7 – Road Network and Junctions

Policy 22 – The Silver Street Quarter

Supplementary Planning Documents

Urban Codes SPD

6.0

Financial/Resource Implications

A S106 obligation is required to support the application which restricts the occupancy of the units solely as over 55 apartments.

7.0

Planning Considerations

The key issues for consideration in this application are:-

1. Principle of Development
2. Character and Scale
3. Planning Balance of public benefit against harm
4. Amenity
5. Highways, Access and Parking
6. Other Reserved Matters
7. Flood risk and Drainage
8. Crime and Disorder

1. Principle of Development

The proposal comprises residential development of up to 36 over 55s apartments, with a ground floor retail or restaurant unit, on a site which falls within the town boundary of Kettering as defined by saved policy 35 of the Local Plan for Kettering. Policies 11 and 29 of the North Northamptonshire Joint Core Strategy (JCS) also focus new housing development within the growth town of Kettering.

The National Planning Policy Framework (NPPF) sets out the Government's planning policies and details the presumption in favour of sustainable development which should be seen as a golden thread running through plan making and decision making. Policy 1 of the JCS sets out that when considering development proposals Local Planning Authorities will take a positive approach that reflects the presumption in

favour of sustainable development contained in the NPPF. Policy 7 of the NPPF requires Local Planning Authorities to promote town centre competitiveness, vibrancy, vitality and viability, through, amongst other ways, ensuring a viable mix of appropriate uses.

The application site comprises the entirety of site SSQ5, as set out in the Kettering Town Centre Area Action Plan, allocated for commercial use and having potential for hotel use together with road and junction improvements as set out in policy 22. Objective 3 of the AAP seeks to deliver a new residential community and utilise residential uses to support and complement the quarters. A vertical mix of uses with active uses at ground floor and residential above, as proposed here, is supported throughout the AAP.

In conclusion, the scheme falls within the town boundary of Kettering and its development is consistent with policies 11 and 29 JCS and saved policy 35 of the Local Plan for Kettering Borough. The proposed scheme would therefore contribute to the comprehensive redevelopment of a key site within the town centre and subject to the detailed matters considered below the principle of residential led development on the site accords with the requirements of the development plan subject to satisfying the criteria below.

In policy terms, the overarching principle of the National Planning Policy Framework (NPPF) is a presumption in favour of sustainable development requiring developments that accord with the Development Plan to be approved without delay.

2. Character and Scale

The application seeks outline consent for residential development comprising up to 36 over 55s apartments with complementary A1/A3 use on the ground floor. All matters are reserved. The indicative plans show a single 5 storey building fronting Horsemarket with a roof height of 15.9m, a depth of 57m and width of 18.5m.

A previous three storey building fronting Queen Street, towards the east of the site, which was included within the previous refused application (KET/2017/0381) has been removed from the indicative plans.

The footprint of the main building on the indicative plans is consistent with the extant hotel and extension approvals which remain live and could be implemented. The key physical change shown on the indicative plans is the increase in height from the consented hotel at 14m fronting Horse market and this scheme at 15.9m through the inclusion of an additional 5th storey to the building, but a reduction in the individual floor to ceiling heights of each storey. The detailed design, appearance and scale of the development would come forward through subsequent reserved matters applications.

The Kettering Town Centre Area Action Plan (AAP) sets out the planning policies for this area and guiding principles specific to the character of each quarter are set out in the supporting Urban Codes supplementary planning document (SPD) which is a key element in achieving the urban quarters concept and in delivering design-led regeneration. The Urban Codes as set out in policy 2 of the AAP outline specific buildings uses, heights, massing, density and materials as well as identifying key spaces, streets and necessary public realm improvements for each area.

The Silver Street Quarter urban code envisages buildings of 3-4 storeys in height on either side of Queen Street facing Horsemarket with the potential for new landmark buildings whilst respecting their surroundings and setting.

Whilst not statutory consultees on schemes below 20m Historic England have commented on the outline application, in part due to their concerns about the previous scheme, and consider that the LPA should conclude whether the resultant harm is fully justified or outweighed by public benefit in accordance with paragraphs 193 and 195 of the NPPF.

The NPPF heritage section states;

193. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be...

195. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Given the existing consents on the site, and the outline nature of this proposal, it is considered that development could come forward with a new building fronting Horsemarket that would result in less than substantial harm to designated heritage assets, notably the conservation area which dissects the Horsemarket frontage of the site, St Peters and St Pauls church (grade I) and the Dalkeith Works (grade II) on Green Lane. Detailed matters including the scale and appearance of the proposal would be considered at a later date which would define the nature and extent of the built form. The submitted plans are indicative only.

The west end of the proposal lies 10m inside the east limit of the Conservation Area and falls within the Town Centre sub-area identified in the Conservation Area Appraisal (CAA), which is described as the historic core and southern half of the old town centre. The CAA identifies that the town centre area is dominated by the Church of St Peter and St Paul (Grade I) which lies 200m southwest of the application site and fairly centrally within the Town Centre sub-area. The CAA does note, however, that the views of the church are restricted in the narrow shopping streets,

but good views of the spire are available from the open area of Horse Market.

The CAA notes sites on the east side of the Horse Market, including the derelict blocks by Queen Street and the car sale plot, will again provide a unique opportunity for development which could contribute positively to the town centre and restore the sense of enclosure to the Horse Market – now partly compromised by the gap site at the south east corner.

Development of the site could help to reinstate the urban grain of the eastern part of Horsemarket but this must be judged against the scale and mass of the proposal acknowledging that the building does exceed the scale of those key buildings that surround the Horsemarket. In summary it is considered that a form of development could come forward that would produce a low to medium level of harm to the setting of the Conservation Area.

The spire of the St Peters and St Pauls church (grade 1) stands at 54.86m and is located some 200m south west of the site. The spire can be seen on the skyline from the relatively open spaces within the Horsemarket. There are views of the spire available from the west end of Queen Street, and one or two snatched views from the west end of Carrington Street. It is considered that these views from Queen Street and Carrington Street may be partially obscured by the proposed development and indeed the consented schemes on the site.

The immediate setting of the Dalkeith Works building is the narrow street of Green Lane. The views from the Dalkeith Works to the application site are not continuous from ground level and intervening buildings and the forecourt of the business opposite prevent clear views to and from the application site. There are however, snatched and partial views where gaps in the local buildings allow, and the Dalkeith Works building can be seen from Carrington Street c.105m to the northwest. The scheme proposed would not materially alter the character of the setting of the Dalkeith Works building, as it will retain the mixed residential and retail / commercial character of the setting and accordingly the development would have a medium to low magnitude of harm upon its setting.

Public benefits would be generated through the proposal with the redevelopment of a key town centre site, identified in the AAP as an allocated site and which is highlighted with the CAA as presenting an opportunity site. The social dimension of sustainable development through the provision of up to 36 residential units for over 55s close to the town centre and all its facilities accords with the objectives of the AAP and national policies regarding sustainable patterns of development. Despite consented schemes on application site, delivery to date has not been forthcoming, highlighting the difficulty in achieving a deliverable scheme on what is a constrained site.

3. Planning Balance of public benefit against harm

The indicative scale of the main building fronting Horsemarket would present a highly visible addition to the area which is set partially within the Conservation Area. Assessment of the indicative proposal impacts on designated heritage assets, as detailed above, conclude that public benefits from the scheme would result and there would be a less than substantial harm in accordance with para 134 of the NPPF. Any reduction in the scale of the built form from that shown on the indicative plans would further ameliorate any harm caused.

The height shown in the indicative plans is noted but this must be judged against extant permissions on the same site which would themselves produce visual impact to its surrounding historical context and the pleasant open spacious character and appearance of the area, notably the Horsemarket.

It is considered that good quality materials and architectural detailing, which can be conditioned, are key to this development, with these aspects for full consideration as part of any subsequent reserved matters applications in respect of appearance, scale, layout and landscaping. The proposal is considered acceptable for the reasons detailed above.

4. Amenity

The footprint of the indicative building fronting Horsemarket is consistent with the extant hotel and extension consents through KET/2011/0152 and KET/2014/0546. This building would be sited directly north of the neighbouring car sales/ servicing business accessed off Green Lane and south of the vehicle body repair specialists on the opposing side of Queen Street. It would be located to the north west of the nearest residential property at no 27 Green Lane, and therefore due to the path of the sun will result in no overshadowing or loss of light to nearest residential units or the car sales business to the south.

The indicative elevations follow the principles previously established on the site with the eastern element including a set back without windows and this would ensure that there is no direct overlooking or privacy issues for the nearest neighbour at no. 27 Green Lane. The elevations further demonstrate how through limiting windows on the south elevation and obscuring certain windows a future detailed scheme for the site could protect neighboring amenity for those residential properties on Green Lane nearest to the site. The additional height proposed beyond that consented would not materially alter the amenity impacts of the proposal on its nearest neighbours and would be subject to detailed consideration at the reserved matters stage.

The submitted indicative floor plans show the use of the ground floor as surface level car parking with amendments to the layout to provide a service road and access to the rear of the building and an amended point of exit for vehicles using Hogs Lane. The indicative servicing area to the south of the main building has previously been consented as part of the

hotel and extension approvals and could be secured through the S106 on this scheme as it lies outside of the application site.

Northamptonshire Police and third parties have raised concerns about the undercroft parking which without access controls could encourage antisocial behaviour and low level crime. The detail of the scheme is not a matter for consideration through this application which seeks to establish the principles of the development in this location. The comments of the police have been provided to the applicant and can be used to shape the future detailed proposals for the site should consent be granted.

A refuse storage and collection condition is recommended to ensure that appropriate provision is made and neighbouring amenity is not compromised. Environmental Health has raised no objection to the scheme subject to a number of conditions including those relating to contamination, air quality, and noise impacts.

No significant adverse impact would result from the development in terms of amenity and the outline application therefore accords with policy 8 of the North Northamptonshire Joint Core Strategy.

5. Highways, Access and Parking

Policy 8 (b) of the JCS states that new development should make safe and pleasant street by, amongst other ways, ensuring a satisfactory means of access and provision for parking, servicing and manoeuvring in accordance with adopted standards whilst also resisting developments that would prejudice highway safety.

The site extends across the public car park adjoining Queen Street which may be reconfigured together with alterations to Hogs Lane so as to provide two way access from Queen Street, enabling service vehicles access to the service bay proposed to the rear (south) of the main building fronting Horsemarket. The indicative plans show that direct access from Hogs Lane onto Horsemarket could be removed as part of the development and a section of public highway may need to be stopped up.

The Local Highway Authority (LHA) has raised no objection to the scheme which is in outline and seeks to establish the principle of development on this site. They would be looking to secure appropriate access, parking for cars, cycles, motorcycles/scooters and mobility scooters as well as servicing and turning for the scheme, which would be considered a reserved matters stage. They have commented that a Transport Statement will be required to understand the full impact of the development on both the current one-way traffic scheme and the proposed two-way scheme on Queen Street. The development must not compromise the delivery of the proposed traffic scheme and ensure building proximities are to NCC standards as well as footway widths.

6. Other Matters

The full details relating to the remaining reserved matters of access, appearance, landscaping, layout and scale fall to be determined as part of later submission(s).

Policy 12 of the NPPF and Policy 8 of the JCS both require that developments be of a high standard of design and architecture and respect and enhance the character of their surroundings.

The application is in outline form, with all matters, however an indicative layout and floorplan has been provided which demonstrates how up to 36 apartments and ground floor retail/restaurant unit could be delivered on the site.

Concerns have been expressed about the character and appearance of the development proposed. Character, which is related to the scale of the development, is considered earlier in the report. Whilst the concerns expressed are noted, appearance, layout and scale are reserved for future consideration and would be subject to appropriate consideration during later applications. It is considered that subject to conditions and consideration of reserved matters, a high quality development of up to 36 over 55s apartments can be achieved on site that would accord with the place shaping principles established through policy 8 of the North Northamptonshire Joint Core Spatial Strategy.

Policy 11 of the National Planning Policy Framework requires that the planning system should protect and enhance valued landscapes, geological conservation interests and soils. Policy 8 (d) of the JCS states development should create a distinctive local character by responding to the local topography and the overall form, character and landscape setting of the settlement.

Landscaping is not determined at this stage and therefore full landscaping details can be secured at reserved matters stage. This will include consideration of any screening by fences, walls or other means; planting of trees, hedges, shrubs or grass; and the laying out or provision of other amenity features.

7. Flood Risk and Drainage

When determining planning applications policy 14 of the NPPF requires LPAs to ensure flood risk is not increased elsewhere. Policy 5 of the JCS, amongst other things, also seeks development to reduce flood risk and contribute toward flood risk management.

The site is less than 1 hectare in area and is located within flood zone 1 and therefore is of low probability of fluvial flooding. The NPPF Technical Guidance states that in zone 1, developments should seek to reduce the overall level of flood risk through the layout and form of development and the appropriate application of sustainable drainage systems.

The Lead Local Flood Authority have advised that there is insufficient information available to comment on the acceptability of the proposed surface water drainage scheme for the proposed development and they would be looking for betterment in terms of surface water runoff through any drainage strategy. Anglian Water have requested a condition relating to the provision of a drainage strategy, which is considered a reasonable approach in light of the existing development within the site and would also provide the drainage strategy details for the Lead Local Flood Authority.

8. Crime and Disorder

Policy 8 of the NPPF and policy 8 of the JCS emphasise the importance of considering the potential for crime in planning decisions. Northamptonshire Police have raised concerns about the indicative details and have suggested a number of methods for reducing the potential for crime and anti-social behaviour within the development. This information has been provided to the applicant and will be considered at the reserved matters stage.

Conclusion

The proposed development accords with both national and local planning policy. As such, planning permission should be granted subject to the conditions recommended above and a S106 obligation.

Background Papers

Title of Document:

Date:

Contact Officer:

Previous Reports/Minutes

Ref:

Date:

Richard Marlow, Senior Development Officer on 01536 534316