

BOROUGH OF KETTERING

Committee	Full Planning Committee - 20/02/2019	Item No: 5.2
Report Originator	Natalie Westgate Senior Development Officer	Application No: KET/2018/0623
Wards Affected	Desborough St. Giles	
Location	Gaultney Farm (land at), Pipewell Road, Desborough	
Proposal	Outline Application: Erection of up to 70 no. dwellings with all matters reserved except access	
Applicant	Mr Pickford, Tata Steel UK 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 a S.106 OBLIGATION being entered into, and to the following conditions:-

1. Approval of the details of the access, appearance, landscaping, layout and scale (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced and the development shall not be carried out other than as approved.

REASON: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended) and in order to secure a satisfactory development.

2. 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.

3. The development shall not be carried out other than in accordance with the approved plans and Reserved Matters.

REASON: To secure a satisfactory development in accordance with Policies 1, 5 and 8 of the North Northamptonshire Joint Core Strategy (2016).

4. The total number of dwellings within the approved site shall not exceed 70 dwellings (Use Class C3).

REASON: To define the permission and in the interests of the visual appearance and character of the development in its surroundings and in the interests of appropriate highway capacity and to secure a satisfactory form of development. To comply with Policies 8 and 11 of the North Northamptonshire Joint Core Strategy.

5. No development shall take place until details of the existing and proposed site levels and finished floor levels for all buildings 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 interest of visual appearance of the development, residential amenity and to ensure a high quality design in accordance with the NPPF and Policy 8 of the North Northamptonshire Joint Core Strategy (2016).

6. No development shall take place on site until details of any earthworks have been submitted to and approved in writing by the Local Planning Authority. These details shall include the proposed grading and mounding of land areas including the levels and contours to be formed, showing the relationship of proposed mounding to existing vegetation and surrounding landform. The development shall not be carried out other than in accordance with the approved details approved details and shall be fully completed before the development is first occupied.

REASON: Earthworks details are necessary prior to the commencement of development in the interest of the character and appearance of the area in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

7. No development shall take place until samples of the materials to be used in the construction of the external surfaces of all the buildings have been submitted to and approved in writing by the Local Planning Authority. The development shall not take place other than in accordance with the approved details.

REASON: In the interests of the visual appearance of the development in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy (2016).

8. Within 6 months of occupation of the final dwelling, evidence of how the residential elements of the development hereby approved shall achieve a maximum water use of no more than 110 litres per person per day in accordance with the optional standard 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) shall be submitted and approved in writing by the Local Planning Authority.

REASON: In the interests to provide a sustainable form of development in accordance with Policies 8 and 9 of the North Northamptonshire Joint Core Strategy.

9. Within the reserved matters application(s) for residential development, details of the house types of the dwellings to be constructed to M4(3) 'Wheelchair user dwellings' of Part M of the Building Regulations 2010 (as amended) shall be submitted to and agreed in writing by the Local Planning Authority and shall amount to at least 3% of the affordable units of the entire application site. The development shall thereafter be carried out in accordance with the approved details submitted and be certified by the appointed building control body, unless otherwise agreed in writing by the Local Planning Authority. Prior to the first occupation of the dwellings, a copy of the certification confirming compliance shall be submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure dwellings within the development are capable of being adapted to meet the needs of all people in accordance with Policy 30 of the North Northamptonshire Joint Core Strategy (2016).

10. Prior to occupation of the development arrangements for the ongoing management and maintenance (for 10 years from the completion of the approved landscaping scheme) of the public realm and landscape planting within that development parcel, street furniture and any unadopted roads shall 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: To ensure a continued high development in accordance with the NPPF and Policy 8 of the North Northamptonshire Joint Core Strategy.

11. No works shall take place on site including any tree felling, tree pruning demolition works, soil moving, temporary access construction/widening, or any operations involving the use of motorised vehicles or construction machinery shall take place on site unless and until a detailed Arboricultural Method Statement shall be submitted to and approved in writing by the local planning authority. The development and all other operations shall not take place other than in accordance with the approved Method Statement. The Method Statement shall include details of the following:

- a) Tree protection measures, their implementation, supervision and monitoring
- b) Implementation, supervision and monitoring of all approved construction works within any area designated as being fenced off or otherwise protected in the approved tree protection measures outlined in i) above
- c) Timing and phasing of Arboricultural works in relation to the approved development.

REASON: To ensure the continued well-being of the trees in the interests of the visual appearance of the locality and the preservation of biodiversity in accordance with Policies 4 and 8 of the North Northamptonshire Joint Core Strategy.

12. No development shall take place on site until a scheme for the protection of all existing hedges and hedgerows on site 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. Any existing hedgerows which are identified for retention shall be retained in perpetuity and shall not be cut down, grubbed out or otherwise removed, or topped or lopped so that the height of the hedge falls below 2 metres at any point, without the written consent of the Local Planning Authority. Any hedges removed without such consent or which die or become severely damaged shall be replaced with hedging plants of such size and species as approved in writing by the local planning authority.

REASON: To ensure the continuity of visual amenity afforded by existing hedges or hedgerows in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

13. All site clearance (including the removal of any vegetation or works to hedgerows) should be timed so as to avoid the bird nesting season, this being during the months of March until August inclusive unless alternative provisions have been previously agreed in writing by the Local Planning Authority.

REASON: To ensure that the development will conserve and enhance the natural environment and will not cause significant harm to any protected species or its habitat in accordance with the Government's aim to achieve sustainable development as set out in Policy 4 of the North Northamptonshire Joint Core Strategy.

14. The following works likely to cause harm to protected species, i.e. Great Crested Newts as identified in the Ecological Appraisal shall not in any circumstances commence unless the local planning authority has been provided with either:

- a. A licence issued by Natural England pursuant to Regulation 55 of the Conservation of Habitats and Species Regulations 2017 authorising the specified activity/development to go ahead; or
- b. Written confirmation from Natural England that the application site has been registered with the great crested newt Low Impact Class Licence scheme; or
- c. A statement in writing from a suitably qualified ecologist to the effect that it does not consider that the specified activity/development will require a licence.

REASON: To ensure that the development will conserve and enhance the natural environment and will not cause significant harm to any protected species or its habitat in accordance with the Government's aim to achieve sustainable development as set out in the National Planning Policy Framework and Policy 4 of the North Northamptonshire Joint Core Strategy.

15. No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP: Biodiversity shall include the following:

- a. Risk assessment of potentially damaging construction activities
- b. Identification of 'biodiversity protection zones'
- c. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements for reptiles, amphibians and badgers) and shall include a pre-commencement badger check survey due to the species' highly mobile nature and proximity to the site
- d. The location and timing of sensitive works to avoid harm to biodiversity features
- e. The times during construction when specialist ecologists need to be present on site to oversee works
- f. Responsible persons and lines of communication
- g. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person
- h. Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

REASON: To ensure that the development will conserve and enhance the natural environment and will not cause significant harm to any protected species or its habitat in accordance with the Government's aim to achieve sustainable development as set out in the National Planning Policy Framework and Policy 4 of the North Northamptonshire Joint Core Strategy.

16. Prior to the commencement of the development a landscape and ecological management plan (LEMP) shall be submitted to and be approved in writing by the local planning authority. The content of the LEMP shall include the following:
- a. Description and evaluation of features to be managed
 - b. Ecological trends and constraints on site that might influence management
 - c. Aims and objectives of management
 - d. Appropriate management options for achieving aims and objectives
 - e. Prescriptions for management actions
 - f. Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period)
 - g. Details of the body or organisation responsible for implementation of the plan
 - h. Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The approved plan will be implemented in accordance with the approved details.

REASON: To ensure that the development will conserve and enhance the natural environment and will not cause significant harm to any protected species or its habitat in accordance with the Government's aim to achieve sustainable development as set out in the National Planning Policy Framework and Policy 4 of the North Northamptonshire Joint Core Strategy.

17. No development shall take place until full details of the surface water drainage scheme for the site, based on the approved Flood Risk Assessment and Concept Drainage Strategy, document ref. no. JG/11650/FRA/180607, rev. no. Issue 1 dated June 2018 prepared by Ecus Environmental Consultants have been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details. These shall include:

- a) Details (i.e. designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets and attenuation basins. Details of the drainage system are to be accompanied by full and appropriately cross-referenced supporting calculations. In all calculations, proposed values of impermeable area should include a 10% allowance for Urban Creep, as taken from CIRIA C753 (version 6) paragraph 24.7.2
- b) Cross sections of all control chambers (including site specific levels mAOD) and manufacturers' hydraulic curves for all hydrobrakes and any other flow control devices
- c) Demonstration that for events with a return-period in excess of 3.3% (1in30), exceedance flow routes are appropriately routed such that there is no residual risk to property and critical infrastructure.

REASON: To prevent the increased risk of flooding, both on and off site, by ensuring the satisfactory means of surface water attenuation and discharge from the site. In accordance with the National Planning Policy Framework and Policy 4 of the North Northamptonshire Joint Core Strategy.

18. Prior to occupation of the dwellings a detailed scheme for the maintenance and upkeep of every element of the surface water drainage system proposed on the site has been submitted to and approved in writing by the Local Planning Authority and the maintenance plan shall be carried out in full thereafter. This scheme shall include details of any drainage elements that will require replacement within the lifetime of the proposed development.

REASON: In order to ensure that the drainage systems associated with the development will be maintained appropriately and in perpetuity, to reduce the risk of flooding due to failure of the drainage system. In accordance with the National Planning Policy Framework and Policy 4 of the North Northamptonshire Joint Core Strategy.

19. All subsequent reserved matters applications shall make reference to the original approved Flood Risk Assessment and Concept Drainage Strategy, document ref. no. JG/11650/FRA/180607, rev no. Issue 1, dated June 2018 prepared by Ecus Environmental Consultants and shall be accompanied by a certificate of compliance with the original approved scheme. In addition, an accompanying revised and updated Flood Risk Assessment with full drainage details shall be submitted with each future reserved matters application, indicating whether any further works are required. Development shall be implemented in accordance with the originally approved scheme or the updated scheme as approved in writing by the Local Planning Authority pursuant to that application.

REASON: In order to ensure that the drainage details are implemented in accordance with the approved Flood Risk Assessment, and to prevent the increased risk of flooding, both on and off site, by ensuring the satisfactory means of surface water attenuation and discharge from the site. In accordance with the National Planning Policy Framework and Policy 4 of the North Northamptonshire Joint Core Strategy.

20. No occupation shall take place until the Verification Report for the installed surface water drainage system for the site to be submitted in writing by a suitably qualified drainage engineer and approved by the Local Planning Authority prior to occupation of the site based on the approved Flood Risk Assessment and Concept Drainage Strategy, document ref. no. JG/11650/FRA/180607, rev. no. Issue 1, dated June 2018 prepared by Ecus Environmental Consultants. These shall include:

- a) Any departure from the agreed design is keeping with the approved principles
- b) Any As-Built Drawings and accompanying photos
- c) Results of any Performance Testing undertaken as a part of the application process (if required/necessary)
- d) Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges etc.

REASON: To ensure the installed Surface Water Drainage System is satisfactory and in accordance with the approved reports for the development site. In accordance with the National Planning Policy Framework and Policy 4 of the North Northamptonshire Joint Core Strategy.

21. No development shall commence until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the foul water strategy so approved until otherwise approved in writing by the Local Planning Authority.

REASON: To prevent environmental and amenity problems arising from flooding. In accordance with the National Planning Policy Framework and Policy 4 of the North Northamptonshire Joint Core Strategy.

22. No development shall commence until a drainage strategy and mitigation strategy for disposal of foul water has been submitted to and approved in writing by the Local Planning Authority. The strategy shall include details on the development size, proposed discharge rate (a minimum pumped discharge for foul water is 3.8l/s), connecting manhole discharge location (no connections can be made into a public rising main) and notification of intention to connect to the public sewer under S106 of the Water Industry Act.

REASON: To prevent environmental and amenity problems arising from flooding. In accordance with the National Planning Policy Framework and Policy 4 of the North Northamptonshire Joint Core Strategy.

23. No development shall take place on site until a scheme for boundary treatment has been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall not commence until the approved scheme has been fully implemented in accordance with the approved details.

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

24. Prior to first occupation of the development a scheme of hard and soft landscaping works which shall specify species, planting sizes, spacing and numbers of trees and shrubs to be planted, any existing trees to be retained, the layout, contouring and surfacing of all open space areas shall be submitted to and approved by the Local Planning Authority. The works approved shall be carried out in the first planting and seeding seasons following the occupation of the building, unless these works are carried out earlier. Any newly approved 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 in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

25. No development shall take place until a programme of archaeological work, in accordance with a written scheme of investigation, has been submitted to and approved in writing by the local planning authority. The development shall only be carried out in accordance with the approved details.

REASON: These details are required prior to the commencement of development, to ensure that features of archaeological interest are properly examined and recorded, in accordance with Policy 12, Paragraph 199 of the NPPF.

26. No development shall take place until a scheme and timetable detailing the provision of fire hydrants and their associated infrastructure has been submitted to and approved in writing by the Local Planning Authority. The fire hydrants and associated infrastructure shall thereafter be provided in accordance with the approved scheme and timetable.

REASON: To ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire. In accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

27. Prior to the commencement of development a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period and the approved measures shall be retained for the duration of the construction.

REASON: The details are required prior to commencement of development because the CMP needs to be in place and in force throughout the construction period and in the interests of safeguarding highway safety and residential amenity in accordance with Policy 8 of the Northamptonshire Joint Core Strategy

28. Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until parts B to C have been complied with.

B. Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

C. Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

REASON: Contaminated land remediation is required prior to the commencement of development 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

29. Prior to the commencement of development a scheme for achieving the noise levels outlined in BS8233:2014 and BS1412:2014 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.

30. Prior to the commencement of development a scheme to protect the residential units from railway vibration shall be submitted to and approved in writing by the Local Planning Authority. Once approved the scheme shall be implemented prior to the first occupation of any of the residential units hereby approved and maintained in the approved state at all times thereafter. No alterations shall be made to the approved structure of the units including roof, doors, windows and external facades, layout of the units or noise barriers.

REASON: Details are required prior to the commencement of development because any required measures are likely to be an integral part of the design and in the interest of safeguarding residential amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy

31. Prior to commencement of the development full engineering, construction and drainage plans for the off-site works along with a Road Safety Audit 1/2 shall be submitted and approved in writing by the Local Planning Authority. The details shall include:

- 'Mitigation scheme for Rothwell Road / Lower Street junction as per drawing 17322-03'
- '2m footway to connect from the existing to The Plens off Pipewell Road'.

REASON: In the interests of highway safety in accordance with the NPPF and Policy 8 of the North Northamptonshire Joint Core strategy.

32. Prior to commencement of any footings/slab levels, proposals for implementing a detailed travel plan shall have been submitted to and approved by the Local Planning Authority. Thereafter it shall be implemented in accordance with the approved plan.

REASON: In the interests of sustainable transport in accordance with the NPPF and Policy 8 of the North Northamptonshire Joint Core strategy.

33. Prior to first use of the development hereby permitted, vehicular visibility splays of 2.4m from the carriageway edge along the centre of the vehicular access by a distance of 120m to the north and 43m to the south, measured from the centre of the vehicular access along the carriageway edge shall be provided on each side of the vehicular access. The splays shall thereafter be permanently retained and kept free of all obstacles to visibility over 0.9m in height above carriageway level.

REASON: In the interests of highway safety in accordance with the NPPF and Policy 8 of the North Northamptonshire Joint Core strategy.

34. Prior to first occupation of the development hereby permitted, a 2m footway is required to exit the site and cross Pipewell Road at the pedestrian refuge located in the ghost right hand turn, to tie into the existing provision. The existing footway is to be extended to the north to a spur connecting to the rear of the highway boundary to connect into The Plens public open space between Swift Close and the industrial estate to afford the residents ready access to open green spaces to overcome the lack of such within the site.

REASON: In the interests of highway safety in accordance with the NPPF and Policy 8 of the North Northamptonshire Joint Core strategy.

35. Prior to the commencement of the development hereby permitted, a Construction Traffic Management Plan (CTMP) shall be submitted to and be approved in writing by the local planning authority. The Plan shall include the following elements:

- Detailed work programme / timetable
- Site HGV and deliveries / removal hours to be limited to between 10:00 - 16:00 Mondays-Fridays
- Detailed routeing for demolition, excavation, construction and abnormal loads
- Supply of pre-journey information on routeing and site restrictions to contractors, deliveries and visitors
- Detailed plan showing the location of on-site stores and facilities including the site compound, contractor & visitor parking and turning as well as un/loading point, turning and queuing for HGVs
- Breakdown of number, type, size and weight of vehicles over demolition & construction period
- Details of debris management including location of wheel wash, programme to control debris spill/ tracking onto the highway to also include sheeting/sealing of vehicles and dust management
- Details of public impact and protection to include road, footway, cycleway and Public Right of Way. Details of Traffic Regulations Orders and road / footway / cycleway / Public Right of Way closures and re-routeings as well as signage, barriers and remediation
- Public liaison position, name, contact details and details of public consultation/liaison
- Route details as required covering culverts, waterways, passing places, tracking of bends/junctions and visibility splays
- Pre and post works inspection of the highway between points A and B as requested to identify remediation works to be carried out by the developer. Inspections are to be carried out in the presence of a member of the Highway Authorities Inspection team. To also include the removal of Traffic Regulations Orders, temporary signage, barriers and diversions
- Details of temporary construction accesses and their remediation post project
- Provision for emergency vehicles.

REASON: In the interests of highway safety in accordance with the NPPF and Policy 8 of the North Northamptonshire Joint Core strategy.

36. In the event of any of the streets associated with the residential element of this proposed development are not being proposed for adoption as public highway, the following conditions apply:

- a) Details of a site management company and associated management and maintenance methodology of the streets within the development, to operate in perpetuity, will be submitted to the planning authority and agreed in writing prior to the commencement of development;
- b) The streets will in any event be required to be laid out and constructed to adoptable standards to ensure safe and practical operation, prior to first occupation of any dwelling;
- c) That the streets will be identified as private through the use of appropriate private street name plates on the entrances to the development from the public highway (to be placed within the site);
- d) Prior to commencement of development any vehicular access to the site from the public highway shall be implemented as standard vehicle cross-overs.

REASON: In the interests of highway safety in accordance with the NPPF and Policy 8 of the North Northamptonshire Joint Core strategy.

Officers Report for KET/2018/0623

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/2017/1030: Outline Application: Residential development of up to 202 no. dwellings with access only considered – Not yet determined

Site Visit

Officer's site inspection was carried out on 30/08/2018 and 21/01/2019.

Site Description

The site area comprises an area of 2.62 hectares of greenfield land. It lies to the eastern side of Desborough. The site is located within the defined town boundary of Desborough. The site is accessed from Pipewell Road.

The site currently constitutes agricultural land. The agricultural fields in existence are bound and sub-divided by mature hedgerow and mature tree boundaries.

The northern, southern and western site boundaries constitute Desborough's settlement and comprises of dwellings. Pipewell Road runs along the northern boundary of the site. The railway runs along the southern boundary of the site. Open countryside is situated to the eastern boundary.

Proposed Development

An outline planning application has been made for up to 70 dwellings with all detailed matters reserved for later approval with the exception of the primary access road. The scheme includes indicative information for the layout of 70 dwellings, landscaping, the provision of a balancing pond and the provision of a vehicular access point to the site from Pipewell Road.

Any Constraints Affecting the Site

Adjacent to a C Road
Historically and Visually Important open space

4.0 Consultation and Customer Impact

Highway Authority

No objection subject to conditions and s106 contributions of £1,000 per dwelling towards improving bus services.

Conditions are sought in relation to:

- Full engineering, construction and drainage plans for the off-site works along with a Road Safety Audit 1/2 to include:
 - Initially signalisation of the junction of Harborough Road / Gold Street / High Street figure 6 in appendix J of the Transport Assessment
 - Mitigation scheme for Rothwell Road / Lower Street junction as per drawing 17322-03.
 - 2m footway to connect from the existing to The Plens off Pipewell Road.
- Travel Plan condition.
- Vehicular visibility splays – see condition 33.
- Footway provision to existing bridge over railway and to The Plens (see condition 34)
- Gateway feature to help slow traffic speeds.
- A Construction Traffic Management Plan (CTMP) condition – see condition 35

They also provide advice on any streets not being proposed for adoption which has been copied to the applicants.

Network Rail

Object to the application as there are concerns relating to the positioning of a detention (drainage) basin at the crest of a railway cutting and concerns regarding the impact on the stability of the cutting upon operational railway safety.

They recommend all surface and foul water drainage from the development area be directed away from Network Rail's retained land and structures into suitable drainage systems and the details of these works are to be approved by Network Rail before construction starts on site; construction of soakaways for storm or surface water drainage; the construction of surface water retention ponds/tanks, SuDS or flow control systems.

No connection of drainage shall be made to these assets without Network Rail's prior consent to detailed proposals. Any works within 5m of the assets will require prior consent.

They also draw attention to fail safe use of crane and plant; the design of all excavations/ earthworks carried out in the vicinity of Network Rail properties; security of mutual boundary with the railway boundary; an Armco or similar safety barrier should be located in positions where vehicles may be in a position to drive into or roll onto the railway or damage the lineside fencing; trespass proof fencing; method statements/fail safe/possessions.

Other protocols and advice including:

- Encroachment

The developer/applicant must ensure that their proposal, both during construction, and after completion of works on site, does not affect the safety, operation or integrity of the operational railway;

- The Developer should be aware that any development for residential use adjacent to an operational railway may result in neighbour issues arising. Consequently, every endeavour should be made by the developer to provide adequate soundproofing for each dwelling.

- Trees/Shrubs/Landscaping

No hedge should prevent Network Rail from maintaining its boundary fencing. Lists of trees that are permitted and those that are not permitted by Network Rail are provided for the applicant and these should be added to any tree planting conditions.

- Lighting issues affecting the operational railway e.g. the potential for train drivers to be dazzled to be eliminated.

- Access to Railway

All roads, paths or ways providing access to any part of the railway undertaker's land shall be kept open at all times during and after the development.

- Children's Play Areas/Open Spaces/Amenities

Children's play areas, open spaces and amenity areas must be protected by a secure fence along the boundary of one of the following kinds, concrete post and panel, iron railings, steel palisade or such other fence approved by the Local Planning Authority acting in consultation with the railway undertaker to a minimum height of 1.8 metres and the fence should not be able to be climbed."

The drainage, boundary fencing, Armco barriers, method statements/OPE, soundproofing, lighting and landscaping should be conditioned.

Anglian Water Services Limited

Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space.

The foul drainage from the development is in the catchment of Broadholme Water Recycling Centre so the necessary steps should be taken to ensure there is sufficient treatment capacity to treat the flows of the development site.

It is recommended that surface water disposal should be to a sustainable drainage system with connection to the sewer seen as the last option. Building Regulations (part H) on drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer. The proposed method of surface water management does not relate to Anglian Water operated assets so can't comment on the suitability of the surface water management.

If permission is granted there should be conditions relating to foul and surface water strategy (see conditions 17-22).

There shall be a condition for the provision of a drainage strategy to determine mitigation measures.

Cadent Gas

No objection because the LHP gas pipeline will not be affected. It is recommended that an informative is provided to the applicants.

Northamptonshire Police via the Crime Prevention Design Advisor

In relation to the indicative layout:

The terraced properties within the development should be designed in a similar way to the terraced properties on Page 8 of the Design and Access Statement, i.e. Victorian dwellings on Rushton Road with rear access via an internal front (gated) alleyway with bedroom above and rear alleyway access should not give access for more than 3 properties and the entrance of the alleyway should be gated with a gate consisting of a key operated lock.

There should be no back to back dwellings as illustrated on the indicative plan.

All doors and windows in domestic dwellings should meet the requirements of Approved Document Q of the Building Regulations.

The lighting scheme should consider adopted areas and unadopted areas for safety and security.

Internal fence panels should be 1.8m high for garden boundary treatments.

External rear and side boundary treatment should be robust, for example a brick wall of a minimum height of 1.8m.

Some physical separation should be installed between areas 4 and 5 and the parking area. This would demonstrate where private/semi-private areas are as well as preventing inappropriate parking on the edge of this area.

Sport England

If the proposal involves the provision of additional housing then it would generate additional demand for sport. If existing sports facilities do not have the facility to absorb the additional demand, then the new and/or improved sports facilities should be secured and delivered in accordance with any approved local policy for social infrastructure, and priorities set out in any Playing Pitch Strategy or Built Sports Facility Strategy that the local authority has in place.

In line with the Government's NPPF (including Section 8) and PPG (Health and wellbeing section), consideration should also be given to how any new development, especially for new housing, will provide opportunities for people to lead healthy lifestyles and create healthy communities. Sport England's Active Design Guidance can be used to help with this when developing or assessing a proposal. Active Design provides ten principles to help ensure the design and layout of development

encourages and promotes participation in sport and physical activity.

Natural England

No objection. The proposed development will not have significant adverse impacts on statutorily protected sites or landscapes. The proposed development will not damage or destroy the interest features at the River Ise and Meadows Site of Special Scientific Interest.

Development provides opportunities to secure a net gain for nature and local communities, as outlined in the NPPF. The mitigation hierarchy in paragraph 118 of the NPPF should be followed. There should be consideration on what existing environmental features on and around the site can be retained or enhanced or what new features could be incorporated into the development proposal. Where onsite measures are not possible, there should be consideration for off-site measures, including sites for biodiversity offsetting. Opportunities for enhancement might include:

- Providing a new footpath through the new development to link into existing rights of way
- Restoring a neglected hedgerow
- Creating a new pond as an attractive feature on the site
- Planting trees characteristic to the local area to make a positive contribution to the local landscape
- Using native plants in landscaping schemes for better nectar and seed sources for bees and birds
- Incorporating swift boxes or bat boxes into the design of new buildings
- Designing lighting to encourage wildlife
- Adding a green roof to new buildings.

There should be consideration of how the proposed development can contribute to the wider environment and help implement elements of any Landscape, Green Infrastructure or Biodiversity Strategy for the area, such as:

- Links to existing greenspace and/or opportunities to enhance and improve access
- Identifying opportunities for new greenspace and managing existing (and new) public spaces to be more wildlife friendly (e.g. by sowing wild flower strips)
- Planting additional street trees
- Identifying any improvements to the existing public rights of way network or using the opportunity of new development to extend the network to create missing links
- Restoring neglected environmental features (e.g. coppicing a prominent hedge that is in poor condition or clearing away an eyesore).

Natural England encourages any proposal to incorporate measures to help improve people's access to the natural environment. Measures such as reinstating existing footpaths together with the creation of new footpaths and bridleways should be considered. Links to other green networks and where appropriate, urban fringe areas should be explored to help promote the creation of wider green infrastructure. Relevant aspects of local authority green infrastructure strategies should be delivered where appropriate.

North Northants Badger Group

No objection with an appropriate buffer zone to the gullet as indicated on the plans. It is recommended that there should be a pre-commencement survey as proposed in Sections 4.4.46 and 7 in the Ecology Report along with necessary mammal protection measures during the construction period. Any biodiversity improvements through appropriate landscaping are encouraged through a planning condition.

Northamptonshire County Council's Biodiversity Officer

It has not been established if a great crested newt licence is required. The suitable conditions are sought to ensure relevant licences have been obtained and environmental management, during and after construction.

There shall be a condition for a pre-commencement badger check due to the species' highly mobile nature and proximity to the site.

Northamptonshire County Council's Local Lead Flood Authority

The impacts of the surface water drainage will have been adequately addressed at this stage with suitable conditions if planning permission is granted.

Without these conditions the proposed development may pose an unacceptable risk of surface water flooding. (These are identified in conditions 17-22 of the officer recommendation).

Northamptonshire County Council's Archaeological Advisor

Much of the surrounding area has been quarried for ironstone. The site contains remains of ridge and furrow agriculture and other possible archaeological features. If the application is recommended for approval there should be a condition for a programme of archaeological work consisting of a scheme of trial trenching which should be carried out before the submission of any application for reserved matters and then followed by further mitigation.

The proposed development will have a detrimental impact upon archaeological deposits. This does not represent an over-riding constraint on the development provided adequate provision is made for the investigation and recording of any remains that are affected.

A condition is recommended for archaeological work (see condition 25).

Northamptonshire County Council's Fire and Rescue Service

There should be vehicle access for a pumping appliance to within 15% of the total perimeter of any building or within 45m of every point on the footprint of the building. The roads should meet the following standard; minimum width of roads between kerbs 3.7m, minimum carrying capacity 15 tonnes.

Northamptonshire County Council's Development Management Officer (Education, Fire & Rescue, Libraries and Broadband)

Education

Development of this size is expected to generate approximately 22 Nursery / Pre-school pupils, 22 Primary School pupils and 17 Secondary and Sixth Form School pupils based on an average three bed dwelling mix and our pupil generation multipliers.

If an Early Years contribution is deemed necessary to meet the needs of this development, the current Department for Education (DfE) cost multipliers for Early Years Education set out below will give you an indication of the likely contribution required:

Size of Dwelling	1 bed	2 bed	3 bed	4+ bed
Cost per Unit	£0	£3,724	£3,972	£4,220

As at June 2018, Loatlands Primary and Havelock Infant & Junior Schools were operating at above 90% capacity with several year groups 100% full. Current forecasts indicate continued high levels of take up, with both schools expected to be completely full from 2019 onwards based on three year trend and birth rate data. Due to the level of planned housing growth in the area, the County Council is progressing plans for a new 2 form of entry Primary School to serve Desborough. This additional provision will serve the pupils of this proposed development and release capacity at other local schools.

On this basis it will be necessary to request a Primary School contribution towards providing Primary Education capacity at Desborough, to ensure that the children generated from this development can be accommodated in a local school. Based on a generic housing mix and the cost multipliers, it is anticipated that a Primary School Education contribution of £278,040 will be required. This figure will be reviewed once the dwelling mix for the site is confirmed by the applicant.

The current Department for Education cost multipliers for Primary Education are:

Size of Dwelling	1 bed	2 bed	3 bed	4+ bed
Cost per Unit	£0	£1,614	£3,972	£4,592

It is expected that all capacity within Secondary school provision across Kettering will be fully exhausted from the 2018/19 academic year onwards. Expansion of Secondary School provision is therefore currently being planned in order to meet the demand for places.

As such, a S106 obligation will be required to support the delivery of additional Secondary and Sixth Form capacity in Kettering, to ensure that the pupils generated by this development can be accommodated in a local school. A number of projects are currently being developed to facilitate the expansion of Secondary provision in Kettering, and a specific scheme will therefore be identified once further assessment of these options have been undertaken by the County Council, prior to entering into a S106 agreement for this proposed development.

Based on a generic housing mix and the cost multipliers, it is anticipated that a Secondary School Education contribution of £322,000 will be required. This figure will be reviewed once the proposed dwelling mix for the site is known. The current Department for Education cost multipliers for Secondary Education are:

Size of Dwelling	1 bed	2 bed	3 bed	4+ bed
Cost per Unit	£0	£1,170	£4,600	£5,941

Fire Hydrants

New developments generate a requirement for additional fire hydrants in order for fires, should they occur, to be managed. An assessment of the site will need to be undertaken by the Water Officer of Northants Fire and Rescue Service in order to establish how many are required; however it is assumed this development will need 2x fire hydrants to be installed at a cost of £892 per hydrant, totalling £1,784. They advise on a suitable planning condition 26 of recommendation.

Libraries

Where a new development will generate additional need and library space requirement, the County Council requires contributions towards the costs of providing new, extended and/or improved library facilities. The County Council has developed a Library Strategy to 2021, which examines the improvements required across all library provision in the county to support the delivery of growth. The considerable planned development in the Desborough and wider Kettering areas is expected to impact the current level of library provision as the new families moving in to the developments utilise the facilities. The County Council has adopted the National Library Tariff formula produced by the Museums Libraries and Archives Council (MLA). This includes:

- A minimum standard of 30 sq. metres of new library space per 1,000 Population.
- A construction and initial equipment cost on a per sq. metre basis (adjusted to reflect Northamptonshire building costs), based on BCIS building costs for public libraries.

Local planning and library authorities are recommended to adopt a minimum tariff of £90 per person in new housing. This is adjusted for Northamptonshire to £88 per person, based on BCIS building costs. An estimated Libraries Contribution of £16,730 is therefore required, to contribute towards the improvement, enhancement or expansion of Library facilities to serve the Desborough area. This figure is based on generic multipliers and will be reviewed at such time as the approved dwelling mix for the site is confirmed. The following outlines the cost per dwelling type based on the expected numbers of residents for each type of unit:

Size of Dwelling	1 bed	2 bed	3 bed	4+ bed
Cost per unit	£109	£176	£239	£270

Broadband

The Northamptonshire vision is for the county to be at the leading edge of the global digital economy. This requires new developments (both housing and commercial) to be directly served by high quality fibre networks. Access to a next generation network (speeds of >30mbs) will bring a multitude of opportunities, savings and benefits to the county. It also adds value to the development and attracts occupiers.

Kettering Borough Council's Ground Services Officer

There is no on site requirement for parks, gardens, provision for young people, allotments and community gardens.

The proposed site is adjacent to 22 hectares of public open space at Desborough Greenspace. An off-site contribution for public open space of £30,000 is required within a S106. The contribution would go towards establishing access point from Pipewell Road into Desborough Greenspace.

An off-site contribution towards allotment space of £7,000 is required within a S106.

Kettering Borough Council's Environmental Health Officer

No objections subject to conditions on construction method statement, scheme for appropriate noise levels and contaminated land and informatives on noise levels and on radon.

Neighbours

There are two objections from nearby neighbouring properties. The concerns relate to:

- Greenfield sites should only be considered after all brownfield sites have been developed
- Overdevelopment of site
- There are no terraced properties on Pipewell Road
- Increased pressure on an already shortage of local facilities, such as local medical services and schools
- High percentage of social housing
- Potential for unacceptably high air pollution, especially for the new residents near the railway line
- There is potentially insufficient foul/rain water sewerage capacity
- There should be a maintenance provision for the gully to prevent the area being used for anti-social behaviour
- Lack of parking spaces
- Increased congestion on Pipewell Road
- Poor highway safety and loss of visibility at junctions on Pipewell Road
- Poor public transport links

5.0 Planning Policy

National Planning Policy Framework

Policy 2 – Achieving Sustainable Development

Policy 5 – Delivering a Sufficient Supply of Homes

Policy 8 – Promoting Healthy and Safe Communities

Policy 9 – Promoting Sustainable Transport

Policy 12 – Achieving well-designed Places

Policy 14 – Meeting the Challenge of Climate Change, Flooding and Coastal Change

Policy 15 – Conserving and Enhancing the Natural Environment

Development Plan Policies

North Northamptonshire Joint Core Strategy

- Policy 1 – Presumption in favour of Sustainable Development
- Policy 3 – Landscape Character
- Policy 4 – Biodiversity and Geodiversity
- Policy 5 – Water Resources, Environment and Flood Risk Management
- Policy 8 – North Northamptonshire Place Shaping Principles
- Policy 9 - Sustainable Buildings
- Policy 10 - Provision of Infrastructure
- Policy 11 – The Network of Urban and Rural Areas
- Policy 15 – Well connected Towns, Villages and Neighbourhoods
- Policy 19 – The Delivery of Green Infrastructure
- Policy 28 – Housing Requirements
- Policy 29 – Distribution of New Homes
- Policy 30 – Housing Mix and Tenure

Saved Policies in the Local Plan for Kettering Borough

- Policy 35 - Housing Within Towns

Supplementary Planning Documents

- Sustainable Design
- Open Space
- Biodiversity

Emerging Documents

- Site Specific Proposals Local Development Document for Kettering Borough – Draft Neighbourhood Plan – Pre-Submission Stage

6.0 Financial/Resource Implications

Section 106 obligations would be required to deliver or address various matters that would be necessary to secure so as to make the development acceptable in planning terms. It is recognised that all obligations would need to be CIL compliant.

Heads of terms

Section 106 should include:

- 30% affordable housing
- Public transport, e.g. subsidy for improving bus service (£1,000 per dwelling),
- Education - Depending on dwelling size: for early years education, primary education and secondary education
- Open space/play area
- Allotments
- Libraries

In addition, a contribution for town centre improvements, subject to CIL compliance may be sought.

The proposal complies with Policy 10 of the JCS.

7.0 Planning Considerations

The key issues for consideration in this application are:-

1. Principle of Development
2. Design and Character
3. Access, Highway Safety and Parking
4. Impact on Neighbouring Amenity
5. Flood Risk and Drainage
6. Ecology
7. Archaeology
8. Contamination
9. Sustainable Design
10. S106 and Affordable Housing

1. Principle of Development

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. As detailed above, the Development Plan consists of the North Northamptonshire Joint Core Strategy (JCS) and the Saved Policies of the Local Plan.

The site is located inside the settlement of Desborough. The settlement boundary for Desborough was last defined through the 1995 Local Plan for Kettering Borough. Saved Policy 35 (Local Plan) is used to define the extent of the settlement boundary and supports housing development within it.

However, in the Settlement Boundary Background Paper (Update) April 2018 it is proposed that the application site is excluded within the Draft Site Specific Part 2 Local Plan (SSP2). Although this carries limited weight at this stage and will be afforded greater weight as the Plan progresses through to adoption and as such the adopted boundary from 1995 Local should be afforded full weight at present.

Desborough is identified in the Joint Core Strategy as a market town. Policy 11 sets out the role of market towns as providing a strong service role for their local communities and surrounding rural areas with growth in homes and jobs to support regeneration and local services, at a scale appropriate to the character and infrastructure of the town. Policy 28 of the JCS sets out housing requirements for the Borough, for Kettering Borough the requirement is 10,400 dwellings in the period 2011-2031. Policy 29 sets out the distribution of new housing in accordance with the Spatial Strategy. The housing requirement for Desborough in the period 2011-2031 is 1,360 houses.

The following table provides an update on housing requirements for Desborough.

Table 1: Housing number requirements 2011-2031 (base date: 1st April 2017)

	JCS requirement 2011-2031	Completions 2011-17	Commitments 2011-17	Residual JCS requirement	Residual JCS requirement with additional 10% buffer
Desborough	1360	345	751	264	400

This table shows that at the 1st April 2017 the residual requirement for Desborough was 264 dwellings. Since the 1st April 2017 planning permission has been granted for up to 304 dwellings at Land to the South of Desborough (KET/2016/0044). The prescribed housing requirement for Desborough has therefore been met.

The emerging Site Specific Part 2 Local Plan (SSP2) will allocate sites to meet housing requirements identified in the JCS. In addition to the housing requirements in the JCS it has been agreed by the Planning Policy Committee that in Kettering and the market towns the SSP2 will allocate sites to meet the housing requirement plus a 10% buffer. The final column of table 1 shows that at the 1st April 2017 the residual JCS requirement plus a 10% buffer was 400 dwellings. Taking into account the 304 dwellings approved at Land to the South of Desborough this requirements would reduce to 96 dwellings. The SSP2 will therefore allocate sites to meet the requirement plus the 10% buffer.

This proposal would provide an additional up to 70 dwellings for Desborough and would mean that the requirement for Desborough within the Plan period has almost been met, when taking into account the 10% buffer.

Future growth, in Desborough needs to be in accordance with policies 11 and 29 of the Joint Core Strategy, given that Kettering is the growth town; it should be the focus of housing growth within Kettering Borough. Policy 29 sets out that the Growth Town of Kettering will be the strong focus for new housing as this is the most sustainable location for development; this is followed by the market towns. Whilst it is acknowledged that Desborough is identified as a location where there will be some additional growth, the JCS requires that the level of growth is at a scale appropriate to the character and infrastructure of the town.

However, as part of the emerging Site Specific Part 2 Local Plan it was reported to Planning Policy Committee on 1st November 2016, that the site, referenced as DE/063, was under consideration for allocation in the SSP2, for 91 dwellings. At this committee it was reported that despite the site's proximity to the town centre, an earlier site assessment that had been carried out for the site had recognised that the access to the town was a concern. This was due to capacity of the single carriageway signal-controlled bridge on Pipewell Road. However, additional information was submitted to demonstrate a potential solution for this issue, hence the site's re-introduction into the process as reported in 'Housing Allocations – Assessment of Additional Sites and Update (October 2013)'. Despite this, after consultation with NCC Highways, it was evident that access remained a significant constraint because of this number of dwellings that the site can accommodate is limited. Therefore at that stage it was

agreed that further work on highways was required, in an attempt to address the issue of access.

Following an examination into the impact of potential housing allocations on the highway network, decisions as to which sites could be progressed as draft housing allocations in the SSP2 were made. Recommendations were taken to Planning Policy Committee on 27th March 2018 and were informed by both the findings of the transport work as well as the site assessments that were undertaken for each of the sites under consideration for allocation in Desborough.

Site DE/063 was included within various options that were considered for allocation. However it was recommended that only one option was progressed for allocation, this was Option 7. This option did not include site DE/063, and therefore it was recommended that this was rejected as a draft housing allocation. At Planning Policy Committee on 27th March 2018, site DE/063 was subsequently rejected as a draft housing allocation, as recommended. A consultation on the Draft SSP2 was undertaken in June/ July 2018.

In addition to this, work is progressing on the Desborough Neighbourhood Plan, where a number of possible housing allocations have been identified. The latest version of the Plan was produced in October 2017. In this version of the Plan, the development site is identified as 'Priority 1' which is deemed to be the 'preferred option'. The draft Neighbourhood Plan has been published for public consultation purposes (Regulation 14 of the Neighbourhood Planning (General) Regulations 2012, as amended). At this stage, little weight can be afforded to the draft neighbourhood plan document.

Paragraph 12 of the NPPF is clear that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where there are overriding objections with a planning application conflicting with an up-to-date development plan permission should not be granted.

Paragraph 11 of the NPPF refers to the tilted balance in decision taking. In this case as the Local Authority has more than a 5 year housing land supply this is not engaged.

An appeal decision made on 16th June 2017, found that the Council can demonstrate a 5.7 year land supply which includes a 5% buffer and therefore policies relating to housing supply should be considered up to date and attract due weight.

Summary

The site lies within the present town boundary for Desborough as identified through Kettering Borough Saved Policy 35. The emerging Site Specific Part 2 Local Plan to which limited weight has been applied had excluded this site from allocation for what will represent an additional supply of housing over that prescribed. This was to favour instead more suitable sites with a highways access that would not be so constrained. However, a robust assessment of its traffic impacts has now been undertaken, please see the section below.

Whilst the Local Planning Authority can demonstrate a 5 year housing land supply with appropriate buffer, having addressed highway impacts, subject to a s106/and conditions, the development for up to 70 dwellings on this site is shown to be acceptable in principle.

2. Access, Highway Safety and Parking

Policy 8 of the JCS requires development to make safe and pleasant streets by ensuring a satisfactory means of access and provision for parking, serving and manoeuvring.

One of the main issues arising from the proposal is the impact of traffic across the Pipewell Road bridge. The extracts from the highways assessment which has been rigorously examined by the Highway Authority experts picks up on this.

Extract from the Transport Assessment:

Table 17–Pipewell Road shuttle signals summary results

Arm	AM Peak (08:00-17:00)		PM Peak (17:00-18:00)	
	DOS %	MMQ	DOS %	MMQ
2031 Reference				
Northeastbound Ahead	35.9	2.5	41.2	2.5
Southwestbound Ahead	35.2	2.0	41.3	2.8
2031 Reference + Committed				
Northeastbound Ahead	45.0	3.2	48.7	3.1
Southwestbound Ahead	45.8	2.7	48.0	3.3
2031 Reference + Committed + 80 dwellings				
Northeastbound Ahead	50.4	3.6	50.8	3.4
Southwestbound Ahead	48.9	3.1	54.4	3.8

5.5.24 As can be seen in **Table 17**, the signals operate within capacity throughout all scenarios with minimal increases in degrees of saturation and queuing. The signal stop lines are located approximately 26m north of Rushton Road. The predicted average maximum queue is 3.8 pcus (1 pcu = 1 car or 2 pcus = 1 HGV). Therefore, it is considered that any blocking back from the signals onto Ruston Road would be unlikely. To ensure this scenario would not occur, the existing queue loop detectors would be recalibrated to ensure the northbound traffic was released before any queue extended to Rushton Road.

5.5.25 It is clear therefore, that allowing for significant robust assumptions in the modelling of the bridge, the impact of the development will have a modest impact on the operation of the signals.

5.5.26 Finally, and importantly, a third of traffic heading north along Pipewell Road turns right from Rusden Road, thereby increasing the available stacking distance for vehicles.

This demonstrates that the predicted maximum queue can be contained within the stacking space available on street without blocking back on to Rushton Road. It should also be noted that the assessment assumes all development trips pass through this junction (which would not occur in reality). It mentions that they are prepared to alter the position of the existing queue detectors to release the queue prior to any blocking take place. This assessment was based on 80 dwellings being proposed on the site, which had subsequently been reduced to 70.

The Highways Authority are supportive of the proposal and therefore the application requires the following highways mitigation to be secured via condition/or legal agreement (in addition to the access and footpath provision etc.):

- Amendment to the queue detectors position south of the railway bridge, at the Pipewell Road shuttle signals.

With regard to footway connectivity to the south, the developer is required to provide pedestrian refuge islands to cross pedestrians on Pipewell Road, and utilise the existing footpath on the other side of the road, which continues over the railway bridge (as shown on the access drawing). The Highways Authority recommended a gateway feature to help slow traffic speeds but this is unnecessary.

The Highways Authority have provided comments on the public transport contribution separately, which is £1000 per dwelling, to be secured via S106 agreement.

Travel Plan

A framework travel plan has been submitted. Key measures are:

- Provision of “travel packs and bus timetables”
- A layout with good pedestrian access to bus routes
- Promotion of public transport at marketing stage
- Monitoring of use of public transport

The provision of a bus subsidy should assist with the aims of a residential travel plan. These matters will be addressed through the s106 and a suitable planning condition.

The outline application is for all matters except access and as explained such the application was accompanied by a Transport Assessment (TA), proposed access arrangements and highway works (Stage 1: Road Safety Audit (RSA)) and Framework Residential Travel Plan (TP). Further Technical Plans have been submitted during the planning application process in response to comments raised by the Local Highway Authority and this removed initial concerns from the Highways Authority subject to the attached conditions. The TA, RSA and additional transport plans set out the transport issues relating to the development and include an assessment of predicted traffic flows and the impact upon the surrounding highway network.

The indicative masterplan (Plan No. RDC1079-102A) demonstrates there would be adequate space for parking within the site for each dwelling and this detailed element would be fully considered during the Reserved Matters applications.

3. Design and Character

Chapter 12 of the NPPF requires development to be of a good design. Policy 8 of the JCS states that new development should be high quality in design and respect and enhance the character of its surroundings.

The nature of the site is gentle sloping changes in levels rising in the north of the site to what is agricultural land at the edge of Desborough. Surrounding the site there is a significant drop in land adjacent to the railway line to the south of the site. There is residential development to the north and west of the site and south of the site on the opposite side to the railway is also residential development. Adjacent to the site to the east is an agricultural field.

The proposals at outline stage include an indicative masterplan (Plan No. RDC1079-102A). As the masterplan is indicative the consideration of detailed proposals will follow at Reserved Matters stage.

The following analysis has been undertaken: The illustrative layout which recognises the relationship of any built form (including the infrastructure) with the surrounding agricultural land to the east, railway land to the south, residential development to the south of the railway land and in to the north and west and how the site links into the existing town to the south-west, including the links of the development from Pipewell Road which primary connections will be made to the new development. The Design and Access Statement indicates that the nearest dwellings to the site are primarily terraced and detached properties.

The illustrative masterplan (Plan No. RDC1079-102A) indicates primarily detached and semi-detached properties with some terraces and blocks of flats. It has been noted in the Design and Access Statement that the majority of the dwellings nearby are two storey with some 2.5 storey dwellings at Nightingale Drive. Within the Design and Access Statement the proposed development indicates that the newly proposed dwellings shall be primarily two storey in height with some sensitively located 2.5 storey dwellings. The access would be from Pipewell Road and the proposed dwellings would front the road and the surrounding development north of Pipewell Road. The development would be highway dominated from a formal and standard road layout.

The existing dense trees to the east of the site would act as a buffer to the development from agricultural land this approach is supported. The existing hedgerows to the north of the site would be retained and enhanced and this approach is supported. The pond would be sited to the east of the site and could be incorporated into recreation and flood management uses. The use of hard surface material, landscaping and boundary treatments would be conditioned to be appropriate to their surroundings.

Policy 8 (d) of the JCS, amongst other things, seeks development to *design out crime and reduce the fear of crime...having regard to the principles of 'Secured by Design'*. Northamptonshire Police via the Crime Protection Design Advisor considers that a lighting scheme should consider adopted areas and unadopted areas for safety and security. Network Rail recognises the importance of an appropriate lighting scheme to be installed so close to railway land from a safety point of view. The Biodiversity Officer and Natural England consider lighting schemes to be appropriate to their setting

with sensitivity to areas with the presence of bats and their use of woodland and hedgerow corridors. Therefore a condition of a lighting scheme is attached. However, as the masterplan is indicative there is scope for the adjustments at Reserved Matters stage.

It is possible to design a scheme of residential development for up to 70 dwellings to integrate with the character of the area and this will be subject to Reserved Matters applications. Therefore the proposed development would comply with Policy 8 of the JCS.

4. Impact on Neighbouring Amenity

Policy 8 of the JCS requires new development to not have an unacceptable impact upon the amenities of neighbours or the wider areas as result of noise, smell, loss of light or overlooking among other factors.

The illustrative Masterplan (Plan No. RDC1079-102A) shows there to be a sufficient separation distance between the proposed locations for the residential dwellings and existing residential dwellings forming the urban edge of Desborough. There will remain an existing belt of mature dense vegetation acting as a buffer to the development and agricultural land to the east of the site.

It has been noted in the Design and Access Statement that the majority of the illustrative proposed dwellings are shown to be primarily two storey in height with some sensitively located 2.5 storey dwellings. It is considered that, subject to detailed plans, a scheme could be designed that adequately respects and safeguards the amenities of future occupiers within the site. The precise design, footprint and orientation of each individual dwelling would be controlled at detailed planning stage – so adequate separation distances could be controlled. The two storey and 2.5 storey forms of development that is proposed would also help to ensure that any potential overbearing or overshadowing effects would be guarded against.

Whilst the detailed design of residential development will be considered as part of the reserved matters applications were the development to be recommended for approval, it is not considered that the proposed development would have an adverse impact on the residential amenity of nearby existing residents by way of overlooking.

The application includes submission of a 'Noise and Vibration Assessment'. Whilst disturbance during construction is an inevitable side effect of development, given the siting adjacent to Pipewell Road and the railway, which are potential sources of noise and pollution that have the potential to adversely impact on future occupiers, these elements have been considered and conditions as recommended by Kettering Borough Council's Environmental Health officer are attached. Given the siting adjacent to Pipewell Road and the railway, conditions would be needed were the proposals to be recommended for approval include a construction management plan with construction vehicle delivery routes and times of working etc. need to be approved to safeguard residential amenity.

The residential amenity of future occupiers would be dealt with through the detailed design as part of the reserved matters applications.

It is considered that the proposals subject to appropriately worded planning conditions, could address the impact upon the amenities of existing and future residential occupiers in accordance with Policy 8 of the JCS.

5. Flood Risk and Drainage

The application is accompanied by a 'Flood Risk Assessment and Foul Drainage Analysis- Supplementary Report'. The submitted document considers the flood risk posed to the proposed site from a variety of sources. The application site falls within Flood Zone 1 classification; therefore the risk of fluvial flooding is considered to be low.

In light of the topography of the site, which slopes gently south west down the site but slopes steeply towards the railway to the south and there is presence of ditches and ponds, surface water runoff would be expected to either drain to ground and there is low risk of flooding and surface water flooding.

The Lead Local Flood Authority have been consulted upon the submission and have commented that the impacts of surface water drainage have been adequately addressed at this stage, subject to planning conditions being attached to any permission securing the detailed design and maintenance of the surface water drainage scheme and a detailed scheme for the ownership and maintenance of every element of the drainage system to be installed. Without these conditions, the proposed development on this site may pose an unacceptable risk of surface water flooding.

Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991, or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

On assessing the impact of the proposed development on the foul network, Anglian Water concluded that the foul drainage from the development is in the catchment of Broadholme Water Recycling Centre so the necessary steps should be taken to ensure there is sufficient treatment capacity to treat the flows of the development site and a condition as recommended by Anglian Water is attached.

Anglian Water recommends that surface water disposal should be to a sustainable drainage system with connection to the sewer seen as the last option. Building Regulations (part H) on drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.

The suggested condition by Anglian Water for the provision of a drainage strategy to determine mitigation measures to deter the development leading to an unacceptable risk of flooding downstream is attached.

Network Rail recommends that all surface and foul water drainage from the development area should be directed away from Network Rail's retained land and structures into suitable drainage systems before construction starts on site. Network Rail recommends that there should be no connection of drainage shall be made to existing railway drainage assets without Network Rail's prior consent.

The Lead Local Flood Authority and Anglian Water have indicated there is potential risk of flooding but this could be mitigated through conditions. With such conditions the proposal would comply with Policies 5 and 8 of the JCS.

6. Ecology

The application is accompanied by a 'Tree Survey' and an 'Ecological Appraisal' document that provides details on species and their habitats and includes a bat transect and reptile surveys. Any signs of suitable habitat for protected species were noted as part of this fieldwork.

Natural England and Sport England encourage any proposal to incorporate measures to help improve people's access to the natural environment/sports facilities, such as the creation of new footpaths linking to other green networks. The proposed site is adjacent to 22 hectares of public open space at Desborough Greenspace. Kettering Borough Council's Ground Services Officer requests an off-site contribution for public open space of £30,000 within a S106 to contribute towards establishing access point from Pipewell Road into Desborough Greenspace, and this is in line with the Highways Officer request for a condition for an existing footway to be extended to the north to a spur connecting to the rear of the highway boundary to connect into The Plens public open space between Swift Close and the industrial estate to afford the residents ready access to open green spaces to overcome the lack of such within the site.

Natural England encourages restoring hedgerows, creating a new pond as an attractive feature on the site and incorporating swift boxes or bat boxes into the design of new buildings, and the developer has considered these elements within the Design and Access Statement.

Kettering Borough Council's Ground Services Officer seeks an off-site contribution towards allotment space of £7,000 within a S106 to provide the future residents with the potential to access allotments.

Network rail seeks a condition for appropriate planting to be placed alongside the railway land. North Northants Badger Group seek a condition for biodiversity improvements through appropriate landscaping.

Northamptonshire County Council's Biodiversity Officer and North Northants Badger Group seek conditions on great crested newts and badgers in the case these species are within the site. The indicative masterplan illustrates a 50m great crested newt buffer zone to prevent harm to these species.

Northamptonshire County Council's Biodiversity Officer seeks that should the application progress to reserved matters then the following conditions should be attached for a Construction Environmental Management Plan (including method statements for reptiles, amphibians and badgers) and a Landscape and Ecological

Management Plan setting out management prescriptions and the funding thereof for retained and newly created habitats including bat and bird boxes/bricks.

The proposal would comply with Policy 4 of the JCS.

7. Archaeology

The submitted 'Historic Environment Desk-Based Assessment' notes much of the surrounding area has been quarried for ironstone. The site contains remains of ridge and furrow agriculture and other possible archaeological features. If the application is recommended for approval there should be a condition for a programme of archaeological work consisting of a scheme of trial trenching which should be carried out before the submission of any application for reserved matters and then followed by further mitigation.

The proposed development will have a detrimental impact upon archaeological deposits. However, this does not represent an over-riding constraint on the development provided adequate provision is made for the investigation and recording of any remains that are affected.

Subject to the attached condition on a programme of archaeological work, the proposal would comply with Policy 2 (d) of the JCS and Chapter 16 Paragraph 189 of the NPPF.

8. Contamination

Due to the underlying geology present throughout Northamptonshire, if the application were to be approved a full ground investigation would be required to prevent unacceptable risks to future occupants of the site. This requirement could be secured via condition as recommended by the Environmental Health Officer. There would also be an informative on radon as recommended by the Environmental Health Officer. This would be required to be in accordance with Policy 11 of the NPPF.

9. Sustainable Design

Policy 9 of the JCS seeks to incorporate measures in all residential developments to limit water use to no more than 105 litres/ person/ day and external water use to more than 5 litres/ person/ day. A suitably worded condition could ensure that detailed reserved matters applications could incorporate these sustainability measures.

Policy 30 of the JCS seeks new residential developments to be constructed to National Space Standards and meeting Category 2 of the National Accessibility Standards with a proportion meeting Category 3 of the National Accessibility Standards. The proposed development will be built to current Building Regulations standards and it is considered appropriate that a suitably worded condition be added to ensure that proposals are built to be in accordance to Part M4(2) and M4(3).

The proposed development is encouraged to use renewable energy schemes which would need to be addressed at reserved matters stage to include solar photovoltaics systems but also consider solar thermal panels and potentially ground source heat pumps etc.

Subject to conditions, the proposal would comply with Policies 9 and 30 of the JCS.

10. S106 and Affordable Housing

There has been agreement with the agent for a S106 obligation. At the time of writing the S106 obligations could be expected to cover:

- 30% affordable housing
- Public transport, e.g. subsidy for improving bus service (£1,000 per dwelling),
- Education - Depending on dwelling size: for early years education, primary education and secondary education
- Open space/play area
- Allotments
- Libraries

In addition, a contribution for town centre improvements, subject to CIL compliance may be sought.

This is not an exhaustive of detailed matters that would arise from S106 negotiations. It is recognised that all potential obligations would need to be CIL compliant and take account of any evidence that may be submitted regarding viability. The proposal complies with Policy 10 of the JCS.

Conclusion

Subject to the attached conditions and informatives, the proposed residential development for up to 70 dwellings is considered appropriate for Desborough. It could be designed to integrate with the character of the area and without unduly detrimentally impacting upon highway safety or residential amenity levels to the area. The proposed development would comply with the NPPF, Local Plan policy 35 and JCS policies 4, 5, 8, 10, 11, 29 and 30.

Background Papers

Title of Document:

Date:

Contact Officer:

Previous Reports/Minutes

Ref:

Date:

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