

Full Planning Committee - 29 March 2011

Agenda Update

5.1 **AOC/0785/0803**

Polwell Lane (Land to the west of), Barton Seagrave

Consultation

Following publication of the committee report additional comments have been received from consultees and local residents. Please find these summarised below.

Local Residents

12 additional letters (up until 28th may need updating) have been received. The objections are summarised as follows:

- Overshadowing, loss of light, overlooking, loss of privacy, light pollution, noise and disturbance. Detrimental impact on quality of life.
- Increase in land levels to the rear of existing properties will exacerbate the impact on living conditions.
- Article 8 of the European Convention on Human Rights gives residents the right to respect for private and family life.
- Green space should be provided to the rear of the residents on Sherwood Drive who have short gardens (numbers 38 to 56).
- Traffic and parking problems, speeding cars and a detrimental impact on pedestrian safety.
- Dangerous primary access point.
- Insufficient parking will lead to inappropriate and dangerous parking on Polwell Lane.
- On-street visitor parking will create highway obstructions.
- Where will people work? It will be a dormitory site not in accordance with Policy 16 of the Core Spatial Strategy (CSS). People will need to leave the site for work, shops, health facilities etc. This will in turn create additional traffic movements and problems.
- There is no mixed-use. This was approved as part of the outline planning application. Mixed-use must be included.
- Proposed apartments are not in-keeping with the character of the area. They will have an adverse impact on existing properties by way of their density and height. Overlooking will also be caused.
- Terraced properties are not in-keeping with the character of Barton Seagrave.
- Housing types in Kettering town centre should not be taken as design inspiration for the development. Examples should be taken from Barton Seagrave, a rural location which only has two storey houses and bungalows. Development will be out of character.
- A gateway square would be an urban characteristic, which has no relationship to the existing area. Overall an urban character will be created which is not in-keeping with Barton Seagrave.
- Development will not be in-keeping with the Scheduled Ancient Monument or Conservation Area.
- 2.5 and 3 storey buildings are not in-keeping with the surrounding area; 3 storey properties would cause overlooking and overshadowing.

- 1.5 storey buildings should border the site.
- The development should comprise bungalows.
- Density of the areas adjacent to existing dwellings should be reduced and in-keeping with the existing (i.e. low density around the site edges).
- Density should increase towards the western edge.
- Higher density should be in the central area or near open spaces.
- Development will be separate from the existing community and integration will be difficult.
- Existing trees are not included in the plan.
- Existing trees should be retained.
- Trees and hedges shown to the rear of 20 Polwell Lane as being within the site are actually positioned within the boundary of the property.
- More landscaping along the existing site boundary would help amenity issues.
- There is no direct access from Sherwood Drive to the allotments. This will cause access issues for allotment holders.
- The pedestrian link from Sherwood Drive should remain for pedestrians only.
- Community centre is sited too close to existing properties. This should be moved further into the development. The building will result in noise, vibration, disturbance, crime and anti-social behaviour and will have a detrimental impact on the living conditions of existing occupiers.
- The community building will be 3 metres closer to a private boundary than shown on figure 5.13; the residential fence was moved towards the site approximately 20 years ago.
- Insufficient parking to the new community centre.
- Due to its location there will be no future potential to expand the community building. It is therefore unsustainable.
- The height, density and appearance of buildings will be greatly different to the existing residential area.
- Consultation with residents has been poor. Further consultation is necessary. Community involvement is important and required in line with Planning Policy Statement 1.
- The back-to-back relationship with the site boundary is not maintained in all locations.
- Inaccurate drawings within the code.
- Trees within the front garden of 38 Polwell Lane are not shown on the illustrative drawings in the code.
- Design code is contrary to Policies 13 and 16 of the Core Spatial Strategy.
- Schools are not large enough. However even if they were enlarged they would become too big, compromising quality of education. New school needed to accommodate children from the development.

Photographs – Appendix 1

Please find attached to this update photographs received from the occupiers of 44 Polwell Lane. This property is located to the rear of the proposed community building. The photographs have been submitted to demonstrate the impacts the community building will have on living conditions. There is also a photograph showing the trees within the front garden of 38 Polwell Lane which are not shown on the illustrative drawings within the code.

Officer Response

The majority of points raised by local residents have been addressed in the committee report. There are however a couple of points that need a brief response.

The design code will set the principles and parameters for the development. As set out in the report there are further stages in the development process before works can commence on site.

Policy 16 of the Core Spatial Strategy is not applicable to this application. Paragraph 4.31 of the CSS states that CSS Policy 9 identifies broad locations of Sustainable Urban Extensions (SUEs) at the growth towns and states that smaller SUEs will be brought forward at the smaller towns (Desborough, Rothwell and Irthlingborough) and at the rural service centre of Raunds. Policy 16 applies to these SUEs. The development to the west is not a SUE and is therefore not required to meet the requirements of this policy (this was also made clear at the outline planning application stage).

A mix of building types is important to meet needs and creating choice. It is also needed to create variety across the development. Any apartments will be positioned to ensure the living conditions of existing occupiers are not adversely affected and this will be one of the issues considered when Reserved Matters proposals are submitted. It is considered that a refusal of the Design Code could not be sustained on the grounds of apartments forming part of the overall scheme. Officers consider that the new development will integrate with the existing residential area. It is considered unnecessary to replicate the existing built form to achieve this integration.

It is considered that the development will not harm the setting of the Scheduled Ancient Monument or the Conservation Area, found to the north and north east of the site respectively. Detail submitted with Reserved Matters applications will further ensure this.

Landscaping is a reserved matter. A soft and hard landscaping scheme for each phase is also required by condition 12 of the outline planning permission. This scheme will include details of all landscaping to be retained on site. These details do not form part of the design code but are required at the next stages in the process.

With regard to the photographs officers consider that the impacts of the community building have been addressed within the committee report. The drawing referred is illustrative and the inclusion of trees to the front of no. 38 or any other existing property shown is not considered to be needed.

Consultation Plan – Appendix 2

Redrow Homes have submitted a plan showing the public consultation carried out on the draft design code.

Consultees

Crime Prevention Design Advisor

Northamptonshire Police are happy to recommend that the local planning authority discharge conditions 5 and 6 relating to the design code.

Barton Seagrave Allotments Association

Objects and requests that further consultation takes place for the following reasons:

- The footway/cycleway should not go through the middle of the allotments; the cycleway should be directed around the western edge.
- The development will create security issues for the allotments.
- Concerned about the wind flows and shadows falling across the site.

Wildlife Trust

Any soft landscaping should be provided by the use of native species; it is important not to introduce non-native invasive species into terrestrial or aquatic environments. The design code still features non-native/exotic species of trees and shrubs. A compromise however between a soft landscaping scheme that has to be flexible to serve a number of requirements but which includes the provision of biodiversity elements, is considered to be an agreeable and acceptable situation to the Wildlife Trust in the circumstances.

Officer Response

The above consultee responses do not alter the assessment or recommendation of officers.

Local Highways Authority

Comments made on design speeds/speed limits/control speeds and visibility, junction radii, parking, kerb upstands, carriageway widths, street lighting, street furniture, boundaries, sustainable form and character analysis.

Officers Comments

It is considered that a few minor additions need to be made to the code to respond to comments made. These are included below as points 3 and 4.

Addition to the Recommendation

Two errors have been found in the design code which will need to be corrected prior to the discharge of the design code conditions:

1. Figure 4.1 (page 65) – two properties have been missed off the primary frontage at the junction of the primary street and Long Park.
2. Figure 5.20 (page 103) – the location plan is incorrect. This needs to be amended to match the regulating plan layout.
3. The word “minimum” should be before junction sightlines (x,y) in each the highway design table (tables 3.1, 3.2, 3.3 and 3.4).
4. A note should be added into boundary treatment section to ensure that any walls or fences adjacent to access points are no higher than 600mm. This will ensure that pedestrian safety is secured.

It is considered that the above points should form items 6 -9 (inclusive) of the officer's recommendation.

44, Polwell Lane - sun room



back garden

view of no 38 Powell lane - 30' high conifers

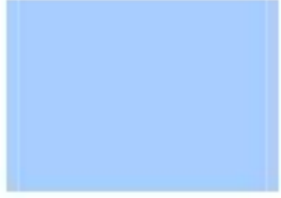
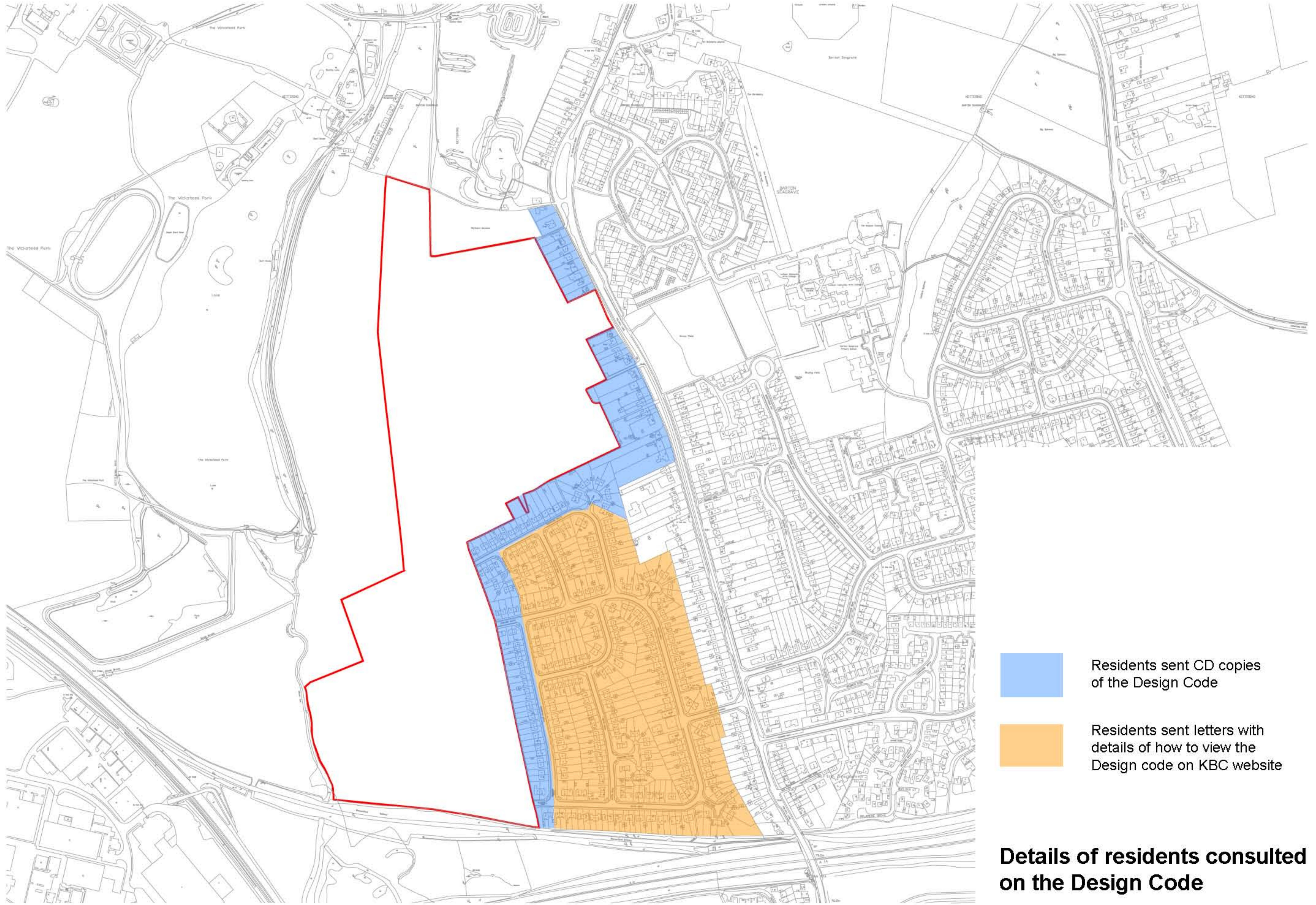


↑ 42 Powell lane

↑ 44

Castlefields, Barton Seagrave
Design Code Consultation

22 March 2010	Parish Council Presentation.
3 August 2010	Issue of preliminary Design Code to local residents/relevant bodies.
5 October 2010	Individual residents meetings at their homes following preliminary issue of Design Code.
8 October 2010	Individual residents meetings at their homes following preliminary issue of Design Code.
15 October 2010	Meeting with Kelly McDermot, Police Liaisons Officer.
9 November 2010	Meeting with Louise Holland, Christina Riley and Mr and Mrs Christie at Kettering Borough Council offices.
11 January 2011	Parish Council Presentation.



Residents sent CD copies of the Design Code



Residents sent letters with details of how to view the Design code on KBC website

Details of residents consulted on the Design Code



- | | | | | |
|---------------|--------------------|----------------|--------------------------------|-------|
| Site Boundary | Buildings | Front Gardens | Shared Surface / Private Drive | Trees |
| Parking | Community Building | Infrastructure | Open Space | |
| Hedges | Square | Back Gardens | LEAPS | |

FIGURE 2.2: ILLUSTRATIVE REGULATING MASTER PLAN



18615 - 11G

- Site Boundary
- 2 Storey Buildings with Occasional 2.5 Buildings
- Typically 2.5 Storey Buildings
- Up to 3 Storey Buildings
- Localised Restriction to 2 Storeys

FIGURE 4.5: INDICATES THE MINIMUM AND MAXIMUM PERMITTED HEIGHTS



COMMUNITY BUILDING DESIGN CRITERIA

Community Centre

5.3.4 The Development Framework Statement approved as part of the Outline Application identifies a potential mixed use area within the square adjacent to the Gateway to facilitate a sustainable and integrated community at Castle Fields. The Regulating

Plan submitted as part of this Design Code establishes the principle of the Community Centre fronting onto this square.

5.3.5 Consultation with the local community identified concern at the adjacency of the Community Centre to the existing residential properties.

These issues have been carefully addressed through the undertaking of additional studies and clarification on the principles governing the design of this facility to ensure an appropriate design response to this sensitive edge. The following plans and diagrams set out the key principles and relationships which must be respected.

FIGURE 5.11: ILLUSTRATIVE LAYOUT AND KEY RELATIONSHIPS DIAGRAM



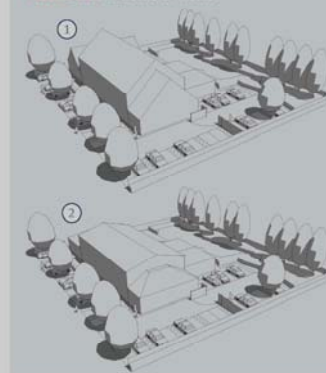
FIGURE 5.12: ILLUSTRATIVE CROSS SECTION LOCATION PLAN



FIGURE 5.14: ILLUSTRATIVE PERSPECTIVE SHOWING RELATIONSHIP OF EXISTING DWELLINGS TO COMMUNITY BUILDING



FIGURE 5.15: MASSING OPTIONS



5.3.6 The massing of the Community Building as part of the detailed design process will adhere to the following criteria:

- The two storey 'massing' will be limited to the Hall with the other elements comprising single storey structures only.
- The ridge height will be kept to a minimum on those elements closest to the existing boundary with adjacent properties.
- The building will be articulated as a series of linked components rather than a single 'mass'.

5.3.7 Figure 5.15 illustrates two possible acceptable massing solutions for the Community Building.

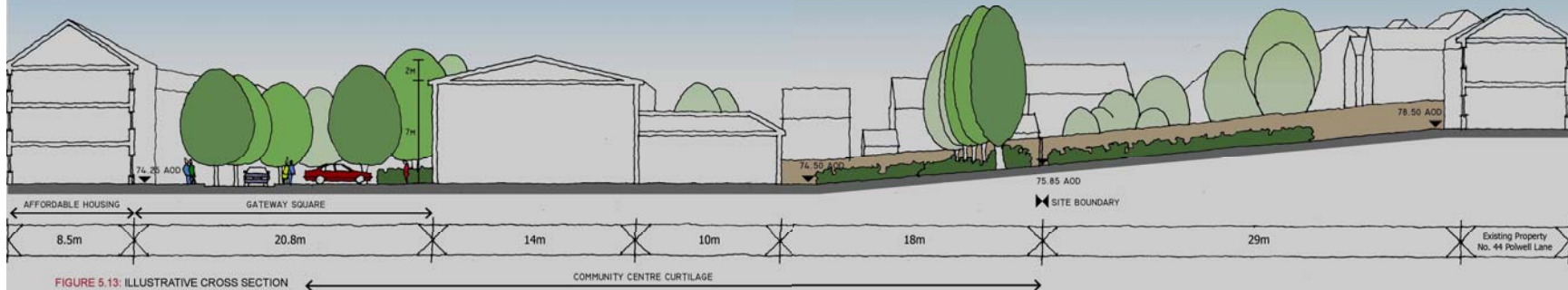


FIGURE 5.13: ILLUSTRATIVE CROSS SECTION

5.2 **KET/2010/0790**

Hermitage Road, Brampton Ash

Natural England

No objection, recommend condition to prevent destruction or removal of vegetation during March-August, unless approved by the Local Planning Authority. Should also make applicants aware of need to comply with legislation concerning protected species.

Third Party Comments

For clarification purposes members should be made aware that 7 third party local objectors have commented on the application. Additional comments received:

- Council's agricultural appraisal comments are not referenced or included within the report
- Points out that Criteria 12(i) and 12(ii) of PPS7 Annex A are not currently satisfied
- Financial accounts for 2010/2011 should have been submitted rather than trading forecasts
- Forecasts do not reference cost of increasing herd size
- Expenses do not reflect costs of achieving sales in forecast
- Costs should be 70% of total sales and not 50% in year 3
- Insufficient detail has been provided for the viability of the project to be assessed
- No evidence that the £200,000 capital is available
- All 5 criteria of paragraph 12 in Annex A, PPS7 should be satisfied
- Application should be deferred for further discussion in relation to PPS7, Annex A, paragraph 12
- New farm buildings should not be permitted on a greenfield site, especially as it is adjacent to a number of houses in the local village
- The use of approx. 200 acres by the applicant at Stoke Albany is not guaranteed in the future

1 Letter of support

- Applicant is committed to welfare of cattle and sheep as well as the environment
- Applicant has excellent knowledge of breed and his herd and flock management is second to none
- South Devon Cattle are very quiet and gentle in nature
- Applicant has no interest in intensive arable farming like previous owners so the land will all be grass, nicely fenced and managed
- Opportunity to enhance the valley and a family wishing to make a living from farming should be encouraged and supported

A petition signed by 17 people submitted previously have been resubmitted with some reasons for being against the proposal, these reasons reflect the previous objections received.

Officer comments

The officers report summarises the main findings of the appraisal carried out by an independent agricultural consultant; that the agricultural buildings are justified and that any consent for the temporary agricultural dwelling should be conditioned so that it can not be placed on the site or occupied until the buildings have been

erected and are capable of being occupied by livestock. It is accepted that at present that there has not been an adequate degree of investment in the business to meet criteria 12(i) in Annex A of PPS7 and there is no functional need for a temporary dwelling under as required by criteria 12(ii), however subject to the recommended conditions the proposal would meet these tests.

There is no policy requirement under PPS7 for accounts to be submitted in support of an application for a temporary agricultural dwelling. The applicant must however demonstrate that the business has been planned on a sound financial basis. The agricultural appraisal submitted with the application clearly sets out the costs associated with growing the business. The Council's independent agricultural consultant has considered all of the information submitted and has advised that the business has been planned on a sound financial basis. This is not to say all of the submitted agricultural appraisal has been taken as read, for example the land at Stoke Albany which was included within the appraisal has been discounted by the Council's consultant because the land is in separate ownership and therefore its use can not be guaranteed over the 3 year business plan period. Despite this area of land being removed from the enterprise it remains that the business has been planned on a sound financial basis in accordance with criteria 12(iii) of Annex A in PPS7.

The recommendation therefore remains to approve the application subject to an additional condition and a note on the application as set out below.

Site clearance operations that involve the destruction and removal of vegetation on site shall not be undertaken during the months of March to August inclusive, except when approved by the Local Planning Authority.

REASON: To ensure that breeding birds are not adversely affected in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

The applicant should note that the granting of this permission does not absolve them from complying with the relevant law, including obtaining and complying with the terms and conditions of any licences required as described in Part IV B of Circular 06/2005 Biodiversity and Geological Conservation - Statutory Obligations and their Impact within the Planning System.

5.3 **KET/2011/0046**

120 Rockingham Road (land rear of) and 1 & 3 Charles Street, Kettering

Planning permission has now been granted under KET/2011/0045 for a vehicular access off Rockingham Road with parking for the existing dwelling at 120 Rockingham Road.

2 Third party objections (previous objectors)

- Dwelling attached to 3 Charles Street would prevent change house from semi-detached to terraced preventing access for maintenance
- Parking is a problem in the area
- Occupiers will try to parking on forecourt of dwelling
- Victorian brick boundary should be retained

5.4 **KET/2011/0051**

McDonalds Restaurants Ltd, A14 Eastbound, Kettering

No update

5.5 **KET/2011/0052**

McDonalds Restaurants Ltd, A14 Eastbound, Kettering

No update

5.6 **KET/2011/0053**

McDonalds Restaurants Ltd, A14 Eastbound, Kettering

No update

5.7 **KET/2011/0063**

Mcdonalds Restaurants Ltd, A14 Eastbound, Rothwell

Rothwell Town Council

No objection to amended plans