

BOROUGH OF KETTERING

Committee	Full Planning Committee - 22/05/2012	Item No: 5.1
Report Originator	Louise Holland Development Officer	Application No: KET/2011/0390
Wards Affected	Barton	
Location	Polwell Lane (land off), Barton Seagrave	
Proposal	Approval of Reserved Matters: Primary infrastructure (roads and sewers) in respect of KET/2008/0785 - Erection of up to 450 market and affordable dwellings and associated works	
Applicant	Mr D Owens Redrow Homes,	

1. PURPOSE OF REPORT

- To describe the above proposals
- To identify and report on the issues arising from it
- To state a recommendation on the application

2. RECOMMENDATION

THE DEVELOPMENT CONTROL MANAGER RECOMMENDS that this application be APPROVED subject to the following Condition(s):-

1. The development hereby permitted shall not be carried out other than in accordance with the following amended plans:
 - Section 38 Onsite Works General Arrangement Sheet 1 of 4 Drawing Number 10080/HL/150 Rev D received 4th May 2012.
 - Section 38 Onsite Works General Arrangement Sheet 2 of 4 Drawing Number 10080/HL/151 Rev C received 4th May 2012.
 - Section 38 Onsite Works General Arrangement Sheet 3 of 4 Drawing Number 10080/HL/152 Rev D received 4th May 2012.
 - Section 38 Onsite Works General Arrangement Sheet 4 of 4 Drawing Number 10080/HL/153 Rev B received 4th May 2012.
 - Section 38 Onsite Works Drainage Layout Sheet 1 of 4 Drawing Number 10080/DR/550 Rev D received 30th April 2012.
 - Section 38 Onsite Works Drainage Layout Sheet 2 of 4 Drawing Number 10080/DR/551 Rev D received 30th April 2012.
 - Section 38 Onsite Works Drainage Layout Sheet 3 of 4 Drawing Number 10080/DR/552 Rev D received 30th April 2012.
 - Section 38 Onsite Works Drainage Layout Sheet 4 of 4 Drawing Number 10080/DR/553 Rev D received 30th April 2012.

REASON: To define the terms of the permission in the interests of access, highway safety, proper drainage of the site, design and amenity in accordance the East Midlands Regional Plan Policies 2, 32 and 35, MKSM Sub-Regional Strategic Policy 3 and Policy 13 of the North Northamptonshire Core Spatial Strategy.

2. Prior to commencement of development a statement demonstrating how the reserved matters accords with the approved Stage Two Flood Risk Assessment, that was submitted and approved pursuant to condition 19 of the outline planning permission KET/2008/0785, shall be submitted to and approved by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

REASON: In the interests of proper drainage of the site and ensuring flood risk does not increase in accordance with East Midlands Regional Plan Policies 32 and 35 and Policy 13 of the North Northamptonshire Core Spatial Strategy.

3. All street trees shall be clear stemmed for a minimum of 2.5 metres above ground level.

REASON: To secure safe access in accordance with Policy 2 of the East Midlands Regional Plan, MKSM Sub-Regional Strategy Strategic Policy 3 and Policy 13 of the North Northamptonshire Core Spatial Strategy.

Notes (if any) :-

- The applicant is reminded that this approval of reserved matters is not a planning permission. It must be read in conjunction with planning permission Ref. No. KET/2008/0785, of which it forms a part, the terms and conditions of which continue to apply. This planning permission is subject to "pre-commencement" conditions which require details/drawings to be submitted to and approved in writing by the Local Planning Authority before ANY development may lawfully commence. Any development commenced in breach of these "pre-commencement" conditions will be unauthorised, a breach of planning control, and liable to immediate Enforcement and Stop Notice action.
- Flood Defence Consent Informative
Main River and Byelaw:
Under the terms of the Water Resources Act 1991, and the Land Drainage and Sea Defence Byelaw, the prior written consent of the Environment Agency is required for any proposed works or structures, in, under, over or within 9.0 metres of the top of the bank of the River Ise, designated a 'main river'.
- It should not be assumed that such consent will automatically be forthcoming, and the applicant should consult with the Environment Agency at the earliest opportunity in order to determine and secure formal flood defence consent for the proposed works as appropriate.
- Non Main River:
Any works which may affect the flow of water or culverting of a non-main watercourse require consent from the Lead Local Flood Authority which in this instance is the Bedford Group of Internal Drainage Boards who will be consenting on behalf of Northamptonshire County Council. It is best to discuss proposals for any works with them at an early stage and any pre-application consent enquiry or consent applications should be directed to the Bedford Group of IDBs using the following details, marking any correspondence Section 23 Consent for Northamptonshire: Post: Bedford Group of Internal Drainage Boards, Cambridge House, Cambridge Road, Bedford, MK42 0LH Email: contact@idbs.org.uk Telephone: 01234 354396 Fax: 01234 328196 Website:

<http://www.idbs.org.uk/>

Justification for Granting Planning Permission

The proposal is in accordance with national and local policies as set out in Sections 4, 6, 7 and 10 and paragraph 17 (Core Planning Principles) of the National Planning Policy Framework, Policies 2, 29, 32 and 35 of the East Midlands Regional Plan, MKSM Sub-Regional Strategic Policy 3 and Policy 13 of the North Northamptonshire Core Spatial Strategy. There are no material considerations that indicate against the proposal.

Officers Report

3.0 Information

Planning History

KET/2007/0475

Construction of up to 500 dwellings with associated landscaping, public open space, highway works and ancillary development – refused.

KET/2008/0785

Erection of up to 450 market and affordable dwellings together with associated landscaping, green space, highway works and potential mixed use development – approved.

The Planning Committee resolved to approve this outline planning application, on 18th June 2009, subject to planning conditions and a Section 106 agreement. This application proposed the residential use of the land to the west of Polwell Lane (a maximum of 450 dwellings) with an on-site community centre, the opportunity for some mixed use development and open space. Access was the only matter considered at the outline stage (the primary access was approved as part of the outline planning permission – planning condition number 23). All other matters were reserved for later approval. An Environmental Statement (ES) (a detailed appraisal of a development proposal that considers its potential positive and negative impacts in environmental and social terms) accompanied the planning application.

A number of planning conditions have been discharged including the submission and approval of a design code. Reserved matters should accord with this design document.

KET/2011/0534

Reserved Matters for Open space infrastructure. Pending.

KET/2012/0085

Reserved Matters for 122 no. dwellings with associated roads and landscaping. Pending.

Site Description

The application site is located approximately 3 kilometres from the Kettering town centre, to the south of Barton Road and west of Polwell Lane. The existing built up edge of Barton Seagrave is positioned to the east of the site whilst the River Ise is positioned to the west. The Ise Valley is defined by the North Northamptonshire Core Spatial Strategy (CSS) as a Sub-Regional Green Infrastructure Corridor. Wicksteed Park, a Grade II Park and Garden of Historic Interest, is also found to the west. A disused railway line, with wooded embankment, bounds the southern edge of the site with the A14 positioned beyond this. The site extends west out from the existing urban edge, incorporating a building at Dale's Lodge (when the site was visited buildings comprising Dale's Lodge were in the process of being demolished) and many rights of way. A wooded area is found adjacent to the most northern tip of the

site. Castle Field, a Scheduled Ancient Monument (SAM), is located to the north of the site. The Conservation Area of Barton Seagrave is found to the north east. The site is also located adjacent to the existing allotments accessed from Polwell Lane.

The site is agricultural land within the Ise Valley corridor. The land slopes down from the defined built up edge of Barton Seagrave towards the River Ise. The topography of the site is undulating with a visible dip in the land found approximately in the north western area of the site. A line of poplar trees is found along the north eastern site boundary, to the rear of properties fronting Polwell Lane.

The site (south west corner) incorporates part of the Southfield Farm Marsh, Site of Special Scientific Interest (SSSI). The SSSI extends from the site to the south, over the A14 and beyond. The part of the SSSI found within the site is currently within the Environment Agency's flood zone 3a which has the highest level of risk (land assessed as having a 1 in 100 or greater annual probability of river flooding). In addition to the SSSI there are two other wildlife designations in this area, Southfield Farm Marsh Wildlife Trust Nature Reserve and a non-statutory County Wildlife Site. These three areas are overlapping in part but are not necessarily coincident. A primary and secondary school are found to the east of the site beyond Gray's Field (an existing play area). The school grounds incorporate a community centre which is bounded by the educational buildings.

Proposed Development

The principle of residential development of the site (up to 450 dwellings) was established by outline planning permission KET/2008/0785. This reserved matters application seeks approval for:

- Alignment of the main street (running through the development (the Primary Street).
- Detailed design (including carriageway, footway and verges, position of vehicle crossovers, street trees and spurs and links to Phase One streets) for that part of the main street that is within/adjacent to Phase One.
- Highway Construction Details (including details of kerbs, edging gullies, pipe bedding, rumble strips, tree pits and tactile paving layout).
- Foul and surface water drainage layout and swale channel construction details.

A number of the neighbour comments relate to the principle of development and detail of the proposed dwellings. These issues are not part of this reserved matters application.

Any Constraints affecting the Site

Site of Special Scientific Interest (SSSI), wildlife site, flooding, public rights of way, biodiversity, protected species, trees/hedgerows.

4.0 Consultation and Customer Impact

Comments received have been summarised below. Full copies of comments and objections are available to view at the main council offices.

Barton Seagrave Parish Council

No objections.

Local Highways Authority

No objection. Comments made regarding street trees, visibility and refuse vehicle movements.

Highways Agency

No objection.

Environment Agency

No objection subject to further information being submitted to demonstrate the reserved matters scheme accords with the approved Stage Two Flood Risk Assessment.

Anglian Water

No objection. Any technical approval of onsite drainage details will be undertaken upon submission of an application under Section 104 of the Water Industry Act 1991.

North Northants Badger Group

No comments.

Northamptonshire County Council Archaeological Advisor

Archaeological investigation and mitigation is required prior to commencement of construction works, in accordance with outline planning condition 39.

English Heritage

The application should be determined in accordance with national and local policy guidance, and on the basis of your own specialist conservation advice.

KBC Environmental Health

No comment or objection.

Neighbours

7 letters of objection have been received (one from a resident on behalf of the Barton Seagrave Allotment Association). The grounds of objection are:

- The site boundary is not where residents believe it to be; the position of the site boundary needs to be established before planning permission is granted.
- No detailed plans of the primary access junction have been submitted.
- No explanation as to why an Anglian Water objection to the outline application was withdrawn.
- Changes to traffic volumes, flows and local conditions since the outline

application was submitted. New surveys should be carried out.

- Development should have one entrance. No construction traffic should go through the Gotch Road estate or the Barton Road access. This would have a detrimental affect on the safety of allotment holders and existing residents.
- Cycle track should be routed around the allotment extension.
- Overlooking of existing properties; privacy detrimentally affected.
- Overshadowing and detrimental to quality of life.
- Increased levels of traffic, speeding vehicles, parking issues and it will prejudice the safety of children crossing Polwell Lane.
- Green space or bungalows should be sited to the rear of those properties on Sherwood Drive which have the shortest gardens.
- Style of proposed houses is not in-keeping with the existing area; bungalows should be proposed.
- Hilltop Avenue junction is inadequate.
- Tree to the rear of 22 Sherwood Drive should be retained.
- Noise; loss of tranquillity.
- More landscaping and planting between the boundaries would overcome the issues of overlooking and noise.
- Increase in flood risk.
- Infrastructure should be delivered to support the housing.
- Poplar trees and red kites should be protected.

5.0 Planning Policy

National Policies

National Planning Policy Framework specifically those sections relating to achieving sustainable development, core planning principles, requiring good design, delivering a wide choice of high quality homes, promoting sustainable transport and meeting the challenge of climate change, flooding and coastal change.

The NPPF is a material planning consideration in the determination of planning applications. At the heart of the NPPF is the presumption in favour of sustainable development; proposals that accord with Development Plan policies should be approved without delay.

Development Plan Policies

East Midlands Regional Plan

Policy 2 Promoting Better Design

Policy 29 Priorities for Enhancing the Region's Biodiversity

Policy 32 A Regional Approach to Water Resources and Water Quality

Policy 35 A Regional Approach to Managing Flood Risk

Sub-Regional Policy

MKSM Strategic Policy 3: Sustainable Communities

North Northamptonshire Core Spatial Strategy

Policy 13 General Sustainable Development Principles

Other Material Considerations

Manual for Streets 1 and 2

Northamptonshire County Council's (NCC) Place and Movement Guide

6.0 Financial/Resource Implications

None.

7.0 Planning Considerations

1. Outline Planning Permission and Design Code
2. Street Design
3. Highway Safety
4. Drainage Details
5. Environmental Impact Assessment
6. Other Matters

1. Outline Planning Permission and Design Code

The principle of residential development was established through approval of the outline planning application KET/2008/0785. As part of the outline planning conditions a design code was required; a design code is a set of illustrated design rules and requirements that instruct and may advise on the physical development of a site or area. A design code for this site was approved in April 2011. This identifies key design principles, which will help to guide reserved matters and secure a high quality design.

2. Street Design

Good design is fundamental to the development of high quality new housing, which contributes to the creation of sustainable communities. It is important to create places, streets and spaces which meet needs, are visually attractive, safe, accessible, functional, inclusive, have their own distinctive identity and maintain and improve local character. Manual for Streets 1 and 2 provide essential guidance on how to create well-designed streets. They make up the greater part of the public realm and contribute significantly to the quality of the built environment. Development should establish a strong sense of place, create safe and accessible environments, respond to local character and add to the quality of an area (NPPF).

The NPPF states that developments should be designed to create safe and secure layouts which give priority to cyclists and pedestrians and minimises conflict between these users and vehicles. CSS Policy 13 (b) states that developments should be designed to take full account of the transport user hierarchy (pedestrian-cyclist-public transport-private vehicle).

With regard to streets the approved design code for the development sets out:

- Street types and hierarchy.

- Street design and dimensions e.g. widths/junction radii/traffic calming features.
- Parking solutions.
- Materials.
- Street furniture and planting.

The design code identifies four street types, primary, secondary, tertiary and green edges/lanes. The primary street is the main spine running through the development, connecting the primary access on Polwell Lane (approved as part of the outline planning permission) to the secondary access point on Denford Drive. The street travels through three character areas, the Polwell Lane Gateway, Gateway Square and The Avenue. The overarching character of the Primary Street is a formal tree lined avenue, reflecting elements of Kettering's character. The character of the primary street will however change as it flows through the site. The street moves through the development passing Theatre Park and Little Park and traversing through Long Park. A proposed cycle route will travel through the site, connecting Barton Road to the north and Polwell Lane to the south of the site. Part of this cycleway will follow the route of the Primary Street (the section between Theatre Park and Long Park).

The design vision for the street can be briefly described as follows. The Polwell Lane gateway will provide a transition between existing and new development and will be suburban in character to help achieve this. People's experience of the space will change as the street meets the Gateway Square (shared surface area) with an urban and formal character being created. The Avenue character area will have a distinctive identity and will create another change in experience as people move through the development. The majority of the main street will be encompassed within this character area. South of Long Park the character of the street will change, letting people know they are moving away from the main part of the site and towards a more rural part (soft edge). This will also have the effect of discouraging unnecessary vehicle movements through the secondary access. At its southern extent the street will tie in with the existing Denford Drive. Overall the aim is to create a high quality street and public realm that has a strong identity, is legible and interesting.

The following materials will be used in accordance with the approved design code:

- Carriageway (5.5 metres wide)– blacktop
- Footway (2 metres wide) – spray tar and chip (or an appropriate alternative agreed with LPA)
- Kerb – conservation kerbs
- Gateway Square – shared surface, block paving.

Street furniture across the site will have a common language and will be a common thread running through the different character areas. The street tree details will form part of each phase as it comes forward. This is to ensure that the positioning of trees takes account of the location of dwellings and vehicle crossovers. Phase 1 reserved matters KET/2012/0085, which is also to be heard by the planning committee, includes such detail. The local highways authority has verbally commented upon access for refuse vehicles. The design

of the primary street is in accordance with the design code and officers are satisfied that there is sufficient space within the highway to facilitate access for refuse vehicles.

This reserved matters application seeks approval for general alignment of this main street. More detail has been provided to show how the primary street interacts with Phase One of the development, which forms a separate reserved matters application (KET/2012/0085). The design detail of the remainder of the primary street will come forward with the details for each phase of development. This will ensure that the street does not dominate the overall design and there will be better integration between the design of this main street and each phase. The positioning of spurs, junction design principles and junction radii will form part of that detail and will need to meet the requirements set out in the design code (the design vision and the more specific street design rules).

The detail that will form part of each phase will include key areas (e.g. where there will be concentration of movement or a focal point of activity) for example the gateway square, adjacent to Long Park, the crossing of Long Park and south of Long Park. It will be essential that when that detail comes forward it demonstrates how it will create a street that changes in character and has variation and punctuation along its length.

It is considered that the proposed general alignment of the main street and the detail linking this to Phase One is in accordance with the code; a well-designed, visually attractive, safe, street with its own special character will be developed in accordance with Development Plan policy and the NPPF.

3. Highway Safety

The proposed alignment of the main street and positioning of the spurs connecting to the streets in Phase One are considered to be acceptable in terms of highway safety. The local highways authority has commented upon the position of street trees and how this could potentially affect visibility (comment also made with regard to KET/2012/0085). Officers have confirmed to the highways authority that all street trees will be clear stemmed for 2.5 metres, in accordance with the design code. A condition is also recommended to secure this. This will ensure that a good standard of visibility is maintained and highway safety is protected. Overall it is considered that the submitted details accord with the approaches advocated by Manual for Streets 1 and 2 and the Northamptonshire County Council 'Place and Movement' Guidance. This reserved matters application is considered to be in accordance with Development Plan policy including CSS policy 13 which seeks to secure developments that have a satisfactory means of access, do not prejudice highway safety and take full account of the transport user hierarchy (i.e. pedestrian – cyclist – public transport – private vehicle).

Section 4 of the NPPF 'Promoting Sustainable Transport' states that safe and suitable access to sites should be achieved for all people. This is echoed by local planning policy, specifically policy 13 (d) of the CSS.

4. Drainage Details

This reserved matters application seeks approval for the layout of the foul and surface water drainage sewers, the main Sustainable Urban Drainage (SUDS) ditch running along the western site edge (swale) and the Hydrological Attenuation Feature (HAF) (adjacent to Sanctuary Park in the southern part of the site).

The sewers generally follow the alignment of the streets running through the site. Where it lies outside of these, it follows the western edge of the development, the swale and the HAF. The surface water sewer network will link to the swale via six proposed outfall points. The swale will convey water along its length to the HAF, which will then passively treat the flows before their controlled release to the SSSI. The quantity and quality of flows to this important ecological resource will be significantly improved. The new drainage system will also treat surface water flows from the existing residential area to the east of the site, flows that are currently untreated and discharged into the SSSI. There are considerable ecological benefits to the proposed drainage strategy. Maintenance of the HAF and SUDS will be through a private management company rather than adoption by the local authority. A planning condition will be included within the open space reserved matters (another application to be considered by the planning committee) to require the submission and approval of a detailed management plan which will include the HAF and SUDS.

CSS Policy 13 (q) and EMRP Policy 32 promote the use of SUDS and improvements in water quality to help achieve sustainable development. The sustainable management of surface water is an essential element of reducing future flood risk to both the site and its surroundings. The proposed drainage strategy is considered to be in accordance with the approach advocated by Development Plan policy.

Anglian Water (AW) and the Environment Agency (EA) have no objections to this reserved matters application. A Stage Two Flood Risk assessment, which includes details of the SUDS strategy, has been submitted and approved by the local planning authority (condition 19 of the outline planning permission).

AW have stated in relation to the reserved matters for Phase One (KET/2012/0085) that there is available capacity for foul drainage flows both in terms of the foul sewerage network and wastewater treatment. The drainage strategy is considered to be in accordance with Development Plan policy.

Planning condition 18 of KET/2008/0785 requires the submission of an overarching, detailed drainage scheme (provision of mains foul water drainage on and off site). These details need to be agreed prior to the commencement of development. No dwellings can be occupied until that scheme is completed and operational. This condition will need to be formally discharged.

5. Environmental Impact Assessment

Under the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (came into force on 24th August 2011) subsequent EIA

applications include reserved matters. As the original outline planning application KET/2008/0785 was EIA development, this reserved matters is regarded as an EIA application. A screening opinion has been carried out further to the submission of reserved matters for this proposal. The Local Planning Authority has adopted the Screening Opinion that the proposed development as described by the applicant is EIA development, but that the original Environmental Statement (ES) as amended on 20th February 2009 submitted with the outline planning application KET/2008/0785 adequately addresses the environmental effects of the proposal. Therefore in accordance with Regulation 8 (2) no further ES is required. Under Regulation 8 (2) where the environmental information before a local planning authority (submitted with an original application) is adequate to assess the environmental effects of the development, that information shall be taken into consideration in the determination of a subsequent application. The original ES has therefore been taken into account and considered in the assessment of this reserved matters, the officer's recommendation and therefore the determination.

6. Other Matters

Primary Access

The main site access was approved as part of the outline planning permission. Condition 23 of the outline permission requires that the access be completed in accordance with the approved drawing and before any other works commence on site.

Development Cycleway

When approving the design code for the development the planning committee requested that the applicant investigate the potential for the proposed cycleway to be re-routed around the allotment extension. The applicant has indicated in their plans for Phase One (KET/2012/0085) that they are willing to move the cycleway so that it runs along the western edge of the allotment extension. The applicant will need to discuss this formally with the Rights of Way Team of the County Council as the existing path is a public right of way and a diversion order will be required.

Conclusion

This reserved matters application is one element of a large residential scheme which will deliver a wide choice of high quality homes, both market and affordable. The details submitted with respect to the primary street and drainage strategy will help to achieve a well-designed and high quality development. The use of sustainable urban drainage systems is in accordance with the approach advocated by regional and local planning policy. In addition to its functional value it will also have landscape and ecological benefits. The reserved matters application is considered to be in accordance with Development Plan policy and is therefore recommended for approval.

Background Papers

Title of Document:

Date:

Previous Reports/Minutes

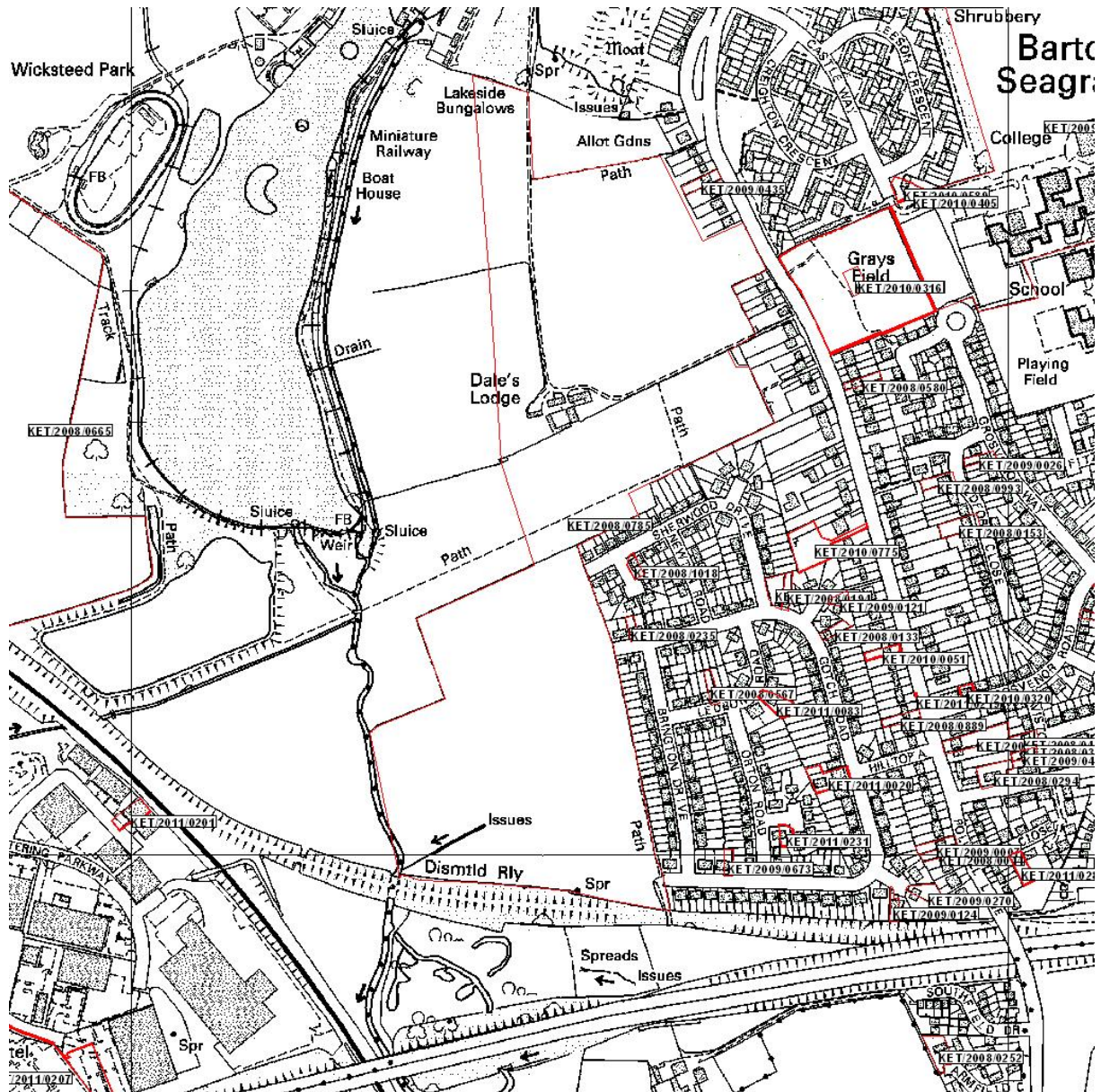
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Date:

Contact Officer: Louise Holland, Development Officer on 01536 534316

SITE LOCATION PLAN

Polwell Lane (land off), Barton Seagrave
Application No.: KET/2011/0390



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