

## BOROUGH OF KETTERING

<b>Committee</b>	<b>Full Planning Committee - 22/05/2012</b>	<b>Item No: 5.2</b>
<b>Report Originator</b>	<b>Louise Holland Development Officer</b>	<b>Application No: KET/2011/0534</b>
<b>Wards Affected</b>	<b>Barton</b>	
<b>Location</b>	<b>Polwell Lane (Land Off), Barton Seagrave,</b>	
<b>Proposal</b>	<b>Approval of Reserved Matters: Open space infrastructure</b>	
<b>Applicant</b>	<b>Mr D Owens Redrow Homes</b>	

### **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:

- Sanctuary Park General Arrangement Plan 434.5/T/105B received 30th April 2012.
- Sanctuary Park Planting Plan 434.5/T/108C received 1st May 2012.
- Play Area Detail 434.5/T/115A received 30th April 2012.
- Small Pyramid Tower Equipment Image received 1st May 2012.
- Long Park General Arrangement Plan 434.5/T/106C received 10th May 2012.
- Long Park Planting Plan 434.5/T/109B received 1st May 2012.
- Transparent Tower Play with Roof Equipment Image received 10th May 2012.
- Theatre Park General Arrangement Plan 434.5/T/104A received 1st May 2012.
- Theatre Park Planting Plan 434.5/T/107A received 1st May 2012.
- Southern Swale and Little Park Layout Plan 434.5/T/113B received 1st May 2012.
- Swale Northern Layout Plan 434.5/T/111B received 1st May 2012.
- Swale Central Layout Plan 434.5/T/112A received 1st May 2012.
- Tree Retention and Removal Plan 434.5/T/110B received 1st May 2012.

REASON: To define the terms of the permission in the interests of design, amenity, securing access to quality green spaces and biodiversity enhancement in accordance the East Midlands Regional Plan Policies 2, 28 and 29, MKSM Sub-Regional Strategic Policy 3 and Policy 13 of the North Northamptonshire Core Spatial Strategy.

2. Prior to works commencing on the Primary Street or Long Park a scheme detailing the treatment of the Long Park crossing of the primary street 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 securing a safe, high quality green space and design in

accordance with East Midlands Regional Plan Policies 2, MKSM Sub-Regional Strategic Policy 3 and Policy 13 of the North Northamptonshire Core Spatial Strategy.

3. The open spaces shall be completed in accordance with the approved plans and the phasing programme approved pursuant to Condition 10 of the outline planning permission KET/2008/0785. Any trees or plants which, within a period of 5 years from the date of planting die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

REASON: In the interests of the securing a high quality design, an attractive and interesting public realm and amenity in accordance with Policy 2 of the East Midlands Regional Plan, MKSM Sub-Regional Strategic Policy 3 and Policy 13 of the North Northamptonshire Core Spatial Strategy.

4. Prior to occupation of any dwelling a landscape management plan, including management responsibilities and maintenance schedules for all areas of Public Open Space, the SUDS and HAF shall be submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out as approved.

REASON: To secure the ongoing maintenance of amenity afforded by landscape features and a high quality design and public realm in accordance with Policy 2 of the East Midlands Regional Plan, MKSM Sub-Regional Strategic Policy 3 and Policy 13 of the North Northamptonshire Core Spatial Strategy.

5. 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.

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](mailto: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 6, 7, 8 and 11 and paragraph 17 (Core Planning Principles) of the National Planning Policy Framework, Policies 1, 2, 28 and 29 of the East Midlands Regional Plan, MKSM Sub-Regional Strategic Policy 3 and Policies 5 and 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 18<sup>th</sup> 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/2011/0390**

Reserved Matters for Primary infrastructure (roads and sewers) in respect of KET/2008/0785 - Erection of up to 450 market and affordable dwellings and associated works. 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 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**

This reserved matters application seeks approval for:

- Four parks – details include layout and planting plans.
- SUDS corridor (swale) along the western site edge - details include layout and planting plans.
- Two play areas – details include layout and equipment.

Details of proposed dwellings are not part of this reserved matters.

### **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 objection.

### **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.

**Joint Planning Unit Design Advisor**

No objections. Impressed with the quality of the landscaping and the play spaces.

**Natural England**

No objection. The plans reflect the management requirements for the SSSI specified in the associated Landscape and Conservation Management Plan.

**Wildlife Trust**

No objection. The Wildlife Trust's basic view is that native species only should be used. However it is recognised that large parts of the development are in a very formalised and urbanised setting. Therefore the compromise position of a landscaping scheme that has to be flexible to serve a number of requirements, but also includes a good provision of biodiversity elements, is acceptable. Non-native species however should be kept away from the SSSI and nature reserve area.

**North Northants Badger Group**

No comments.

**Crime and Prevention Design Advisor**

No objection. Comments regarding a pedestrian link at the western end of Long Park and boundary treatments to the open spaces.

**Northamptonshire County Council Archaeological Advisor**

The proposed development is within an archaeologically sensitive area as demonstrated by the various phases of archaeological investigation that have been undertaken. Archaeological investigation and mitigation is required prior to commencement of construction works in accordance with outline planning condition 39.

**Sport England**

Support the application; onsite play areas provide a mixture of recreational and active recreational facilities including cycling and walking.

**English Heritage**

The application should be determined in accordance with national and local policy guidance and on the basis of the local planning authority's specialist conservation advice.

**KBC Environmental Health**

No comments.

### **Neighbours**

5 letters of comment/objection have been received from local residents. These can be summarised as follows:

- What will happen to existing fencing, trees and shrubs along the site boundary?
- Mature trees and shrubs should be incorporated into the scheme.
- Has health and safety legislation been considered with regard to the attenuation feature.
- Concern regarding the proposed cycleway route.
- Who will maintain the open spaces?
- What provision has been made to secure Long Park at dusk? There is risk of anti-social behaviour and this would detrimentally affect surrounding houses and occupiers.
- The development will result in increase in traffic and gridlock on Polwell Lane.
- People accessing nearby areas for recreation use Blackwell Road for parking. A small parking area within the development near to Blackwell Road could be provided.

## **5.0 Planning Policy**

### **National Policies**

National Planning Policy Framework (specifically sections relating to achieving sustainable development, core planning principles, delivering a wide choice of high quality homes, requiring good design, promoting healthy communities and conserving and enhancing the natural environment).

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 28 Regional Priorities for Environmental and Green Infrastructure

Policy 29 Regional Priorities for Enhancing the Region's Biodiversity

#### **Sub-Regional Policy**

MKSM Strategic Policy 3: Sustainable Communities

#### **North Northamptonshire Core Spatial Strategy**

Policy 5 Green Infrastructure

Policy 13 General Sustainable Development Principles

## **6.0 Financial/Resource Implications**

None.

## **7.0 Planning Considerations**

1. Outline Planning Permission and Design Code
2. Overarching Open Space Strategy
3. Parks
4. Play Areas
5. Maintenance and Management
6. Environmental Impact Assessment
7. 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. Overarching Open Space Strategy**

The parks and open spaces will be one of the defining characteristics of the development and will create a healthy, sustainable community. Existing landscape features and topography have been used as an opportunity to create spaces with unique identities. The Theatre Park for example will use level changes to create a natural amphitheatre. Four parks contribute to the open space strategy for the site. Through their design and planting Sanctuary Park, Long Park, Little Park and Theatre Park will each have its own character and function, promoting inclusion and interaction. There is a good balance of formal and informal open spaces along with dedicated children's play areas (two proposed on site). The diversity in character will not only contribute to delivering a good quality of life and a healthy community, it will create landmarks and a legible public realm.

A SUDS corridor (swale) running along the site's western edge will link the parks. This will create a soft, green edge to the development. The SUDS will feed into an attenuation feature, which will form part of Sanctuary Park and will link to the SSSI in the site's south western corner. This will deliver significant ecological benefits. A cycle link will run north-south travelling through the open spaces where appropriate.

This reserved matters seeks approval for details relating to the parks, SUDS corridor and play areas within the site. It is however important to highlight that the overarching strategy is not only confined to the application site. As part of



the outline planning conditions a Landscape and Nature Conservation Management Plan was required. This considers both the site and land beyond this. This plan, which has now been agreed in consultation with a number of key consultees including Natural England, will help to maintain and enhance the ecological interest and character of land, encourage recreational enjoyment, and maintain and enhance landscape character. The management plan particularly focuses on the links between Sanctuary Park, the SSSI and the land adjacent to the site.

The development will relate well to the Ise Valley, a sub-regional green infrastructure (GI) corridor, and Wicksteed Park, a key piece of GI. It is considered that implementation of this open space strategy will deliver a high quality, sustainable community that also contributes to the wider GI network and net gains in biodiversity.

### 3. Parks

As detailed above four parks contribute to the sustainability of this residential development; Sanctuary Park, Long Park, Theatre Park and Little Park along with the swale along the development's western edge combine to deliver a high quality public realm and open space strategy which will have significant social and environmental benefits. The parks have a rural character and through their design and planting will deliver different experiences for users.

Sanctuary Park lies adjacent to the SSSI and contains both the attenuation feature and a play area. This park will provide both informal and formal recreation and has a natural play space that will integrate well within the park and the countryside beyond. There is a good mix of trees, scrub, parkland shrub, marginal, reed and sedge planting within this park. New hedgerow will also run along the edge of the park adjacent to the SSSI. A variety of contrasting planting is proposed to provide visual interest. Play areas, green open space, landscaping, footpaths and seating will all help to encourage different users to interact and to ensure that the space is well used and enjoyed by all. The design and planting of Sanctuary Park is considered acceptable in terms of its relationship with the SSSI and the objectives of the landscape and nature management plan to improve this area. The HAF and SUDS will need to meet any relevant health and safety requirements, legislation or regulations.

Long Park is another defining feature of the development and will be a key landmark. It runs east to west through the development and will link the new community centre to the rural edge. Different experiences will be encouraged through the use of diverse landscaping and play equipment (play area at its western edge). A complex planting scheme is proposed with a mix of trees, coppice willow planting, dogwood drift, shrub and grass mixes and hedge planting. Stepping stones, gravel drift, timber crossings within landscaped areas and footpaths along its length also form part of Long Park. A native hedgerow and tree will be retained and incorporated into the design of this open space. The park will also act as a green corridor contributing to delivering a net gain in biodiversity. A robust maintenance regime will need to be put in

place to secure its long-term quality.

The primary street crosses Long Park and its design has therefore been carefully considered. Treatment of this area will influence how Long Park is used. Pedestrian priority and ability to safely and confidently move through the whole space are integral to this park's success within the development. It is considered that details of Long Park's crossing of the Primary Street should be submitted and approved. A condition is therefore recommended in this regard. The Crime and Prevention Design Advisor is concerned about a footpath west of the play area and its route to the rear of what appears to be a garage (that detail is however not part of this reserved matters). It is considered that the design of the adjacent residential plot can be controlled when the reserved matters for that particular phase is submitted.

Little Park is a small pocket of informal green space north of Sanctuary Park, which lies adjacent to the swale. An existing tree will be retained and will be joined by two new additional trees. Amenity grass and seating will also be included within this park. The swale will contain aquatic, marginal or riparian planting and will be landscaped along its length. Where the swale ends and meets Theatre Park, a sculptural feature is proposed.

Theatre Park will be a landmark within the Primary Street. It will be an informal meeting space or entertainment area. Levels will be used to create a natural amphitheatre. This space has the freedom to be used in a variety of ways. A good amount of trees and footpaths promote use and activity. Creative and functional spaces will be delivered.

The soft landscaping scheme within the open spaces comprises a mix of species. Non-native planting does form part of that scheme. It is considered that a balance has to be struck between biodiversity elements and achieving a high impact, high quality design. The mix of species in addition to a Landscape Management Plan and improvements to the SSSI will ensure that there is a significant biodiversity gain through the delivery of the overall residential development.

A plan has been submitted showing which elements of existing landscaping will be lost and retained (and areas of tree protection where trees are being retained). To facilitate the development, and also for SSSI management reasons, some existing landscaping will need to be removed. Officers are satisfied that where possible existing landscaping has been retained and will be incorporated into the development.

The Crime and Prevention Design Advisor has made comments about boundary treatments to open spaces and that their use can encourage users to use formal paths, prevent inappropriate parking and discourage motorcycle access. Officers however consider that a balance needs to be struck between boundary treatments that secure safety of users but also take into account the character of the spaces and their surroundings. It is considered that they should only be used where necessary and should not be a blanket response. Timber knee rails are therefore proposed at important locations; knee rails will

be erected along boundaries shared with primary or secondary streets and also along the swale corridor. Spaces adjacent to green edges or tertiary streets are shared surfaces areas and will have a more rural character, low levels of traffic and pedestrian priority. The availability of sufficient parking on site will help to prevent inappropriate parking (see for example the Phase One reserved matters KET/2012/0085).

It is important that buildings enjoy a good relationship with open spaces and address them successfully. Active frontages and natural surveillance to parks is key. Within the Phase One reserved matters (KET/2012/0085) buildings address the Theatre Park frontage. Later phases will also have to achieve this.

#### 4. Play Areas

Two formal children's play spaces, locally equipped areas of play (LEAPs), will be created on site within Sanctuary and Long Park. A variety of equipment is proposed which will stimulate balancing, rocking, climbing/agility, sliding and social play. The equipment is of a high quality and visually attractive. Two bespoke play areas, which respond to the landscape, will be created. The proposed suspension bridge in Sanctuary Park for example uses changes in land levels as an opportunity to use the natural environment and create something interesting and unique to the development. The play spaces will be well integrated within parks and the natural environment. This will give children the freedom to move within the spaces and not be constrained to one or two particular areas within the site. This will contribute to creating a well-used public realm that is inclusive and full of vitality. The play areas will benefit from natural surveillance with dwellings facing towards the parks and inclusive spaces being created with numerous pedestrian and cycle links. Imaginative spaces that respond to the rural character of the development edge will be created. With regard to boundaries, a timber fence around the Long Park play area is proposed. No boundary is proposed to the play area within Sanctuary Park. This is considered to be acceptable. Both play areas will be adjacent to shared surface areas with low levels of traffic. The equipment within Long Park appears to be more suited to a younger age group and therefore fencing in this location appears a reasonable approach. It is not however considered necessary within Sanctuary Park.

#### 5. Maintenance and Management

In accordance with the Section 106 (S106) that is in place for the development, the two LEAPs will be transferred to the Council. The S106 sets out that the applicant will have to maintain the play areas for 12 months upon completion and upon transfer they will pay the Council a commuted sum to cover future maintenance over a 15-year period. The sum will be calculated in accordance with the Open Space SPD commuted sum calculator. A private management company will manage the remainder of the open space. It is recommended that a condition be imposed to secure the approval of a detailed management plan for those areas of open space. The local planning authority will need to ensure that the maintenance and management regime is robust and high quality green

spaces will be retained over the long-term.

#### **6. Environmental Impact Assessment**

Under the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (came into force on 24<sup>th</sup> 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 20<sup>th</sup> 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.

#### **7. Other Matters**

A local resident has suggested that a parking area within the site near to Blackwell Road would be a positive addition given that people currently park in this location to access areas for recreation. The scope for this and its appropriateness could be investigated as part of the detailed reserved matters (details of dwellings) for that particular phase.

#### **Conclusion**

Access to high quality, well-designed green spaces that provide opportunities for informal and formal recreation will be delivered. This will meet the needs of the new community but will also have wider public benefits including improving access to quality green spaces, areas for recreation and contributing to net gains in Green Infrastructure (GI) and biodiversity. The landscaping proposed is of a high quality and the play spaces are interesting and capture the rural character of the site, as aspired to in the Design Code. The green edges and open spaces proposed will ensure that the development as whole relates well to the Ise Valley and the open countryside. Attractive public spaces will be created and through their design and landscaping will help to create a strong sense of place, promote healthier lifestyles and deliver a good quality of life. It is considered that implementation of this open space strategy will deliver a high quality, sustainable community. The development is considered to be in accordance with Policies 2, 28 and 29 of the EMRP, MKSM Sub-Regional Strategic Policy 3 and Policies 5 and 13 of the CSS. The development also accords with the principles of the NPPF. The application is therefore recommended for approval.

**Background Papers**

Title of Document:

Date:

Contact Officer:

Louise Holland, Development Officer on 01536 534316

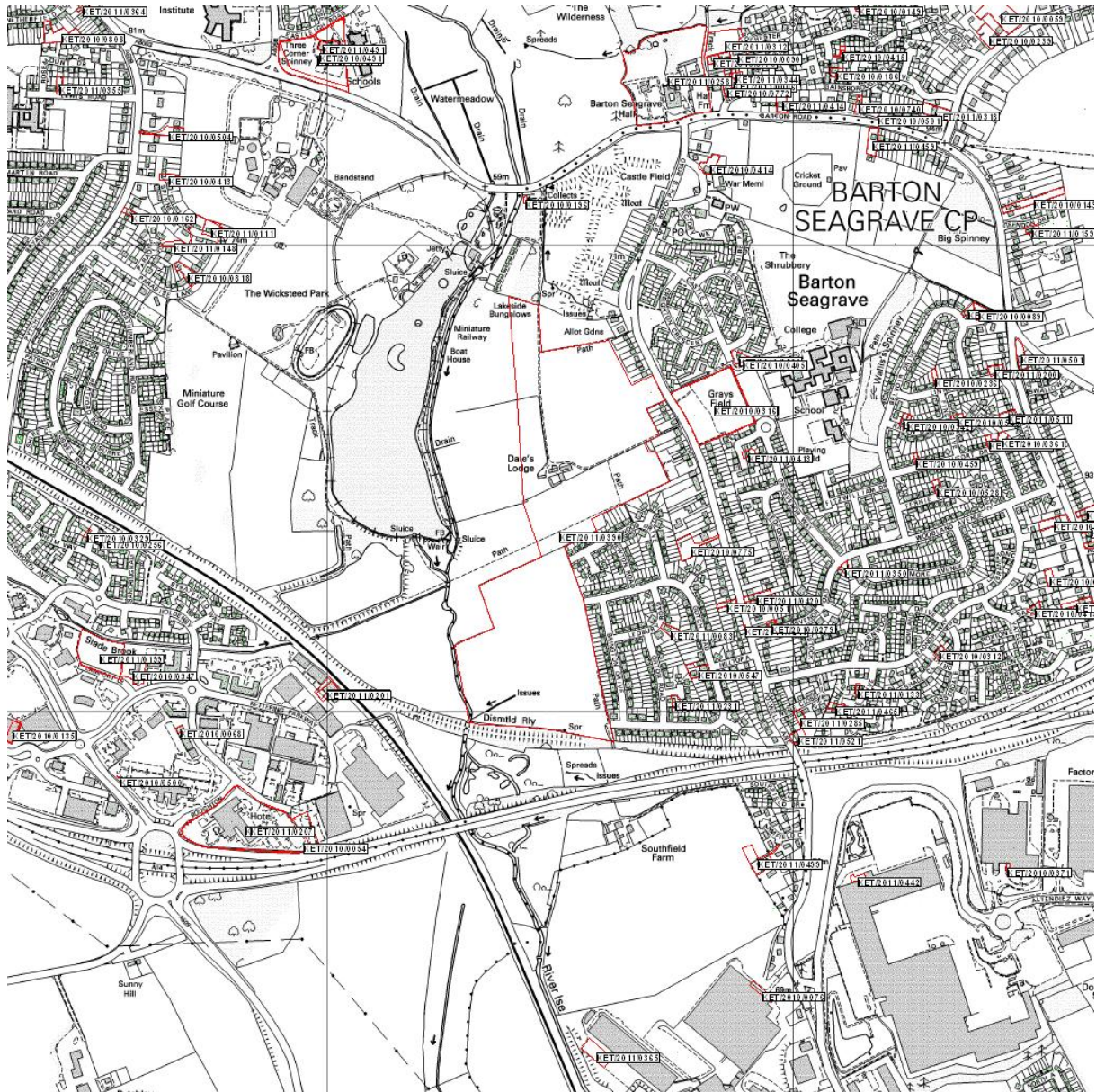
**Previous Reports/Minutes**

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# SITE LOCATION PLAN

Polwell Lane (Land Off), Barton Seagrave,  
Application No.: KET/2011/0534



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