

## BOROUGH OF KETTERING

<b>Committee</b>	<b>Full Planning Committee - 30/07/2013</b>	<b>Item No: 5.1</b>
<b>Report Originator</b>	<b>Rebecca Collins Senior Development Officer</b>	<b>Application No: KET/2013/0284</b>
<b>Wards Affected</b>	<b>Slade</b>	
<b>Location</b>	<b>Glebe Avenue (land off), Broughton</b>	
<b>Proposal</b>	<b>Full Application: Residential development of 67 dwellings with associated parking, play area, open spaces and landscaping. Demolition of 18 and 20 Glebe Avenue to provide access</b>	
<b>Applicant</b>	<b>Mr W Spooner Glanmoor Investment Ltd</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 REFUSED for the following reason(s):-

1. The proposal is contrary to the growth strategy as outlined in Policy 1 of the North Northamptonshire Core Spatial Strategy which primarily directs growth to the urban core. Also, by virtue of its location outside of the designated settlement boundary of Broughton and its location within open countryside it is considered contrary to the development plan which requires all new development to be located within village boundaries unless it can be demonstrated that it is required to meet rural need. The proposal is therefore considered contrary to policy 6 of the NPPF, policies 1 and 9 of the CSS and policies 7, RA3 and RA5 of the Local Plan for Kettering Borough.

2. The development is highway dominated and the proposed layout, character and street design would be detrimental to the wider character of the area and would serve to introduce a suburban context to an otherwise rural location. The proposed open spaces lack function and purpose. The proposal is therefore considered contrary to policy 7 of the NPPF and policy 13 (h) and (i) of the CSS.

3. The proposal fails to contain sufficient information to assess the potential impact on Great Crested Newts and therefore fails to conserve biodiversity in accordance with policy 11 of the NPPF and policy 13 (o) of the CSS.

## **Officers Report**

### **3.0 Information**

#### **Relevant Planning History**

N/A

#### **Site Description**

Officer's site inspection was carried out on 07/06/2013.

The proposed development is located on the eastern boundary of Broughton, outside of the designated settlement boundary of Broughton and within open countryside. The application is bounded on two sides by existing residential development (west and south), to the north is an existing paddock and the Broughton Pocket Park and to the east, agricultural grazing land and open countryside. There is a small paddock in between the application site and properties off Church Lane to the west.

Broughton has a historically dispersed form with agricultural fields and open space forming part of the character of the village, especially in the historic core of Broughton where Church Lane and Gate Lane are interjected by open spaces with historic limestone buildings and converted barns dominating the street scene. In some locations, more recent development had taken place on some open spaces creating a more dense built form.

To the west of the application site is the historic core of Broughton including Church Lane and Gables Lane. These streets are primarily made up of historic limestone buildings, with clusters of Listed Buildings and the Grade II\* Listed St Andrews Church. There is to be no vehicular access to site off Church Lane apart from the existing public footpath (GD005) which runs from Church Lane along the northern boundary of the application site, to be connected to the application site. There are no views from Church Lane into the application site.

To the south of the application site is Glebe Avenue, which consists of large two-storey semi-detached properties all of similar style and design constructed of a dark brick or rendered with concrete roof tiles. These properties are located in reasonable large plots with rear gardens backing onto the site. One pair of these semi-detached properties is to be demolished to create the vehicle access to the application site. There are no clear views from Glebe Avenue into the application site.

There is an existing footpath (GD005) which runs from Church Lane, along the northern boundary of the site and continues west, there is also another footpath which crosses over GD005 and runs north/south, running along the eastern boundary of the application site with existing access to this footpath (GD004) off the end of Glebe Avenue. Along the eastern boundary of the site is a high hedge with the footpath set away

from the hedge on a slightly lower ground level, therefore there are very limited views into the application site from the eastern boundary. The only clear views into the site are from the footpath running along the northern boundary of the site, which is a rural footpath with vegetation either side. Currently either side of the footpath is open with the application site on one side and a paddock and the Broughton Pocket Park on the northern side.

The site is a relatively flat, mowed grass site. There is an existing pond to the south-east corner of the application site, outside the application boundary.

### **Proposed Development**

The proposal is for a full planning application for residential development of 67 dwellings with associated parking, open space and landscaping. The proposal includes the demolition of 18 and 20 Glebe Avenue to provide vehicle access to the site.

### **Any Constraints Affecting the Site**

- The site lies outside the designated settlement boundary for Broughton
- Two public footpaths abut the site – GD004 running north/south and GD005 running east/west dissecting GD004.
- Grade II\* Listed St Andrews Church

## **4.0 Consultation and Customer Impact**

### **Broughton Parish Council**

Broughton Parish Council have objected to the proposal on the grounds that:

- The site lies outside the settlement boundary and in open countryside and if granted, there would be increased pressure for further development outside the settlement boundary
- The site lies on identified Historically and Visually Important Open Space in the Site Specific Proposals LDD
- Ridge and furrow is present on the site
- The proposed Broughton Conservation Area adjoins the site and its setting will be impacted by this development
- The site is bounded by Rights of Way leading to the nearby pocket park. The intrinsic rural character of this part of Broughton will be lost by this development resulting in the urbanisation of the village fringe
- The Parish Plan for Broughton opposes development outside of the village framework in order for the settlement to retain a rural feel
- If it is accepted that there is a shortfall in housing supply (which is not evidenced in properties for sale in Broughton) then this should not outweigh the harm that this development will cause
- Broughton should not be over-loaded with development

- Increased traffic movements on Church Street would harm its historic character
- Church Street, Gate Lane and Wellingborough Road struggle to service existing traffic levels without the additional traffic from this development
- The junction of Glebe Avenue and Wellingborough Road suffers from poor visibility which will be exacerbated by this development
- Glebe Avenue is narrow in key parts and not suitable for further development
- This development will exacerbate congestion and safety issues already acknowledged at the two A43 junctions serving the village
- The potential impacts on the junction of Church Street with High Street have not been adequately addressed
- Village facilities are not adequate to support further development of this scale
- The density is too high and the amenity space for future occupants is too limited
- The site has considerable habitat value, which would be detrimentally impacted by this proposal
- If granted, affordable housing should be pepper-potted around the site
- The provision of additional play facilities is not necessary and a s.106 contribution should be sought instead
- The Parish Council would like to see methods other than grass swales used for the disposal of surface water run-off due to the maintenance involved
- The FRA is predicted on 50 units rather than 67
- The Parish Council believe that the responses to the developer consultation held were not favourable as mentioned by the applicant
- Construction hours should be conditioned so as not to impact residential amenity. The construction site should be housed completely onsite
- Boundary treatments should be adequately secure and not onerous for existing residents
- The Parish Council would like early sight and consultation with regards to the s.106.

### **NCC - Highway Authority**

The Highways Authority require section 106 contributions of £75,000.00 for the following:

- The Wellingborough Road / Northampton Road junction,
- A nil detriment proposal for the A43 / Kettering Road junction,
- The St Andrews Way / Church Lane / Glebe Avenue Junction.

£8,040.00 for bus vouchers to encourage further use of public transport.

Further concerns with regards to the layout have been raised by the Highways Authority:

- Tandem drives should be no longer than 11 metres
- A refuse collection point can be provided at a point no more than 25m from the adopted highway
- Estate streets should have full height kerbs so that a ramp can be introduced at its end to distinguish it from the adoptable highway.
- Concerns are raised over the shared space near plots 1 and 2. The chances of vehicles overrunning the footways on the bend are extremely likely so kerb upstands on this section are required for safety purposes. The first ramp should be on the minor arm of the first junction, with the major arms remaining as standard streets.
- The trees in the carriageway fail to satisfy Highways requirements for a number of reasons:
  - The trees will not grow into strong self-supporting specimens within a 1 metre strip surrounded by a root barrier.
  - They unnecessarily narrow the carriageways on what are short streets where no speed control is required due to their length.
  - The trees shown after the initial bend into the site would be vulnerable to being struck by large vehicles and are a safety issue for forward visibility grounds.
- Pedestrian visibility splays need to be shown in order to prove that driveways can be satisfactorily formed.
- All dwellings, buildings and walls must be at least 1 metre away from the extent of highway whether footway, service strip or carriageway.
- No loose material can be permitted on private drives. Our preference is for coloured macadam. This could also be used on the link footways.

### **NCC – Education**

No objection subject to the following:

Broughton Primary School are at capacity can not accommodate the pupils expected from this development. As a result a contribution is sought to increase the roll at this school. The Kettering Science Academy is also close to capacity. Therefore, the following contributions are required:

- Primary school contribution – £289,577
- Secondary Contribution - £199,337

The projected collective growth of the county will impact the Fire Services ability to maintain standards of operational response. The development in Broughton will contribute through increased community risk from fire and traffic collisions therefore a contribution of £5,980.00 towards fire and rescue infrastructure costs is required. Furthermore the new development generates a requirement for a fire hydrant to be

installed at the same time as the rest of the water infrastructure and prior to any dwellings/commercial buildings being occupied, to ensure adequate on site water to tackle property fire. The final locations of the Hydrants should be agreed in consultation with Northamptonshire Fire and Rescue Service Water Officer prior to installation.

The County has developed a Library Strategy to 2015 and beyond, which examines the necessary improvements to library provision to support the delivery of growth. The county council has adopted the National Library Tariff formula. Therefore, a contribution of £14,892 is sought.

The North Northamptonshire vision is for the county to be directly served by high quality fibre networks. In order to achieve this it is advised that ducting works are carried out in co-operation with the installations of standard utility works.

### **NCC - Archaeology**

The site was evaluated in February this year by Northamptonshire Archaeology in very bad weather conditions, which has impacted the results of the evaluation. However, they still managed to identify that the site contained Iron Age activity. They also identified that it contained remnants of ridge and furrow. The survival of the ridge and furrow was variable within the area with better preservation in the eastern side of the field. The field is on the western flank of an area which contains a number of fields containing ridge and furrow. The applicant has stated that these were not included within the potentially nationally significant townships by David Hall 2001. However, these assets can be seen to be of regional significance and as such it could be suggested that any development should try to minimise the impact on this resource. This could take the form of public open space within the best preserved areas on the eastern extent, which joins onto the ridge and furrow in the adjacent field. This would form a legible landscape while still allowing development within the less well preserved area of ridge and furrow.

The proposed development will have a detrimental impact upon any archaeological deposits present. This does not however represent an over-riding constraint on the development provided that adequate provision is made for the investigation and recording of any remains that are affected. This can be done through condition for an archaeological programme of works as per paragraph 141 of the NPPF.

### **Environment Agency**

The Environment Agency initially objected to the proposal on the grounds that the submitted Flood Risk Assessment (FRA) did not comply with the requirements of paragraph 9 of the Technical Guide to the NPPF. However, a revised FRA has been submitted (R-FRA-Q6357PP-01-C Rev C dated June 2013) and the Environment Agency has removed their objection subject to a condition requiring a surface

water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development. The drainage strategy should demonstrate the surface water run-off generated up to and including the 100 years critical storm, plus an allowance for climate change, will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include details of how the scheme shall be maintained and managed after completion.

### **Northamptonshire Police**

Northamptonshire police have no formal objection, subject to the site layout following the principles of Secure by Design and including some traffic calming measures.

### **Anglian Water**

Anglian Water have stated that there is capacity in the network for foul drainage and the sewerage system has available capacity for foul sewage. The preferred method of water disposal is SUDs with connection to sewer as the last option. The surface water strategy submitted with the planning application is acceptable in principle and should be reflected in the planning approval. Subject to a condition requiring works to be in accordance with the submitted surface water strategy, Anglian Water raises no objections.

### **Natural England**

There is insufficient information contained within the application with regards mitigation for Great Crested Newts and Natural England object on this basis.

The proposal is unlikely to affect statutorily protected sites or landscapes. In addition, the application may provide opportunities to incorporate features of design, beneficial to wildlife, such as the incorporation of roosting opportunities for bats and the installation of bird nest boxes. The development could also contribute to further landscape enhancements.

### **Wildlife Trust**

The Wildlife Trust has raised concerns that the houses to be demolished have not properly been surveyed for roosting bats and birds. Conditions are required to re-enforce the need for retention and protection and a site Ecological Management Plan to include sympathetic management of the pond areas and onsite enhancements. Section 4 headed 'Conclusions and Recommendations' in the GCN Report and the Extended Phase 1 report should be conditioned. A contribution should be made towards the on-going future management of the Broughton Pocket Park for nature conservation objectives.

### **North Northamptonshire Badger Group**

No comments.

### **Environmental Health**

Due to the underlying geology present throughout Northamptonshire at which the levels of some naturally occurring contaminants frequently exceed the levels at which the risk to human health would be considered acceptable for residential land use; it is expected that there may be unacceptable risks to future occupiers of the site without the following investigation being carried out. Environmental Health raise no objection subject to the application of a contaminated land condition.

### **Community Services**

Contributions are required as follows:

- Natural and Semi-Natural open space - £4,902
- Amenity Green Space – the onsite provision is considered acceptable subject to the submission of a comprehensive management plan to be secured via s106.
- Provision for Children - the onsite LEAP as shown is not required as there is provision within the area that requires enhancement and therefore a contribution of £2,497 is sought.
- Provision for young people – The existing facilities in the area require enhancement and therefore a contribution of £12,483 is sought.
- Community Facilities / Outdoor sports - £9,675 is required for the village hall at Gate Lane Recreation Ground.
- Indoor sports facilities including halls, pools, indoor bowls and artificial turf pitches - £60,183

### **Joint Planning Unit – Design Comments**

This is a highway dominated layout which is not considered to reflect the established character of Broughton. Variation in the street scene could be achieved through varied street widths, avoiding standard turning heads, including trees in the street, tightening the carriageway, particularly around open spaces and providing narrower and wider areas providing spaces for people to park. Whilst it is noted that the applicant has endeavoured to incorporate many of these ideas, the amendments do not sufficiently alter the character of the streets. For example, the arrangement of buildings has not been altered to create visual pinch points.

Although some of the changes made are welcomed, such as the inclusion of on street parking spaces (though I query whether 3 spaces is sufficient), the incorporation of some trees and different surface materials (in principle), the amendments are insufficient to overcome the original concerns stated, particularly with regard to character.

The open spaces should have an intended use/function, especially as these spaces would inevitably require maintenance at a cost to either the public purse or future occupiers, it is essential that the space is useful and brings benefit to the community beyond providing a visual



buffer. This 'use' may well be informal, but it should inform the landscaping approach to these spaces.

### **St Andrews Church**

St Andrews Church, Broughton is attempting to improve the flexibility, accessibility and comfort of the Grade II\* Listed Church and embrace the heritage/history aspirations expressed in the Broughton Parish Plan through a learning centre available to schools, clubs and societies. The budget for the project is estimated at £1.5m and St Andrews Church believes that external developers have a responsibility through financial contributions to invest in the project.

### **Neighbours**

19 neighbouring properties from Church Street, Glebe Avenue, Gables Lane, Donaldson Avenue, Carter Avenue, Kettering Road, Northampton Road, Meadow Close, Brookhaven have objected to the proposal on the grounds that:

- The site is Greenfield and outside the settlement boundary of Broughton
- Glebe Avenue is insufficient in width for additional traffic
- Broughton Primary School is over-subscribed
- The development will cause noise and disruption from construction and will impact on privacy and security
- There is no need for further housing in Broughton and there are too many houses proposed already, especially with the Cransley Hill development
- Church Street and Gate Lane are single track roads inappropriate for additional traffic
- High Street, Northampton Road and Wellingborough Road already suffer with traffic flow, excessive speeds and parking problems
- There are existing issues with Cox's Lane, Kettering Road and Gate Lane
- The A43 is congestion and access onto and off this road is dangerous
- The development will lead to parking and safety issues
- The site should have a second vehicle access
- There is limited public transport available or alternatives for cycling due to the type of roads
- There is insufficient infrastructure in Broughton to cope with this additional development
- This green area is a clear boundary to the village which will be destroyed by this development
- The proposal is out of character with Broughton and would create a sub-urban extension
- The site has been identified as Historically and Visually Important Open Space in the Site Specific Proposals LDD and does not accord with the principles for development outlined in that document or the findings of the Rural Masterplanning Report

- The proposal conflicts with the North Northamptonshire Core Spatial Strategy
- The proposal is contrary to the Broughton Parish Plan in that Broughton can not accommodate any additional development
- The proposal is contrary to the Kettering Borough Local Plan policies RA3 and RA5
- Development should not be approved in Broughton until the Site Specific Proposals LDD is complete and the Broughton Conservation Area Appraisal and the Housing Needs Survey is finished.
- There are problems with flooding on site and surrounding properties are likely to be negatively affected by surface water and low water pressure
- The proposal would negatively impact the archaeology on site
- The public consultation event held does not appear to have influenced or changed the application in anyway
- There should be a larger proportion of bungalows
- The ecological survey is insufficient
- Concern over responsibility for hedgerow maintenance.

## **5.0 Planning Policy**

### **National Planning Policy Framework**

Policy 6. Delivering a wide choice of high quality homes

Policy 7. Requiring good design

Policy 8. Promoting healthy communities

Policy 10. Meeting the challenge of climate change, flooding and coastal change

Policy 11. Conserving and enhancing the natural environment

Policy 12. Conserving and enhancing the historic environment

### **Development Plan Policies**

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

Policy 1. Strengthening the Network of Settlements

Policy 7. Delivering Housing

Policy 9. Distribution & Location of Development

Policy 10. Distribution of Housing

Policy 13. General Sustainable Development Principles

Policy 14: Energy Efficiency and Sustainable Construction

#### **Local Plan**

7. Environment: Protection of the Open Countryside

RA3. Rural Area: Restricted Infill Villages

RA5. Rural Area: Housing in the Open Countryside

#### **SPGs**

Sustainable Design SPD

Biodiversity SPD

## **6.0 Financial/Resource Implications**

In the event the application was to be recommended for approval, section 106 contributions would be required, as follows:

### **Highway Authority**

£75,000.00 for the Wellingborough Road / Northampton Road junction, for a nil detriment proposal for the A43 / Kettering Road junction and the St Andrews Way / Church Lane / Glebe Avenue Junction.

£8,040.00 for bus vouchers to encourage further use of public transport.

### **NCC – Education**

Primary school contribution – £289,577

Secondary Contribution - £199,337

Fire and Rescue - £5,980.00

Libraries - £14,892

### **Community Services**

Contributions are required as follows:

- Natural and Semi-Natural open space - £4,902
- Provisions for Children - £2,497 for the enhancement of existing play facilities within the area.
- Provision for young people – £12,483 to enhance the existing facilities at Broughton Village Hall.
- Indoor sports facilities - £60,183 for enhancements to Broughton Village Hall
- A comprehensive management plan is required for the management of the four open spaces proposed.

(Two contributions request were made for the Broughton Village hall so the sports facilities calculator sum has been used as the basis for the request as outlined above. Also, a further request for indoor sports contributions for pools, indoor bowls and artificial turf pitches was made, however no evidence has been submitted that there is a need for these facilities in Broughton or that these facilities are present and in need of upgrading. These requests therefore fail to meet the necessary CIL tests and have been withdrawn on this basis).

## **7.0 Planning Considerations**

The key issues for consideration in this application are:-

1. Principle of Development
2. Design, Character and Appearance
3. Leisure and Open Space
4. Access, Highways and Parking
5. Neighbouring Amenity
6. Flooding and Drainage
7. Biodiversity

8. Archaeology
9. Contamination
10. Sustainable Design and Construction

#### 1. Principle of Development

The CSS provides the spatial vision for North Northamptonshire and outlines the need to deliver quality housing and jobs alongside infrastructure, services and facilities. It aims to achieve greater self sufficiency for North Northamptonshire by directing development principally to the urban core which comprises the three Growth Towns of Corby, Kettering and Wellingborough. A secondary level of growth in Kettering Borough should be directed to the Market Towns of Burton Latimer, Rothwell and Desborough. In the remaining rural area development will take place within village boundaries . . . development adjoining village boundaries will only be justified where it involves the re-use of buildings or, in exceptional circumstances, if it can be clearly demonstrated that it is required in order to meet local needs (Policy 1 of the CSS). Furthermore policy 6, paragraph 54 of the NPPF states that planned housing development in rural areas should reflect local needs.

Policy 9 of the CSS states that priority will be given to the reuse of suitable previously developed land and buildings within urban areas, new development in the open countryside, outside the proposed Sustainable Urban Extension's (SUE's) will be strictly controlled. This is not a brownfield site. The application site is located outside the settlement boundary of Broughton and within open countryside, where development is restricted by policies 7 and RA3 of the Local Plan for Kettering Borough. Furthermore, policies RA3 states that development will only be allowed for in restricted infill villages, which Broughton is classified as, when the proposal is in the defined village limits. Policy RA5 states that residential development will not be permitted in the open countryside unless it is for the purposes of agriculture or forestry; reuses or conserves a rural building; provides affordable housing to meet local needs in accordance with policy RA7; is a replacement of an existing dwelling; or is a gypsy site. This application does not accord with these policies.

Paragraph 49 of policy 6 of the Framework states that 'housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up to date if the LPA cannot demonstrate a five-year supply of deliverable housing'. In a report to be presented to Members of the Planning Policy Committee on 31<sup>st</sup> July 2013, it outlines Kettering Borough's current position with regards the 5 year housing land supply. This paper demonstrates that the Borough is currently able to demonstrate a five year housing land supply of deliverable housing sites including the necessary buffer as outlined in paragraph 47 of the NPPF.

On the 14<sup>th</sup> March 2013 the Joint Planning Committee agreed that an

Interim Housing Policy Statement should be prepared to set out revised housing requirements based on an up-to-date and objective assessment of need; and to identify the specific deliverable sites that are sufficient to provide five years' worth of housing against these housing requirements (with an additional buffer for flexibility) as required by paragraph 47 of the National Planning Policy Framework (NPPF). Part A of the Statement was agreed for public consultation subject to input from the partner planning authorities in relation to the identification of specific sites (part of the paper to be presented to Members of Kettering Borough Planning Policy Committee on 31<sup>st</sup> July). The Interim Housing Policy Statement uses the Department for Communities and Local Government (CLG) Interim Household Projections (2011-2021) as the starting point in identifying the objectively assessed housing need plus the backlog of unmet housing need and an allowance for vacant dwellings. The housing numbers have then been distribution to reflect the current spatial development strategy set out in the adopted CSS. The result is that Kettering Boroughs required delivery of housing for the Plan period to 2021 is lower than that outlined in the adopted CSS and based on this up to date evidence base the Borough Council would be able to deliver a significant oversupply of housing for the next 5 years.

The proposal is contrary to the growth strategy as outlined in Policy 1 of the North Northamptonshire Core Spatial Strategy which primarily directs growth to the urban core. Also, by virtue of its location outside of the designated settlement boundary of Broughton and its location within open countryside it is considered contrary to the development plan which requires all new development to be located within village boundaries unless it can be demonstrated that it is required to meet rural need. The proposal is therefore considered contrary to policy 6 of the NPPF, policies 1 and 9 of the CSS and policies 7, RA3 and RA5 of the Local Plan for Kettering Borough.

## 2. Design, Character and Appearance

The application site lies just outside the emerging Broughton Conservation Area boundary. However, the proposal due to its proximity does have the potential to impact the character of the emerging Conservation Area and therefore it is important to identify how this development with integrate with the surrounding area. The emerging Conservation Area Appraisal states that 'Broughton still retains its agricultural character with many high quality green spaces so close to, and accessible from, the central part of the village. This agricultural character is reinforced by the existence of so many converted farm buildings and working farms that are within walking distance of the High Street'.

The primary access to the site is off Glebe Avenue, which does not have the same character or distinctiveness as that in the emerging Conservation Area, nor the particular character of Church Lane, Gate Lane and Gables Lane, which comprises of historic limestone buildings fronting onto or abutting the highway, stone walling and converted barns

dominate in the street scene and reflect the villages historic rural character. Although the proposal does not seek to mimic the character of Glebe Avenue and indeed would make a positive contribution to the character of this street in particular through its variety of materials including brick and stone and flank elevations which generally address the public realm, the overall the design of the proposal fails to take influence from the better character areas of Broughton or the historic core. As Broughton still maintains its historical agricultural character, a less formal street pattern is more characteristic of this settlement. This proposal is predominantly highways orientated and not rural in character. It could benefit from varied street widths, avoiding standard turning heads, trees in the street, use rural materials such as gravel for private drives, avoiding black top tarmac and use stone and brick wall boundary treatment or hedges to introduce a more rural style. Also, the buildings could be designed to reflect the more irregular character of Church Lane/Gables Lane with limestone buildings inter-dispersed with barns style dwellings or small rural courtyards.

The use of surface material, landscaping and boundary treatments could be conditioned. However, the development remains highway dominated and the formal and standard road layout and design of buildings would be detrimental to the wider character of the area and would serve to introduce a suburban context to an otherwise rural location. The proposal is therefore considered contrary to policy 7 of the NPPF, which attaches great importance to the design of the built environment and policy 13 (h) and (i) of the CSS, which seeks to create a strong sense of place and deliver high quality design, architecture and landscaping.

### 3. Leisure and Open space

Policy 8, paragraph 73 promotes access to high quality open spaces and opportunities for sport and recreation that can make an important contribution to health and well-being. The section 106 contributions include the necessary contributions for natural and semi-natural open space, provisions for children, provision for young people and improvements to the Broughton Village Hall.

In addition to the section 106 contributions outlined above, the proposal includes four areas of open space, the area to the western corner of the site is to be a wildflower meadow designed in response to the public consultation event that was held prior to submission of the application in order to separate the development from the historic Gables Lane and provide some additional interest in the site. It is likely that this site would require little management long-term.

Paragraph 57 of the NPPF states that 'It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes'. Initially play equipment was proposed on the northern corner open space, however, this has been

removed following consultation responses from Community Services and the Parish Council demonstrating that further play equipment in this location is not required and investment in the existing play facilities close to the site would be preferable. These remaining three open spaces appear to have limited function and due to their spacing and separation are unlikely to be adopted by the local planning authority due to the ongoing maintenance costs and usability. The requirement for the applicants to submit a long-term management strategy for these sites could be secured through a section 106 agreement, however, no such strategy is available to consider at this time. Nevertheless, spaces such as this should have purpose and a long-term maintenance plan is required to ensure these spaces are managed and able to be used by future occupants of the development. Alternatively, one/two larger spaces are located on the site (preferably to the eastern side of the site to help preserve ridge and furrow) to be adopted by the LPA with contributions sought to help with the long-term maintenance of these spaces. The hard and soft-landscaping of the open spaces could be a condition of any subsequent approval.

The proposal is therefore considered contrary to policy 7, paragraph 57 of the NPPF.

#### 4. Access, Highways and Parking

Policy 13 (n) of the CSS states that new development should not have a detrimental impact on the highway network and not prejudice highway safety. The Highways Authority has raised concerns with regards to the amendments made to the proposal in terms of the less formal layout and the introduction of shared surfacing and rural, more informal lanes. However, they raise no objection to the current layout plan (7827/ 004M received on 19/07/2013). Their concerns with regards to surfacing, visibility splays, garaging position, boundary treatment, refuse collection, landscaping and trees could reasonably be dealt with via conditions. The proposal is therefore considered in accordance with policy 13 (n) of the CSS with regards to highway safety and design.

#### 5. Neighbouring Amenity

There is approximately 70 metres back to back from the rear elevations of properties off Glebe Avenue and the proposed properties adjacent to the southern boundary of the application site. There is over 21 metres from the proposed side elevations of the single storey dwellings (plots 10 and 11) to the rear elevation of number 34 Glebe Avenue. Public open space, to be a wildflower area has been positioned on the western boundary of the site in between the proposed new development and Gables Lane, resulting in distances of over 60 metres between the closest proposed residential properties and the existing. There are no residential dwellings bordering the site on the northern and eastern sides. Given the distances of new development from the existing, the proposal is unlikely to significantly impact the amenity of existing dwellings in accordance with policy 13 (l) of the CSS.

## 6. Flooding and Drainage

Policy 10, paragraph 103 of the NPPF states that 'Local Planning Authorities should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flood where, informed by a site-specific flood risk assessment' (FRA). Concerns have been raised by local residents with regards the potential flooding risk in this location, however sufficient information has been submitted to demonstrate that any flood risk can be overcome through sufficient mitigation measures and subject to the submission of a surface water drainage scheme for the site, to be based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, as outlined by the Environment Agency. Anglian Water raised no objection to the proposal. Subject to conditions with regards to surface water and drainage, the proposal is considered in accordance with policy 10 of the NPPF and policy 13 (q) of the CSS, with regards to flooding and drainage.

## 7. Biodiversity

Policy 11, paragraph 118 of the NPPF states that 'when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity'. The proposal fails to contain sufficient information to assess the potential impact on Great Crested Newts and therefore fails to conserve biodiversity in accordance with policy 11 of the NPPF and policy 13 (o) of the CSS).

The Wildlife Trust has raised concerns with regards to the demolition of properties off Glebe Avenue to create a vehicle access to the site. The full investigation of these properties for roosting bats and birds could be a subject of any subsequent approval and bats are a protected species covered by separate legislation. Further nesting boxes could also be required by condition.

## 8. Archaeology

The applicants in their archaeological report have identified the remnants of ridge and furrow within the application site. Although its survival is variable in this location the better preserved ridge and furrow can be found on the eastern side of the site. Northamptonshire Archaeology felt that any subsequent development should try to minimise the impact on this resource, potentially through the use of public open space. Although there is some open space shown on the proposed plan in the far eastern corner of the site it would be beneficial to the scheme for this to be extended so as the best preserved ridge and furrow could remain. However, as stated by NCC Archaeology, this is not an over-riding constraint on the development provided that adequate provision is made for the investigation and recording of any remains that are affected. This could be dealt by the application of a condition. It is therefore not considered appropriate to refuse planning permission in accordance with policy 12, paragraph 141 of the NPPF in terms of archaeology.



## 9. Contamination

The underlying geology across Northamptonshire commonly presents unacceptable levels of naturally occurring arsenic, vanadium and chromium which can present a risk to human life. A condition could be added to any subsequent approval requiring a contaminated land assessment. The proposal is therefore considered in accordance with policy 11 of the Framework and policy 13 of the CSS with regards to contaminated land.

## 10. Sustainable Design and Construction

Policy 14 of the Core Spatial Strategy requires that development meet the highest viable standards of resource and energy efficiency and reduction in carbon emissions. Schemes should demonstrate techniques of sustainable construction and energy efficiency, provision for waste recycling/reduction and provision for water efficiency and water recycling. Policy 14 and the Sustainable Design SPD strive to achieve standards above the statutory minimum required by the Building Regulations and 10% of the demand for energy through renewable of low carbon sources. The applicant has submitted a Sustainability and Energy Statement. However, it fails to meet the necessary requirements for waste, water and renewable energy generation. A condition could be applied to any subsequent approval requiring further information to be submitted to comply with policy 14 of the CSS.

## Conclusion

The proposal is contrary to the growth strategy as outlined in Policy 1 of the North Northamptonshire Core Spatial Strategy which primarily directs growth to the urban core. Also, by virtue of its location outside of the designated settlement boundary of Broughton and its location within open countryside it is considered contrary to the development plan which requires all new development to be located within village boundaries unless it can be demonstrated that it is required to meet rural need. The proposal is therefore considered contrary to policy 6 of the NPPF, policies 1 and 9 of the CSS and policies 7, RA3 and RA5 of the Local Plan for Kettering Borough.

The development is highway dominated and the proposed layout, character and street design would be detrimental to the wider character of the area and would serve to introduce a suburban context to an otherwise rural location. The proposed open spaces lack function and purpose. The proposal is therefore considered contrary to policy 7 of the NPPF and policy 13 (h) and (i) of the CSS.

The proposal fails to contain sufficient information to assess the potential impact on Great Crested Newts and therefore fails to conserve biodiversity in accordance with policy 11 of the NPPF and policy 13 (o) of the CSS.

**Background  
Papers**

Title of Document:

Date:

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**Previous Reports/Minutes**

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