

# Public Document Pack



**North  
Northamptonshire  
Council**


**Meeting:** North Northamptonshire Area Planning Committee (Kettering)  
**Date:** Wednesday 17<sup>th</sup> May 2023  
**Time:** 7:00 pm  
**Venue:** Council Chamber, Municipal Offices, Bowling Green Road, Kettering, Northants, NN15 7QX

To members of the North Northamptonshire Area Planning Committee (Kettering)

Councillors Mark Rowley (Chair), Cedwien Brown (Vice-Chair), Carter, Hakewill, Jelley, Marks, Prentice, Smyth and Watts

Substitute Members : Councillors Dell, Henson and Lee

<b>Agenda</b>			
<b>Item</b>	<b>Subject</b>	<b>Officer Presenting Report</b>	<b>Page No</b>
01	Apologies for non-attendance		-
02	Members' Declarations of Interests		-
03	Minutes of the meeting held on 19 <sup>th</sup> April 2023		5 - 16
<b>Items requiring a decision</b>			
04	Applications for planning permission, listed building consent and appeal information*		
	I) <b>NK/2021/0659:</b> <b>Gold Street (land off), Desborough</b> Full Planning Permission: Redevelopment of site to create 35 no. dwellings with access, parking and associated works	Planning Officer	17 – 58
	II) <b>NK/2022/0047:</b> <b>The former Woolpack Inn, Market Hill, Rothwell</b> Full Planning Permission: Redevelopment of site to create 6 no. dwellings	Planning Officer	59 - 76

	<p>III) <b>NK/2022/0053:</b>  <b>The former Woolpack Inn, Market Hill, Rothwell</b>  Application for Relevant Demolition in a Conservation Area: Demolition of garages and single storey element of public house</p> <p>IV) <b>NK/2022/0372:</b>  <b>Rothwell Central (land to west), Rothwell</b>  Outline Application: Residential development of up to 220 dwellings with access only considered</p>	<p>Planning Officer</p> <p>Planning Officer</p>	<p>77 – 86</p> <p>87 – 110</p>
<b>Items to note</b>			
05	<p>Delegated officers report</p> <hr/> <p>None</p>		
<b>Exempt Items</b>			
06	None Notified		
07	Close of Meeting		
	<p>Adele Wylie, Monitoring Officer  North Northamptonshire Council</p>  <p><b>Proper Officer</b>  <b>9<sup>th</sup> May 2023</b></p>		

\*The reports on this agenda include summaries of representations that have been received in response to consultation under the Planning Acts and in accordance with the provisions in the Town and Country Planning (Development Management Procedure) Order 2015.

This agenda has been published by Democratic Services.

Committee Administrator: Callum Galluzzo

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Where there is a need for the Council to discuss exempt or confidential business, the press and public will be excluded from those parts of the meeting only and will have to vacate the room for the duration of that business.

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ITEM	NARRATIVE	DEADLINE
Members of the Public Agenda Statements	Requests to address the committee must be received by 12 Noon on the day before the meeting. Speakers will be limited to speak for 3 minutes.	12 Noon Tuesday 16 May 2023
Member Agenda Statements	A request from a Ward Councillor must be received by 12 Noon on the day before the meeting. The Member will be limited to speak for 5 minutes.	12 Noon Tuesday 16 May 2023

Please see the [procedures for speaking at the Planning Committee](#) before registering to speak.

If you wish to register to speak, please contact the committee administrator

### **Members' Declarations of Interest**

Members are reminded of their duty to ensure they abide by the approved Member Code of Conduct whilst undertaking their role as a Councillor. Where a matter arises at a meeting which **relates to** a Disclosable Pecuniary Interest, you must declare the interest, not participate in any discussion or vote on the matter and must not remain in the room unless granted a dispensation.

Where a matter arises at a meeting which **relates to** other Registerable Interests, you must declare the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but must not take part in any vote on the matter unless you have been granted a dispensation.

Where a matter arises at a meeting which **relates to** your own financial interest (and is not a Disclosable Pecuniary Interest) or **relates to** a financial interest of a relative, friend or close associate, you must disclose the interest and not vote on the matter unless granted a dispensation. You may speak on the matter only if members of the public are also allowed to speak at the meeting.

Members are reminded that they should continue to adhere to the Council's approved rules and protocols during the conduct of meetings. These are contained in the Council's approved Constitution.

If Members have any queries as to whether a Declaration of Interest should be made please contact the Monitoring Officer at – [monitoringofficer@northnorthants.gov.uk](mailto:monitoringofficer@northnorthants.gov.uk)

### **Press & Media Enquiries**

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## **Minutes of a meeting of the Area Planning Committee Kettering**

At 7.00 pm on Wednesday 19th April, 2023 in the

Council Chamber, Municipal Offices, Bowling Green Road, Kettering, NN15 7QX

### **Present:-**

#### Members

Councillor Mark Rowley (Chair)  
Councillor Robin Carter  
Councillor Ian Jelley  
Councillor Elliot Prentice

Councillor Cedwien Brown  
Councillor Jim Hakewill  
Councillor Anne Lee

#### Officers

Louise Holland      Development Services  
Nigel Bell            Legal Representative  
Callum Galluzzo      Democratic Services

### **39 Apologies for non-attendance**

Apologies for absence were received from Councillors Paul Marks, Joseph Smyth, and Keli Watts.

It was noted that Councillors Larry Henson and Anne Lee were present as substitutes.

### **40 Members' Declarations of Interests**

The chair asked members to declare any interests on items present on the agenda.

No declarations were made.

### **41 Minutes of the meeting held on 8th March 2023**

**RESOLVED**            that the minutes of the meeting of the Strategic Planning Committee held on 8<sup>th</sup> March 2023 be approved as a correct record.

### **42 Applications for planning permission, listed building consent and appeal information\***

The Committee considered the following application for planning permission, which were set out in the Development Control Officers Report and supplemented verbally and in writing at the meeting. Two speakers attended the meeting and spoke on applications in accordance with the Right to Speak Policy.

The reports included details of applications and, where applicable, results of statutory consultations and representations which had been received from interested bodies and individuals, and the Committee reached the following decisions:-

<u>Proposed Development</u>	<u>Decision</u>
<p>*4.1 s.73A Retrospective Application: 5 no. CCTV columns and cameras at Rockingham Road Pleasure Park, Park Avenue, Kettering for Mr J Kinloch North Northamptonshire Council.</p> <p>Application No: NK/2022/0726</p> <p><u>Speaker:</u></p> <p>Peter Anderson attended the meeting and addressed the committee as a third party objector to the proposed development raising concerns regarding data protection and invasion of residential privacy. Mr Anderson also raised concerns with regards to the location of the CCTV units as well as the height of the installed devices. Concerns were also raised due to the absence of a Data Protection Impact Assessment associated with the planning proposal.</p> <p>Mike Greenway attended the meeting and addressed the committee as the agent on behalf of the applicant. Members heard that the former Kettering Borough Council undertook a public consultation exercise and that the design schemes were based on these views as well as available technology and crime data. Members heard that the technology used features a blurring software which automatically blurs residential properties in view of the CCTV thus to protect residential privacy. Robust security measures were in place to ensure the system and network were protected.</p>	<p>Members received a report about a proposal for which retrospective planning permission was being for the erection and installation of 5 no. CCTV columns and cameras.</p> <p>Members raised concerns regarding the location of one installed column in relation to the location plan and also raised questions regarding the impact on the street scene. Questions were also raised in relation to the public consultation exercise.</p> <p>Members heard that the CCTV installation was part of a Home Office project in the interest of public safety. Members raised support spoke in favour of the use of CCTV to apprehend and deter crime and anti-social behaviour.</p> <p>Following debate it was proposed by Councillor Prentice and seconded by Councillor Jelley that the application be approved in line with the officer's recommendation.</p> <p>It was agreed that the application be <b>APPROVED</b> subject to the following conditions:</p>

1. The development hereby permitted shall not be carried out other than in accordance with the approved plans and details listed below.

*(Members voted on the officers' recommendation to approve the application)*

*(Voting: For 5, Against 1, Abstention 1)*

*The application was therefore*

**APPROVED**

<u>Proposed Development</u>	<u>Decision</u>
<p>*4.2 s.73A Retrospective Application: 1 no. CCTV columns and cameras at Rockingham Road (corner of Dryden Street), Kettering for Mr J Kinloch North Northamptonshire Council.</p> <p>Application No: NK/2022/0787</p> <p><u>Speaker:</u></p> <p>Peter Anderson attended the meeting and addressed the committee as a third party objector to the proposed development raising concerns regarding data protection and invasion of residential privacy. Mr Anderson also raised concerns with regards to the location of the CCTV units as well as the height of the installed devices. Concerns were also raised due to the absence of a Data Protection Impact Assessment associated with the planning proposal.</p> <p>Mike Greenway attended the meeting and addressed the committee as the agent on behalf of the applicant. Members heard that the former Kettering Borough Council undertook a public consultation exercise and that the design schemes were based on these views as well as available technology and crime data. Members heard that the technology used features a blurring software which automatically blurs residential properties in view of the CCTV thus to protect residential privacy. Robust security measures were in place to ensure the system and network were protected.</p>	<p>Members received a report about a proposal for which retrospective planning permission was being for the erection and installation of 1 no. CCTV columns and cameras.</p> <p>Members raised concerns regarding the location of one installed column in relation to the location plan and also raised questions regarding the impact on the street scene. Questions were also raised in relation to the public consultation exercise.</p> <p>Members heard that the CCTV installation was part of a Home Office project in the interest of public safety. Members raised support spoke in favour of the use of CCTV to apprehend and deter crime and anti-social behaviour.</p> <p>Following debate it was proposed by Councillor Prentice and seconded by Councillor Jelley that the application be approved in line with the officer's recommendation.</p> <p>It was agreed that the application be <b>APPROVED</b> subject to the following conditions:</p>

1. The development hereby permitted shall not be carried out other than in accordance with the approved plans and details listed below.



*(Members voted on the officers' recommendation to approve the application)*

*(Voting: For 5, Against 1, Abstention 1)*

*The application was therefore*  
**APPROVED**

<u>Proposed Development</u>	<u>Decision</u>
<p>*4.3 s.73A Retrospective Application: 1 no. CCTV columns and cameras at Wood Street (alley opposite Wilson Terrace), Kettering for Mr J Kinloch North Northamptonshire Council.</p> <p>Application No: NK/2022/0788</p> <p><u>Speaker:</u></p> <p>Peter Anderson attended the meeting and addressed the committee as a third party objector to the proposed development raising concerns regarding data protection and invasion of residential privacy. Mr Anderson also raised concerns with regards to the location of the CCTV units as well as the height of the installed devices. Concerns were also raised due to the absence of a Data Protection Impact Assessment associated with the planning proposal.</p> <p>Mike Greenway attended the meeting and addressed the committee as the agent on behalf of the applicant. Members heard that the former Kettering Borough Council undertook a public consultation exercise and that the design schemes were based on these views as well as available technology and crime data. Members heard that the technology used features a blurring software which automatically blurs residential properties in view of the CCTV thus to protect residential privacy. Robust security measures were in place to ensure the system and network were protected.</p>	<p>Members received a report about a proposal for which retrospective planning permission was being for the erection and installation of 1 no. CCTV columns and cameras.</p> <p>Members raised concerns regarding the location of one installed column in relation to the location plan and also raised questions regarding the impact on the street scene. Questions were also raised in relation to the public consultation exercise.</p> <p>Members heard that the CCTV installation was part of a Home Office project in the interest of public safety. Members raised support spoke in favour of the use of CCTV to apprehend and deter crime and anti-social behaviour.</p> <p>Following debate it was proposed by Councillor Jelley and seconded by Councillor Brown that the application be approved in line with the officer's recommendation.</p> <p>It was agreed that the application be <b>APPROVED</b> subject to the following conditions:</p>

1. The development hereby permitted shall not be carried out other than in accordance with the approved plans and details listed below.

*(Members voted on the officers' recommendation to approve the application)*

*(Voting: For 5, Against 1, Abstention 1)*

*The application was therefore*  
**APPROVED**

<u>Proposed Development</u>	<u>Decision</u>
<p>*4.4 s.73A Retrospective Application: 2 no. CCTV columns with cameras and 1 no. transmission pole at Mill Road Park, Mill Road, Kettering for Mr J Kinloch North Northamptonshire Council.</p> <p>Application No: NK/2022/0789</p> <p><u>Speaker:</u></p> <p>Peter Anderson attended the meeting and addressed the committee as a third party objector to the proposed development raising concerns regarding data protection and invasion of residential privacy. Mr Anderson also raised concerns with regards to the location of the CCTV units as well as the height of the installed devices. Concerns were also raised due to the absence of a Data Protection Impact Assessment associated with the planning proposal.</p> <p>Mike Greenway attended the meeting and addressed the committee as the agent on behalf of the applicant. Members heard that the former Kettering Borough Council undertook a public consultation exercise and that the design schemes were based on these views as well as available technology and crime data. Members heard that the technology used features a blurring software which automatically blurs residential properties in view of the CCTV thus to protect residential privacy. Robust security measures were in place to ensure the system and network were protected.</p>	<p>Members received a report about a proposal for which retrospective planning permission was being for the erection and installation of 2 no. CCTV columns with cameras and 1 no. transmission pole</p> <p>Members raised concerns regarding the location of one installed column in relation to the location plan and also raised questions regarding the impact on the street scene. Questions were also raised in relation to the public consultation exercise.</p> <p>Members heard that the CCTV installation was part of a Home Office project in the interest of public safety. Members raised support spoke in favour of the use of CCTV to apprehend and deter crime and anti-social behaviour.</p> <p>Following debate it was proposed by Councillor Brown and seconded by Councillor Jelley that the application be approved in line with the officer's recommendation.</p> <p>It was agreed that the application be <b>APPROVED</b> subject to the following conditions:</p>

1. The development hereby permitted shall not be carried out other than in accordance with the approved plans and details listed below.

*(Members voted on the officers' recommendation to approve the application)*

*(Voting: For 5, Against 1, Abstention 1)*

*The application was therefore*  
**APPROVED**

<u>Proposed Development</u>	<u>Decision</u>
<p>*4.5 s.73A Retrospective Application: 2 no. CCTV columns and cameras at North Park, North Park Drive, Kettering for Mr J Kinloch North Northamptonshire Council.</p> <p>Application No: NK/2022/0790</p> <p><u>Speaker:</u></p> <p>Peter Anderson attended the meeting and addressed the committee as a third party objector to the proposed development raising concerns regarding data protection and invasion of residential privacy. Mr Anderson also raised concerns with regards to the location of the CCTV units as well as the height of the installed devices. Concerns were also raised due to the absence of a Data Protection Impact Assessment associated with the planning proposal.</p> <p>Mike Greenway attended the meeting and addressed the committee as the agent on behalf of the applicant. Members heard that the former Kettering Borough Council undertook a public consultation exercise and that the design schemes were based on these views as well as available technology and crime data. Members heard that the technology used features a blurring software which automatically blurs residential properties in view of the CCTV thus to protect residential privacy. Robust security measures were in place to ensure the system and network were protected.</p>	<p>Members received a report about a proposal for which retrospective planning permission was being for the erection and installation of 2 no. CCTV columns and cameras.</p> <p>Members raised concerns regarding the location of one installed column in relation to the location plan and also raised questions regarding the impact on the street scene. Questions were also raised in relation to the public consultation exercise.</p> <p>Members heard that the CCTV installation was part of a Home Office project in the interest of public safety. Members raised support spoke in favour of the use of CCTV to apprehend and deter crime and anti-social behaviour.</p> <p>Following debate it was proposed by Councillor Prentice and seconded by Councillor Jelley that the application be approved in line with the officer's recommendation.</p> <p>It was agreed that the application be <b>APPROVED</b> subject to the following conditions:</p>

1. The development hereby permitted shall not be carried out other than in accordance with the approved plans and details listed below.

*(Members voted on the officers' recommendation to approve the application)*

*(Voting: For 5, Against 1, Abstention 1)*

*The application was therefore*  
**APPROVED**

**48 Delegated Officers Report**

None

**49 Exempt Items**

None

**50 Close of Meeting**

The meeting closed at 8.03 pm

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Chair

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Date

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## North Northamptonshire Area Planning (Kettering) Committee 17/05/2023

<b>Application Reference</b>	<b>NK/2021/0659</b>
<b>Case Officer</b>	<b>Theresa Nicholl</b>
<b>Location</b>	<b>Gold Street (land off), Desborough</b>
<b>Development</b>	<b>Full Planning Permission: Redevelopment of site to create 35 no. dwellings with access, parking and associated works</b>
<b>Applicant</b>	<b>Mr M Lee, Snowdon Homes Ltd</b>
<b>Agent</b>	<b>Mr M Bagshaw MHB Planning Ltd</b>
<b>Ward</b>	<b>Desborough Loatland</b>
<b>Overall Expiry Date</b>	<b>16/11/2021</b>
<b>Agreed Extension of Time</b>	

All plans and documents can be viewed using the application reference number at <https://www.kettering.gov.uk/planningApplication/search>

### **Scheme of Delegation**

This application is brought to committee because

- the relevant town /parish council has a material written objection.
- there are unresolved, material objections to the proposal.

### **1. Recommendation**

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- 1.1 That planning permission be GRANTED subject to conditions and the completion of a Section 106 Legal Agreement by four months from the date of any resolution to grant planning permission.
- 1.2 That should the Section 106 Legal Agreement not be completed by four months from the date of any resolution to grant planning permission that it be delegated to the Assistant Director to REFUSE planning permission.

## **2. The Proposal**

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- 2.1 Full Planning Permission: Redevelopment of site to create 35 no. dwellings with access, parking and associated works
- 2.2 This is an application to redevelop the former Dunkelman and Sons site to provide 35 dwellings comprising 21 x 3-bedroom, 13 x 2-bedroom and 1 x 4-bedroom properties. Eleven of the total will be affordable houses with a tenure split of 70 percent rented and 30 percent intermediate home ownership. All of the dwellings are two storeys in height. Vehicular and pedestrian access is gained from Gold Street. The proposal includes two main green areas, one of which is in the area protected by a Tree Preservation Order and part of this area will become a children's play area.

## **3. Site Description**

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- 3.1 The approximate 1.1-hectare site relates to a former industrial site comprising a main factory building which has both single-storey and two-storey elements. This main building is positioned centrally within the site and there are several other ancillary buildings including a two-storey linked extension to the Manor House and a further building located to the south-east of the site. The site is accessed from Gold Street to the north of the site.
- 3.2 Immediately fronting the site on Gold Street and between the two access points is Manor House. The building is not statutorily listed but is a heritage asset to the town. This building has been extended in the past and the more modern extensions are proposed for demolition returning the building back to its original form.
- 3.3 Immediately to the north of the main building is a band of TPO trees (protected under TPO 1976.KE6) and these form the boundary between the site and the southern boundary with Manor House and are prominent within the street scene. Although there are other trees within the site, they are not subject to TPO's.
- 3.4 The site lies within the town but outside the town centre boundary as defined by the Site-Specific Part 2 Local Plan for Kettering and also lies outside the Conservation Area boundary.
- 3.5 The site lies within Flood Zone 1 which is the area at least risk of flooding.

## **4. Relevant Planning History**

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- 4.1 KET/2019/0644 – Redevelopment of site to create 39 No. dwellings (100 percent affordable) with access, parking and associated works – refused 22/12/2020.

The application was refused contrary to officer recommendation on grounds of (1) lack of financial contributions towards the infrastructure requirements generated by the development and (2) highway congestion.

The applicant appealed this decision. The local highway authority did not object to that scheme and the Inspector found that proposal would not cause harm to highway safety or to the proper functioning of the highway network. Costs were awarded to the appellant in respect of the previous highway reason for refusal. The Inspector supported the Council's view that the development would harmfully impact upon social infrastructure in the absence of financial contributions and although the 100 percent affordable housing weighed in favour of the scheme, in the planning balance it did not outweigh the identified harm. As a consequence, the appeal was dismissed. It should be noted that when the previous application was considered by both the Planning Committee and the Planning Inspectorate, no other reasons for refusal other than those set out above were considered.

- 4.2 NK/2022/0699 – Conversion of offices (the Manor House) to 8 residential apartments – pending consideration

## **5. Consultation Responses**

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A full copy of all comments received can be found on the Council's website at:

<https://www.kettering.gov.uk/planningApplication/search>

### 5.1 Town Council (30.03.24)

The access arrangements to the site from Gold Street are inadequate and concern is expressed about the future of the Manor House which whilst not part of this application was part of the wider site.

### 5.2 Neighbours / Responses to Publicity

10 letters of objection have been received from 10 neighbouring households who raise the following concerns;

- Increase in traffic levels especially on Gold Street during busiest times. The proposed access is off a very busy road. There will be danger to pedestrians and road users during building work. The very narrow path is used by school children and other. The shop opposite and parking associated with the shop makes the situation worse.
- The junction of Harrington Road/Gold St cannot take significant increase in traffic. Plans show 72 parking spaces. A similar application was refused by the Council in December 2020.
- The increased traffic and access will hinder emergency vehicles and parking of emergency vehicles
- Removal of some very established trees which will spoil the aesthetic look of the site but will affect the nature on the site including nesting birds

- It is disgraceful that the developer will not be providing any S106 money to the community
- It seems all the trees other than those with TPOs are to be removed. There are a number of healthy trees immediately adjacent to properties on Alexandra Road which are teeming with wildlife and offer some privacy to existing properties. These would not need to be removed if focus had been placed on placement of properties rather than maximising the number of dwellings.
- There has been significant activity on the site over the last month including felling of trees and removal of undergrowth, all during bird nesting season.

Individual issues raised;

6 Prince Rupert Avenue –

- Will the overgrown and dying trees be removed as the plans now show differently? Who will maintain them? We will not be happy if they are left in as they are unsightly. Will there be a boundary fence between our garden and a new property and how close will properties be to our boundary?

10 Prince Rupert Avenue

- Tree removal has started and 4 trees have been left at the bottom of my garden. These overhang my garden by about 20m and now look extremely unstable and need removing or considerably reducing as soon as possible.

1 Alexandra Road –

- The proposal will reduce the privacy to our home? We are currently not overlooked by anyone and it is peaceful. Adding more houses will increase noise pollution.

13 Alexandra Road –

- What hedges running down the back of Alexandra Road will be trimmed back? There is only overgrown vegetation, fences and sheds. Some of the trees proposed to be cut down/back are in gardens and not on the site.

19 Alexandra Road –

- There are a number of areas identified on the plan as having hedges and in many of these areas there are no hedges. The removal of these trees together with the close proximity of dwellings and difference in land levels makes a very unappealing and undesirable situation for residents in Alexandra Road. There are two new dwellings planned at the bottom of my garden.

64 Gold Street –

- The increase in traffic will affect the access to my drive, invade my privacy as my living room windows directly face the street, increase pollution which will affect my asthma. Reference is made to an accident involving a car overturning at the Gold St/Harrington Road junction on 23<sup>rd</sup> March 2023 as an example of how dangerous an increase in traffic in this spot would be if permission is granted. There will be a significant increase in noise during the building and afterwards. I fail to understand why, after an appeal, the applicant is still applying for permission.

#### Tithe Farm Cottage –

- We appreciate the need for affordable housing and in many ways the site does suit the requirement, but we have the following concerns;
- Given the size of the plot, 36 dwellings seems dense. About 30 would seem more appropriate
- We will lose the privacy we have enjoyed for 17+ years. There are now 4-5 houses backing onto our property. We extended and have 3 windows directly looking at the rear of plots 25 – 29 (*officer comment: bedroom and ensuite at first floor and kitchen at ground floor*). Bedroom windows will look into our garden and will have direct sightlines to a bedroom, bathroom and kitchen. There will be some visual intrusion into 2 further bedrooms from plots 26 & 27. We feel our house is the only one so directly overlooked with new houses built so close to our boundary.

#### 12 Gold St

- I was very upset that mature trees with nesting birds were removed from the bottom of my garden on Friday 24<sup>th</sup> March despite the fact the plans have not been passed.

One letter of support has been received. The neighbour asks if a new fence will be provided to the rear of 10, 12 and 14 Gold Street as this existing fence may be asbestos.

### 5.3 Local Highway Authority (LHA) (23.03.23)

1. In the event that the streets associated with the development are not being proposed for adoption as public highway, the following conditions apply;
  - a. Details of a site management company and associated future management and maintenance methodology shall be submitted and agreed prior to the commencement of the development
  - b. The streets shall be laid out and constructed to an adoptable standard to ensure safe and practical operation prior to the first occupation of any dwelling
  - c. Prior to first occupation of any dwelling a legal undertaking is required from the developer that the streets will not be put forward for adoption and will remain private in perpetuity
  - d. That the streets will be identified as private through use of appropriate private street name plates on the entrances to the development from the public highway
  - e. Prior to commencement of development any vehicular access to the site from the public highway shall be implemented as standard vehicle crossovers
2. All private drives (single/shared) require a hard bound surface and gradient not in excess of 1 in 15 for a minimum of the first 5 metres from

the highway boundary. A means of draining surface water away from the highway will be required. It is unlawful for surface water to drain from a private property onto the public highway. The LHA is content for this to be conditioned if necessary.

3. A CTMP (Construction Traffic Management Plan) should be conditioned

The site is not affected by a public right of way.

#### 5.4 Lead Local Flood Authority (LLFA) (16.03.2023)

There is sufficient information available to comment on the acceptability of the proposed surface water drainage scheme for the development. The applicant has provided a note (LLFA Planning Consultation Response Note, Welland January 2023) to address the comments contained in our previous consultation dated 6 January 2023.

This has confirmed that an infiltration rate of  $4.99 \times 10^{-5}$  m/s has been applied following infiltration testing in accordance with BRE365 Soakaway Design Guidance across the site. The applicant has confirmed that no connection to the Anglian Water network is proposed and has amended the surface water drainage strategy drawing to reflect this. The applicant has updated the surface water drainage strategy to ensure that proposed soakaways do not cross plot boundaries and are set at a minimum of 5m from proposed buildings. It is confirmed that all surface water drainage features will be the responsibility of a private management company, the details of this should be made available at the detailed design stage. Exceedance flows will be managed on site and directed in a southerly direction along the access road.

It is therefore recommended that the application documents as submitted are sufficient, subject to conditions being applied.

Officer comment: three detailed conditions are supplied by the LLFA covering submission of detailed surface water drainage details prior to the commencement of the development; submission of a Verification Report for the installed surface water drainage prior to occupation; and submission of a site specific maintenance plan prior to occupation

#### 5.5 Environment Agency (EA) (25.11.22)

The EA does not wish to make any comments on this application.

#### 5.6 Anglian Water (15.10.21)

Requests that a note be added to the decision notice if permission is granted notifying the applicant that AW has assets in the vicinity.

Broadholme Water Recycling Centre does not have capacity to treat the flows from the site, however, AW are obliged to accept the foul flows from

the development with the benefit of planning consent and would therefore take the necessary steps to ensure there is sufficient treatment capacity should planning permission be granted.

Based on the submitted Flood Risk Assessment and Drainage Strategy, the sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network, they should serve notice under S106 of the Water Industry Act and we shall direct them to the most appropriate connection. Pump rate must be confirmed at detailed design stage.

Based on the submitted information, the method of surface water disposal does not involve AW assets.

#### 5.7 Housing Strategy (25.10.22)

Happy with the mix being proposed and especially pleased to see a 4 bed property included. I note that all the properties meet the National Described Space Standards but not with maximised bed spaces i.e. 2b3p instead of 2b4p to allow families to grow and have sustainable long term homes. As long as the Registered Provider is happy to allocate to the maximised spaces we would deem these acceptable.

All the affordable units have been placed in one corner of the site. We would normally expect a more even spread across the site unless there is a plausible reason for the current placement of the units.

In terms of tenure, we would request a 70/30 split for rented and intermediate home ownership respectively.

(11.04.23)

I can confirm that we are happy with the proposed affordable units on this site and I'm happy for you to accept this as our formal response. We can allocate the units to larger households as per Rachel's email to they will meet the need we have identified from our housing register.

#### 5.8 NNC Nature Development (13.09.21 and 18.10.22)

13.09.21

I am satisfied a bat licence won't be needed and that biodiversity impacts should be minimal. To mitigate any residual impacts and provide further biodiversity enhancements I would recommend the following;

- The measures in section 8.1 and 8.2 of the preliminary ecological appraisal report should be included in a Construction Environmental Management Plan. I don't think a specific CEMP for biodiversity is warranted here, however measures should be included in an appropriate site document



- External lighting should be sensitive to bats and other nocturnal wildlife consistent with Bats and Artificial Lighting in the UK (2018) by the Bat Conservation Trust and Institution of Lighting Professionals
- Any close boarded fencing should provide hedgehog holes
- In addition to tree mounted nest boxes at least 25 percent of the new dwelling should include integrated bat or bird boxes

18.10.22

I welcome the amendments to the site plan drawing SK002 rev K with the added species enhancements detail. If the application is approved, I'd request that it be conditioned among the site drawings.

5.9 Northants Police (Crime Prevention Design Advisor)( 23.08.22)

It would be preferable to relocate the benches adjacent to plot 32 to the wider section of Public Open Space (POS) away from the fence. I would suggest the opposite side of the path, to make the resident of plot 32 less susceptible to crime and anti-social behaviour.

5.10 NNC Archaeology (18.07.22)

The main concerns around previous scheme iterations were connected with the preservation of the Manor House building and appropriate levels of building recording in connection with both it and any associated structures. The current scheme excludes the Manor House, which is welcomed. Following on from previous responses I am still seeking clarification that the proposed recording not only includes the Manor House but also the early 18<sup>th</sup> century fabric with substantial 20<sup>th</sup> century alterations of the eastern range. These elements are proposed to be demolished in the present application and should be recorded (potentially at a lower level) as they form part of the historic narrative of the building. I am disappointed that my request for this clarification of 28/10/21 has not been addressed in the Heritage Statement.

With the above concerns addressed, I would not consider the proposed works to represent an over-riding constraint to development providing adequate provision is made for the investigation and recording of surviving historic buildings.

Request condition be added to this effect.

5.11 NHS

The development proposed 36 homes which based on a household size of 2.43 could result in an increased patient population of 87.48.

Based on the Dept. of Health calculation in HBN11-01:Facilities for Primary and Community Services, the development would generate the following need (*summarised*)

Consulting Room  
2 hours per week

Treatment Room  
1 hour per week

Based on the above, Northamptonshire CCGs/NHSE&I are requesting a contribution from the developer towards the increased primary health care capacity directly attributable to the population of the new development. The figure requested is £18,302.57

#### 5.12 NNC Development Management (16.09.21)

It is understood there will be 15 x 2 bed units, 19 x 3 bed units and 2 x 4 bed units. The response has been made on this basis.

##### Education:

The sufficiency capacity evidence base for Early Years is currently being updated. If there is a lack of capacity identified for Early Years, a contribution of £85,817 would be required.

##### Primary Education –

As of September 2021, the primary schools in the area were operating at a capacity of 91% and above which exceeds the Dept. for Education's recommended capacity thresholds. Based on the mix of housing, a contribution of £136,565 will be required to create additional primary capacity by enhancing and increasing the provision of primary education infrastructure and capacity in the area, thus ensuring that the children generated by this development can be accommodated within a local school.

##### Secondary Education:

The site would most likely be served by Montsaye School. The school is currently operating close to the Dept. for Education's recommended capacity threshold, with forecasts indicating an increase in demand for places based on birth rate and three-year trend data alone. Furthermore, the cumulative impact of existing approved and planned development in Desborough and the surrounding area is expected to place further pressure on secondary school provision. Based on the housing mix and using the D for E cost multipliers, a contribution of £116, 238 is required towards expanding capacity of secondary education in the area.

##### Libraries:

Based on the proposed housing mix and applying the National Library Tariff formula and the BCIS building costs for Northamptonshire, a contribution of £7,721 is required.

Fire hydrants and/or sprinkler systems should be provided for by condition.

*Officer comment: The above figures are based on the previous scheme for 36 dwellings and previous housing mix. Revised figures will need to be*

*obtained from NNC Development Management to reflect the current proposed housing mix for 35 dwellings.*

5.13 NNC Environmental Health (01.09.21)

Conditions are recommended to require a Demolition and Construction Management Plan and a contamination remediation strategy be submitted and approved prior to the commencement of the development .

**6. Relevant Planning Policies and Considerations**

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6.1 Statutory Duty

Planning law requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

Section 40 of the NERC Act places a duty to conserve biodiversity on public authorities in England. It requires local authorities and government departments to have regard to the purposes of conserving biodiversity in a manner that is consistent with the exercise of their normal functions such as policy and decision-making.

6.2 National Policy

National Planning Policy Framework (NPPF) (2021)

63. where affordable housing need is identified it should be delivered on site unless particularly justified otherwise (off site or financial contribution)

92. Planning decisions should aim to achieve healthy and inclusive safe places which promote social interaction, are safe and accessible (reduce crime and fear of crime) and support healthy lifestyles.

95. It is important that a sufficient choice of school places is available to meet the needs of existing and new communities.

98. Access to a network of high-quality open spaces and opportunities for sport and physical education is important for health and wellbeing. Up to date assessments should inform what open space and provision is required.

111. Development should only be refused on highways grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe.

120. Planning policies should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs.

126. The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.

130. Planning decisions should ensure all developments (in summary);

- (a) Function well and add to overall quality of the area
- (b) Are visually attractive
- (c) Are sympathetic to local character
- (d) Establish a strong sense of place
- (e) Optimise the potential of the site to sustain appropriate mix of development including green space
- (f) Create places that are safe, inclusive and accessible

131. Planning decisions should ensure that new streets are tree lined, appropriate measures should be put in place to secure the long-term maintenance of new trees and retained trees wherever possible.

174. Planning decisions should contribute to and enhance the natural and local environment by (amongst other things),  
(d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures  
(e) preventing new and existing developments from contributing to, being put at an unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality....  
(f) remediating and mitigating despoiled, degraded, derelict contaminated and unstable land, where appropriate.

203. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application.

National Planning Practice Guidance (NPPG)  
National Design Guide (NDG) (2019)

6.3 North Northamptonshire Joint Core Strategy (JCS) (2016)

Policy 1 – Presumption in Favour of Sustainable Development  
Policy 2 – Historic Environment  
Policy 3 – Landscape Character  
Policy 4 – Biodiversity and Geodiversity  
Policy 5 – Water Environment, Resources and Flood Risk Management  
Policy 6 – Development on Brownfield Land and Land Affected by Contamination  
Policy 7 – Community Services and Facilities  
Policy 8 – North Northamptonshire Place Shaping Principles  
Policy 10 – Provision of Infrastructure  
Policy 11 – The Network of Urban and Rural Areas  
Policy 15 – Well Connected Towns, Villages and Neighbourhoods  
Policy 29 – Distribution of New Homes  
Policy 30 – Housing Mix and Tenure

6.4 Kettering Site Specific Part 2 Local Plan

Policy HOU1 – Windfall and Infill Development: Principles of Delivery  
Policy HWC3 – Sport, Recreation and Physical Activity  
NEH 1 – Local Flood Risk Management  
NEH2 – Borough Level Green Infrastructure Network  
NEH4 – Open Spaces

6.5 Neighbourhood Plan

Draft Desborough Neighbourhood Plan

6.6 Other Relevant Documents

## **7. Evaluation**

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The key issues for consideration are:

- Principle of Development
- Visual Impact
- Impact on Neighbouring Amenity
- Highway Matters
- Environmental Matters
- Landscaping
- Ecology
- Flood Risk and Drainage
- Heritage
- Waste Management
- Planning Obligations

### **7.1 Principle of Development**

- 7.1.1 The site lies within the town boundary of Desborough and is a brownfield site, being former employment land. Policy 29 of the Joint Core Strategy (JCS) sets out that the re-use of suitable previously development land and buildings in the Growth Town and Market Towns will be encouraged. Table 1 which supports the spatial strategy and policy 11 within the JCS defines Desborough as a Market Town.
- 7.1.2 Policy 6 of the JCS states that in determining planning applications, the local planning authorities will seek to maximise the delivery of development through the reuse of suitable previously developed land and buildings within the urban area.
- 7.1.3 Policy HOU1 of the Kettering Site Specific Part 2 Local Plan (the Local Plan) states that windfall development within settlement boundaries will generally be acceptable in principle providing there is no erosion to character and appearance of the area, no detrimental impacts to environmental quality, amenity and privacy enjoyed by existing residents.
- 7.13 The redevelopment of this site is compatible with the above policies. The use of the land for residential purposes is in keeping with the surrounding land uses. There are presently large factory buildings on site, but these are unsuitable and undesirable for residential conversion. The principle of the development for residential purposes is therefore acceptable.

### **7.2 Visual Impact**

- 7.2.1 The site is contained within the surrounding development to a large degree and is not highly visible from the public realm. The land levels decrease somewhat from Harrington Road down to Prince Rupert Avenue and the site may be glimpsed through existing houses. However, there are tall conifers

to some of the boundaries of the site especially along Alexandra Road and Prince Rupert Avenue which obscure views into the site from the surrounding streets, however a number of these are proposed to be or have been removed. An exception is the view over the top of the existing garage court between No's 4 and 6 Prince Rupert Avenue where the upper most part of the smaller factory building can be seen to the rear and adjacent to this boundary and in the distance the very top of the multi-gable roof to the larger factory building can be seen. The site can also be viewed through the existing vehicular access off Gold Street

- 7.2.2 The site is presently unused and unkempt in appearance and does not positively contribute to the overall visual appearance or quality of the area.
- 7.2.3 Policy 8 of the JCS sets out various place shaping principles which development should adhere to, several of which relate to visual appearance. Criterion d states that development should create a distinctive local character by:
- i. Responding to the site's immediate and wider context and local character to create new streets, spaces and buildings which draw on the best of local character without stifling innovation;
  - ii. Responding to the local topography and the overall form, character and landscape setting of the settlement; and
  - iii. The creative use of public realm through the use of measures such as incidental play spaces, bespoke street furniture and memorable features.

Criteria e) vi states that development should incorporate resilient and flexible designs for buildings and their settings, including access to amenity space.

- 7.2.4 Policy HOU1 of the Local Plan states that (amongst other things) windfall development will be acceptable subject to there being no erosion of character and appearance of the area.
- 7.2.5 Paragraph 124 of the NPPF states that planning decisions should support development that makes efficient use of land taking into account;
- (a) The identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;
  - (b) Local market conditions and viability;
  - (c) The availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote more sustainable travel modes that limit future car use;
  - (d) The desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and
  - (e) The importance of securing well designed, attractive and healthy places.

Paragraphs 126 and 130 in particular of the NPPF (set out above) state the government's aspirations with regard to achieving good design and layout of buildings and the spaces between them.

- 7.2.6 Much of the surrounding area abutting the site comprises a mix of terraced, semi detached and detached two storey houses with some bungalows. The rear of most of these properties face into the site. The proposal provides for a mix of terraced, semi detached and detached two storey houses of a traditional construction. The gardens to properties along Alexandra Road are long and these plots are uniform. The properties and garden sizes/depths to properties along Prince Rupert Avenue are less uniform. Adjacent to the proposed site and to the west is the Manor House which fronts Gold Street. It is constructed of ironstone and has been extensively extended, the larger recent part of the building would be removed to make way for the development. The Manor House, fronting Gold Street and adjacent to the access, is not listed but is considered to be a non-designated heritage asset (paragraph 203 of the NPPF) and is the most characterful and potentially attractive building in the near vicinity. Impact on this building as a heritage asset is assessed below.
- 7.2.7 The site area is approximately 1.1 hectares. The proposal is for 35 dwellings. The density of development is therefore approximately 31.5 dwellings per hectare. This is a medium density of development that would generally be suitable for an edge of town centre development, although it is recognised that the properties along Alexandra Road in particular would have a lower density due to the generous rear garden depths. Nevertheless, a residential development of two storey dwellings is in keeping with the overall character and appearance of the area and represents a significant improvement to the current appearance of the site and the access adjacent to the Manor House. The proposal provides for a variety of house types which will integrate well into the local vernacular. There is a mix of brick and render to the external walls which is similar to the dwellings on Alexandra Road and Harrington Road.
- 7.2.8 The proposed layout incorporates two small areas of public open space. One area includes the trees protected by Tree Preservation Orders close to the Manor House and will incorporate a small children's play area. The design of the play equipment would be subject to condition to ensure suitability within the root protection zones of the trees. The other area will incorporate a landscaped area with pedestrian footways.
- 7.2.9 It is considered that in terms of visual appearance that the proposal strikes the right balance between optimising the potential developable area of the site and making good use of the land whilst achieving a density, layout and design of development that complements the surrounding existing development. Details of materials, surfacing, levels and landscaping, including the open space will be important to achieving the quality of finish that meets the aims of paragraphs 124, 126 and 130 of the NPPF with the emphasis on achieving high quality and beautiful buildings and places (whilst recognising that there is no definition to the term "beautiful"). These detailed matters would be subject to conditions. The proposal is in accordance with the requirements of policy 8 of the JCS and policy HOU1 of the Local Plan with regard to visual appearance and is therefore acceptable in this regard.



### 7.3 Impact on Neighbouring Amenity

- 7.3.1 Policy 8 e) i of the JCS states that development shall ensure quality of life and safer and healthier communities by protecting amenity by not resulting in an unacceptable impact on the amenities of future occupiers, neighbouring properties or the wider area, by reason of noise, vibration, smell, light or other pollution, loss of light or overlooking.
- 7.3.2 Policy 8 e) ii states that development should ensure quality of life and healthier and safer communities by preventing both new and existing development from contributing to or being adversely affected by unacceptable levels of soil, air, light, water or noise pollution or land instability.
- 7.3.3 Policy HOU1 states that windfall development will be acceptable in principle subject to no detrimental effects to the amenity and privacy enjoyed by existing residents.
- 7.4.4 There is no prescriptive policy or guidance which sets out minimum habitable window to habitable window distances or garden depths. As a general rule of thumb, it would be anticipated that opposing habitable windows would be in the order of 20 metres apart and that rear garden depths would be in the order of 10 metres. However, caution needs to be applied because this is not policy and therefore would not carry the weight at any appeal as if such distances were incorporated into the development plan or SPD. Therefore, these are matters of judgement to be applied on a case-by-case basis.
- 7.4.5 There were some areas of concern in this regard with regard to the previous iteration of the site layout. The case officer highlighted the following issues of concern to the applicant;
- First floor habitable windows at first floor of plot 4 only 5 metres from the rear boundary of 1 Alexandra Road
  - 17.5 metres between rear of plot 28 and secondary kitchen and bedroom windows in the end of Tithe Barn Cottage (which has been extended in 2012)
  - Close proximity of the rear elevations of plots 26 and 27 to the rear of 6 Prince Rupert Avenue which does not have a deep garden
  - Plots 1 – 17 having rear garden depths varying from 8.5 to 9.5 metres. (These dwellings face the rear of properties on Alexandra Road where existing gardens are in the order of 24 – 25 metres in length).
- 7.4.6 It is considered that the most direct impacts were to 1 Alexandra Road, 6 Prince Rupert Avenue and Tithe Barn Cottage. An amended site layout plan Rev M has been submitted which has changed the house type at plot 4 so that there are no windows at first floor level facing the rear of 1 Alexandra Road. A dwelling has been removed from the scheme in the area to the rear

of 6 Prince Rupert Avenue which results in enhanced garden depths to the remaining two plots which face the rear of this property. Plot 26 has a garden depth of an average 11.5 metres and plot 25 has an average garden depth of 15.5 metres. The rear elevation of plot 26 containing bedroom windows is now 18 metres from the rear elevation of 6 Prince Rupert Avenue but the houses are at a slight angle to one another. Plots 27 and 28 have been moved a further metre away from the rear boundary to Tithe Barn Cottage such that the proposed rear garden depths are 9.5 to 10.5 metres. There are a small kitchen window and one small bedroom window to the side elevation of the cottage which will face the rear of plots 26 and 27 and the distance between opposing windows will be approximately 18.5 metres (at the closest point). As set out below, it is considered that this relationship is acceptable.

- 7.4.7 It must be noted that there is no issue of opposing habitable window distances being unacceptable between the development and the rear of dwellings on Alexandra Road because the garden depths for the existing dwellings mean that the opposing windows would be approximately 33 metres apart. The consideration relates to privacy within gardens which cannot be considered or held to the same standard as privacy within a dwellinghouse. Most gardens in an urban setting are overlooked to some degree by neighbours. The change of house type at plot 4 completely removes the overlooking into the neighbouring gardens from this dwelling. The other dwellings facing the rear of dwellings on Alexandra Road have minimum depth gardens of 8.5 metres. The first-floor windows will have views into the rear gardens of the existing properties, however, moving the dwellings back slightly to achieve a garden depth of 10 metres is not going to significantly improve this relationship and so would not achieve anything worthwhile.
- 7.4.8 With regard to Tithe Barn Cottage the habitable windows to the rear of the first floor to plots 27 and 28 are approximately 18.5 metres away from the end of the existing dwelling containing two small windows to habitable rooms. This is because the windows in the end of Tithe Barn Cottage are small and views into them are thereby limited. Also, the distance of 18.5 metres is now only 1.5 metres short of what would ordinarily be considered an acceptable back to back distance. It is considered that this relationship is acceptable. Similarly, the removal of a dwelling to the rear of 6 Prince Rupert Avenue results in a relationship between the opposing habitable windows that is now acceptable. The garden depths to these new plots at a minimum of 9.5 metres is considered acceptable. It is inevitable that there will be overlooking to a degree from garden to garden and this will be noticeable to the existing residents who are used to looking into a site containing factory buildings. Nevertheless, the proposal retains an acceptable level of privacy whilst achieving density of development that would be expected on a brownfield site within the town and one that is close to the town centre.
- 7.4.9 There are no instances where the proposed development will cause any unacceptable impacts concerning loss of daylight and/or sunlight to neighbouring properties. In some instances, the proposal represents a

betterment over the existing situation. For example, existing dwellings at 10 – 12 Gold Street are enclosed by factory buildings which will be demolished making the rear of these properties more open and less susceptible to shadowing.

7.4.10 The proposal is replacing an existing employment use with a residential use and utilising the existing access. The site could be brought back into use as an employment site. Use for residential purposes is in keeping with the surrounding residential development. Use of the land for a commercial purpose could result in different impacts, in particular the nature of the traffic that could visit the site and potential noise. It is considered that a residential use in this location is preferable to a commercial use. The noise and disturbance levels associated with residential use adjacent to other residential use are considered acceptable and in compliance with JCS policy 8 whereas this may not be the case if commercial uses were re-established at the site, which could be done without the need for planning permission.

7.4.11 The proposed development will result in the new residents being able to see into the gardens of existing adjacent dwellings and vice versa. There is an inevitability about such overlooking and in this instance, with the changes that have been made to address the key concerns, the development has an acceptable relationship with the surrounding neighbouring development in this regard. The separation between habitable windows is acceptable (discussed above) and there will be no significant loss of daylight or sunlight to existing residents. The relationship between the new dwellings within the site has also been assessed and found to be acceptable in these regards.

7.4.12 Policy 30 of the Joint Core Strategy requires that the internal floor area of new dwellings meets the Nationally Described Space Standards as a minimum in order to provide residents with adequate space for basic furnishings, storage and activities. The overall space standards vary according to the number of bedrooms, bed spaces and storey height of each dwelling.

7.4.13 The national standards state that a single bedroom should be at least 7.5 metres square and at least 2.15 metres wide. A double or twin room should be 11.5 square metres and at least one double should be at least 2.75 metres wide and every other double should be 2.55 metres wide.

7.4.14 The applicant has reconfigured the internal layout to several of the house types to ensure better compliance with these standards. The house types now comply (to within 0.5 square metres) with the Nationally Described Space Standards except for the following instances;

- Bedroom 1 in House Type D1 is stated to be 11.5 square metres but measures off a printed plan at 10.84 square metres. As this is only 0.66 square metres short of the minimum standard, it is considered to be acceptable.
- Bedroom 4 in House Type E is stated to be 6 square metres but measures off at 5.4 square metres. This is approximately 2 square metres short of the standard. The other three bedrooms meet the

standard. This room is too small to provide acceptable space for an adult or older child. It may be acceptable for a baby or younger child or would be acceptable as a study.

- House type H is overall 3 square metres short of the overall GIA standard of 93 square metres.

Summary of house types and changes to meet Nationally Described Space Standards on Proposed Site Plan Revision M:

House Type	No. of Market	No. of Affordable	No. of Beds	Summary of changes
A	4	0	2	No changes
C	4	5	2	Very slight changes at first floor (FF)
D	5	2	3	FF reconfigured, bathroom moved to side/no window, Bed 2 reduced, Bed 3 increased
D1	1	0	3	FF reconfigured, Bed 1 and bathroom swap sides, Bed 3 increased
DT	6	3	3	Minor layout changes at FF. Bathroom on two end terraced moved
E	0	1	4	V minor reconfigure at FF
G	3	0	3	Slight amendments at FF
H	1	0	3	No changes

Given that the other bedrooms and gross internal areas comply with the space standards, it is considered that the relatively low number of instances (as set out above) where there is non-compliance, are not reason to refuse the application.

7.4.15 Use of the site for residential purposes conforms with the surrounding use and is preferable to a further commercial enterprise at the site and to the site remaining in its current state. The proposal strikes the right balance between making the best use of the land and maintaining neighbour amenity and is considered to be in accordance with policies 8 of the JCS and HOU1 of the Local Plan.

## 7.5 Highway Matters

7.5.1 Policy 8 b) of the JCS requires development to make safe and pleasant streets and spaces by prioritising the needs of pedestrians and cyclists and resisting developments that would prejudice highway safety and (amongst other things) ensuring that a satisfactory means of access and provision for parking servicing and manoeuvring is provided in accordance with adoptable standards.

7.5.2 Policy 15 a) of the JCS states that connectivity within and around settlements will be strengthened by improving access from the edge of towns to their centre by focusing activity and investment on the main radial routes and rebalancing design towards pedestrians, cyclist and public transport.

7.5.3 Paragraph 111 of the NPPF states that development should only be refused or prevented on highway grounds if there would be an unacceptable impact

on highway safety, or the residual cumulative impacts on the road network would be severe.

- 7.5.4 The proposal utilises the existing vehicular access point off Gold Street in order to provide an upgraded vehicle and pedestrian access to serve the development. There is a pedestrian route from within the site to the corner of Harrington Road and Gold Street. The very last part of the footway is now outside of land owned by the applicant so will need to be secured within the legal agreement. Each two and three-bedroom dwelling is served by two off road parking spaces and the four-bedroom dwelling by three parking spaces. There are visitor spaces in the form of small laybys or on street parking within the site.
- 7.5.5 The Local Highway Authority has not raised objections to the proposal. It notes that the most recent site layout reduces the number of dwellings from 36 to 35 and the tracking plan and amended drive and parking layout for plots 4, 5 and 6 enables more space for a vehicle to turn and therefore leave the drive in a forward gear. The LHA requests the imposition of conditions concerning details to be submitted in the event that any of the streets are not put up for adoption, surfacing and gradients of private drives and submission of a construction traffic management plan
- 7.5.6 It should be noted that the previous application refused by Kettering Borough Council was initially refused for a highway reason, but the local highway authority did not object to that scheme and the Inspector found that proposal would not cause harm to highway safety or to the proper functioning of the highway network. Costs were awarded to the appellant in respect of the previous highway reason for refusal. The situation has not changed in this regard, and it is not recommended the application be refused for highway reasons.
- 7.5.7 Adequate visibility is provided in both directions for vehicles leaving the site to join Gold Street. The proposed road and footpath layout within the site is acceptable and adequate off-road parking is provided to serve the development. In terms of traffic generation, the assessment would be a comparison of traffic that could be generated by an employment site (the last use of the site), compared to that generated by 35 dwellings. The LHA has made no comment in this regard.
- 7.5.8 The site is within easy walking distance of Desborough town centre and various amenities. Each property is to be provided with a garden shed in which cycles could be stored. It is within walking distance of the main bus routes.
- 7.5.9 The application is therefore acceptable in both sustainable transport terms and with regard to highway safety and parking provision and complies with policies 8 and 15 of the JCS and the requirements of the NPPF, subject to the imposition of conditions.

## 7.6 **Environmental Matters**

- 7.6.1 Policy 6 of the JCS states that where development is situated on a site with known or likelihood of contamination, remediation strategies to manage this contamination will be required.
- 7.6.2 A ground investigation report accompanies the planning application. In summary exploratory excavations found made ground to depths ranging from 0.1 to 4.0 metres. The authors of the report anticipate that the natural soils will support low rise residential development on shallow strip foundations. Deep made ground was encountered towards the east of the site. Further investigations are required to determine whether alternative foundations are required in this area. Further infiltration testing is necessary to assess the viability of soakaway drainage. Hotspots of contamination have been found which shall require remediation in the form of capping of gardens. Measures to protect against landfill type ground gases are not required.
- 7.6.3 The Council's Environmental Health Officer has suggested conditions, namely submission of a construction and demolition Management Plan to ensure highway safety and protect amenity and submission of a remediation scheme, its implementation and submission of a verification report.
- 7.6.4 In accordance with policy 6 of the JCS and paragraph 174 of the NPPF, the site is capable of being remediated and details as to how this must be achieved can be required by condition.

## **7.7 Landscaping (and open space)**

- 7.7.1 Policy 3 of the JCS states that development should a) conserve and where possible, enhance the character and qualities of the local landscape through appropriate design and management and b) make provision for the retention and, where possible, enhancement of features of landscape importance.
- 7.7.2 Policy 8 of the JCS requires development to respond to local topography and the overall form, character and landscape setting of the settlement.
- 7.7.3 Policy 10 requires development to be supported by the timely delivery of infrastructure, services and facilities necessary to meet the needs arising from the development. (Officer comment: this may include delivery of open space if required)
- 7.7.4 Policy NEH4 of the Local Plan states that all major development proposals are required to enhance and/or create new open spaces to meet community needs arising from the development.
- 7.7.5 The Open Space Standards Paper (KBC) July 2020 provides a formula for open space provision.
- 7.7.6 The application is supported by an arboricultural assessment. This report highlights the importance of the trees adjacent to the Manor House which are protected by tree preservation order 1976 No 6 which covers seven trees i.e.

horse chestnut, yew, sycamore, oak, monkey puzzle, cedar of Lebanon and walnut. The TPO'd trees are being retained. There are other trees at the site – few others within the hinterland of the site but notably rows of Leyland Cypress to the boundary with Alexandra Road and with Prince Rupert Avenue. The majority of the latter trees are now proposed for removal (if they have not been removed already). The site plan shows an indicative landscape scheme of new planting to supplement the retained trees.

- 7.7.7 The site visit revealed that the trees bordering the rear of gardens to properties in Prince Rupert Avenue are very large and overgrown Leyland Cypress that significantly overhang the neighbouring gardens as well as the site. The trees are so overgrown it would not be feasible or desirable to trim them as the bottom part of the trees contains little growth. The trees are very visible but do not enhance the appearance of the area. It was originally proposed to retain these trees but on advice from the case officer, the trees are not to be retained.
- 7.7.8 The detailed landscape scheme for the site can be conditioned to be submitted. The arboricultural assessment sets out various tree protection measures that will need to be put in place and strictly adhered to throughout the development and these can also be conditioned. Retention of the trees that contribute most in terms of appearance and ecology in addition to submission of an appropriate landscape scheme will ensure that the proposal accords with the above policies.
- 7.7.9 As the proposal is for major development, policy NEH 4 of the Local Plan requires that open space be provided. The Open Space SPD although old, still carries some weight, however, the Open Space Standards Paper July 2020 is a public document and provides a formula for calculating open space requirements. The Planning Policy team has advised using this more up to date document to calculate open space requirements. Application of the formula within the Open Space Standards Paper requires the site to provide at least 0.075 hectares of open space. The proposal provides for two areas of public open space comprising an area of 1625 square metres (0.16 hectares of open space) This exceeds the amount required. Policy 8 d)iii of the JCS requires development to create a distinctive local character through the use of measures such as incidental play spaces, bespoke street furniture and memorable features. There are limitations as to the scale of what can be achieved on a relatively small site and also due to the need to retain the integrity of the TPO trees. Nevertheless, the provision of some appropriate equipment and possibly seating together with a good landscaping scheme could enhance the site, streetscene and make the area a pleasant place in which to live. Details of all play equipment/features and any seating would be conditioned. As such the proposal is considered to be acceptable and complies with the above-mentioned policies. The open space will be secured by a Section 106 agreement as will the management arrangements.
- 7.7.10 The application is acceptable with regard to landscaping and provision of open space subject to conditions and the entering into of a legal agreement.



It is in accordance with policies 3, 8 and 10 of the JCS and NEH4 of the Local Plan.

## 7.8 Ecology

- 7.8.1 Policy 4 of the JCS states that a net gain in biodiversity will be sought by protecting existing biodiversity and geodiversity assets by refusing development proposals where significant harm to an asset cannot be avoided, mitigated or at the last resort compensated. The weight accorded to an asset will reflect its status in the hierarchy of biodiversity and geodiversity designations.
- 7.8.2 The application site is not a designated biodiversity or geodiversity site.
- 7.8.3 Policy 8 e) iii of the JCS states that development should ensure quality of life and safer and healthier communities by incorporating ecologically sensitive design and features for biodiversity.
- 7.8.4 Policy NEH2 of the Local Plan requires all major development proposals to deliver a net gain of GI through on-site provision and/or off-site contributions
- 7.8.5 Paragraph 174 of the NPPF requires decisions to contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity.
- 7.8.6 The application is accompanied by a Preliminary Ecological Appraisal and a preliminary bat roost assessment and nesting bird survey of the buildings to be demolished. The report was originally written in 2019 but was updated in 2021 and a further two dusk and dawn bat emergence surveys were carried out on the buildings to be demolished in July and August 2021.
- 7.8.7 No priority habitats were found within or adjacent to the site although the scattered boundary trees, shrubs and buildings are of value to bats and birds. Protected and priority species most likely to be disturbed by the proposed demolition, clearance and construction works include birds, bats and reptiles. Badger, great crested newt, hazel dormouse, water vole, otter and notable invertebrate species are deemed unlikely to be present within the site.
- 7.8.8 It is recommended that lighting is restricted to minimise illumination of the boundary trees and adjacent residential gardens. Any new lighting for the site should be tailored to avoid impacts on foraging and commuting bats. Tree protection measures specified by a qualified arborist are recommended in accordance with BS5837:2012 and bat and bird boxes to be fitted to boundary trees as a biodiversity enhancement measure. Additional tree, hedge and shrub planting within the site would be beneficial.
- 7.8.9 This report was written on the basis that the groups of overgrown conifer trees to the site boundaries were to be retained. This was considered by the case officer, having visited the site to not be practical or desirable regarding

trees on the boundary with properties on Prince Rupert Avenue, due to how overgrown the trees had become and how close they are to existing as well as the proposed dwellings. The proposed site plan was amended to reflect this. Some of the conifer trees at the boundaries to the site have already been taken out. This did not constitute a breach of planning control; however, advice was provided to the applicant's agent concerning the legal duty not to disturb nesting birds. The trees that have been felled are not the TPO'd trees.

- 7.8.10 The report recommends that if there is a long period between the bats survey and the buildings adjacent the Manor House being demolished, a repeat survey may be required to ensure no bats have begun to roost in the building in the meantime. This shall be conditioned.
- 7.8.11 Overall the report concludes that the development will have a minor adverse impact on bats due to the low risk of bat roosts being present in the buildings and trees across the site and there is a low risk of important foraging and commuting areas being present. This impact would be reduced with the implementation of a sensitive lighting scheme.
- 7.8.12 Due to the low risk of important bird assemblages being present the development will have a minor adverse to neutral impact on birds due to potential loss of suitable nesting and foraging habitat during site clearance and demolition. (the report emphasises the need to ensure no disturbance to nesting birds).
- 7.8.13 The report recommends safe working practices during construction to ensure no impacts to any GCN or reptiles should they be present (although presence is unlikely).
- 7.8.14 In summary the Ecological Appraisal recommends the following mitigation;
- Ideally site clearance and demolition should be carried out outside bird nesting season
  - Any artificial and natural refugia within the working areas to be hand searched for presence of reptiles and amphibians prior to commencement of works.
  - A buffer strip of 3m to be left at site boundaries where possible to maintain some habitat connectivity (officer comment: this is not practical within private gardens)
  - Provision of bat and bird nesting boxes
  - If protected species are found during construction works need to be stopped until the situation has been further assessed
  - Site Manager and staff to be briefed by suitably qualified ecologist
  - Replace removed habitats as soon as possible with native or wildlife attracting species
  - Cover trenches or holes overnight
  - No site compounds or materials storage into root protected areas of retained trees and these areas to be fenced off with Heras fencing
  - Care taken if any bonfires lit re potential hedgehog refuge sites

- Ecology friendly external lighting scheme
- Standard pollution measures to be put in place (including dust prevention)

7.8.15 The Council's ecologist has not raised objections to the proposals subject to suitable mitigation measures being put in place and conditioned.

7.8.16 The measures included in the Ecological Assessment shall be subject to conditions. The provision of the mitigation with a suitable landscaping scheme comprising native and wildlife friendly species will likely provide enhancements to biodiversity across the site. The application is acceptable on this basis and complies with policies 4 and 8 of the JCS

## 7.9 Flood Risk and Drainage

7.9.1 The site lies within flood zone 1 which is the area least at risk of flooding. The application was accompanied by a Flood Risk and Drainage Strategy (Rev 03 July 2022) and a subsequent response to the LLFA comments in January 2023. The surface water drainage strategy does not include connection to any public sewers and instead proposes soakaways. Foul sewerage will be connected to the sewer connection in the rear garden of 35 Alexandra Road. The submitted Drainage Strategy states that agreement has been reached with the owner of this property to connect to the public combined sewerage crossing their rear garden. Connections to the public sewer would also need agreement from Anglian Water.

7.9.2 The LLFA is now satisfied that the proposed surface water drainage strategy is acceptable for this development subject to submission of a detailed surface water drainage scheme.

7.9.3 Anglian Water has commented that the sewerage system has capacity for the used water network. Broadholme Water Recycling Centre does not have capacity, but Anglian Water are obliged to accept foul flows from development with the benefit of planning consent and would take the necessary steps to ensure there is capacity if planning permission is granted. If the developer wishes to connect to AW's network notice will have to be served and AW will advise of the most suitable point of connection.

7.9.4 In accordance with policy 5 of the JCS and paragraphs 159 – 169 of the NPPF, the development is proposed in an area at least risk of flooding and proposes to use sustainable drainage systems to deal with the disposal of surface water. No objections have been received from the LLFA or Anglian Water, subject to conditions, therefore in terms of flood risk and drainage, the proposal is acceptable.

## 7.10 Heritage

7.10.1 Policy 2 of the JCS requires that proposals should preserve and where possible enhance the heritage significance and setting of an asset commensurate with its significance. Proposals should also compliment their

surrounding historic environment through the form, scale, design and materials.

- 7.10.2 Paragraph 194 of the NPPF requires applicants to describe the significance of any heritage assets to a level proportionate to their significance. Paragraphs 197 to 205 set out the requirements for local planning authorities to conserve heritage assets wherever possible and to assess the level of harm taking into account the significance of the asset. Local Planning Authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost in a manner appropriate to their significance.
- 7.10.3 The proposal excludes the Manor House from the application which is welcomed by NNC Archaeology who comment that the recording of buildings set out within the submitted Heritage Statement should not only include the Manor House but also the early 18<sup>th</sup> Century fabric with substantial 20<sup>th</sup> century alterations of the eastern range. These elements are proposed to be demolished and they should be recorded (potentially at a lower level) as they form part of the historic narrative of the building.
- 7.10.4 The Manor House (nor other buildings on site) is not listed, however, the Manor House is considered to be a non-designated heritage asset of local importance and the impact of the proposals upon the significance of this asset must be taken into account in the determination of this application.
- 7.10.5 The historic part of the Manor House is not proposed for demolition and is not within the application site boundary. The later eastern range of buildings are proposed for demolition and this falls within the application site. An assessment of significance is provided within the submitted Heritage Statement which concludes that the later works and historic demolition has reduced the significance such that it is not worthy of listing, however, the main building holds an aesthetic quality and is distinct from the later 20<sup>th</sup> century suburban development and reflects the vernacular of other 18<sup>th</sup> century buildings in Desborough. It is considered that the main buildings hold architectural interest within the local context. The main value relates to views from Gold Street. The garden land and boundary treatment to the west and south contributes to the setting and aesthetic value but does not reflect the historic layout of the land or the historic mapping record.
- 7.10.6 NNC Archaeology has advised that as long as the recording of the eastern range is secured, the proposed works would be acceptable. Provision should be secured for the investigation and recording of surviving historic buildings and the standard condition has been suggested.
- 7.10.7 As the historic part of the Manor House is now outside the application site boundary and not in the ownership of the applicant, it is not possible to require recording of this building by condition attached to any permission granted for this application. It is reasonable to request the recording etc of the eastern range of buildings which are to be demolished. Therefore, the

standard condition suggested by NNC Archaeology will be imposed if permission is granted.

7.10.8 It is considered that the setting of the Manor House will be improved by the demolition of the recent additions which serve to detract from its significance and appearance, especially from Gold Street. Three new dwellings are proposed in the near vicinity of the Manor House – plot 1 a detached two storey house facing Gold Street (where the more recent buildings to be demolished are situated) and two detached two storey dwellings to the rear (plots 2 and 3). The remainder of the area immediately adjacent to the Manor House will be retained as its curtilage and otherwise comprises the area of open space containing the TPO trees. Plot 1 is set back slightly from the front elevation of the Manor House and plots 2 and 3 are set back from the rear elevation. It is considered that overall, the significance of the Manor House and its setting will be enhanced by the removal of the more unsightly later additions and the provision of the detached new development which will result in the appearance of the Manor House, especially from Gold Street being enhanced. Overall, the proposals represent no harm to the significance and setting of the Manor house for these reasons. As such, subject to a condition concerning recording of the eastern range of buildings adjacent to the Manor House, the proposal is acceptable.

#### 7.11 **Waste Management**

7.11.1 Each property has adequate external space in which to store bins. Boundary screening is to be subject to condition to ensure that each property is provided with a gate through which to access the rear amenity space. The proposed road to serve the development is acceptable to the local highway authority and will be built to adoptable standards. It will therefore be suitable for access by a standard refuse collection vehicle.

#### 7.12 **Planning Obligations**

7.12.1 The application proposes 11 affordable houses and the following contributions towards infrastructure needs arising from the development:

- Education contribution  
Primary £136,565  
Secondary £116,238
- Healthcare contribution  
£18,302.57
- Library Services contribution  
£7,721
- On site provision of public open space

Will need to be secured in perpetuity as POS and management and maintenance scheme will need to be submitted for approval

- 7.12.2 It must be noted that the above contribution figures are based on a scheme of 36 dwellings and will need to be adjusted to take into account that the scheme is now for 35 dwellings. In addition, as the land which would enable the proposed footpath through the public open space to link through to join Harrington Road has been sold, it is not possible to secure this by condition. Therefore, this footpath link will need to be secured through a legal agreement. If Members are minded to approve the application, these updated figures will be obtained and incorporated into the required legal agreement.
- 7.12.3 No contribution is being sought for Early Years provision as the education authority has not provided an up to date needs assessment for such provision. As such a contribution for Early Years cannot be justified and would not be compliant with the Community Infrastructure Levy (CIL) Regulations.
- 7.12.4 The provision of 11 affordable dwellings (30%) is in accordance with policy 30 of the JCS. With regard to proposed financial contributions and provision of onsite open space, it is considered that these are necessary to make the development acceptable and are policy compliant. Given that it is probable that a third party may need to be a signatory to the legal agreement it is recommended that a period of 4 months be allowed to finalise the legal agreement ahead of the planning decision being issued.

## **9. Conclusion / Planning Balance**

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- 9.1 In conclusion, the proposals accord with the policies contained within the development plan and with the NPPF. It is recognised that neighbours whose properties face the site will clearly find the change noticeable especially as there will be an increase in the numbers of properties which will enable views across rear gardens. However, as set out above in the "Neighbour Amenity" section of the report, the distances between existing and proposed habitable windows is acceptable. Adjusting the proposed garden depths further, aside from reducing the number of dwellings proposed would not result in removal of the ability of new residents to see into adjacent gardens. It must also be noted that neither the previous application refused in 2019 or the subsequent appeal decision raised issues of neighbour amenity.
- 9.2 There have been no objections from the highway authority. There is no reason to refuse the application on highway grounds and the proposal is acceptable and accords with policy. With regard to the previous appeal decision, the local highway authority did not object and the Inspector found that proposal would not cause harm to highway safety or to the proper functioning of the highway network. Costs were awarded to the appellant in respect of the previous highway reason for refusal.

- 9.3 The proposal, as set out above, is acceptable in all other regards subject to conditions. It provides for 11 affordable dwellings which significantly counts in favour of the development and the securing of the affordable housing and the developer contributions in a legal agreement will make the development acceptable and policy compliant.

## **10. Recommendation**

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- 10.1 Recommend approval subject to conditions and the entering into of a Section 106 Agreement. If this agreement is not signed within four months of the date of this decision, officers are delegated to issue a decision notice refusing the application.

## **11. Conditions**

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1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended) and to prevent an accumulation of unimplemented planning permissions.

2. The development hereby permitted shall not be carried out other than in accordance with the approved plans and details listed below.

REASON: In the interest of securing an appropriate form of development in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

3. Prior to the commencement of any development, including any demolition and setting up of the site, a Construction Management Plan (CMP) shall be submitted to and approved in writing by the local planning authority. The CMP shall include as a minimum, the following;

- Details and plan of how construction traffic shall be managed when entering and leaving the site, including design of the construction access, parking and turning for delivery vehicles, vehicles and machinery used in the construction and site workers vehicles
- Details and plan of the site compound area (temporary site buildings and layout) and materials storage areas
- Loading and unloading of plant and materials
  
- Details to prevent mud and debris entering the public highway (including wheel washing facilities)
- The erection and maintenance of security hoardings
- Measures to control the emission of dust and dirt during demolition and construction
- A scheme for waste minimisation and recycling/disposing of waste resulting from the demolition and construction works which must not include burning on site i.e. no burning on the site shall take place.
- Control of noise and/or vibration
- Measures to prevent overspill of light from security lighting

- Measures to detect and safeguard any wildlife present at the site (including those in Sections 8.1 and 8.2 of the Preliminary Ecological Appraisal report) which shall include supervision and training provided by a qualified named ecologist prior to any demolition taking place and details to prevent harm to wildlife during the demolition and construction process. The development including demolition and site set up shall only take place in complete accordance with the approved CMP throughout the duration of the development.

REASON: In the interests of highway safety, residential and environmental amenity and in the interests of wildlife in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

4. No construction or demolition works or deliveries to the site shall take place except during the following times, unless written permission has first been obtained from the local planning authority;

Monday to Friday 0800 to 1800

Saturday 0830 to 1330

At no time whatsoever on Sundays or Public/Bank Holidays

This includes any deliveries to the site or work undertaken by contractors and sub-contractors.

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

5. Development other than that required to be carried out as part of an approved scheme of remediation must not commence until parts B to C have been complied with.

#### B. Submission of Remediation Scheme

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

#### C. Implementation of Approved Remediation Scheme

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

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

REASON: Contaminated land remediation is required prior to the commencement of development to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised in



accordance with Policies 6 and 8 of the North Northamptonshire Joint Core Strategy

6. In the event that unexpected contamination is found at any time when carrying out the development hereby approved, it must be reported immediately to the Local Planning Authority. Development works at the site shall cease and an investigation and risk assessment undertaken to assess the nature and extent of the unexpected contamination. A written report of the findings shall be submitted to and approved by the Local Planning Authority, together with a scheme to remediate, if required, prior to further development on site taking place. Only once written approval from the Local Planning Authority has been given shall development works recommence. REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised in accordance with Policies 6 and 8 of the North Northamptonshire Joint Core Strategy.

7. Prior to the commencement of the development details of existing and proposed ground levels across the site and in relation to the adjacent existing properties shall be submitted to and approved in writing by the local planning authority. The details shall also include the finished floor levels of all new dwellings and cross section drawings sufficient to demonstrate the relationship of the new building heights and finished land levels with the surrounding land and properties. The development shall only take place in accordance with the approved plans and details. REASON: In the interests of the visual appearance of the development and to safeguard neighbour amenity in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

8. No development shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority in consultation with the Lead Local Flood Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme to be submitted shall include the following information:

- Undertake seasonal groundwater monitoring to confirm that peak groundwater levels are a minimum of 1m below the base of any infiltration structure proposed.
- Should infiltration be demonstrated not to be feasible, limit the discharge rate generated by all rainfall events up to and including the 1 in 100 year (plus allowance for climate change) critical rain storm to the QBar Greenfield run off rate for the site and where the drainage scheme proposes to connect to a third party asset, for example a watercourse or public sewer, further information should be provided regarding the ownership, purpose, location and condition of this asset along with confirmation of the right to connect into it. This could take the form of land ownership plans showing riparian ownership, land drainage consent, flood risk activity permit or agreement under Section 106 of the Water Industry Act (1991)

- Provide drawings/plans illustrating the proposed sustainable surface water drainage scheme. The strategy agreed to date may be treated as a minimum and further source control SuDS should be considered during the detailed design stages as part of a "SuDS management train" approach to provide additional benefits and resilience within the design.
  - Provide detailed drawings including cross sections, of proposed features such as infiltration structures, attenuation features, and outfall structures. These should be feature-specific demonstrating that such the surface water drainage system(s) are designed in accordance with "The SuDS Manual", CIRIA Report C753.
  - Provide detailed, network level calculations demonstrating the performance of the proposed system. This should include:
    - Suitable representation of the proposed drainage scheme, details of design criteria used (including consideration of a surcharged outfall if proposals include discharging to a watercourse) and justification of such criteria where relevant.
    - Simulation of the network for a range of durations and return periods including the 1 in 2 year, 1 in 30 year and 1 in 100 year plus 40 percent climate change events.
    - Results should demonstrate the performance of the drainage scheme including attenuation storage, flows in line with agreed discharge rates, potential flood volumes and network status. Results should be provided as a summary for each return period.
    - Evidence should be supported by a suitably labelled plan/schematic (including contributing areas) to allow suitable cross checking of calculations and the proposals.
    - Provide plans such as external levels plan, supporting the exceedance and overland flow routing. Such overland flow routing should:
      - Demonstrate how runoff will be directed through the development without exposing properties to flood risk.
      - consider property Finished Floor Levels (FFLs) and thresholds in relation to exceedance flows. The LLFA recommend FFLs are set to a minimum of 150mm above surrounding ground levels.
      - Recognise that exceedance can occur during any storm event due to a number of factors therefore exceedance management should not only rely on calculations demonstrating no flooding.
- REASON: To prevent the increased risk of flooding, to improve and protect water quality and to improve habitat and amenity in accordance with policies 5 and 8 of the North Northamptonshire Joint Core Strategy.

9. No occupation shall take place until a Verification Report for the installed surface water drainage system for the site based on the approved Drainage Strategy has been submitted in writing by a suitably qualified independent drainage engineer and approved in writing by the local planning authority. The details shall include:

- Demonstration that any departure from the agreed design is in keeping with the approved principles.
- Any As-Built drawings and accompanying photos.

- Results of any performance testing undertaken as part of the application process (if required/necessary).
- Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges etc.
- Confirmation that the system is free from defects, damage and foreign objects.

REASON: To secure the satisfactory drainage of the site in accordance with the agreed strategy, policy 5 of the North Northamptonshire Joint Core Strategy and the NPPF.

10. No occupation and subsequent use of the development shall take place until a detailed, site-specific maintenance plan is submitted to and approved in writing by the local planning authority in consultation with the Lead Local Flood Authority. Such maintenance plan shall include:

- Provide the name and the party responsible, including contact name, address, email address and phone number.
- Include plans showing the location of features requiring maintenance and how these should be accessed.
- Provide details on how each surface water feature shall be maintained and managed for the lifetime of the development.
- Be of a nature to allow an operator, who has no prior knowledge of the scheme, to conduct the required routine maintenance.

REASON: To ensure the future maintenance of the sustainable drainage structures in order to avoid risk of flooding in accordance with policy 5 of the North Northamptonshire Joint Core Strategy.

11. No development shall take place until details/drawings of the foul drainage scheme have been submitted to and approved in writing by the local planning authority. The development shall only take place in complete accordance with the approved details.

REASON: To ensure that adequate foul drainage systems will serve the development to prevent pollution and in the interest of the amenity of existing and new residents in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

12. Prior to first occupation of the development (with regard to tree mounted bird/bat boxes) and prior to the first occupation of the dwelling they serve with regard to integrated and dwelling mounted bat and boxes and hedgehog holes, the bat and bird boxes and hedgehog holes as detailed on the approved site plan SK002 Rev M shall be erected. The positioning and construction of all bat and bird boxes shall be undertaken following advice from a suitably qualified ecologist. Within one month of all of the approved bird and bat boxes and hedgehog holes being installed, a verification report by a suitably qualified ecologist shall be submitted to the local planning authority for approval which demonstrates that all of these wildlife features have been installed in accordance with sound ecological practice/advice and are fit for purpose. Thereafter, the bat and bird boxes and hedgehog holes shall be maintained for their purposes and retained in perpetuity.

REASON: To mitigate for the loss of trees and buildings on site and to help provide a net gain in biodiversity in accordance with policies 4 and 8 of the

North Northamptonshire Joint Core Strategy, policy NEH2 of the Part 2 Local Plan for Kettering and paragraph 174 of the NPPF.

13. Prior to the commencement of any demolition or development, repeat bat surveys shall be undertaken as advised in the submitted Preliminary Ecological Appraisal. No development or demolition shall be undertaken until the results of the bat surveys together with any necessary mitigation have been submitted to and approved in writing by the local planning authority. The development and demolition shall only take place in accordance with the approved details.

REASON: As advised by the qualified ecologist in the submitted Preliminary Ecological Appraisal and in the interest of the protection of Wildlife in accordance with duty placed upon local authorities under the NERC Act and in accordance with policy 4 of the North Northamptonshire Joint Core Strategy.

14. Details of all external lighting shall be submitted to and approved in writing by the local planning authority prior to first occupation of the development. The details shall include street lighting, lighting to all private drives and external mounted lighting on dwellings. All external lighting shall be sensitive to bats and other nocturnal wildlife and shall be consistent with Bats and Artificial Lighting in the UK (2018) by the Bat Conservation Trust and Institution of Lighting Professionals. Thereafter, no other external lighting shall be erected unless in complete accordance with the approved details.

REASON: In the interests of wildlife and residential amenity in accordance with policies 4 and 8 of the North Northamptonshire Joint Core Strategy.

15. Prior to the commencement of the development or site set up including compounds and bringing onto site of materials and/or heavy machinery, measures to protect the trees and their roots for all trees to be retained shall be submitted to and approved in writing by the local planning authority. The measures shall be based on those advised in the submitted Arboricultural Report by Greenleaf Ltd. No development or site set up shall take place until all of the approved measures are put in place. The approved tree protection measures shall be retained in full for the duration of the development.

REASON: In order to safeguard the trees protected by a Tree Preservation Order and other retained trees in accordance with policies 3, 4 and 8 of the North Northamptonshire Joint Core Strategy.

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

- Details of a site management company and associated management and maintenance methodology of the streets within the development, to operate in perpetuity, shall be submitted to the local planning authority and agreed in writing prior to the commencement of the development

- The streets will in any event are required to be laid out and constructed to adoptable standards to ensure safe and practical operation, prior to first occupation of any dwelling
- That prior to first occupation of any dwelling a legal undertaking is provided by the developer that the streets will not be put forward for adoption and will remain private in perpetuity
- Streets will be identified as private through the use of appropriate private street name plates on the entrances to the development from the public highway (to be placed within the site)
- Prior to the commencement of development any vehicular access to the site from the public highway shall be implemented as standard vehicle crossovers.

REASON: To ensure that the site is adequately served by appropriate accesses in perpetuity in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

17. All private drives (single/shared) shall be constructed of a hard bound surface and gradient not in excess of 1 in 15 for a minimum of the first 5 metres from the highway boundary. A means of drainage across the back of the highway boundary (linear drain) across the proposed site access draining into soakaways contained within the applicant's own land shall be provided to ensure that surface water does not drain onto the public highway including any street that is proposed for adoption as public highway.

REASON: In the interest of highway safety in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

18. The parking and turning as shown on the approved site plan SK002 Rev M shall be provided prior to the first occupation of the dwelling(s) it serves and shall be retained for parking purposes only thereafter. The area shown hatched adjacent to plot 4 on the approved site plan shall be retained for turning purposes only in perpetuity and shall not be used for parking of any vehicles or for any storage purposes.

REASON: To ensure that adequate parking and turning is available to serve the development in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

19. Notwithstanding the details shown on the approved site plan, prior to any development above slab level, full details shall be submitted to and approved in writing by the local planning authority of all boundary screening including a lockable gate for each dwelling to enable access to rear garden areas. Where screening to the perimeter of the site where it adjoins existing residential properties is missing, dilapidated or not fit for purpose, new screening shall be provided. The approved boundary screening shall be erected prior to the first occupation of each dwelling it serves and shall be completed in full prior to the occupation of the last dwelling to be built. The screening shall be retained as such thereafter.

REASON: In the interest of the visual appearance of the development and residential amenity in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

20. Prior to the commencement of any development above slab level, full details of a landscaping scheme shall be submitted to and approved in writing by the local planning authority. The details shall include as a minimum:

- All hard surfacing
- All soft planting including species, size, spacing and numbers of all trees and shrubs etc and seed mixes.
- Layout of the public open space areas
- Full details and location of all play equipment, benches and any other such features
- A timetable for the implementation of all hard and soft landscaping and play area provision

The planting shall provide native species and species which are beneficial to wildlife, including bees and the details to be submitted shall set out how the planting meets this requirement.

The hard and soft landscaping, play equipment and features shall be provided in accordance with the approved timetable and in complete accordance with the approved details and shall be retained as such thereafter. If any trees, shrubs or plants are uprooted, die or become diseased in the first 5 years of planting they shall be replaced in the next planting season with a plant of similar size and species.

REASON: In the interests of visual amenity and biodiversity in accordance with Policies 4 and 8 of the North Northamptonshire Joint Core Strategy.

21. Prior to any demolition of the range of buildings to the east of the Manor House or any development taking place a programme of archaeological work in accordance with a written scheme of investigation shall have been submitted to and approved in writing by the Local Planning Authority.

This written scheme shall include the following components, completion of each of which shall trigger a phased discharging of the condition:

- Fieldwork in the scheme of a written scheme of investigation
- Post fieldwork assessment (to be submitted within six months of the fieldwork)
- Completion of post fieldwork analysis, preparation of site archive ready for disposition at a store (Northamptonshire ARC), completion of an archive report, and submission of a publication report to be completed within 2 years of the completion of the fieldwork.

REASON: To ensure that features of archaeological interest are properly examined and recorded, and the results made available in accordance with paragraph 205 of the NPPF.

(Note NNC Archaeology can provide a brief for the work)

22. Prior to the first occupation of each dwelling, a lockable garden shed shall be provided in accordance with the details shown on the approved site plan SK002 Rev M to serve that dwelling.

REASON: To enable provision for cycle storage to widen sustainable transport options in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

23. Prior to the commencement of any development above slab level details (including colours) of external materials to include bricks, render, roof tiles, windows, doors and rainwater goods shall be submitted to and approved in writing by the local planning authority. The development shall only take place in accordance with the approved materials details.

REASON: To achieve a satisfactory external appearance in accordance with policy 8 of the North Northamptonshire Joint Core strategy and Part 12 of the NPPF.

24. Prior to the first occupation of the development a scheme for the provision of fire hydrants to serve the development shall be submitted to and approved in writing by the local planning authority. The fire hydrants shall be provided in accordance with the approved details prior to the completion of the development or occupation of final dwelling to be built, whichever is the sooner, and retained as such thereafter.

REASON: To ensure that the development has the appropriate fire safety measures in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

25. Notwithstanding the provisions of Schedule 2, Part 1 Classes A, AA, B, C and E of the Town and Country Planning (General Permitted Development) Order 2015 (as amended or re-enacted), no development falling within these provisions shall take place unless planning permission has first been obtained from the local planning authority.

REASON: In the interest of protecting residential amenity in accordance with policy 8 of the North Northamptonshire Joint Core Strategy and policy HOU1 of the Kettering Site Specific Part 2 Local Plan.

## 12. Informatives

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Positive/Proactive - amendments  
 Planning Obligation  
 Env Health advice  
 Contamination advice  
 Removal of PD rights advice

List of plans

The plans and documents, some of which may have been subsequently referenced by the LPA, are set out below and form the basis for this decision:

Title	NK Ref.	Agent's Ref	Received Date
Flood Risk Assessment & Drainage Strategy		19002 Rev03 dated 4 <sup>th</sup> July 2022	05.07.22
Open Space Areas		OS01 Rev A	29.03.2023
Shared surface tracking		RT05B	28.07.21

Location plan		S001C	29/03/2023
Existing Site Plan		S002 Rev C	29.03.2023
Proposed Site Plan		SK002 Rev M	29.03.2023
Proposed street scene		SK015E	28.07.21
House Type A		SK100 Rev E	06.04.2023
House Type C		SK300 Rev G	06.04.2023
House Type D		SK400 Rev D	06.04.2023
House Type D1		SK401 Rev G	06.04.2023
House Type DT Terrace		SK410 Rev D	06.04.2023
House Type E		SK500 Rev E	06.04.2023
House Type G		SK700 Rev C	06.04.2023
House Type H		SK800 Rev A	06.04.2023
Refuse vehicle tracking		T101D	06.06.21
Large vehicle Tracking		T102 Rev D	14.03.2023
Large car vehicle tracking		T102C	06.06.22
Refuse Vehicle Tracking		T103	04.08.22
Tree Works		TR01	06.04.2023
Transport statement version 2	NK/2021/0659/3		28.07.21
Ground Investigation Report pt1	NK/2021/0659/4		29.07.21
Ground Investigation Report pt2	NK/2021/0659/5		29.07.21
Arboricultural assessment and method statement	NK/2021/0659/6		17.08.21
Ecology Appraisal	NK/2021/0659/7		17.08.21
Manor House – Building Survey prepared by Budworth Hardcastle Ltd		BSUP 06 – Rev 2 dated October 2021	05.07.22
Design & Access Statement		Revision F	10.11.21
Site Location Plan		S001 Rev C	29.03.2023
Response to Police Crime Prevention Design Advisor Comments Statement	NK/2021/0659/10		09.08.22
Response to LLFA consultation response of 06.01.23	NK/2021/0659/11		02.02.2023
Heritage statement	NK/2021/0659/2		28.07.21
S106 Draft Heads of Terms	NK/2021/0659/8		17.08.21
Covering letter/ e-mail	NK/2021/0659/9		05.07.22

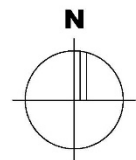
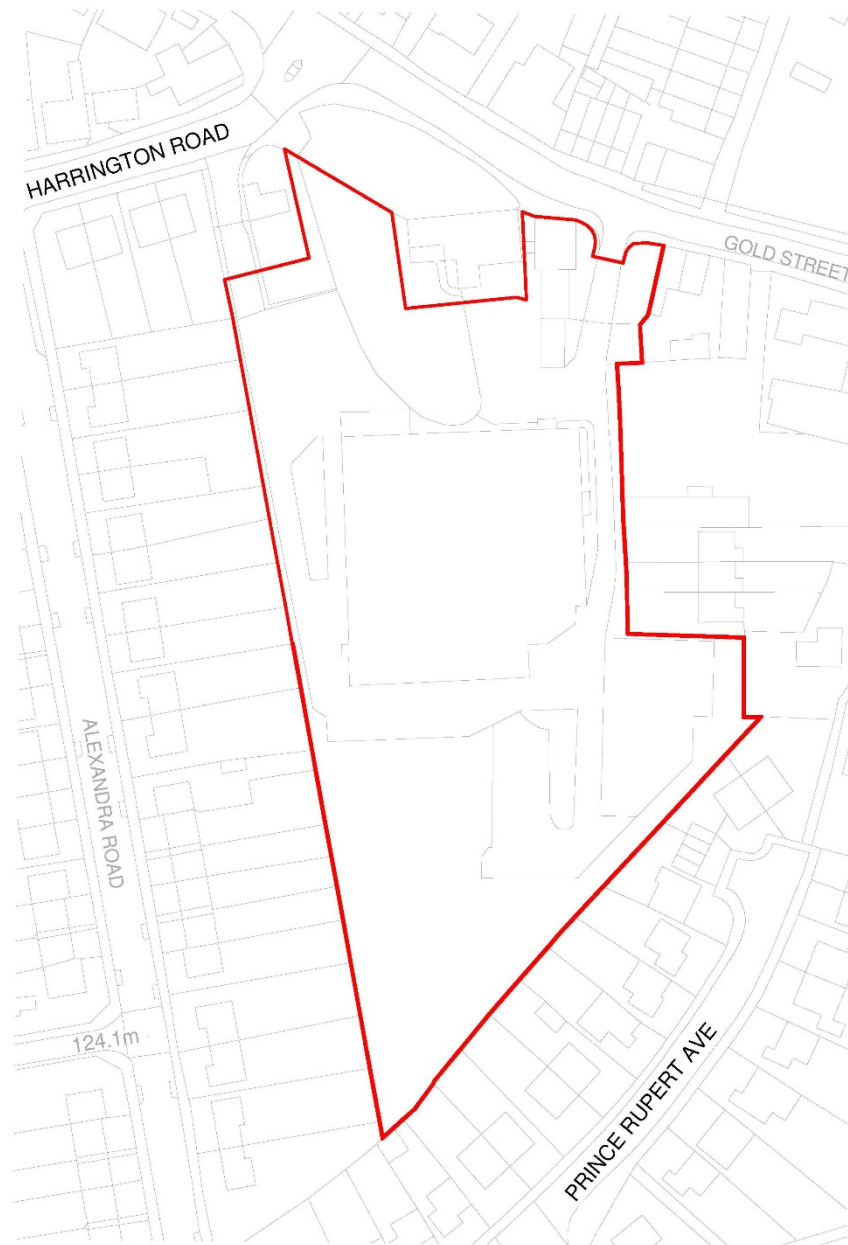


# S001 - Site Location

29/03/23

Scale1 : 1250 @A4

Rev:C



19002

Gold Street, Desborough

Snowdon Homes Ltd

PLANNING ISSUE



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## North Northamptonshire Area Planning (Kettering) Committee 17/05/2023

<b>Application Reference</b>	<b>NK/2022/0047</b>
<b>Case Officer</b>	<b>Natalie Westgate</b>
<b>Location</b>	<b>The former Woolpack Inn, Market Hill, Rothwell</b>
<b>Development</b>	<b>Full Planning Permission: Redevelopment of site to create 6 no. dwellings</b>
<b>Applicant</b>	<b>Hazelton Homes Ltd</b>
<b>Agent</b>	<b>Mr D Bates Staniforth Architects Ltd</b>
<b>Ward</b>	<b>Rothwell</b>
<b>Overall Expiry Date</b>	<b>31/03/2022</b>
<b>Agreed Extension of Time</b>	<b>19/05/2023</b>

All plans and documents can be viewed using the application reference number at <https://www.kettering.gov.uk/planningApplication/search>

### **Scheme of Delegation**

This application is brought to committee because the relevant town council has a material written objection.

#### **1. Recommendation**

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- 1.1 That planning permission be GRANTED subject to conditions.

#### **2. The Proposal**

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- 2.1 Redevelopment of site to create 6 no. dwellings

### 3. Site Description

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3.1 The application site consists of a former public house which has been vacant since 2017, former associated garage and dense overgrown landscaping. The site is situated in the centre of the market town of Rothwell.

3.2 Site Constraints  
Within Rothwell Conservation Area

### 4. Relevant Planning History

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4.1 NK/2022/0053 – Application for Relevant Demolition in a Conservation Area: Demolition of garages and single storey element of public house – pending

### 5. Consultation Responses

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A full copy of all comments received can be found on the Council's website at: <https://www.kettering.gov.uk/planningApplication/search>

5.1 Town Council  
Rothwell Town Council strongly object on grounds of change of use, housing in the centre of a conservation area, loss of amenity / retail space.

5.2 Neighbours / Responses to Publicity  
2 number of letters have been received. The issues raised are summarised below:

- It should remain as a pub/restaurant
- Too many brownfield sites within town centre being developed so aids to traffic congestion
- Overdevelopment of the site
- It maybe a listed building
- Highway safety concern with parking on pavement
- Highway safety concern with entry by the bend on the road
- Lack of parking provision within the site
- Site is within the Rothwell Fair Zone

5.3 Local Highway Authority (LHA)  
Overall, the proposals require 13 car parking spaces (inc. 2 visitor parking spaces) as per minimum requirements within the Northamptonshire Parking Standards (2016). 5 spaces are shown on-site hence, 8 spaces would need to be on-street. The Parking Beat Survey (Tutum Consulting) is noted and suggests availability in the 200m zone but it must be borne in mind that a number of roads closer to the site currently face very high parking stresses which, if amplified, can result in indiscriminate parking. The LPA must satisfy itself as regards parking and servicing of the site to include fire tender requirements.

The applicant and LPA are strongly requested to consider the provision of electric vehicle charging facilities.

The site is noted to be well located with regards to proximity to shops/amenities as well as bus stops. A covered bike store for 6 bikes is noted on the proposed site

plan. Cycle parking is required at 1 secure, covered space per bedroom hence for plots 2-6, at least 9 spaces are required in total. The proposed means of storage is noted from the document entitled 'Bike Rack Photo' this involves cycle lifting which the LHA discourage as it can and does discourage residents to use it. The LPA must take a view on this.

The 2m x 2m pedestrian visibility splays should be on the boundary with the public highway in land in control of the applicant and not within the public highway. They continue to be shown within highway land.

An access width of 4.5m (5.5m between structures) is required for a minimum of the first 10m from the boundary to the public highway as this is deemed to be the minimum width suitable for two large cars to pass each other slowly without therefore resulting in a vehicle waiting within the highway.

Vehicular accesses over 45.0m in length from highway boundary to the face of a building should be referred to a Building Regulation Approved Inspector. In such circumstances, access and turning for emergency vehicles will be required. The Northamptonshire Fire and Rescue service require: a. All accesses over 45m in length to be a minimum of 3.7m wide for its whole length to accommodate an appliance. b. Such accesses to accommodate a fire appliance with a 15 Ton axle loading c. Turning space for a fire appliance. Please see "Fire and Rescue Pre-Application Advice and Guidance for Developers Designing New Residential and Commercial Development Schemes in Northamptonshire" for further information. It may be permissible to negate the need for fire tender access subject to the provision of approved sprinkler systems. The LPA must satisfy itself as regards this.

The gate would require of a set-back of at least 5.5m to ensure any vehicle waiting does not do so over the public highway.

A CTMP should be conditioned.

#### 5.4 Environmental Health officer

No objections to the demolition proposals but would request the submission of a Construction Environmental Management Plan prior to work commencing on site.

The proposal will bring new residential units within a few metres of the bank of condenser units located on the roof of the adjacent Co-Op Foodstore. The applicant has submitted a noise impact assessment by RandTech Consulting Ltd (15th February 2023; Ref: MDR/J5246a) which assesses the impact of noise from the rooftop cooling plant and traffic noise on the proposed development. The report concludes that the background and ambient sound levels are dominated by traffic noise from Bell Hill and that the cooling plant noise does not have a significant contribution to them. The monitoring of noise from the cooling plant was carried out at the southern end of the site and additional monitoring at the northern (Bell Hill) end of the site indicated that traffic noise levels were in the order of 9dBA higher. However, the assessment indicates that closed windows will be required to maintain satisfactory internal noise levels across the whole of the site. It is concluded that well fitted standard thermal double-glazing units will be adequate along with appropriate ventilators to comply with Parts F and O of the

Building Regulations; no acoustic specification has been given for the ventilators. It may be prudent for the window and ventilator designs and specifications to be submitted for approval to ensure that they meet both the acoustic requirements and any conservation area requirements. The noise assessment indicates that the site is suitable for the proposed development subject to condition.

Conditions recommended on Demolition and Construction Management Plan and noise. Recommends informative on Contractors and sub contractors must have regard to BS 5228-2:2009.

5.5 NNC Waste Education and Communications officer

This is acceptable. Residents will need to present kerbside on collection day – this means on the road side of the path rather than next to the wall. We are not responsible for enforcing wheeled bins being returned to the property after collection.

5.6 NNC Ecological Advisor

The net gain assessment was not completed correctly, however after correcting the errors I'm satisfied that a marginal net gain would result.

The bat survey report is marginally acceptable, however in this case I will defer to the surveyor's years of experience and accept the results. A method statement for bats would be required to ensure works are undertaken sensitively. I would recommend the following condition from BS42020: No development shall take place (including any demolition, ground works, site clearance) until a method statement for bats has been submitted to and approved in writing by the local planning authority. The content of the method statement shall include the: a) purpose and objectives for the proposed works; b) detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used); c) extent and location of proposed works shown on appropriate scale maps and plans; d) timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction; e) persons responsible for implementing the works; f) initial aftercare and long-term maintenance (where relevant). The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.

## **6. Relevant Planning Policies and Considerations**

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6.1 Statutory Duty

Planning law requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

6.2 National Policy

National Planning Practice Guidance (NPPG)  
National Design Guide (NDG) (2019)

National Planning Policy Framework (NPPF) (2021):  
Section 2: Achieving Sustainable Development  
Section 5: Delivering a Sufficient Supply of Homes

Section 11: Making Effective Use of Land  
Section 12: Achieving Well-Designed Places  
Section 15: Conserving and Enhancing the Natural Environment  
Section 16: Conserving and Enhancing the Historic Environment

### 6.3 North Northamptonshire Joint Core Strategy (JCS) (2016)

Policy 1: Presumption in favour of Sustainable Development  
Policy 2: Historic Environment  
Policy 4: Biodiversity and Geodiversity  
Policy 6: Development of Brownfield Land and Land affected by Contamination  
Policy 7: Community Services and Facilities  
Policy 8: Place Shaping Principles  
Policy 9: Sustainable Buildings  
Policy 11: The Network of Urban and Rural and Areas  
Policy 15: Well-connected Towns, Villages and Neighbourhoods  
Policy 28: Housing Requirements  
Policy 29: Distribution of new Homes  
Policy 30: Housing Mix and Tenure

### 6.4 Local Plan – Site Specific Part 2 Local Plan (LPP2) (2021)

Policy LOC1: Settlement Boundaries  
Policy HOU1: Windfall and Infill Development: Principles of Delivery  
Policy TCE4: Residential Development within the Town Centres  
Policy HWC2: Protection of Community Facilities and Proposals for New Facilities Development  
Policy ROT1: Rothwell Town Centre Development Principles Development

## 7. **Evaluation**

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The key issues for consideration are:

- Principle of Development
- Visual Impact
- Impact on Neighbouring Amenity
- Highway Matters
- Ecology
- Heritage

### 7.1 **Principle of Development**

7.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires local planning authorities to determine planning applications in accordance with the Development Plan unless material planning considerations indicate otherwise.

7.1.2 The National Planning Policy Framework attaches great importance to the design of the built environment, stating good design is a key aspect of sustainable development and should contribute positively to making places better for people. It stresses the need to plan positively for the achievement of high quality and inclusive design for all development. While it states that local authorities should not impose

architectural styles or particular tastes, it reinforces that it is also important to consider local character and distinctiveness.

7.1.3 The North Northamptonshire Joint Core Strategy (JCS) Policy 7(c) states that *“Development should support and enhance community services and facilities, where appropriate by:... safeguarding existing facilities unless it can be demonstrated that:*

*(i) They are no longer viable; and*

*(ii) No longer needed by the community they serve; and*

*(iii) Are not needed for any other community use or that the facility is being relocated and improved to meet the needs of the new and existing community.”*

7.1.4 The Site Specific Local Plan Part 2 Policy HWC2 seeks to *“protect and enhance local services and facilities which meet a local need, and guard against their loss, unless it can be demonstrated that:*

*a. the loss of the service or facility would not have a negative impact on the vitality and viability of a settlement or neighbourhood area; and*

*b. the property has been marketed for its current use for a period of 12 months and that there is no interest in the property and its existing use is no longer viable.”*

7.1.5 The agent has provided evidence of a letter by Fleurets on marketing and sales details since 2020 and a lettings brochure by Fleurets. The submitted application documentation show that efforts to market the premises for comparable uses did not attract significant interest. Efforts to attract other comparable uses was unsuccessful. There is another Public House and a community library in close proximity so arguably the loss of Public House would not significantly affect residents and there are alternative facilities within the locality. In any case, the Public House has been vacant for a number of years and the change of use from Public House to residential cannot be construed to mean an actual loss of the Public House bearing in mind that same subject property has been vacant for years.

7.1.6 The Council’s adopted development strategy is to direct development in a hierarchal order such that development sites are within the growth towns, market towns, villages and then open countryside. Policy 11 of the Joint Core Strategy defines the settlement hierarchy which underpins the focus and priorities for new development throughout the borough, with principle focus of housing delivery being directed towards the growth town of Kettering, with secondary focus being directed to the market towns such as Rothwell and then villages. The housing requirements for the borough and rural area over the plan period are set out in Policies 28 and 29 in the Joint Core Strategy. The application would make a small contribution to the Council's housing targets. Given the site is with the settlement boundary of Rothwell it is considered to be in compliance with Policies 11 and 29 of the Joint Core Strategy.

7.1.7 The Site Specific Local Plan Part 2 Policy HOU1 states that *“Windfall and infill development within settlement boundaries, including the complete or partial redevelopment of residential garden land, will generally be accepted in principle providing:*

*a. there is no erosion to the character and appearance of the area and no detrimental effects to the environmental quality, amenity and privacy enjoyed by existing residents*

*b. They meet the requirements of policy set out in the JCS”.*



7.1.8 Policy TCE4 considers residential development within the town centre of Rothwell, and “*will be supported where they:*  
*a. Are compatible with existing neighbouring and nearby uses;*  
*b. Do not result in the loss of viable main town centre uses;*  
*c. Comply with the ‘design out crime’ standards;*  
*d. Provide for sufficient space and access for private amenity and servicing; and*  
*e. Preserve an active main town centre use in ground floor level frontages.*  
*Further support will also be given to proposals involving the conversion and re-use of historic buildings and buildings of local significance for residential use, where they:*  
*f. Are suitable for conversion without significant alteration or loss of historic features or character.”*

7.1.9 Policy ROT1 states Rothwell Town Centre Development Principles in which development within the Rothwell Town Centre “*will:*  
*a. Allow the continued use of the Market Hill Square for the Rowell Fair;*  
*b. Respect the historic character of the town centre. New buildings should be designed to respect and enhance this character;*  
*c. Front onto and abut the main streets or public areas to create a good sense of enclosure. Development proposals within Rothwell Town Centre boundary will be supported which:*  
*d. Provide additional car parking in the town;*  
*e. Remove on-street parking on Bridge Street, where this is appropriate;*  
*f. Provide additional retail units or uses which would increase footfall in the town centre;*  
*g. Provides residential development or employment above ground floor level*  
*h. Give priority to redevelopment which retains, restores and enhances historic buildings and buildings of local significance;*  
*i. Retain existing business uses unless demonstrated to be unviable;*  
*j. Demonstrate that proposals accord with ‘Designing out Crime’; and*  
*k. Provide, where appropriate, 30% of dwellings as affordable housing in accordance with Policy 30 of the JCS.”*

7.1.10 Policy 8 of the Joint Core Strategy is supportive of new residential development provided that it complies with the place shaping principles outlined within the policy. For example there should be no adverse impact on character and appearance, residential amenity and the highway network. These matters are considered further below.

7.1.11 The proposed development is located within the designated market town boundary of Rothwell and some form of residential development on the site would be considered appropriate in accordance with policies 6, 11 and 29 of the Joint Core Strategy and policies HOU1 and TCE4 of the Site Specific Part 2 Local Plan so the proposed development would be acceptable in principle.

## 7.2 **Visual Impact**

7.2.1 Policy 8(d) of the Joint Core Strategy requires new development to respond to the site’s immediate and wider context and local character. Chapter 12 of the National Planning Policy Framework attaches great importance to the design of the built environment. It goes on to advise that good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people.

- 7.2.2 Plot 1 is visible from the streetscene and adjoins plot 2. There would be similar windows in the existing window openings and the main elevation would reopen the window to right of the door at ground floor level. There is proposed to be the addition of 3 conservation style rooflights within the main roof facing within the site. There would be minimal external changes to plot 1 on the streetscene.
- 7.2.3 Plot 2 adjoins to Plots 1 and 3. There are no changes proposed to the side elevation fronting the streetscene. The front elevation would consist of the front door in place of the existing wide ground floor window. There would be a new window on the projection fronting the courtyard. The proposed windows and door would be appropriate size in keeping with character of the existing building. There would be minimal external changes to plot 2.
- 7.2.4 Plot 3 adjoins Plots 2 and 4. There is proposed to be an additional ground floor window resulting in minimal external change for this plot 3.
- 7.2.5 Plot 4 adjoins plots 3 and 5. A ground floor window would be altered to become the front door. There is proposed to be 2 rooflights on the front elevation. Given it is set far back from streetscene and conservation style rooflights then rooflights would be acceptable.
- 7.2.6 Plot 5 adjoins plot 4 towards the rear of the building to be converted from public house. The proposed development comprises of an additional floor and thereby increased height of this part of the building but this change would be more in keeping with the massing and scale of the adjacent plots 2-4. There would be 3 windows inserted at first floor level which would be in keeping with other windows within the existing building.
- 7.2.7 Plot 6 would be partially visible from the streetscene behind a high brick wall and existing large mature tree. The building would be higher than the existing garage in that location towards the front of the site. The height is set down and back towards the streetscene so more in keeping with existing height of the garage to reduce impact upon the character of the conservation area. The plot would be well separation distance from plot 2 on opposite side of the development. There would be 2 roof dormers and a first floor circular window on the front elevation which offer interesting design character to the development. The proposed ground floor windows would be in character of garage doors which aid to interesting design character of the development which is part of the gateway into the development. The proposed brickwork would be similar brickwork to the existing garage.
- 7.2.8 Given the proposed scale of the residential development there would be removal of permitted development to ensure no overdevelopment of the site. As such a condition is attached to ensure no new building or enclosure would be constructed within the application site and no enlargement or extension of the dwellings hereby permitted, including any additions or alterations to the roof; without the prior written approval of the Local Planning Authority.
- 7.2.9 The proposed main building would, largely, retain the existing external appearance of the host building, site layout and access; and no issues are raised in these regards. There are no proposed changes to adequate boundary treatment around the site.

The proposed development would be designed to be of acceptable design, scale and massing for the locality. The proposed materials are conditioned to match the existing buildings and be in keeping with the character of the conservation area. The proposed development would comply with Policies 2 and 8 of the Joint Core Strategy. It is considered that as a change of use to residential from an existing vacant pub and associated garage that there would be no impact on the character and appearance of the surrounding area or street scene.

### **7.3 Impact on Neighbouring Amenity**

- 7.3.1 Policy 8 of the Joint Core Strategy requires new development to not have an unacceptable impact upon the amenities of neighbours or the wider areas as result of noise, smell, loss of light or overlooking among other factors.
- 7.3.2 It is considered that there are adequate separation distances between the proposed residential development themselves and the neighbouring properties.
- 7.3.3 There is adequate amenity space for hanging out washing to the rear of the site. There would be adequate bin collection point and refuse storage which is conditioned to be retained.
- 7.3.4 The proposal will bring new residential units within a few metres of the bank of condenser units located on the roof of the adjacent Co-Op Foodstore. The applicant has submitted a noise impact assessment by RandTech Consulting Ltd (Ref: MDR/J5246a) which assesses the impact of noise from the rooftop cooling plant and traffic noise on the proposed development. The report concludes that the background and ambient sound levels are dominated by traffic noise from Bell Hill and that the cooling plant noise does not have a significant contribution to them. It may be prudent for the window and ventilator designs and specifications to be submitted for approval to ensure that they meet both the acoustic requirements and any conservation area requirements. The noise assessment indicates that the site is suitable for the proposed development subject to attached condition and informative on noise as recommended by the Environmental Health Officer.
- 7.3.5 Given the location on a busy main road in Rothwell and mixed use area then the Environmental Health officer recommended condition on Demolition and Construction Management Plan and associated informative are attached as is a condition on reasonable working hours.
- 7.3.6 It is unlikely that there would be adversely harmful impact on the amenity of neighbouring residents and thereby in accordance with Policy 8 of the Joint Core Strategy.

### **7.4 Highway Matters**

- 7.4.1 Policy 8 of the Joint Core Strategy requires development to make safe and pleasant streets by ensuring a satisfactory means of access and provision for parking, serving and manoeuvring.
- 7.4.2 The site will be accessed from an existing access point and gate. Given the provision of 5 parking spaces within the site, town centre location with nearby buses

and the Parking Beat Survey demonstrated availability of parking in the locality then there would be adequate parking provision within the site. There is no requirement within planning for the provision of electric vehicle charging points. A condition is attached to ensure the provision of parking spaces within the site. There is provision of bicycle storage within the site for 6 bicycles and a condition for this to be retained is attached.

7.4.3 The residential development and driveway would be set back from the road and pavement area. It is considered that there is sufficient area to the rear to accommodate car parking. Attached is the condition on Construction Traffic Management Plan as recommended by the Highways Officer.

7.4.4 The proposed development would not have an adversely harmful impact upon highway safety and therefore would comply with Policy 8 of the Joint Core Strategy.

## 7.5 Ecology

7.5.1 Policy 4 of the Joint Core Strategy requires new development to consider biodiversity.

7.5.2 The Ecological Advisor has considered the proposed development and states that the bat survey report is acceptable so recommends the attached condition for a method statement for bats.

7.5.3 The Ecology Advisor is satisfied that there would be a marginal net gain.

7.5.4 There should be careful consideration of trees to ensure no impact upon the buildings from the retention of mature trees/proposed landscaping and a condition on landscaping is attached.

## 7.6 Heritage

7.6.1 The council is required by section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses.

7.6.2 Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on a decision maker to pay special attention to the need to preserve or enhance the character or appearance of a conservation area.

7.6.3 Policy 16 of the National Planning Policy Framework supports development which makes a positive contribution to the Conservation Area and its setting (paragraph 200).

7.6.4 Policy 2 of the Joint Core Strategy looks to protect and preserve the historic environment and heritage assets and their settings. Proposals should demonstrate an understanding and appreciation of development upon the setting of heritage assets and complement their surrounding historic environment through the form, scale, design and materials used.

7.6.5 The site is situated within the Rothwell conservation area. The proposed conversion of the former public house and garage would be designed to be of acceptable scale and massing for the conservation area. The proposed design and materials would be in keeping with the character of the conservation area.

7.6.6 Given that the minor nature of changes to the buildings it is considered that the proposed change of use to residential development will not have a detrimental impact on the conservation area and therefore would be in conformity with Policy 2 of the Joint Core Strategy.

## **8. Other Matters**

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8.1 A neighbour commented on the site being within Rothwell Fair Zone. The site is behind a gate so would not be impact the event.

## **9. Conclusion / Planning Balance**

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9.1 For the reasons given above and conditions to be imposed then the proposal would be acceptable in terms of character, appearance, highway matters and impact on living conditions and neighbouring amenity.

## **10. Recommendation**

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10.1 The application is therefore recommended for approval subject to attached conditions.

## **11. Conditions**

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1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended) and to prevent an accumulation of unimplemented planning permissions.

2. The development hereby permitted shall not be carried out other than in accordance with the approved plans and details listed below.

REASON: In the interest of securing an appropriate form of development in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match, in type, colour and texture, those on the existing buildings.

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

4. The parking spaces hereby approved shall be provided prior to the first occupation of the site hereby permitted and shall be permanently retained and kept available for the parking of vehicles.

REASON: To ensure adequate on-site parking provision for the approved buildings.

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

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

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

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

REASON: Details are required prior to the commencement of development because demolition and construction management occurs early in the construction process and in the interests of safeguarding highway safety and residential amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

7. Prior to the commencement of development, a scheme for ensuring that residents are not exposed to significant adverse impacts on their health or quality of life due to noise shall be submitted and approved in writing by the Local Planning Authority. Any proposed scheme shall take account of the guidance in BS8233:2014 and BS4142:2014 as appropriate. Once approved the scheme shall be implemented before first occupation of the residential units and thereafter always maintained in the approved state. No alterations shall be made to the

approved structure including roof, doors, windows and external facades, layout of the units or noise barriers.

REASON: Details are required prior to the commencement of development in the interest of

safeguarding residential amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

8. No development shall take place (including any demolition, ground works, site clearance)

until a method statement for bats has been submitted to and approved in writing by the

local planning authority. The content of the method statement shall include the:

a) purpose and objectives for the proposed works;

b) detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);

c) extent and location of proposed works shown on appropriate scale maps and plans;

d) timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;

e) persons responsible for implementing the works;

f) initial aftercare and long-term maintenance (where relevant).

The works shall be carried out strictly in accordance with the approved details and shall

be retained in that manner thereafter.

REASON: To ensure protection for bats and ecology and to comply with Policy 4 of the North Northamptonshire Joint Core Strategy.

9. Prior to first occupation of the development a scheme of soft landscaping works which shall specify species, planting sizes, spacing and numbers of trees and shrubs to be planted, any existing trees to be retained, the layout, contouring and surfacing of all open space areas shall be submitted to and approved by the Local Planning Authority. The works approved shall be carried out in the first planting and seeding seasons following the occupation of the building, unless these works are carried out earlier. Any newly approved trees or plants which, within a period of 5 years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

REASON: To improve the appearance of the site in the interests of visual amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy..

10. Prior to first occupation of development, details for the cycle storage shall be submitted to and approved in writing by the Local Planning Authority.

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

11. Notwithstanding Plan P07.1, no development shall take place above slab level until full details of refuse storage area(s) and collection point has been submitted to and approved in writing by the Local Planning Authority. The approved refuse storage area(s) and collection point shall be provided before the occupation of any of the new dwellings and retained as approved thereafter. REASON: Refuse details are necessary prior to the commencement of development in the interests of visual amenity and highway safety in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revising, revoking and re-enacting that Order with or without modification), there shall be: (i) no new building or enclosure constructed within the application site; (ii) no enlargement or extension of the dwellings hereby permitted, including any additions or alterations to the roof; without the prior written approval of the Local Planning Authority. REASON: To satisfactorily protect the character and appearance of the area and the residential amenities of nearby occupiers; and to ensure compliance with Policy 8 of the North Northamptonshire Joint Core Strategy.

13. No works of demolition, construction or deliveries shall occur outside these times: Monday to Friday 08.00 to 18.00 hrs, Saturday 08.30 to 13.30 and at no time whatsoever on Saturday, Sundays or Public/Bank Holidays. This includes deliveries to the site and any work undertaken by contractors and sub-contractors. REASON: In the interests of safeguarding residential amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

## 12. Informatives

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Positive/Proactive - amendments  
Demolition and Construction Management Plan  
Noise

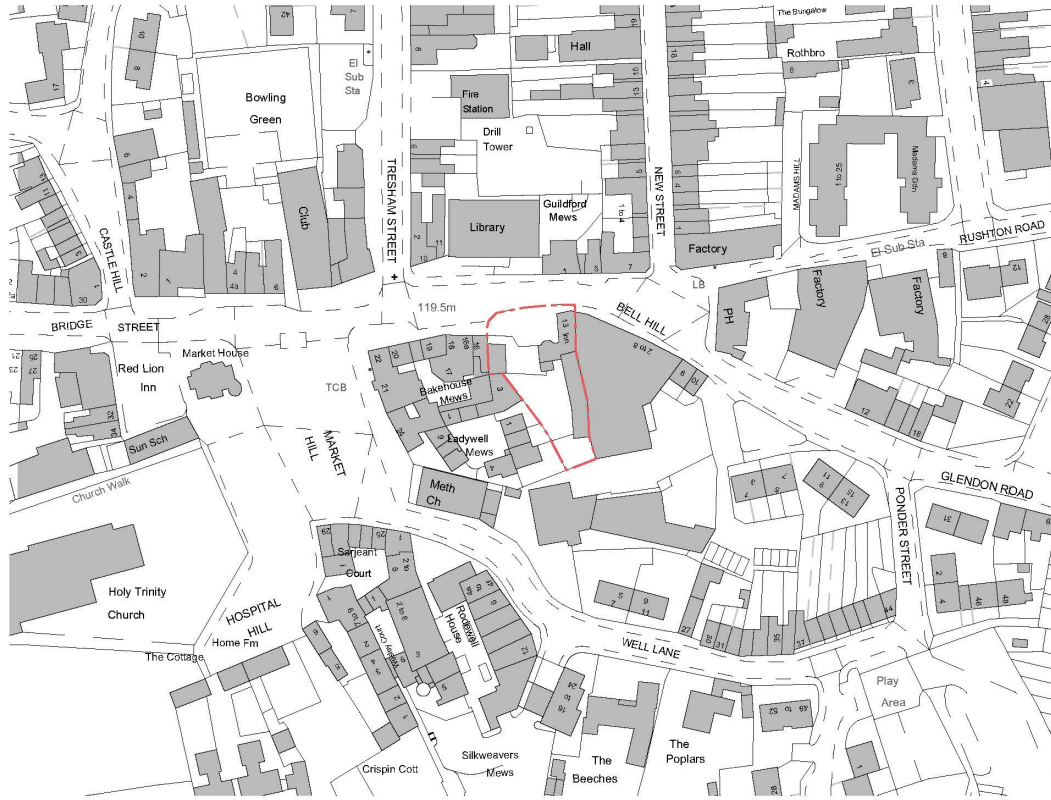
List of plans

The plans and documents, some of which may have been subsequently referenced by the LPA, are set out below and form the basis for this decision:

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Existing first/second floor and roof plans		1618_P04A	19/01/2022
Existing elevations		1618_P05A	19/01/2022
Existing sections		1618_P06A	19/01/2022
Proposed site plan		1618_P07A	19/01/2022



Proposed new build areas		1618_P07.1	01/02/2022
Proposed ground and first floor plans, plot 1 & 2		1618_P08A	19/01/2022
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Proposed elevations front and left, plot 2		1618_P11A	19/01/2022
Proposed elevations rear and right, plot 2		1618_P12A	19/01/2022
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Proposed elevations plots 3-4		1618_P15A	19/01/2022
Proposed views, plot 4-6		1618_P16A	19/01/2022
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Proposed elevations, plot 5		1618_P18B	03/02/2022
Proposed views, amenity space and sun room, plot 5		1618_P19A	19/01/2022
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BNG Metric	NK/2022/0047/2		16/09/2022
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Parking Stress Table 12.10.22	NK/2022/0047/4		17/10/2022
Environmental Noise Assessment		MDR/J5246a	21/02/2023



Site Area = 885m<sup>2</sup> (0.21 Acres)  
Based on OS data

--- = Application Boundary

Sketch proposals are for illustrative purposes only & such are subject to detailed site investigation including ground conditions / contaminants, drainage, design & planning/conservation regulations. Sketch proposals may be based upon enlargements of OS sheets & visual estimations of existing site features, accuracy will therefore need to be verified by survey. Sketch proposals have not been considered in respect of CDM Regulations.

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# FOR PLANNING



Revision	Date	Notes
A	24.11.21	Updated as per Local Authority comments on Pre-app PRE/2021/0126.
B	01.02.22	Map scale amended and more map are shown



## STANIFORTH ARCHITECTS

### Location Plan

The Warehouse  
16 Staniforth Street  
Leicester LE1 6NL  
0116 2853775  
www.staniforth.co.uk

Drawing Status:  
Cad Reference:  
Drawn:  
Checked:  
Date:  
Scale:

PLANNING  
1618-P01  
DB  
JP  
19-07-2021  
1:1250@A3

The Woolpack Rothwell	Project No. 1618	Drawing No. P01	Revision B
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## North Northamptonshire Area Planning (Kettering) Committee 17/05/2023

<b>Application Reference</b>	<b>NK/2022/0053</b>
<b>Case Officer</b>	<b>Natalie Westgate</b>
<b>Location</b>	<b>The former Woolpack Inn, Market Hill, Rothwell</b>
<b>Development</b>	<b>Application for Relevant Demolition in a Conservation Area: Demolition of garages and single storey element of public house</b>
<b>Applicant</b>	<b>Hazelton Homes Ltd</b>
<b>Agent</b>	<b>Mr D Bates Staniforth Architects Ltd</b>
<b>Ward</b>	<b>Rothwell</b>
<b>Overall Expiry Date</b>	<b>31/03/2022</b>
<b>Agreed Extension of Time</b>	<b>19/05/2023</b>

All plans and documents can be viewed using the application reference number at <https://www.kettering.gov.uk/planningApplication/search>

This application is brought to committee because the relevant town council has a material written objection.

### **1. Recommendation**

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- 1.1 That planning permission be GRANTED subject to conditions.

### **2. The Proposal**

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- 2.1 Application for Relevant Demolition in a Conservation Area: Demolition of garages and single storey element of public house
- 2.2 Reason given in the application form for the proposal:  
- Existing garage element is single storey red brick, metal roof sheeting and in disrepair. Requires re build to accommodate 2 storey dwelling use.

- Single storey kitchen element is single skin brick, later extension to original sandstone building and sub standard for use as two storey dwelling.

### **3. Site Description**

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3.1 The application site consists of a former public house which has been vacant since 2017, former associated garage and dense overgrown landscaping. The site is situated in the centre of the market town of Rothwell. The site is adjacent to the main A road that runs alongside Rothwell.

3.2 Site Constraints  
Within Rothwell Conservation Area  
Adjacent to A road

### **4. Relevant Planning History**

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4.1 NK/2022/0047 - Redevelopment of site to create 6 no. dwellings  
- Pending

### **5. Consultation Responses**

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A full copy of all comments received can be found on the Council's website at:  
<https://www.kettering.gov.uk/planningApplication/search>

5.1 Town Council  
Rothwell Town Council strongly object on grounds of change of use, housing in the centre of a conservation area, loss of amenity / retail space.

5.2 Neighbours / Responses to Publicity  
2 number of letters have been received. The issues raised are summarised below:

- Proposed build looks impressive and carefully thought out.
- The Woolpack should not be converted to six miniscule, little houses with no garden spaces.
- More commerce is needed to maintain and expand Rothwell
- The curtilage of proposed property number 1 could have extra metal fencing.
- The frontage of number 6 does not match with existing attached property.
- There should be no right turn out of property, which avoids the blind spot and zebra crossing on Bell Hill.

5.3 Local Highway Authority (LHA)  
The proposal is understood to be for the demolition of garages and the single storey element of the public house.

Whilst the LHA do not object to the proposed demolition in principle, a suitably worded condition is requested to ensure that the developer shall put in place systems to ensure that all operational vehicles arriving at or leaving the site are appropriately sealed or covered, to prevent any material spillage, wind blow and odour nuisance and be cleansed of debris. Any debris deposited on the adopted highway (maintainable at public expense) during construction is to be removed and the highway cleansed.

5.4 Environmental Health officer

No objections to the demolition proposals but would request the submission of a Construction Environmental Management Plan prior to work commencing on site. Condition and informative recommended on Demolition and Construction Management Plan.

5.5 NNC Ecological Advisor

The net gain assessment was not completed correctly, however after correcting the errors I'm satisfied that a marginal net gain would result.

The bat survey report is marginally acceptable, however in this case I will defer to the surveyor's years of experience and accept the results. A method statement for bats would be required to ensure works are undertaken sensitively. I would recommend the following condition from BS42020: No development shall take place (including any demolition, ground works, site clearance) until a method statement for bats has been submitted to and approved in writing by the local planning authority. The content of the method statement shall include the: a) purpose and objectives for the proposed works; b) detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used); c) extent and location of proposed works shown on appropriate scale maps and plans; d) timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction; e) persons responsible for implementing the works; f) initial aftercare and long-term maintenance (where relevant). The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.

## **6. Relevant Planning Policies and Considerations**

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6.1 Statutory Duty

Planning law requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

6.2 National Policy

National Planning Practice Guidance (NPPG)  
National Design Guide (NDG) (2019)

National Planning Policy Framework (NPPF) (2021):

Section 2: Achieving Sustainable Development

Section 5: Delivering a Sufficient Supply of Homes

Section 11: Making Effective Use of Land

Section 12: Achieving Well-Designed Places

Section 15: Conserving and Enhancing the Natural Environment

Section 16: Conserving and Enhancing the Historic Environment

6.3 North Northamptonshire Joint Core Strategy (JCS) (2016)

Policy 1: Presumption in favour of Sustainable Development

Policy 2: Historic Environment

Policy 4: Biodiversity and Geodiversity

Policy 6: Development of Brownfield Land and Land affected by Contamination  
Policy 7: Community Services and Facilities  
Policy 8: Place Shaping Principles  
Policy 9: Sustainable Buildings  
Policy 11: The Network of Urban and Rural and Areas  
Policy 15: Well-connected Towns, Villages and Neighbourhoods  
Policy 28: Housing Requirements  
Policy 29: Distribution of new Homes  
Policy 30: Housing Mix and Tenure

6.4 Local Plan – Site Specific Part 2 Local Plan (LPP2) (2021)

Policy LOC1: Settlement Boundaries  
Policy HOU1: Windfall and Infill Development: Principles of Delivery  
Policy TCE4: Residential Development within the Town Centres  
Policy HWC2: Protection of Community Facilities and Proposals for New Facilities Development  
Policy ROT1: Rothwell Town Centre Development Principles Development

## 7. Evaluation

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The key issues for consideration in this application are: -

1. Principle of the development including implications to the site
2. Implications associated with the loss of the buildings
3. Impact on character and appearance
4. Impact to surrounding land users
5. Impact to highway safety
6. Impact to ecology

1. Principle of the development including implications to the site

In its broadest terms the principle of demolishing a building and single storey element of a building within the defined Town Boundary to make way for residential development is acceptable. The proposal would not have any implications or otherwise inconvenience the continued use of the public house.

2. Implications associated with the loss of the buildings

The existing building is functional and the loss of the single storey rear element would not restrict the reuse of the public house in the future. The existing garage is of limited size so its loss would be minimal impact on the site.

As such and as the building has no community benefits its loss is not considered to cause harm.

3. Impact on character and appearance

Policy 8(d) of the JCS consistent with chapter 12 of the NPPF seeks development to respond to the site's immediate and wider context.

As the site is located within a Conservation Area the proposal falls to be considered under Section 72 of The Planning (Listed Buildings and Conservation Areas) Act 1990 which sets out the duty of Local Planning Authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.



As the proposal relates to heritage assets it should be considered against Policy 2 of the Joint Core Strategy which seek development to preserve and enhance the historic environment, consistent with chapter 16 of the National Planning Policy Framework.

The garage building is small scale and set back behind a mature tree and wall so is relatively inoffensive in the streetscape so therefore its overall contribution to the setting of the Conservation Area is limited. The proposed single storey element of the public house to be demolished is set to the rear deep within the site and not visible from the streetscene so would have no impact on the character of the Conservation Area.

The buildings are set back from the streetscene behind high wall and mature tree so therefore the land would not be significantly changed in character and appearance after demolition of the buildings and prior to its residential redevelopment of the site.

As a result, the proposal would enhance the character and appearance of the area generally and the Conservation Area. As such the proposal is acceptable in this respect subject to imposition of the condition mentioned.

#### 4. Impact to surrounding land users

The demolition period will be short-lived and set back from public land on private property so thereby will cause limited impact to pedestrian and vehicle movement on surrounding land and towards residential amenity. However, conditions shall be applied restricting the hours of demolition and demolition and construction management plan, in the interests of nearby residential occupier's amenity.

#### 5. Impact to highway safety

Due to the modest size of the buildings, its removal and demolition will be handled over a short period. As a safeguard and consistent with the advice of the Highway's officer and Environmental Health officer there is conditions to be applied to ensure that arrangements are taken to be safe and to prevent debris being carried to the highway – which would also ensure that the immediate area is kept detritus free.

The proposal would not interfere with established walking routes.

The proposal therefore maintains highway safety and is acceptable.

#### 6. Impact to ecology

Policy 4 of the Joint Core Strategy requires new development to consider biodiversity.

The Ecological Advisor has considered the proposed development and states that the bat survey report is acceptable so recommends the attached condition for a method statement for bats.

The Ecological Advisor is satisfied that there would be a marginal net gain.

## **8. Other Matters**

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- 8.1 Neighbour and Town Council comments: The issues raised in the neighbour and Rothwell Town Council comments do not reflect the application for demolition and were considered in application NK/2022/0047.

## **9. Conclusion / Planning Balance**

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- 9.1 For the reasons given above and conditions to be imposed then the proposal would be acceptable in terms of character, appearance, highway matters and impact on ecology. The proposal is in accordance with the development plan and the National Planning Policy Framework.

## **10. Recommendation**

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- 10.1 The application is therefore recommended for approval subject to attached conditions.

## **11. Conditions**

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1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.  
REASON: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended) and to prevent an accumulation of unimplemented planning permissions.
2. The development hereby permitted shall not be carried out other than in accordance with the approved plans and details listed below.  
REASON: In the interest of securing an appropriate form of development in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.
3. No works of demolition, construction or deliveries shall occur outside these times: Monday to Friday 08.00 to 18.00 hrs, Saturday 08.30 to 13.30 and at no time whatsoever on Saturday, Sundays or Public/Bank Holidays. This includes deliveries to the site and any work undertaken by contractors and sub-contractors.  
REASON: In the interests of safeguarding residential amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.
4. Prior to the commencement of development a Demolition and Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period and the approved measures shall be retained for the duration of the demolition and construction works.  
REASON: Details are required prior to the commencement of development because demolition and construction management occurs early in the construction process and in the interests of safeguarding highway safety and residential amenity in accordance with Policy 8 of the Northamptonshire Joint Core Strategy.

5. The developer shall put in place systems to ensure that all operational vehicles arriving at or leaving the site are appropriately sealed or covered, to prevent any material spillage, wind blow and odour nuisance and be cleansed of debris. Any debris deposited on the adopted highway (maintainable at public expense) during construction is to be removed and the highway cleansed.

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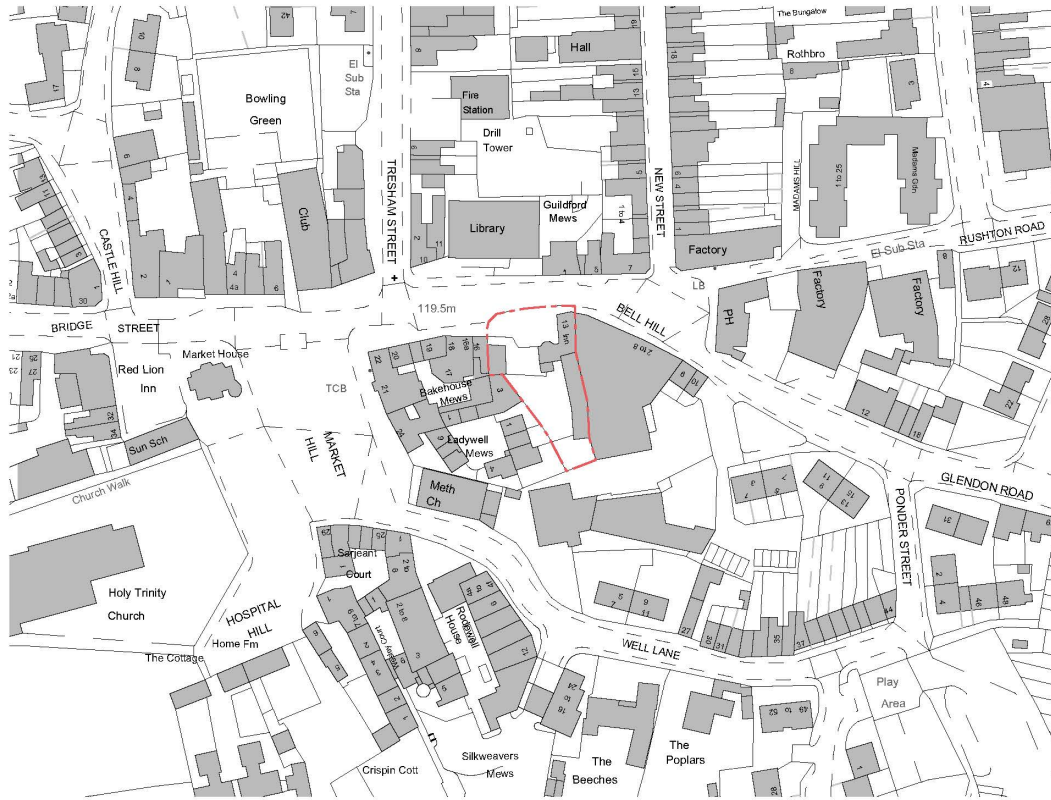
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## FOR PLANNING



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# STANIFORTH ARCHITECTS

## Location Plan

The Warehouse  
16 Staniforth Street  
Leicester LE1 6NL  
0116 2853775  
www.staniforth.co.uk

Drawing Status: PLANNING  
Cad Reference: 1618-P01  
Drawn: DB  
Checked: BP  
Date: 19-07-2021  
Scale: 1:1250@A3

The Woolpack Rothwell	Project No.	Drawing No.	Revision
	1618	P01	B



## North Northamptonshire Area Planning (Kettering) Committee 17/05/2023

<b>Application Reference</b>	<b>NK/2022/0372</b>
<b>Case Officer</b>	<b>Natalie Westgate</b>
<b>Location</b>	<b>Rothwell Central (land to west), Rothwell</b>
<b>Development</b>	<b>Outline Application: Residential development of up to 220 dwellings with access only considered</b>
<b>Applicant</b>	<b>L Walden, Persimmon Homes Midlands</b>
<b>Agent</b>	<b>Mr R Riding Pegasus Group</b>
<b>Ward</b>	<b>Rothwell</b>
<b>Overall Expiry Date</b>	<b>21/09/2022</b>
<b>Agreed Extension of Time</b>	<b>19/05/2023</b>

All plans and documents can be viewed using the application reference number at <https://www.kettering.gov.uk/planningApplication/search>

### **Scheme of Delegation**

This application is brought to committee because the application has been the subject of five written material planning objections and the application requires an agreement under s.106.

#### **1. Recommendation**

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- 1.1 That planning permission be GRANTED subject to conditions and the completion of a Section 106 Legal Agreement by 17 November 2023.

#### **2. The Proposal**

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- 2.1 Outline Application: Residential development of up to 220 dwellings with access only considered

### **3. Site Description**

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- 3.1.1 The site is an open field on the south-western side of Rothwell.
- 3.1.2 The application site is situated south of open fields which form a wider site known as Rothwell North, an area of land with outline and reserved matters approval for a Sustainable Urban Extension (SUE) located to the north of Rothwell. There is a very small part to north within the Rothwell North site which would link vehicular access from Rothwell North to Rothwell Central.
- 3.1.3 The site is surrounded by open fields in south. The site is surrounded by residential development within Desborough to the east. To the west is dense landscaping in front of the A6 main road.

### **4. Relevant Planning History**

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- 4.1 KET/2007/0461 - 700 dwellings, 2.88 hectares of employment land (Classes B1 and B2), a local centre (Classes A1 - A5, B1a, C3 and D1), open space and green infrastructure and land for education adjacent to the Montsaye Academy's playing fields. Pedestrian and cycle routes, associated roads and other infrastructure, including sustainable drainage measures. Vehicular access junctions into the site from the A6 and B576; all other matters are to be reserved. Approved - 05.11.2018.
- 4.2 NK/2021/0904 - Approval of Reserved Matters (EIA): All details in respect of Phase 2 of KET/2007/0461 for 153 dwellings, public open space, and associated infrastructure – Approved – 25.07.2022

### **5. Consultation Responses**

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A full copy of all comments received can be found on the Council's website at: <https://www.kettering.gov.uk/planningApplication/search>

- 5.1 Town Council  
No objection. Rothwell Town Council agree to outline planning for the proposed Rothwell Central development but wish to stress that consideration must be given to traffic flow / volume of traffic at Junction 3, A14. This junction, because of additional developments in Desborough plus the creation of the lorry park already sees severe congestion at rush hours and this is without feeling the impact of Rothwell North. Any additional development, such as Rothwell Central only adds a greater concern.

Rothwell Town Council strongly echo the concerns raised regarding access to medical facilities within the town and advise that adequate space be considered to allow for the proposed additional growth in population. Rothwell Town Council will work with the developers to ensure that Healthcare / Welfare and Education facilities continue to be considered as a matter of priority for the people of Rothwell.



## 5.2 Neighbours / Responses to Publicity

10 number of letters have been received from 8 properties. The issues raised are summarised below:

- Phase 2 has 153 properties in a similar acreage of land to phase 3 (Central) which is planned to have 220. How is this correct?
- The new homes put strain on town. Concern on pressure on Kettering hospital, doctors, nurseries, schools etc. The development should give more money to CCG for local healthcare services. New housing should be deferred until the local infrastructure is improved.
- Access into the town centre along Harrington Road and the surrounding minor roads is a major problem because of street parking on both sides of the roads. Vehicle parking in the town centre is extremely limited.
- Traffic noise and pollution from A6 and A14 is already at excessive levels at certain times of the day. There will be additional traffic from the Rothwell North development as well as the major truckstop at junction 3 on A14.
- No details of the proposed emergency access from Adams Drive which was planned for pedestrian access only and lacks lighting. Maunsell Rise was constructed for access to this land, so you may wish to advise consideration for the emergency access there.
- How will the council prevent other drivers (car and motorbike) using Adams Drive as a thorough fair and short cut from the estate?
- If new lighting is put up on Adams Drive it will be an invasion and intrusion of residents privacy.
- Are the developers going to adhere to a construction management plan on phase 3 (central) as they don't appear to have complied with the construction management plan of phase 1 with respect to working hours.
- The same consideration should be given in phase 3 (Central) to open spaces i.e. either road or open space between new and the existing residential properties of Butlin Close and Adams Drive as has been planned into phase 1 and phase 2 of the development.
- Recently, Moorfield Road suffered severe flooding from the planning site during excessive rainfall and Anglian Water were unable to cope with the demand for assistance from the area resulting in householders themselves having to cope with pumping flood water from their homes and gardens.

## 5.3 Local Highway Authority (LHA)

Travel Plan is acceptable.

A Construction Traffic Management Plan should be conditioned.

The site is around 1km from the centre of Rothwell, well within walking and cycling distance. Appropriate active travel links connecting into Phase 2's will be provided as well as to the east via Maunsell Rise and Adams Drive for more direct connectivity. With the amenities of the new SUE also, the site is well located to reduce the need to travel by car.

It is noted through the bus stop provisions as part of Rothwell North, effectively all of the site would fall within 500m of stops and a significant proportion within the required 400m. The LHA require via s106 contribution a 4-week or one month

Megarider ticket for the local area, one per unit on first occupation to be supplied to further encourage the usage of buses.

All new traffic data collected should be forward for analysis using the attached templates.

There is concern with Arm D/Lamport Road during the PM peak which sees 102% in the 2031 DN scenario. The proposed mitigation i.e. extension to the flare be dealt with as a pre-commencement condition and informatives.

The pathways through the green areas on either side of the units should be a minimum 3m wide to enable combined walking and cycling use and to provide better direct connectivity to the two active travel accesses on the eastern site boundary.

The Fire Officer has provided support for the emergency access.

Vehicle tracking for the 4-axle refuse truck opposed by a large car on the proposed estate roads to be adopted should be provided.

#### 5.4 NCC Environmental Health Officer

The Noise Assessment has been reviewed. It is a preliminary (Stage 1) risk assessment and advises that a detailed noise assessment would be prepared at a later stage to accompany a reserved matters planning application once the layout for the proposed development has been finalised. The A6 forms the western boundary of the site and traffic noise from it is the dominant noise source. The assessment has been based on noise survey data from previous proposals for two adjacent sites made in 2007 and 2014 and an adjustment has been applied for increased traffic flows to 2021, but confirmation of the current noise levels by measurement on the site and consideration of future traffic flows should also be accounted for in the final acoustic design.

It is noted that a Stage 2 assessment, which would be prepared at a later stage, will additionally refers to BS 8233 with respect of achieving an acceptable internal noise environment and within gardens. Initially the acoustic design for the development should aim to achieve the desired internal noise levels with windows open for ventilation and use the site layout to achieve acceptable external noise levels. LF Acoustics are assuming that external noise levels will be achieved, at least in part, by having private amenity spaces on the eastern sides of houses on the western / A6 boundary. This appears to be reflected in the indicative site layout plan. The report suggests that windows will need to be kept closed to achieve good internal noise levels, for at least part of the development, in which case an overheating assessment will be required, and consideration will need to be given to providing alternative means of cooling ventilation to the affected properties. The assessment does not consider any adverse noise impacts associated with the construction phase of the development.

Air Quality Assessment assesses potential impacts from both the construction and operational phases of the development.

An assessment of potential construction dust impacts has been carried out in accordance with the IAQM guidance. The assessment indicates that there is a high risk of dust soiling occurring because of the earthworks and construction phases of the development and a programme of mitigation measures is recommended for future incorporation into a construction environmental management plan (CEMP). Implementation of the proposed mitigation should ensure that the residual dust emissions are not significant.

Operational phase impacts has assessed the impact of exhaust emissions such as NO<sub>2</sub> and PM<sub>10</sub> because of the additional traffic generated by the development. Future residents of the site are not predicted to be exposed to NO<sub>2</sub> or PM<sub>10</sub> concentrations above the annual mean AQOs. The increased impact of emissions from the new development (off-site) are assessed to be negligible. However, recommendations are made for techniques that can be incorporated into the development to minimise emissions and adverse impacts on air quality. The air quality assessment by Noise Air indicates that the site meets the air quality objectives and that the operation of the site will have a negligible impact on air quality. However, the report makes recommendations for measures that can be implemented to minimise any adverse impacts, and these should be implemented as far as they are applicable to this development.

Recommend condition on Land Contamination, Protection from Noise (all residential in close proximity to road, rail, and non-domestic uses)

Recommend informatives on air quality and on the noise scheme condition has regard to both internal and external amenity space noise levels.

#### 5.5 NCC Archaeological Advisor

The application site is located to the north west of Rothwell town centre, and to the south of recent residential development; archaeological work in advance of the development investigated Iron Age settlement and burial activity which was first identified by geophysical reconnaissance and detailed survey in 2006. The reconnaissance survey also covered the northern part of this pre-application area but it was not subject to any detailed survey. Geophysical technology and techniques have improved in the intervening years and it is likely that clearer results could now be achieved.

A further site was identified by archaeological evaluation in 2014 to the south of the pre-application area; it comprises a late Iron Age to early Roman settlement. Cropmarks of possible enclosures recorded to the west of the A6 may also extend into the site.

The geophysical survey demonstrated that while there are features of probably archaeological origin present, they do not represent the density and complexity of settlement seen to the north and to the south. It must of course be borne in mind that some features do not respond to geophysical survey and there may be activity present which the survey has not detected; however, on balance I consider that the potential of the site can now be addressed by the use of a suitable condition for a programme of archaeological work. The programme of work shall comprise trial trenching in the first instance, followed by mitigation as necessary depending

on the results of the trenching. Condition on a programme of archaeological work in accordance with a written scheme of investigation.

5.6 NCC Ecological Advisor

Following further information to include more meadows, there would be biodiversity net gain. The detailed soft landscaping would need to be formally linked to the delivery of the biodiversity net gain and secured by condition. There should be conditions on badgers, construction environmental management plan, and landscape and ecological management plan.

5.7 NCC Development Contributions Officer

Based on an average of 3-bed dwelling mix, a s106 contributions for Libraries of £52,580, an Early Years contribution of £614,020, a Primary Education contribution of £959,200, Secondary Education of £1,003,860 and £167,640 will be required towards provision of additional SEND facilities and capacity in Kettering. Recommend informative on broadband.

5.8 NCC Housing Officer

I am pleased to see a 30% affordable provision on this site. I am also satisfied with the 75% rented / 25 % affordable home ownership split.

In terms of property type mix our starting point would be as follows: 1 beds- 30-35%, 2 beds- 35-40%, 3 beds 20-25%, 4+ beds 5-10%.

I am pleased there will be 10% of all homes meeting M4(3)(b) accessibility under Building Regs. Bungalows can make up any proportion of the above but we would also welcome ground floor flats which are accessible for people with disabilities.

We have a preference for 1/2 bed maisonettes or houses as opposed to blocks of flats with communal areas. I would expect affordable home ownership units to be predominately 2/3 bed houses but we would welcome a small number of 1/4 beds for affordable home ownership if this works from a marketing perspective.

The above is based on evidence of the make-up of households on our housing waiting list but has been adjusted to account for the turnover of existing stock. 50% of our register require one bed properties however we know the turnover is much higher than with larger house types, hence the lower percentage included above.

5.9 NHS Northamptonshire CCG

Request a financial s106 contribution to healthcare of £111,849.01.

5.10 Local Lead Flood Authority

The applicant has provided an overland exceedance flow route plan for the proposed development. Surface water will flow to the south of the development towards the proposed detention basin and landscaping areas to the east, avoiding the proposed built development.

Recommend approval subject to conditions on full details of the surface water drainage scheme for the site, detailed scheme for the ownership and maintenance for every element of the surface water drainage system proposed, Verification

Report for the installed surface water drainage system for the site and all subsequent reserved matters applications for the development plots shall make reference to the original approved Flood Risk Assessment and Drainage Strategy, ADC2790-RP-B and revised up to date Flood Risk Assessment shall be accompanied by a certificate of compliance with the original approved scheme.

#### 5.11 Anglian Water

The foul drainage from this development is in the catchment of Broadholme Water Recycling Centre which currently does not have capacity to treat the flows the development site. Anglian Water are obligated to accept the foul flows from the development with the benefit of planning consent and would therefore take the necessary steps to ensure that there is sufficient treatment capacity should the Planning Authority grant planning permission.

The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991.

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option.

Recommends informative on there are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. Recommends informatives on notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval, protection of existing assets, building near to a public sewer and the developer should note that the site drainage details submitted have not been approved for the purposes of adoption. Note to applicant – Surface Water Hierarchy evidence will need to be submitted at 106 application stage.

#### 5.12 Northamptonshire Police

No objection.

The applicants should design the site in line with the following: Policy 8 of the North Northamptonshire Joint Core Strategy Seeking to design out antisocial behaviour and crime and reduce the fear of crime through the creation of safe environments that benefit from natural surveillance, defensible spaces and other security measures having regard to the principles of the 'Secured by Design'. National Planning Policy Framework 2021 Section 8. Promoting healthy and safe communities. Para 92: Planning policies and decisions should aim to achieve healthy, inclusive and safe places which: b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion. Para 97: Planning policies and decisions should promote public safety and take into account wider security and defence requirements by: a) anticipating and addressing possible malicious threats), layout and design of developments, should be informed by the most up-to-date information available from the police about the nature of potential threats and their implications. This includes appropriate and proportionate steps that can be taken to reduce vulnerability, increase resilience & ensure public safety & security.

### 5.13 Northamptonshire Badger Group

The ecology report did not contain any information regarding badger setts which we find quite disturbing as it was Persimmon Homes who actually put in a tunnel for badgers when the bypass was built. There is a sett very close which is actually very near to this tunnel. This sett was last visited by us on 30/01/2022. We also have reports of 8 Rta's on the A6 (bypass) at that point. We therefore, because of the proven information we have available, would request that a full survey is completed before any further planning is decided to ensure that lawful and detailed mitigation is put in place to protect the badgers on the proposed building site plan.

## **6. Relevant Planning Policies and Considerations**

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### 6.1 Statutory Duty

Planning law requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

### 6.2 National Policy

National Planning Policy Framework (NPPF) (2021)  
National Planning Practice Guidance (NPPG)  
National Design Guide (NDG) (2019)

### 6.3 North Northamptonshire Joint Core Strategy (JCS) (2016)

Policy 1: Presumption in favour of sustainable development  
Policy 3: Landscape Character  
Policy 4: Biodiversity and Geodiversity  
Policy 5: Water Resources, Environment and Flood Risk Management  
Policy 6: Land Affected by Contamination  
Policy 8: North Northamptonshire place shaping principles  
Policy 9: Sustainable Buildings  
Policy 10: Provision of Infrastructure  
Policy 11: The Network of Urban and Rural Areas  
Policy 13: Rural Exceptions  
Policy 15: Well-connected Towns, Villages and Neighbourhoods  
Policy 28: Housing Requirements  
Policy 29: Distribution of New Homes  
Policy 30: Housing Mix and Tenure  
Policy 38: Rothwell North Sustainable Urban Extension

### 6.4 Site Specific Part 2 Local Plan (2021)

Policy LOC1: Settlement Boundaries  
Policy HOU1: Windfall and Infill Development: Principles of Delivery

### 6.5 Other Relevant Documents

Open Space SPD

## **7. Evaluation**

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The key issues for consideration are:

- Principle of Development
- Visual Impact
- Residential Amenity
- Highway Matters
- Drainage
- Ecology
- Land Contamination
- Archaeology
- Planning Obligations

### **7.1 Principle of Development**

- 7.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires local planning authorities to determine planning applications in accordance with the Development Plan unless material planning considerations indicate otherwise.
- 7.1.2 The principle of proposing new dwellings within the confines of a growth town then market towns before open countryside is consistent with Policies 11 and 29 of the North Northamptonshire Joint Core Strategy (JCS) and guidance contained within the National Planning Policy Framework (NPPF) seeks to focus development in towns in the interest of sustainability and to safeguard rural areas.
- 7.1.3 Policy 11 of the Joint Core Strategy directs development towards the growth town of Kettering then market towns such as the application sites surrounding towns of Desborough and Rothwell before considering open countryside. The market towns provide a strong service role for their local communities and surrounding rural areas with growth in homes to support regeneration, at a scale appropriate to the character and infrastructure of the town. The Sustainable Urban Extensions provide strategic locations for housing.
- 7.1.4 Policy 11 of the Joint Core Strategy states that development in the rural areas will be limited to small scale infill development on suitable sites within villages where this would not materially harm the character of the settlement and residential amenity or exceed the capacity of local infrastructure and services.
- 7.1.5 Policy 29 of the Joint Core Strategy sets out that the Growth Town of Kettering will be the strong focus for new housing as this is the most sustainable location for development; this is followed by the market towns. Whilst it is acknowledged that Desborough and Rothwell are identified as locations where there will be some additional growth, the Joint Core Strategy requires that the level of growth is at a scale appropriate to the character and infrastructure of the town.
- 7.1.6 The housing requirements are set out in Policies 28 and 29 of the Joint Core Strategy. Policy 29 offers further clarity and specific detail on the distribution and extent of required housing development for Kettering Borough. It has been identified that the housing requirement for Kettering Borough is 10,400 dwellings for the Borough as a whole, in the plan period, 2011 to 2031.

- 7.1.7 Policies 6 and 29 of the Joint Core Strategy asserts that priority will be given to the reuse of suitable previously developed land, followed by other suitable land in urban areas.
- 7.1.8 Joint Core Strategy's Policy 13 Criterion 1 states that development adjoining established settlements, beyond their existing built up area or defined boundary should be justified that it meets an identified need arising within a village or network of villages, sites should be well-related to a settlement that offers services for day to day needs of occupants, development should enable access to local services and facilities by foot, cycle or public transport, the scale and nature of the development will not exceed needs and be appropriate to the surroundings, minimise impacts on the environment and be supported by existing or new infrastructure and affordable housing provision within s106.
- 7.1.9 The proposal is for up to 220 dwellings and the agent has agreed to a 30% affordable provision on this site. The proposed mix is 75% rented / 25 % affordable home ownership split. The agent has confirmed that 10% will be to be M4(3)(b) accessibility. NNC Housing Officer is satisfied with the agreed affordable housing provision proposed.
- 7.1.10 Policy HOU1 of the Site Specific Part 2 Local Plan states that windfall and infill development within settlement boundaries will generally be accepted in principle providing there is no erosion to the character and appearance of the area and no detrimental effects to the environmental quality, amenity and privacy enjoyed by existing residents. Furthermore, the requirements of policy set out in the Joint Core Strategy need to be met and developments must be in conformity with policy contained within the Site Specific Part 2 Local Plan.
- 7.1.11 A small part of the scheme to the north of the site is situated within the Joint Core Strategy Policy 38 – Rothwell North Sustainable Urban Extension (SUE). This policy detailed the scope of the proposal and a range of specific requirements (the Strategic Link Road, A6 bypass, buffer zone between dwellings and Rothwell Gullet Nature Reserve) to be met by the SUE.
- 7.1.12 Policy 8 of the Joint Core Strategy is supportive of such development provided there is no adverse impact on character and appearance, residential amenity and the highway network. It also seeks a high standard of design.
- 7.1.13 Subject to detailed consideration being given to the impact of the proposed works and ensuring it complies with national and local policies, detailed above, the principle of development is considered acceptable.
- 7.2 Visual Impact**
- 7.2.1 Policy 8(d) of the Joint Core Strategy requires new development to respond to the site's immediate and wider context and local character.
- 7.2.2 The proposals at outline stage include an indicative masterplan (Plan No. P21-1886\_04 Rev E1). As the masterplan is indicative the consideration of detailed proposals will follow at Reserved Matters stage.



- 7.2.3 The nature of the site is gently sloping. The illustrative masterplan (Plan No. P21-1886\_04 Rev E1) recognises the relationship of any built form (including the infrastructure) with the surrounding agricultural land. The site is joining on from Phase 2 of Rothwell North which benefits from planning permission and is under development.
- 7.2.4 The Design and Access Statement and Planning Statement indicate up to 220 dwellings with the majority of the dwellings being 2 storey but up to maximum of 2.5 storeys and range of house types and materials. This would fit into the character of dwellings at the adjoining Rothwell North development.
- 7.2.5 The proposed development includes adequate new open spaces across the site. There are conditions on levels, boundary treatment and landscaping to ensure visual amenity. The proposed lighting scheme would be considered in reserved matters/discharge of condition application(s).
- 7.2.6 It is considered that the visual impact of the proposed development is in accordance with Policy 8 of the Joint Core Strategy.

### **7.3 Residential Amenity**

- 7.3.1 Policy 8(e)(i) of the JCS seeks to ensure that development prevents harm to the residential amenities of neighbouring properties, such as by reason of noise, smell, light, overbearing, loss of light or overlooking.
- 7.3.2 The proposals at outline stage include an indicative masterplan (Plan No. P21-1886\_04 Rev E1). As the masterplan is indicative the consideration of detailed proposals will follow at Reserved Matters stage.
- 7.3.3 The proposed up to 220 dwellings will have no adverse impact on the residential amenity of existing residents, as the nearest existing dwellings are located a considerable distance from the proposed nearest dwelling.
- 7.3.4 The proximity, orientation and relationship between dwellings is appropriate to ensure that the proposal would not result in an adverse impact on the future occupiers of these dwellings. There would be adequate provision for refuse within the site.
- 7.3.5 The Environmental Health Officer has reviewed the Noise Assessment accompanying the planning application. A detailed noise assessment would be prepared at a later stage to accompany a reserved matters planning application once the layout for the proposed development has been finalised. The A6 forms the western boundary of the site and traffic noise from it is the dominant noise source. It is noted that a Stage 2 assessment, which would be prepared at a later stage, will additionally refer to BS 8233 with respect of achieving an acceptable internal noise environment and within gardens. Initially the acoustic design for the development should aim to achieve the desired internal noise levels with windows open for ventilation and use the site layout to achieve acceptable external noise levels. LF Acoustics are assuming that external noise levels will be achieved, at least in part, by having private amenity spaces on the eastern sides of houses on the western / A6 boundary. This appears to be reflected in the indicative site layout

plan. The report suggests that windows will need to be kept closed to achieve good internal noise levels, for at least part of the development, in which case an overheating assessment will be required, and consideration will need to be given to providing alternative means of cooling ventilation to the affected properties. The assessment does not consider any adverse noise impacts associated with the construction phase of the development. Attached are the proposed planning condition on the protection from noise (all residential in close proximity to road, rail, and non-domestic uses) and informative on the noise scheme condition has regard to both internal and external amenity space noise levels.

7.3.6 The proposed development is considered to be in accordance with Policy 8(e)(i) of the Joint Core Strategy and will not create an unacceptable impact upon the amenities of neighbouring properties nor the future residents.

#### **7.4 Highway Matters**

7.4.1 Policy 8(b) of the North Northamptonshire Joint Core Strategy seeks to ensure a satisfactory means of access and provision for parking, servicing and manoeuvring in accordance with adopted standards.

7.4.2 The proposals at outline stage include an indicative masterplan (Plan No. P21-1886\_04 Rev E1). As the masterplan is indicative the consideration of detailed proposals will follow at Reserved Matters stage. However, the vehicular access does form part of the application and the 2 vehicular accesses into the site would be from the north and lead down from the future development at Rothwell North (which is currently being constructed). The Highways Officer has no objections to the access. There would be pedestrian/cycle links to the east into residential area within Rothwell. There would be an emergency link to the east into the residential area of Rothwell which is supported by the Fire Officer.

7.4.3 The site is around 1km from the centre of Rothwell, well within walking and cycling distance. Appropriate active travel links connecting into Phase 2's will be provided as well as to the east via Maunsell Rise and Adams Drive for more direct connectivity. With the amenities of the new SUE also, the site is well located to reduce the need to travel by car. It is noted through the bus stop provisions as part of Rothwell North, effectively all of the site would fall within 500m of stops and a significant proportion within the required 400m. The Highways Officer recommends the pathways through the green areas on either side of the units should be a minimum 3m wide to enable combined walking and cycling use and to provide better direct connectivity to the two active travel accesses on the eastern site boundary.

7.4.3 There would be provision for parking spaces within the reserved matters application stage. The Planning Statement states there would be provision of 10% of dwellings to provide electric vehicle charging facilities. The Planning Statement states dwellings would have cycle facilities.

7.4.4 Attached are the Highways Officer recommended conditions for a Construction Traffic Management Plan and proposed mitigation from off-site works.

7.4.5 It is considered that the proposed development is in accordance with Policy 8(b) of the Joint Core Strategy.

## **7.5 Drainage**

7.5.1 The applicant has provided an overland exceedance flow route plan for the proposed development. Surface water will flow to the south of the development towards the proposed detention basin and landscaping areas to the east, avoiding the proposed built development. Attached are the recommended conditions and informatives from the Local Lead Flood Authority and Anglian Water. With such conditions the proposal would comply with Policies 5 and 8 of the Joint Core Strategy.

## **7.6 Ecology**

7.6.1 The Council's Ecologist Advisor has reviewed the scheme. There would be accepted Biodiversity Net Gain. Comments have been raised about the potential for badgers to use the site. The Ecological advisor is content that this can be resolved and with this being conditioned in this instance. The Ecological Advisor has found the scheme to be acceptable subject to planning conditions on badgers and for a construction environmental management plan and habitat management plan. The proposal would comply with Policy 4 of the Joint Core Strategy.

## **7.7 Land Contamination**

7.7.1 It is considered that this can be satisfactorily secured by condition in the interests of human health, property and the wider environment in accordance with Policy 6 of the Joint Core Strategy and the National Planning Policy Framework which requires development to enhance the local environment by remediating, and mitigating contaminated land ensuring it complies with Part IIA of the Environmental Protection Act 1990. The condition on land contamination as recommended by the Environmental Health Officer is attached.

## **7.8 Archaeology**

7.8.1 The application site is located to the north west of Rothwell town centre, and to the south of recent residential development; archaeological work in advance of the development investigated Iron Age settlement and burial activity which was first identified by geophysical reconnaissance and detailed survey in 2006. The reconnaissance survey also covered the northern part of this pre-application area. A further site was identified by archaeological evaluation in 2014 to the south of the pre-application area; it comprises a late Iron Age to early Roman settlement. Cropmarks of possible enclosures recorded to the west of the A6 may also extend into the site.

7.8.2 The geophysical survey demonstrated that while there are features of probably archaeological origin present, they do not represent the density and complexity of settlement seen to the north and to the south. It must of course be borne in mind that some features do not respond to geophysical survey and there may be activity present which the survey has not detected; however, the potential of the site can now be addressed by the attached condition for a programme of archaeological

work as recommended by the Archaeological Officer. The programme of work shall comprise trial trenching in the first instance, followed by mitigation as necessary depending on the results of the trenching.

- 7.8.3 Subject to the attached condition on a programme of archaeological work, the proposal would comply with Policy 2 (d) of the Joint Core Strategy and paragraph 205 of the National Planning Policy Framework.

## **7.9 Planning Obligations**

- 7.9.1 There has been agreement with the agent for a planning obligation/S106. At the time of writing the s106 obligations could be expected to cover:

- 
- 30% affordable housing
  - Public transport, e.g. subsidy for improving bus service/facilities
  - Education - Depending on dwelling size: for early years education, primary education, secondary education and additional SEND facilities and capacity for Kettering
  - Open space
  - Healthcare
  - Libraries

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

## **8. Other Matters**

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- 8.1 Neighbour comments: Addressed above within the report.

- 8.2 Health Impact Assessment: Paragraph 1 of the NFFP states planning policies and decisions should aim to achieve healthy, inclusive and safe communities and, specifically, criterion c) of this seeks to enable and support healthy lifestyles, for example, through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts which encourage walking and cycling. It is considered that the proposal subject to this application will enable many of these aims to be achieved and therefore it is considered acceptable on health impact grounds. In addition, a contribution is sought towards healthcare services.

## **9. Conclusion / Planning Balance**

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- 9.1 For the reasons given above and conditions to be imposed then the proposal would be acceptable in terms of character, ecology, archaeology, drainage, highway matters and impact on living conditions.

## **10. Recommendation**

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- 10.1 Subject to attached conditions, the proposal is recommended for approval.

## 11. Conditions

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1. Approval of the details of the access, appearance, landscaping, layout and scale (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

REASON: In order to secure a satisfactory development.

2. Plans and particulars of the reserved matters referred to in condition 1 above, relating to the appearance, layout and scale of any buildings to be erected, the means of access to the site and the landscaping of the site, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

REASON: In order to secure a satisfactory development.

3. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this planning permission.

REASON: To comply with Section 92 of the Town and Country Planning Act 1990 and to prevent an accumulation of unimplemented planning permissions.

4. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission or before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

REASON: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended) and to prevent an accumulation of unimplemented planning permissions.

5. The development hereby permitted shall not be carried out other than in accordance with the approved plans and details listed below.

REASON: In the interest of securing an appropriate form of development in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

6. No earthworks or groundworks shall take place until a plan prepared to a scale of not less than 1:500 showing details of existing and intended final ground and finished floor levels has been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

REASON: Finished Floor Levels are necessary to preserve the character of the area and to protect the privacy of the occupiers of adjoining properties in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

7. No development above building slab level shall commence on site until details of the types and colours of all external facing and roofing materials to be used, together with samples, have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

REASON: Details of materials are necessary in the interests of the visual amenities of the area in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

8. Any reserved matters application for landscaping shall be accompanied by details of any existing hedgerows, trees and any other landscaping to be retained or removed.

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

9. Prior to first occupation of the development a scheme of hard and soft landscaping works which shall specify species, planting sizes, spacing and numbers of trees and shrubs to be planted, any existing trees to be retained, the layout, contouring and surfacing of all open space areas shall be submitted to and approved by the Local Planning Authority. The works approved shall be carried out in the first planting and seeding seasons following the occupation of the building, unless these works are carried out earlier. Any newly approved trees or plants which, within a period of 5 years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

REASON: To improve the appearance of the site in the interests of visual amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

10. There shall be no external illumination on the site at any time other than in accordance with a detailed scheme which shall first have been submitted to and approved in writing by the Local Planning Authority.

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

11. No occupation of the development until the Framework Travel Plan (ADC2790-RP-D dated 22/09/2022) is put in place.

REASON: A Travel Plan is necessary prior to the commencement of development because it should be an integral part of the development and site use and in the interests of sustainability in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

12. Prior to commencement of the development full engineering, construction and drainage plans for the off-site works along with an RSA 1 shall be submitted and approved in writing by the Local Planning Authority. The works shall then be carried out in accordance with the approved plans.

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

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

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

14. No demolition, construction, deliveries of plant and materials for construction shall occur outside of the following times. Monday to Friday 08.00 to 18.00 hrs, Saturday 08.30 to 13.30 and at no time whatsoever on Sundays or Public/Bank Holidays. This includes deliveries to the site and any work undertaken by contractors and sub-contractors.

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

15. No development shall take place within the area of archaeological interest until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority. This written scheme will include the following components, completion of each of which will trigger the phased discharging of the condition:

- (i) Approval of a Written Scheme of Investigation;
- (ii) Fieldwork in accordance with the agreed Written Scheme of Investigation;
- (iii) Completion of a Post-Excavation Assessment report and approval of an approved Updated Project Design: to be submitted within six months of the completion of fieldwork, unless otherwise agreed in advance with the Local Planning Authority;
- (iv) Completion of analysis, preparation of site archive ready for deposition at a store (Northamptonshire ARC) approved by the Local Planning Authority, production of an archive report, and submission of a publication report: to be completed within two years of the completion of fieldwork, unless otherwise agreed in advance with the Local Planning Authority.

REASON: To ensure that features of archaeological interest are properly examined and recorded and the results made available, in accordance with NPPF Paragraph 205.

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

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

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

REASON: To ensure visual amenity and biodiversity of the site and in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

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

REASON: Details are required prior to the commencement of development in the interests of safeguarding highway safety and residential amenity and public health in accordance with Policy 8 of the Northamptonshire Joint Core Strategy.

18. No development shall take place on any part of the site until a written 30-year Habitat Management Plan (HMP) for the site has been submitted to and approved in writing by the Local Planning Authority. The content of the HMP shall contain the following;

- a) Description and evaluation of the features to be managed;
- b) Ecological trends and constraints on site that may influence management;
- c) Aims, objectives of management which will (without limitation) include the provision of not less than [insert percent gain] biodiversity net gain within the Site as calculated by the Biodiversity Metric [version];
- d) Description of the management operations necessary to achieving aims and objectives;
- e) Prescriptions for management actions;
- f) Preparation of a works schedule, including annual works schedule;
- g) Details of the monitoring needed to measure the effectiveness of management;
- h) Details of the timetable for each element of the monitoring programme; and
- i) Details of the persons responsible for the implementation and monitoring;
- j) mechanisms of adaptive management to account for necessary changes in work schedule to achieve the required targets;
- k) Reporting on year 1, 2, 5, 10, 20 and 30, with biodiversity reconciliation calculations at each stage.

The HMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery.

The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the HMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The approved HMP shall be strictly adhered to and implemented in full for its duration.

REASON: To ensure visual amenity and biodiversity of the site and in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

19. Works (including any demolition, ground works, site clearance) within 30m of the badger setts identified in 'Rothwell Central - Land to the west of Rothwell Ecological Appraisal' by BSH Ecology and dated June 2022 shall not in any



circumstances commence unless the local planning authority has been provided with either:

- a) A licence issued by Natural England pursuant to section 10 of The Protection of Badgers Act 1992 authorising the specified activity/development to go ahead; or
- b) A statement in writing from a suitably qualified ecologist to the effect that they do not consider that the specified activity/development will require a licence.

REASON: To ensure protection of badgers and in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

20. Before any above ground works commence full details of the surface water drainage scheme for the site, based on the approved Report on the Drainage Strategy for Proposed Development at Rothwell Central - Land to the West of Rothwell, Ref: Flood Risk and Drainage Strategy ADC2790-RP-B dated May 2022 prepared by ADC Infrastructure, will be submitted to, and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include;

1. Details (i.e., designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets and attenuation structures.
2. Details of the drainage system are to be accompanied by full and appropriately cross-referenced supporting calculations.
3. Cross sections of the control chambers (including site specific levels mAOD) and manufacturers' hydraulic curves should be submitted for all flow control devices.

REASON: To reduce the risk of flooding both on and off site in accordance with the NPPF and Policy 5 of the Core Strategy for North Northamptonshire by ensuring the satisfactory means of surface water attenuation and discharge from the site and to ensure the future maintenance of drainage systems associated with the development.

21. No development shall take place until a detailed scheme for the ownership and maintenance for every element of the surface water drainage system proposed on the site has been submitted to and approved in writing by the Local Planning Authority and the maintenance plan shall be carried out in full thereafter.

Details are required of which organisation or body will be the main maintaining body where the area is multifunctional (e.g. open space play areas containing SuDS) with evidence that the organisation/body has agreed to such adoption.

The scheme shall include, a maintenance schedule setting out which assets need to be maintained, at what intervals and what method is to be used.

A site plan including access points, maintenance access easements and outfalls. Maintenance operational areas to be identified and shown on the plans, to ensure there is room to gain access to the asset, maintain it with appropriate plant and then handle any arisings generated from the site.

Details of expected design life of all assets with a schedule of when replacement assets may be required.

REASON: To reduce the risk of flooding both on and off site in accordance with the NPPF and Policy 5 of the Core Strategy for North Northamptonshire by ensuring the satisfactory means of surface water attenuation and discharge from the site and to ensure the future maintenance of drainage systems associated with the development.

22. Before occupation a Verification Report for the installed surface water drainage system for the site based on the approved details shall be submitted in writing by a suitably qualified independent drainage engineer and approved by the Local Planning Authority. The details shall include:

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

REASON: To ensure the installed Surface Water Drainage System is satisfactory and in accordance with the approved reports for the development site. As you are aware, the discharge of planning conditions rests with the Local Planning Authority. It is, therefore, essential that you are satisfied that the proposed draft conditions above meet the requirements of paragraph 4 of the National Planning Practice Guidance (Use of Planning Conditions, section 2). Please notify us immediately if you are unable to apply our suggested conditions, as we may need to tailor our advice accordingly. Please note that our comments only cover the surface water drainage implications of the proposed development.

23. All subsequent reserved matters applications for the development plots shall make reference to the original approved Flood Risk Assessment and Drainage Strategy, ADC2790-RP-B and shall be accompanied by a certificate of compliance with the original approved scheme. In addition, an accompanying revised and updated Flood Risk Assessment with full drainage details shall be submitted with each future reserved matters application, indicating whether any further works are required. Development shall be implemented in accordance with the originally approved scheme or the updated scheme as approved in writing by the Local Planning Authority pursuant to that application.

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

24. In the event that unexpected contamination is found at any time when carrying out the development hereby approved, it must be reported immediately to the Local Planning Authority. Development works at the site shall cease and an investigation and risk assessment undertaken to assess the nature and extent of the unexpected contamination. A written report of the findings shall be submitted to and approved by the Local Planning Authority, together with a scheme to remediate, if required, prior to further development on site taking place. Only once written approval from the Local Planning Authority has been given shall development works recommence.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised in accordance with Policies 6 and 8 of the North Northamptonshire Joint Core Strategy.

25. Prior to the commencement of development a scheme for achieving the noise levels outlined in BS8233:2014 with regards to the residential units shall be submitted and approved in writing by the Local Planning Authority. Once approved the scheme shall be implemented before first occupation of the residential units and therefore maintained in the approved state at all times. No alterations shall be made to the approved structure including roof, doors, windows and external facades, layout of the units or noise barriers.

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

26. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no building, structure or other alteration permitted by Classes A, B, C, D or E of Part 1 of Schedule 2 of the Order shall be made or constructed to any of the dwellings hereby approved, unless express planning permission has first been obtained from the local planning authority.

REASON: To protect the design integrity of the development and the visual appearance of the area in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

## 12. Informatives

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Positive/Proactive - amendments

Broadband

s278

Highways approval

Noise scheme

DCMP

Noise

Radon

Anglian Water assets

Public sewer

Protection of existing assets

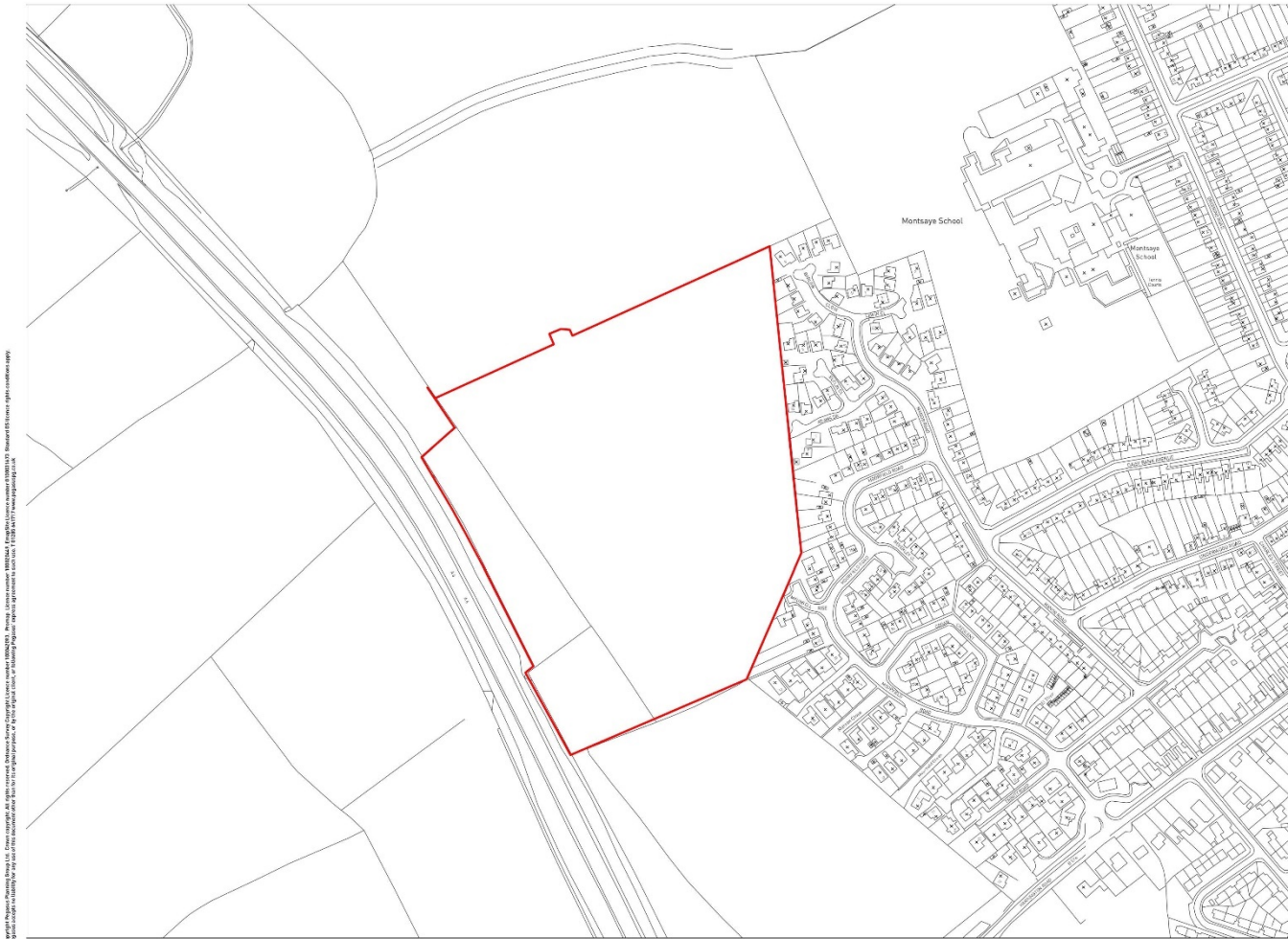
Building near to a public sewer

Drainage details

List of plans

The plans and documents, some of which may have been subsequently referenced by the LPA, are set out below and form the basis for this decision:

<b>Title</b>	<b>NK Ref.</b>	<b>Agent's Ref</b>	<b>Received Date</b>
Location plan		P21-1886_02B	02/06/2022
Design & Access Statement		P21-1886_13A	02/06/2022
Viewpoint photographs	NK/2022/0372/1		02/06/2022
Sustainability Statement		P21-1886	02/06/2022
Utilities Statement		P21-1886	02/06/2022
Noise Assessment		P21-1886	02/06/2022
Tree Survey Arboricultural Impact Assessment		AAS-0284-V03	02/06/2022
Transport Assessment		ADC2790-RP-A-V3	02/06/2022
Flood Risk Assessment and Drainage Strategy		ADC2790-RP-B-V2	02/06/2022
Landscape and visual impact assessment methodology		Appendix A	02/06/2022
Landscape masterplan		Appendix B	02/06/2022
Zone of theoretical visibility		P21-1886_08	02/06/2022
Site and planning designations		P21-1886_03	02/06/2022
Topography		P21-1886_09	02/06/2022
Landscape character		P21-1886_10	02/06/2022
Viewpoint locations		P21-1886_07	02/06/2022
Heritage assessment		JAC-27662	02/06/2022
Covering letter		L001v1_P21-1886_PL_CIR_RDR	02/06/2022
Landscape and visual impact assessment		P21-1886	02/06/2022
Air quality assessment		P5022-R1-V3	02/06/2022
Planning statement		R001v2_P21-1886	02/06/2022
Statement of pre application engagement		R002v2_P21-1886	02/06/2022
Ecological Appraisal	NK/2022/0372/3		19/10/2022
Landscape masterplan sheet 1 of 2		P21-1886_11C-1	19/10/2022
Landscape masterplan sheet 2 of 2		P21-1886_11C-2	19/10/2022
Travel Plan		ADC2790-RP-D	19/10/2022
Swept Path Analysis Plan sheet 1 of 2		ADC2790-DR-003P1	19/10/2022
Swept Path Analysis Plan sheet 2 of 2		ADC2790-DR-052P2	19/10/2022
ATC Surveys	NK/2022/0372/4		19/10/2022
Road Surveys	NK/2022/0372/5		19/10/2022
Exceedance Flow Route		ADC2790/DR/052 Rev P1	19/10/2022
Illustrative masterplan		P21-1886_04E	16/12/2022
Archaeological geophysical survey of 'Rothwell Central', Rothwell Northamptonshire March 2023 Report 23/028		23/028	24/04/2023



**KEY**  
SITE LOCATION (8.81HA)

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**ROTHWELL CENTRAL - SITE LOCATION PLAN**

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