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## NOTICE OF APPROVAL

### TOWN & COUNTRY PLANNING ACT 1990 (as amended)

REFERENCE No: **KET/2015/0967**  
APPLICANT: **Mr A Wordie On Behalf Of Hanwood Park LLP,**  
DEVELOPMENT: **Variation and removal of conditions from permission no. KET/2013/0695 (relating to various aspects including code for sustainable homes, lifetime homes, district centre and highways) of Hanwood Park development incorporating up to 5,500 dwellings, schools, district and local centres, healthcare, employment, formal and informal open space including playing facilities, roads and associated infrastructure**  
LOCATION: **Hanwood Park, Barton Road, Warkton Lane & Cranford Road (land off), Barton Seagrave**

KETTERING BOROUGH COUNCIL, having considered a valid application submitted on 08 December 2015, for the above development in pursuance of their powers under the above mentioned Acts,

## GRANT PERMISSION

for the development as described and in accordance with the application and plans submitted, subject to the following conditions:-

1. All applications for the approval of Reserved Matters for Phases 1 and 2 as shown on the approved Phasing Plans (see Condition 4) shall be made to the Local Planning Authority no later than 31st March 2020.

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.

2. Details of the access, appearance, landscaping, layout and scale (hereinafter called the Reserved Matters) for each development parcel (or part thereof) as shown on the Strategic Masterplan and detailed in the approved Land Use Schedule (see Condition 4) shall be submitted to and approved in writing by the Local Planning Authority before any development begins on the land to which it relates. The development shall be carried out in accordance with the approved details.

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.

3. Reserved Matters applications for approval of details required under Condition 2 of this permission shall be accompanied by the following additional details:

i) Infrastructure and construction sequence comprising details of the following for the relevant parcel or part thereof:

a) Road junctions and junction alterations, road improvements, carriageway widening, new roads, footpaths, bridleways, cycleways, bridges, traffic signalling, highways signage, the treatment of all surfaces and any traffic calming measures;

b) Lighting, signage and street furniture;

c) Foul and surface water drainage;

d) Details of services (including the adequacy/availability/details of gas, water and electricity supplies, cables, telecommunications, sub-stations, poles, cable runs and other utilities);

e) Security infrastructure and equipment;

f) Vehicle parking;

g) Publicly accessible open space;

h) Waste recycling, disposal and management measures including a statement of conformity with the approved Waste Audit and Waste Facilities Management Strategy (approved document set out in Condition 5);

ii) Existing and proposed site levels and finished floor levels for all buildings;

iii) Travel plans;

iv) Cycle parking facilities;

v) A schedule of floorspace and uses proposed within the relevant phase or development parcel;

vi) A Statement of Conformity to the Design Code (see Condition 5);

vii) Construction Management Plan (see Condition 40);

viii) Noise Impact Assessment (pursuant to Condition 47);

ix) Schedule of building materials;

x) A written statement of conformity which demonstrates compliance with the approved foul water drainage strategy (approved document set out at Condition 5); and

xi) A written statement of conformity which demonstrates compliance with the approved Stage 2 FRA (referred to in Condition 5).

The development shall be carried out in accordance with the approved details.

REASON: To ensure that the scheme of development accords with the approved Strategic Masterplan and Environmental Statement which has identified and assessed environmental issues and relevant mitigation measures and to secure a high standard of development in accordance with Policies 4, 7, 8, 10 and 11 of the National Planning Policy Framework and Policies 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 15, 16, 17, 19, 22, 23, 24, 28, 29 & 30 of the North Northamptonshire Joint Core Strategy.

4. The development to which this permission relates shall be carried out only in accordance with the revised Strategic Master Plan (Drawing No. BBD034\138 E), the revised Phasing Plans (Drawing Nos. BBD034/136 B - Phase 1 and BBD034/137 - Phase 2), and the revised Land Use Schedule dated November 2013 or in accordance with a revised Strategic Masterplan, Phasing Plans and Land Use Schedule which shall first be submitted to and approved in writing by the Local Planning Authority.

Development shall be carried out in accordance with the approved details.

REASON: To ensure that the scheme of development accords with the approved Strategic Master Plan and Environmental Statement which has identified and assessed environmental issues and relevant mitigation measures and to secure a high standard

of development in accordance with policies 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 15, 16, 17, 19, 22, 23, 28 and 29 of the North Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

5. The development shall be carried out in accordance with the following approved documents listed (a) to (n) below. Reserved Matters applications submitted pursuant to Conditions 1 and 2 of this permission shall accord with the principles set out in these approved documents:

- a) The Design Code dated March 2013 approved on 26 March 2013 under application reference AOC/0694/0710.
- b) The Retail Strategy (Final Report) dated September 2012 and Appendix 1 Retail Impact Assessment (Final Report) dated September 2012 approved on 20 September 2012 under application reference AOC/0694/0705.
- c) The Green Infrastructure Strategy (reference 12-0076/3156/D01) dated September 2012 approved on 20 September 2012 under application reference AOC/0694/0702
- d) The Open Space Strategy (reference 12-0385/3156/D01) dated September 2012 approved on 20 September 2012 under application reference AOC/0694/0704.
- e) The Archaeological Written Scheme of Investigation dated May 2012 approved on 19th September 2012 under application reference AOC/0694/0701.
- f) The Waste Audit and Waste Management Facilities Strategy Ref: 25134/003/Rev 3 dated March 2013 approved on 1st March 2013 under application reference AOC/0694/0707.
- g) The Low or Zero Carbon Feasibility Study 2012 Project Ref: 25134/ Doc Ref: R8/rev 8 dated October approved on 22nd October 2012 under application reference AOC/0694/0703.
- h) The Water Efficiency Strategy for Non Residential Buildings Project Ref: 25134 Doc Ref: 25134/003/Rev1 dated December 2012 approved on 26th February 2013 under application reference AOC/0694/0709.
- i) The Stage 2 Flood Risk Assessment (FRA) document reference 25134/010/01E Revision E dated May 2014 received on 21st May 2014 under application reference AOC/0514/1302.
- j) The Traffic Access and Impact Assessment (A14) Project Ref: 25134/001 Doc Ref: Rev 1 dated October 2012 approved on 19th December 2012 under application reference AOC/0694/0706.
- k) The Walking and Cycling Audit Version 4 Project Ref: 25134/011, Doc Ref: 001 dated February 2013 approved on 21st February 2013 under application reference AOC/0694/0711.
- l) The Traffic Access and Impact Assessment (Weekley-Warkton Avenue and associated junctions and Elizabeth Road access junction and link road) Project Ref: 25134/001 approved on 21st March 2013 under application reference AOC/0694/0712 and AOC/0694/0713.
- m) The Traffic Access and Impact Assessment (Phasing) Revision 5 Project Ref: 25134/001 Doc Ref: 001 dated 12th March 2013 approved on 28th March 2013 under application reference AOC/0694/0714.
- (n) The Foul Water Drainage Strategy, document reference 25134/008/011 dated December 2013, prepared by Peter Brett Associates on behalf of Alledge Brook Ltd approved on 7th February 2014 under application reference AOC/0274/0802.

Any revisions to the approved documents referred to in this condition shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Each Reserved Matters application shall be accompanied by a written statement of conformity which demonstrates compliance with the approved Design Code.

REASON: To ensure that the scheme of development accords with the approved Strategic Masterplan and Environmental Statement which has identified and assessed environmental issues and relevant mitigation measures and to secure a high standard of development in accordance with Policies 9, 12, 8, 14 and 15 of the National Planning Policy Framework and Policies 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 15, 16, 17, 19, 22, 23, 24, 28, 29 & 30 of the North Northamptonshire Joint Core Strategy.

6. The residential development hereby permitted shall not comprise more than 5,500 dwellings (use class C3 as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended)).

REASON: The development must be limited accordingly and not exceed the total 5,500 tested by the Environmental Statement and to ensure sustainable development in accordance with the principles contained within the National Planning Policy Framework and Policies 1, 11, 15, 16, 17, 28 & 29 of the North Northamptonshire Joint Core Strategy.

7. Construction of Employment Parcels E1 and E2 as shown on the approved Strategic Masterplan (see Condition 4) shall not be carried out other than in accordance with the phasing shown in the Employment Areas Table in the approved revised Land Use Schedule (see Condition 4). No residential development shall take place on Phase 2 of the development unless and until the employment developments required in Phase 1 of the development, as set out in the approved Land Use Schedule (see Condition 4), have been practically completed, as defined by the Royal Institute of Chartered Surveyors (RICS).

REASON: To ensure that the scheme of development accords with the approved Strategic Master Plan and Environmental Statement which has identified and assessed environmental issues and relevant mitigation measures and to secure a high standard of development in accordance with Policies 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 15, 16, 17, 19, 22, 23, 28 and 29 of the North Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

8. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any Order revoking and re-enacting that Order with or without modification, the Class B1 office (as defined within the Town and Country Planning (Use Classes) Order 1987 (as amended)) employment floorspace to be provided as part of the development shall be retained as such and shall not be used for any other purpose.

REASON: To ensure that the scheme of development accords with the approved Strategic Masterplan and Environmental Statement which has identified and assessed environmental issues and relevant mitigation measures and the significance of any material alteration and impact that has not been assessed must be considered. The development must be limited accordingly and the amount of B1 use tested by the Environmental Statement must not be altered and to ensure the continuing supply of B1 employment land in the Borough in accordance with Policy 6 of the National Planning Policy Framework and Policies 22 and 23 of the North Northamptonshire Joint Core Strategy.

9. Prior to the completion of 1250 dwellings on the site or the submission of any Reserved Matters Application(s) for the District Centre, whichever is the earliest, a programme for the delivery of the District Centre within Phase 1 of the development

shall be submitted to and approved in writing by the Local Planning Authority. The programme of delivery shall be informed by the approved Retail Strategy (see Condition 5b) and shall identify and justify the timing of completion of the floorspace specified for each use class contained within the District Centre as shown in the approved Land Use Schedule (see condition 4). The development shall be carried out in accordance with the approved programme of delivery.

REASON: To provide a range of local facilities for the homes in Phase 1 in accordance with the principles contained within Policies 6, 7, 5 and 12 of the National Planning Policy Framework and Policies 1, 8, 10, 11, 12, 15, 22 and 23 of the North Northamptonshire Joint Core Strategy.

10. A building with net floorspace of 750 square metres of D1 (as defined within the Town and Country Planning (Use Classes) Order 1987 (as amended)) community use shall be provided at the District Centre (parcels DC1, DC2 or DC3 as shown on the approved Strategic Master Plan (see Condition 4)) within Phase 1 of the development.

REASON: To provide community facilities for the residents of dwellings in Phase 1 of the development in accordance with Policies 5, 12 and 8 the National Planning Policy Framework and Policies 1 and 7 of the North Northamptonshire Joint Core Strategy.

11. Prior to the submission of any Reserved Matters application(s) for the District Centre (parcels DC1, DC2 or DC3 as shown on the approved Strategic Master Plan (see Condition 4)), details of the nature, scale and extent of Use Class D2 (as defined within the Town and Country Planning (Use Classes) Order 1987 (as amended)) floorspace, as set out in the approved Land Use Schedule (see Condition 4), shall be submitted to and approved in writing by the Local Planning Authority. The Reserved Matters applications for the District Centre shall be carried out and accord with these approved details.

REASON: To provide sport and recreation facilities for the residents of dwellings in Phase 1 of the development in accordance with Policies 12 and 8 of the National Planning Policy Framework and Policy 7 of the North Northamptonshire Joint Core Strategy.

12. No development other than the delivery of formal open space within FOS3 and/or the delivery of the Central Avenue South as identified within the approved design code (see condition 5) shall commence on Phase 2 of the development as shown on the approved Phasing Plan (see condition 4) unless and until a programme of delivery for the Local Centres of the development has been submitted to and approved in writing by the Local Planning Authority. The programme of delivery shall be informed by the approved Retail Strategy (see condition no. 5(b)) and shall identify and justify the timing of completion of the floorspace specified for each Use Class contained within the Local Centres as shown in the approved Land Use Schedule (see condition 4). The development shall be carried out in accordance with the approved programme.

REASON: To provide a range of local facilities for the residents of Phase 2 of the development in accordance with the National Planning Policy Framework and Policies 1, 7, 12 and 15 of the North Northamptonshire Joint Core Strategy.

13. No more than 1500 dwellings shall be occupied until a serviced site of 0.25 hectares for a public healthcare facility (to accommodate a maximum of 2000sqm of floorspace) is provided at the District Centre as shown on the approved Strategic Masterplan (see Condition 4).

REASON: To provide public health facilities for the development in accordance with Policies 5, 12 and 8 of the National Planning Policy Framework and Policy 7 of the North Northamptonshire Joint Core Strategy.

14. No development shall take place on development parcel PS1, PS2, PS3 or SS1 as shown on the approved Strategic Masterplan (see Condition 4), unless and until a strategy for that parcel has been submitted to and approved in writing by the Local Planning Authority that sets out how the school and its facilities in that parcel will be made available for community use during the day, evening, weekends and school holidays. The strategy shall detail the total floorspace and facilities to be made available for community use. The development shall be carried out in accordance with the approved strategies.

In relation to the school on parcel PS4 the strategy titled 'East Kettering SUE - PS4 Community Use - Planning Condition 15. Statement of Community Use' prepared by S M O'Donovan Ltd received on 3rd October 2014 shall be implemented as approved by the Local Planning Authority.

REASON: To provide community facilities for the development in accordance with Policy 8 of the National Planning Policy Framework and Policy 7 of the North Northamptonshire Joint Core Strategy.

15. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any Order revoking and re-enacting that Order with or without modification, the floorspace to be provided for Class D2 (as defined within the Town and Country Planning (Use Classes) Order 1987 (as amended)) purposes at the District and Local Centres shall be only used for the purposes of sports and community leisure uses and shall not be used for any other purpose including those within Class D2.

REASON: To provide sport and recreation facilities for the development in accordance with Policies 5, 12 and 8 of the National Planning Policy Framework and Policy 7 of the North Northamptonshire Joint Core Strategy.

16. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any Order revoking and re-enacting that Order with or without modification, the floorspace to be provided for Class D1 (as defined within the Town and Country Planning (Use Classes) Order 1987 (as amended)) purposes at the District and Local Centres shall only be used for community uses only, and for no other purpose including those falling within Use Class D1.

REASON: To provide community facilities for the development in accordance with Policies 5, 12 and 8 of the National Planning Policy Framework and Policy 7 of the North Northamptonshire Joint Core Strategy.

17. i. For parcels R7, R9 and R10 (as shown on the approved Strategic Masterplan (see condition 4)), all dwellings shall be completed in accordance with the Sustainability Report (Issue 06 dated 05 January 2015) submitted on 5 January 2015 and approved as part of the Reserved Matters Approval KET/2015/0887 and with the Sustainability Report (Issue 04 dated 24 November 2015) submitted on 25 November 2015 and approved as part of the Reserved Matters Approval KET/2015/0564 for those parcels.

ii. All other dwellings shall be constructed to

a) achieve a maximum water use of no more than 110 litres per person per day in accordance with the optional standard 36(2)(b) of the Building Regulations 2010 (as

amended) as detailed within the Building Regulations 2010 Approved Document G - Sanitation, hot water safety and water efficiency (2015 edition);

b) achieve a minimum reduction in Dwelling Emissions Rate (DER) of 10% against Target Emissions Rate within Part L1A of the Building Regulations 2016. This will be an average figure calculated from all dwellings located within the Parcel.

c) Provide cycle storage for at least 1 cycle for each dwelling of 2 or fewer bedrooms and 2 cycles for all other dwellings.

d) Provide direct daylight to all main habitable rooms (bedrooms, kitchens, lounge/living room and dining rooms).

REASON: In the interests of tackling climate change and creating a sustainable development which meets standards for energy efficiency, water efficiency and sustainable construction in accordance with the sustainability principles of the National Planning Policy Framework and Policies 1, 8 & 9 of the North Northamptonshire Joint Core Strategy and to ensure that the development meets the assessed criteria within the submitted and approved Environmental Statement.

18. The residential units constructed as part of the Development shall comply with the following requirements:

i. 10% of the residential units constructed under approved reserved matter KET/2013/0314 on parcel R19 shall comply with the 'Lifetime Homes' standard 2010.

ii. 10% of the residential units on parcel R23 and R26 (as shown on the approved strategic masterplan) shall comply with the 'Lifetime Homes' standard 2010. The remaining 90% shall meet the detail set out in the Accessibility Statement received 8th December 2015 and approved by the Local Planning Authority unless otherwise agreed in writing by the Local Planning Authority.

iii. All residential units within parcels R7, R9 and R10 (as shown on the approved Strategic Masterplan), shall be completed in accordance with the Sustainability Report (Issue 06 dated 05 January 2015) submitted on 5 January 2015 and approved as part of the Reserved Matters Approval KET/2015/0887 and with the Sustainability Report (Issue 04 dated 24 November 2015) submitted on 25 November 2015 and approved as part of the Reserved Matters Approval KET/2015/0564 for those parcels.

iv. Residential units constructed on parcels R8, R11, R12, R13, R14, R20 and R24 (as shown on the approved Strategic Masterplan) shall comply with the 16 design criteria of the 'Lifetime Homes' standard 2010. Reserved Matters for these parcels shall be accompanied by a written statement of conformity which demonstrates compliance with the design criteria of the 'Lifetime Homes' standard 2010. The residential units shall be constructed in accordance with the approved details.

No occupation of any residential units on parcel R8, R11, R12, R13, R14, R20 and R24 shall be permitted until (i) the Local Planning Authority has been invited to select a sample of up to 10% of the residential units on the relevant parcel which shall be assessed by the Local Planning Authority for compliance with the design criteria of the Lifetime Homes standard 2010; and (ii) where any non-compliance with the design criteria of the Lifetime Homes standard 2010 is identified by the Local Planning Authority, all residential units in the relevant parcel shall be assessed and any required remedial action is identified by the Local Planning Authority in consultation with the developer. No occupation of residential units within such parcel shall be permitted until the identified remedial action has been completed to the Local Planning Authority's written satisfaction.

v. All other dwellings on all other residential parcels (as shown on the approved Strategic Masterplan) shall be constructed to meet Part M4(2) Accessible and Adaptable Dwellings of schedule 1 Part M of the Building Regulations 2010 (as amended) unless otherwise agreed in writing by the Local Planning Authority having been demonstrated by the developer by way of a technical assessment submitted with Reserved Matters for such parcels.

REASON: To ensure dwellings within the development are capable of being adapted to meet the needs of all people in accordance with Policies 12, 8 and 14 of the National Planning Policy Framework and Policy 30 of the North Northamptonshire Joint Core Strategy.

19. Non-residential buildings shall achieve a minimum of Building Research Establishment Environment Assessment Method (BREEAM) level "very good" (or the equivalent standard which replaces BREEAM and is to be the assessment in force at the time when the non-residential unit or units concerned are registered for assessment purposes). In the event that the BREEAM standard achieved for the actual building falls short of the "very good" standard (or the equivalent standard which replaces BREEAM and is to be the assessment in force at the time when the non-residential unit or units concerned are registered for assessment purposes) achieved at design stage, a programme of remediation works shall be agreed in writing by the Local Planning Authority and carried out in accordance with a timetable to be agreed.

REASON: In the interests of tackling climate change and creating a sustainable development which meets standards for energy efficiency, water efficiency and sustainable construction in accordance with Policy 14 of the National Planning Policy Framework and Policy 9 of the North Northamptonshire Joint Core Strategy.

20. The Reserved Matters applications for the layout, scale and/or appearance of the development shall be accompanied by a Sustainability Report;

a) for non-residential buildings that demonstrates how environmental sustainability issues have been addressed during the design process and sets out the way in which the credits under the relevant BREEAM Rating (or the equivalent standards which replace BREEAM and is to be the assessment in force at the time when the non-residential units concerned are registered for assessment purposes) will be achieved based on the actual design of the non-residential units.

b) for residential development that demonstrates how environmental sustainability issues including those required by condition 17 have been addressed during the design process and how they will be implemented during the construction phase.

The development shall thereafter be undertaken in accordance with the approved Sustainability Report unless alternative details are agreed in writing by the Local Planning Authority.

REASON: In the interests of tackling climate change and creating a sustainable development which meets standards for energy efficiency, water efficiency and sustainable construction in accordance with Policy 14 of the National Planning Policy Framework and Policy 9 of the North Northamptonshire Joint Core Strategy.

21. Prior to the commencement of any non-residential unit within a development parcel or part thereof, as shown on the approved Strategic Masterplan (see Condition 4), a copy of the Interim Design Stage Assessment Certificate shall be provided to the Local Planning Authority to demonstrate that the non-residential units to be constructed will achieve the required BREEAM levels (pursuant to Condition 19).



REASON: In the interests of tackling climate change and creating a sustainable development which meets standards for energy efficiency, water efficiency and sustainable construction in accordance with Policies 8, 12 and 14 of the National Planning Policy Framework and Policy 9 of the North Northamptonshire Joint Core Strategy.

22. Within six months of the completion of:

a) Any non-residential unit(s), a copy of the Post Construction Final Certificate shall be provided to the Local Planning Authority to prove that the unit(s) has/have been constructed in accordance with the Sustainability Report and that the development has achieved the relevant BREEAM level (pursuant to Condition 19).

b) Any residential unit, a report shall be provided to the Local Planning Authority demonstrating that the residential development has been constructed in accordance with the Sustainability Report and that the development has achieved the required level of sustainability (pursuant to Condition 17).

REASON: In the interests of tackling climate change and creating a sustainable development which meets standards for energy efficiency, water efficiency and sustainable construction in accordance with Policy 14 of the National Planning Policy Framework and Policy 9 of the North Northamptonshire Joint Core Strategy.

23. A waste management facility shall be provided at the District Centre within Phase 1 of the development. This facility shall be provided in accordance with the approved Waste Audit and Waste Management Facilities Strategy (see Condition 5f).

REASON: In the interests of sustainable development, to mitigate the long term impacts of the development and to provide residents and workers of the development with waste management facilities in accordance with the principles of the Northamptonshire Waste Local Plan and National Planning Policy Framework and the National Planning Policy for Waste.

24. Prior to the occupation of any dwelling within any development parcel as shown on the approved Strategic Masterplan (see Condition 4) or part thereof, the arrangements for the ongoing management of the public realm within that development parcel (including areas of open space), street furniture and any unadopted roads shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details/management arrangements.

REASON: To ensure a continued high quality public realm in accordance with Policy 8 of the National Planning Policy Framework and Policy 8 of the North Northamptonshire Joint Core Strategy.

25. Prior to submission of a Reserved Matters application for Access C serving the development and/or its link road into the development (shown as Ise Avenue within the approved Design Code (see Condition 5)), a strategy for relocating the existing 'Green Patch' facility to the development site or other location as first agreed with the Local Planning Authority shall be submitted to and approved in writing by the Local Planning Authority. This strategy shall include details of the new site location (as close to the existing site as possible), its size and design, site characteristics (including the quality of the land and soil), facilities and amenities to be provided on site and a timetable for completion and transfer of the new facility to the Local Authority. The size and quality of the land within the new site shall as a minimum be commensurate with the existing 'Green Patch' site. The strategy shall include evidence of consultation with users of the

existing 'Green Patch' facility on the contents of the strategy. The development shall be carried out in accordance with the approved strategy.

REASON: To ensure that the loss of a community open space facility is compensated by way of new provision on-site or nearby in accordance with Policy 8 of the National Planning Policy Framework and Policy 7 of North Northamptonshire Joint Core Strategy.

26. (a) Phase 1 strategic landscape works shall take place in accordance with drawing number BBD034/156 Rev D entitled 'East Kettering: Phase 1 Strategic Landscaping Plan (Details, Phasing and Implementation)' received by the Local Planning Authority on 6 March 2018 unless otherwise agreed in writing by the Local Planning Authority.

26. (b) No development shall take place on phase 2 of the development, as shown on the approved Phasing Plans (see Condition 4) unless and until a scheme for strategic landscape works as detailed in points i to iv below has been submitted to and approved in writing by the Local Planning Authority.

The scheme for strategic landscape works shall include landscaping of key access routes (motorised and non-motorised routes), the Primary Street network (i.e. Central Avenue, Eastern Avenue, Poplars Farm Avenue and Ise Avenue set out in the approved Design Code (see Condition 5a) and strategic open spaces.

Such a scheme shall specify:

- i. the species, position, diameter, approximate height and canopy spread of all existing trees, shrubs and hedges and an assessment of their general state of health and stability;
- ii. which trees, shrubs and hedges outlined in (i) are to be retained;
- iii. the protection measures to be used during the construction stages for the trees, shrubs and hedgerows to be retained in accordance with British Standard 5837 (Trees in Relation to Construction 2005: recommendations);
- iv. the layout of all new planting including species, plant sizes, spacing and numbers to be planted;
- v. existing contours and any proposed alterations to the land such as earth mounding;
- vi. timetable for implementation of works.

Any trees or plants which within a period of 5 years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. The development shall be carried out in accordance with the approved scheme.

REASON: In the interests of the visual appearance of the development and enhancement to biodiversity in accordance with Policy 15 of the National Planning Policy Framework and Policies 4, 8 and 19 of the North Northamptonshire Joint Core Strategy.

27. No development shall take place on a development parcel as shown on approved Strategic Masterplan (see Condition 4) or any part thereof, unless and until a scheme of hard and soft landscaping, for that parcel has been submitted to and approved in writing by the Local Planning Authority which specifies:

- i. the species, position, diameter, approximate height and canopy spread of all existing trees, shrubs and hedges and an assessment of their general state of health and stability;
- ii. which trees, shrubs and hedges outlined in (i) are to be retained;
- iii. the protection measures to be used during the construction stages for the trees, shrubs and hedgerows to be retained in accordance with British Standard 5837 (Trees in Relation to Construction 2005: recommendations);
- iv. the layout of all new planting including species, plant sizes, spacing and numbers to be planted; and
- v. existing contours and any proposed alterations to the land such as earth mounding;

The approved scheme(s) shall be carried out in the first planting and seeding seasons following the occupation of the buildings on the development parcel(s) or sub parcel(s) to which the landscaping scheme relates.

Any trees or plants which, within a period of 5 years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

REASON: In the interests of the visual appearance of the development and enhancement to biodiversity in accordance with Policy 15 of the National Planning Policy Framework and Policies 4, 8 and 19 of the North Northamptonshire Joint Core Strategy.

28. No works shall take place on a development parcel as shown on the approved Strategic Masterplan (see Condition 4) including any tree felling, tree pruning, demolition works, soil moving, temporary access construction/widening, or any operations involving the use of motorised vehicles or construction machinery shall take place within that parcel unless and until a detailed Arboricultural Method Statement for that parcel has been submitted to and approved in writing by the Local Planning Authority. The development and all other operations shall not take place other than in accordance with the approved Method Statement. The Method Statement shall include details of the following:

- a) details of all existing trees, shrubs and hedges which are proposed to be retained including species, position, diameter, approximate height and canopy spread and an assessment of their general state of health and stability
- b) Implementation, supervision and monitoring of the proposed protection measures for the trees, shrubs and hedgerows which are proposed to be retained in accordance with British Standard 5837 (Trees in Relation to Construction 2005: recommendations);
- c) Implementation, supervision and monitoring of other proposed construction works within any area proposed to be designated as being fenced off or otherwise protected in accordance with point b
- d) Timing and phasing of Arboricultural works in relation to approved details

REASON: To ensure the continued well-being of the trees on the site in the interests of the visual appearance of the locality and the preservation of biodiversity in accordance with Policy 15 of the National Planning Policy Framework and Policies 4 and 19 of the North Northamptonshire Joint Core Strategy.

29. The existing hedgerows which are identified for retention within approved landscaping schemes submitted and approved pursuant to Conditions 26 and 27 shall be retained in perpetuity and shall not be cut down, grubbed out or otherwise removed, or topped or lopped so that the height of the hedge falls below 2 metres at any point, without the prior written consent of the Local Planning Authority. Any hedges removed

without such consent or which die or become severely damaged shall be replaced in the next planting season with hedging plants of such size and species as approved in writing by the Local Planning Authority.

REASON: To ensure the continued wellbeing of hedgerows in the interests of the visual appearance of the locality and the preservation of biodiversity in accordance with Policy 15 of the National Planning Policy Framework and Policies 4 and 19 of the North Northamptonshire Joint Core Strategy.

30. (a) Within 6 months of the date of this permission a landscape management plan for the strategic landscaping works within Phase 1 (as shown on the approved Phasing Plans (see Condition 4)) approved under Condition 26 shall be submitted to and approved in writing by the Local Planning Authority. Such management plan(s) shall include long term objectives, management responsibilities and maintenance schedules for all landscaped areas, other than small, privately-owned, domestic gardens. The development shall be carried out in accordance with the approved landscape management plan.

30. (b) Prior to the occupation of any dwelling within Phase 2 (as shown on the approved Phasing Plans (see Condition 4)) a landscape management plan for the strategic landscaping works within Phase 2 approved under Condition 26 shall be submitted to and approved in writing by the Local Planning Authority. Such management plan(s) shall include long term objectives, management responsibilities and maintenance schedules for all landscaped areas, other than small, privately-owned, domestic gardens. The development shall be carried out in accordance with the approved landscape management plan.

REASON: In the interests of the visual appearance of the development and enhancement to biodiversity in accordance with Policy 15 of the National Planning Policy Framework and Policies 4, 8 and 19 of the North Northamptonshire Joint Core Strategy.

31. Prior to the occupation of any development parcel or part thereof as shown on the approved Strategic Masterplan (see Condition 4) a landscape management plan for the hard and soft landscaping of that development parcels approved pursuant to Condition 27 shall be submitted to and approved in writing by the Local Planning Authority. Such management plan(s) shall include long term objectives, management responsibilities and maintenance schedules for all landscaped areas, other than small, privately owned domestic gardens. The development shall be carried out in accordance with the approved landscape management plan(s).

REASON: In the interests of the visual appearance of the development and enhancement to biodiversity in accordance with Policies 8, 12 and 15 of the National Planning Policy Framework and Policies 4 and 19 of the North Northamptonshire Joint Core Strategy.

32. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting or amending that Order) no additional fencing, walling or other means of enclosure shall be erected, placed or installed within any of the approved landscaping or amenity areas (including open space) other than that approved by details pursuant to Conditions 26, 27, 30 and 31 without the prior written approval of the Local Planning Authority.

REASON: In the interests of the visual appearance of the development and enhancement to biodiversity in accordance with Policies 8, 12 and 15 of the National

Planning Policy Framework and Policies 4 and 19 of the North Northamptonshire Joint Core Strategy.

33. Development shall only take place in accordance with:

- Great Crested Newt Mitigation Strategy reference 13-1442 3156 D01 V4 received 3rd March 2014 under application reference AOC/0514/1301.
- Bat Mitigation Strategy reference 13-1557 3156 D01 R V1 received 19th November 2013 under application reference AOC/0514/1301.
- Badger Mitigation Strategy 13-1471 3156 D01 R V3 received 3rd March 2014 under application reference AOC/0514/1301.
- Reptile Method Statement reference 13-1216 3156 D01 R V3 dated October 2013 prepared by Lockhart Garratt on behalf of Alledge Brook Ltd under application reference AOC/0274/0801.

Unless written consent is given by the Local Planning Authority for any variation to these mitigation strategies. Development shall be carried out in accordance with the approved details.

REASON: To ensure necessary ecological mitigation measures and management regimes are implemented in accordance with Policy 15 of the National Planning Policy Framework and Policies 4 and 19 of the North Northamptonshire Joint Core Strategy.

34. Development shall only take place in accordance with the approved Combined Landscape and Ecological Management Plan reference 13-1369/3156/D01 V5 received on 6th March 2014 under application reference AOC/0514/1301, unless written consent is given by the Local Planning Authority for any variation to this Strategy. The Ecological Management Plan shall be in accordance with the Green Infrastructure Habitat Creation Plan (submitted September 2009) unless written consent is given by the Local Planning Authority for any variation to this Plan. The development shall be carried out in accordance with the approved Ecological Management Plan.

REASON: To secure a net gain in biodiversity and enhancements to the green infrastructure network in accordance with Policy 15 of the National Planning Policy Framework and Policies 4 and 19 of the North Northamptonshire Joint Core Strategy.

35. No development shall commence on a development parcel of the development as shown on the approved Phasing Plans (see Condition 4) unless and until details of pollution prevention measures for all surface water drainage facilities and details of a scheme for pollution control during groundworks and construction, including surface water runoff management within that parcel have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

REASON: To prevent pollution of the water environment in accordance with Policies 14 and 15 of the National Planning Policy Framework and Policies 4, 5, 6 and 19 of the North Northamptonshire Joint Core Strategy.

36. No built development (excluding the access bridge over the River Ise) shall take place within Flood Risk zones 2 and 3 as defined in the Technical Guidance to the National Planning Policy Framework (March 2012) and identified in the approved Stage Two Flood Risk Assessment (see Condition 5).

REASON: To reduce the risk of flooding to the occupants of development, the site and third parties in accordance with Policy 14 of the National Planning Policy Framework, Technical Guidance and Policy 5 of the North Northamptonshire Joint Core Strategy.

37. No development shall take place other than in accordance with the scheme for the mitigation of air quality impact as detailed in the Environmental Statement Chapter 12 Air Quality (January 2009) and the Addendum Air Quality document dated November 2009 unless an updated Air Quality Assessment including an updated assessment and mitigation strategy is submitted to and approved in writing in advance by the Local Planning Authority.

REASON: To ensure the necessary air quality mitigation measures and management regimes to mitigate the impact of the development upon air quality are implemented in accordance with the Environmental Statement and Air Quality assessment and in accordance with Policy 15 of the National Planning Policy Framework and Policy 8 of the North Northamptonshire Joint Core Strategy.

38. In the event of the Weekley Warkton Avenue not being open to traffic prior to the commencement of works on any development parcel (excluding any open space parcels) other than Local Centre 3 (parcel LC3a/LC3b) within Phase 2 as shown on the approved Phasing Plans (see Condition 4) a further assessment of air quality shall be submitted to and approved in writing by the Local Planning Authority. Any further mitigation identified in this assessment shall be implemented in accordance with the assessment prior to any Phase 2 development being commenced.

REASON: To ensure the continued protection of air quality from the development in accordance with the National Planning Policy Framework and Policy 8 of the North Northamptonshire Joint Core Strategy.

39. Development on any parcel or part thereof as shown on the approved Strategic Masterplan (see Condition 4) other than that required to be carried out as part of an approved scheme of remediation must not commence until points A to C and the monitoring scheme requirement of point E below have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until point D has been complied with in relation to that contamination. In submitting the scheme for approval regard shall be given to Chapter 10 of the Environmental Statement (July 2007) as amended.

#### A. Site Characterisation

(i) An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

(ii) a survey of the extent, scale and nature of contamination;

(iii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

(iv) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11 (or any model procedures revoking and replacing those model procedures with or without modification).

#### 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. 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 (also known as a validation 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.

#### D. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of point A, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of point B, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with point C.

#### E. Long Term Monitoring and Maintenance

A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period to be agreed in advance, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority. Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority. This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11 (or any model procedures revoking and replacing those model procedures with or without modification).

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely

without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy 15 of the National Planning Policy Framework and Policy 6 of the North Northamptonshire Joint Core Strategy.

40. No development shall take place on a parcel of the development as shown on the approved Strategic Masterplan (see Condition 4) unless and until a Construction Management Plan for that parcel has been submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall include and specify provision to be made for the following:

- a) Overall strategy for managing environmental impacts which arise during construction;
- b) Measures to control the emission of dust and dirt during construction;
- c) Control of noise emanating from the site during the construction period;
- d) Hours of construction work for the development;
- e) Location, scale and appearance of contractors' compounds, materials storage and other storage arrangements, for cranes and plant, equipment and related temporary infrastructure;
- f) Designation, layout and design of construction access and egress points;
- g) Internal site circulation routes;
- h) Directional signage (on and off site);
- i) Provision for emergency vehicles;
- j) Provision for all site operatives, visitors and construction vehicles loading and unloading plant and materials;
- k) Provision for all site operatives, visitors and construction vehicles for parking and turning within the site during the construction period;
- l) Details of measures to prevent mud and other such material migrating onto the highway from construction vehicles
- m) Routing agreement for construction traffic;
- n) Enclosure of phase or development parcel and the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate; and
- o) Waste audit and scheme for waste minimisation and recycling/disposing of waste resulting from demolition and construction works.

The approved Construction Management Plan shall be adhered to throughout the construction period and the approved measures shall be retained for the duration of the construction works on that parcel.

REASON: In the interests of residential amenity, highway safety, visual amenity and waste minimisation in accordance with the principles of the National Planning Policy Framework, Northamptonshire Waste Local Plan, National Planning Policy for Waste and Policies 1, 5 and 6 of the North Northamptonshire Joint Core Strategy.

41. i. Vehicular access to the development from the A14 shall not be carried out other than in accordance with the approved document Traffic Access and Impact Assessment (A14) project reference 25134/001 Doc. Ref: Rev 1 dated October 2012 approved on 19 December 2012 under App. Ref. No. AOC/0694/0706 (see Condition 5) and the Option C scheme identified within this approved document as being the preferred option for the A14 access to the development unless written consent is given by the Local Planning Authority for any variation to this approved document and preferred option.

REASON: To ensure that the A14 trunk road continues to serve its purpose as part of a national system of routes for through traffic in accordance with Section 10(2) of the Highways Act 1980 by minimising disruption on the trunk road resulting from traffic entering and emerging from the application site, and in the interests of road safety,



efficiency, sustainability, and amenity in accordance with National Planning Policy Framework (NPPF) and Policies 1, 16 and 17 of the North Northamptonshire Joint Core Strategy and to secure a sustainable development which meets the needs of the users of the development in accordance with the NPPF and Policies 1 and 8 of the North Northamptonshire Joint Core Strategy.

ii. Prior to works commencing on the permanent Access F (Barton Road south/A14 junction 10) into the site, the following details of the A14 junction 10 mitigation works and the new A14 Junction 10A (including link roads or other associated works) shall be submitted to and approved in writing by the Local Planning Authority along with:

a) Detailed design, lighting, engineering, layout and constructional drawings of the permanent Access F into the site and Option C scheme, all associated works and mitigation measures in general accordance with drawings contained within the Traffic Access and Impact Assessment (A14) Project reference 25134/001 Doc. Ref: Rev 1 dated October 2012 approved on 19 December 2012 under App. Ref. No. AOC/0694/0706 (see Condition 5), current DMRB and departmental policies (or approved relaxation/departures from standards;

b) Details of implementation, including phasing and timing of all works;

c) Independent Stage One and Stage Two Road Safety Audits.

The development shall be carried out in accordance with the approved plans.

REASON: To ensure that the A14 trunk road continues to serve its purpose as part of a national system of routes for through traffic in accordance with Section 10(2) of the Highways Act 1980 by minimising disruption on the trunk road resulting from traffic entering and emerging from the application site, and in the interests of road safety, efficiency, sustainability, and amenity in accordance with National Planning Policy Framework (NPPF) and Policies 1, 16 and 17 of the North Northamptonshire Joint Core Strategy and to secure a sustainable development which meets the needs of the users of the development in accordance with the NPPF and Policies 1 and 8 of the North Northamptonshire Joint Core Strategy.

iii. No more than 2700 dwellings shall be occupied on the development until the permanent works to Access F into the site, A14 junction 10 and A14 junction 10A have been completed in accordance with the details approved under Condition 41ii and are fully operational to traffic.

REASON: To ensure that the A14 trunk road continues to serve its purpose as part of a national system of routes for through traffic in accordance with Section 10(2) of the Highways Act 1980 by minimising disruption on the trunk road resulting from traffic entering and emerging from the application site, and in the interests of road safety, efficiency, sustainability, and amenity in accordance with National Planning Policy Framework (NPPF) and Policies 1, 16 and 17 of the North Northamptonshire Joint Core Strategy and to secure a sustainable development which meets the needs of the users of the development in accordance with the NPPF and Policies 1 and 8 of the North Northamptonshire Joint Core Strategy.

42. No more than 375 dwellings shall be occupied on the development until the scheme of improvement to A14 Junction 9 (as shown on Drawing No. 25134/001/051/B and referred to in the PBA Technical Report 19 entitled 'A14 junction 9 VISSIM Assessment of Proposed Road Marking Improvements' dated 6 January 2014) or other

scheme that shall be submitted to and approved in writing by the Local Planning Authority has been undertaken and is open to traffic.

REASON: To ensure that the A14 trunk road continues to serve its purpose as part of a national system of routes for through traffic in accordance with Section 10(2) of the Highways Act 1980 by minimising disruption on the trunk road resulting from traffic entering and emerging from the application site, and in the interests of road safety, efficiency, sustainability, and amenity in accordance with National Planning Policy Framework (NPPF) and Policies 1, 16 and 17 of the North Northamptonshire Joint Core Strategy and to secure a sustainable development which meets the needs of the users of the development in accordance with the NPPF and Policies 1 and 8 of the North Northamptonshire Joint Core Strategy.

43. i) Prior to the occupation of the first dwelling on Parcel R4, R5, R6, R7, R8, R9, R10, R11, R12, R13 or R14, or the occupation of non-residential Parcel PS2, as shown on the approved Strategic Master Plan (see Condition 4), Access D (Warkton Lane/Deeble Road) shall be completed in accordance with the following plans and details:

- Access D Internal Road Layout Detailed Design - Full Roundabout Planning Boundary. Drawing Number 28135/100/009 Rev A received 12th February 2014.
- Access D Internal Road Layout Detailed Design - Full Roundabout General Arrangement. Drawing Number 28135/100/007 Rev C received 6th March 2014.
- Access D Internal Road Layout Detailed Design - Full Roundabout Drainage Layout. Drawing Number 28135/500/006 Rev A received 12th February 2014.
- Access D Internal Road Layout Detailed Design - Full Roundabout Swept Path Analysis. Drawing Number 28135/100/008 Rev A received 12th February 2014.
- Illustrative 3-D Visuals received 12th February 2014.
- Site Location Plan Drawing Number 28135/TN2/001 received 12th February 2014.
- Transport Technical Note 2 (Job No: 28135) and Appendices received 13th February 2014.

under application reference AOC/0274/0803 or an alternative scheme that shall first be approved in writing by Local Planning Authority before the access works are commenced.

REASON: In the interests of highway safety, efficiency, sustainability and amenity in accordance with the National Planning Policy Framework and Policies 1, 10, 15 and 17 of the North Northamptonshire Joint Core Strategy.

ii) Prior to the occupation of the first dwelling on Parcel R16, R17, R18, R19, R20, R21 or R22, or the occupation of non-residential Parcels DC1, DC2 or DC3, as shown on the approved Strategic Masterplan (see Condition 4 ), Access E (Barton Road/Warkton Lane) shall be completed in accordance with the following plans and details:

- Access E Signalised Junction Plan reference 25134/001/028 H received 18th February 2014
- East Kettering Access E Signalised Junction Vehicle Swept Path Manoeuvres Plan reference 25134/001/031 B dated 19th June 2013
- Transport Technical Note 21 received on 19th February 2014
- PBA VISSIM Assessment Outputs dated 21st February 2014
- PBA Notes received 14th February 2014
- Technical Note 8D received 14th February 2014
- Technical Note 15 Revision A received 14th February 2014
- Ecology Statement Access E received on 27th February 2014
- Arboricultural Report dated November 2013

- Construction Management Plan received 18th February 2014
  - Planning Statement dated November 2013
  - Addendum Planning Statement received 14th February 2014 under application reference AOC/0274/0804 or an alternative scheme that shall first be approved in writing by Local Planning Authority before the access works are commenced.
- REASON: In the interests of highway safety, efficiency, sustainability and amenity in accordance with the National Planning Policy Framework and Policies 1, 10, 15 and 17 of the North Northamptonshire Joint Core Strategy.

iii)

Part 1

Prior to the occupation of the 135th dwelling on Parcels R23 and R26 (collectively), or prior to the occupation of the first dwelling on Parcels R24 or R25 or first occupation of a building on non-residential Parcel E3, as shown on the approved Strategic Masterplan (see Condition 4) whichever occurs first to construct and complete Access F (Barton Road South/A14 junction 10) accordance with the following plans and details:

- i. Access F Site Location Plan 25134/020/015 E received 27th January 2014
- ii. Access F Interim Roundabout Arrangement reference 25134/020/014 B received 16th December 2013
- iii. Landscape Proposals received 27th January 2014
- iv. East Kettering SUE Access F Phasing Plan reference 25134/020/011 C
- v. Technical Note Access F Reserved Matters Application TN03 received 17th December 2013
- vi. Technical Note TN11 dated 21st October 2013
- vii. Ecology Statement Access F received on 28th January 2014
- viii. Arboricultural Report received 27th January 2014
- ix. Construction Management Plan received 18th February 2014
- x. Planning Statement received 4th December 2013
- xi. Site Location Plan Drawing Number 25134-020-013D received 27th January 2014
- xii. Planning Boundary Drawing Number 25134/020/001F received 27th January 2014
- xiii. Access 'F' General Arrangement Drawing Number 25134/020/010F received 27th January 2014
- xiv. Drainage Layout Sheet 1 of 3 Drawing Number 25134/020/002C received 27th January 2014
- xv. Drainage Layout Sheet 2 of 3 Drawing Number 25134/020/003B received 27th January 2014
- xvi. Drainage Layout Sheet 3 of 3 Drawing Number 25134/020/004A received 27th January 2014
- xvii. Drainage Manhole Details Drawing no. 25134/020/006A received 16th December 2013
- xviii. Long Section drawing Number 25134/020/009A received 16th December 2013
- xix. Landscape Proposals Sheet 1 of 5 Drawing Number CSa/2278/103A received 27th January 2014
- xx. Landscape Proposals Sheet 2 of 5 Drawing Number CSa/2278/104A received 27th January 2014
- xxi. Landscape Proposals Sheet 3 of 5 Drawing Number CSa/2278/105A received 27th January 2014
- xxii. Landscape Proposals Sheet 4 of 5 Drawing Number CSa/2278/106A received 27th January 2014

## Part 2

Not to occupy more than 135 dwellings on Parcels R23 and R26 (collectively) (as shown on the approved Strategic Masterplan) until that part of the access road (connecting Access F to Cranford Road) serving parcels R23 and R26 has been constructed and completed in its entirety accordance with the approved plans and details specified in paragraphs (i)-(xxiii) of Part 1 of this condition 43(iii) to the Local Planning Authority's written approval.

## Part 3

Not to occupy any dwellings on parcels R24 or R25 or a building on non-residential parcel E3 (as shown on the approved Strategic Masterplan) until that part of the access road (connecting Access F to Cranford Road) serving parcels R24, R25 and E3 has been constructed and completed in its entirety accordance with the approved plans and details specified in paragraphs (i)-(xxiii) of Part 1 of this condition 43(iii) to the Local Planning Authority's written approval.

REASON: In the interests of highway safety, efficiency, sustainability and amenity in accordance with the National Planning Policy Framework and Policies 1, 10, 15 and 17 of the North Northamptonshire Joint Core Strategy.

44. No occupation of the 876th or subsequent dwellings on the development shall take place until the works listed below have been completed in accordance with details first approved by the Local Planning Authority, unless an alternative programme of delivery is approved in writing by the Local Planning Authority. Should an alternative programme be approved the works shall be completed in accordance with that programme.

- Improvements to the roundabout at the junction of Stamford Road/Windmill Avenue (junction a)
- Improvements to the roundabout at the junction of St. Mary's Road/Windmill Avenue (junction b)
- Improvements to the roundabout at the junction of London Road/Barton Road/Pytchley Road (junction d)
- Improvements to the junction of Barton Road/Windmill Avenue (junction e)
- Bus priority scheme (junction f)

REASON: In the interests of highway safety, efficiency, sustainability and amenity in accordance with the National Planning Policy Framework and Policies 1, 10, 15 and 17 of the North Northamptonshire Joint Core Strategy.

45. Prior to the commencement of development on Parcels R21 or R22 or prior to the occupation of the 135th dwelling collectively on Parcels R23 and R26 (as shown on the approved Strategic Masterplan (see Condition 4)(whichever occurs first) highway improvement works at the Cranford Road/Barton Road junction (junction g) shall be completed in accordance with drawing number KETJCT-WSP- HGN-0000-SK-CH-00013, unless an alternative programme for delivery, funding arrangement, and/or scheme is agreed in writing by the Local Planning Authority. Any alternative details agreed in writing shall be implemented as approved.

REASON: In the interests of highway safety, efficiency, sustainability and amenity in accordance with Policy 9 of the National Planning Policy Framework and Policies 15 and 17 of the North Northamptonshire Joint Core Strategy.

46. No more than 1750 dwellings shall be occupied until all the mixed use area, (which shall include a minimum of 4,500 square metres of A1, A3, A4 and A5 uses and a total maximum of 5,400 square metres of these uses), employment areas, schools and health clinic approved within Phase 1 as shown on the approved Phasing Plan (see Condition 4), including the related Land Use Schedule, are constructed and available for occupation.

REASON: In order to ensure that the development is sustainable and provides services and facilities within the site in accordance with the principles of the National Planning Policy Framework and Policies 1, 7 and 10 of the North Northamptonshire Joint Core Strategy.

47. All applications for the approval of reserved matters shall include a noise impact assessment for the proposed development, having regard to all noise sources existing or having planning approval at the time of the reserved matters application. The noise impact assessment shall include a review of the data provided within the Environmental Statement and Addendum Noise Report (accompanying the original outline application), be informed by further noise monitoring and modelling where necessary, and where necessary include a noise mitigation scheme. All mitigation schemes shall demonstrate compliance with the standards contained within BS8233:1999 - Sound Insulation and Noise Reduction for Buildings - Code of Practice; and for residential dwellings the good standards as contained within BS8233:1999 - Sound Insulation and Noise Reduction for Buildings - Code of Practice, or any subsequent British Standard which replaces this. The development shall be carried out in accordance with the approved noise mitigation scheme(s).

REASON: To ensure adequate protection against noise in accordance with the National Planning Policy Framework and Policy 8 of the North Northamptonshire Joint Core Strategy.

48. Prior to the completion of the new link road over the River Ise as shown on the approved Strategic Masterplan (see Condition 4) and its junction with Elizabeth Road (Access C), a Noise Impact Assessment in respect of the use of the access link and its effect upon residential properties and gardens in the Elizabeth Road area shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall have regard to the baseline noise conditions referred to in the original Environmental Statement, the baseline noise conditions for the year of opening of the access link, and predicted noise levels for fifteen years after the year of opening. The assessment shall be undertaken in accordance with the Calculation of Road Traffic Noise (CRTN) methodology. Where necessary, a scheme of mitigation designed to satisfy the requirements of the Land Compensation Act 1973, BS8233:1999 - Sound Insulation and Noise Reduction for Buildings - Code of Practice and for residential dwellings the good standards as contained within BS8233:1999 - Sound Insulation and Noise Reduction for Buildings - Code of Practice, or any subsequent British Standard which replaces this, shall be submitted to and approved in writing by the Local Planning Authority. The access link shall not be opened for vehicular traffic until the approved scheme of mitigation has been implemented and a validation report has been submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure adequate protection against noise generated as a result of the development for the residents of Elizabeth Road in accordance with Policy 9 of the National Planning Policy Framework and Policy 8 of the North Northamptonshire Joint Core Strategy.

49. Prior to the commencement of works for Barton Road/Warkton Lane (Access E) a Noise Impact Assessment in respect of the use of the new access and its effect upon residential properties and gardens in the Barton Road/Warkton Lane area shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall have regard to the baseline noise conditions referred to in the original Environmental Statement, the baseline noise conditions for the year of opening of the access link, and predicted noise levels for fifteen years after the year of opening. The assessment shall be undertaken in accordance with the Calculation of Road Traffic Noise (CRTN) methodology. Where necessary, a scheme of mitigation designed to satisfy the requirements of the Land Compensation Act 1973, BS8233:1999 - Sound Insulation and Noise Reduction for Buildings - Code of Practice and for residential dwellings the good standards as contained within BS8233:1999 - Sound Insulation and Noise Reduction for Buildings - Code of Practice, or any subsequent British Standard which replaces this, shall be submitted to and approved in writing by the Local Planning Authority. The access link shall not be opened for vehicular traffic until the approved scheme of mitigation has been implemented and a validation report has been submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure adequate protection against noise generated as a result of the development for the residents in the Warkton Lane/Barton Road junction area in accordance with Policy 9 of the National Planning Policy Framework and Policy 8 of the North Northamptonshire Joint Core Strategy.

50. Prior to the commencement of Barton Road (South) (Access F) a Noise Impact Assessment in respect of the use of the new access and its effect upon residential properties and gardens in the Barton Road/Acorn Close area shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall have regard to the baseline noise conditions referred to in the original Environmental Statement, the baseline noise conditions for the year of opening of the access link, and predicted noise levels for fifteen years after the year of opening. The assessment shall be undertaken in accordance with the Calculation of Road Traffic Noise (CRTN) methodology. Where necessary, a scheme of mitigation designed to satisfy the requirements of the Land Compensation Act 1973, BS8233:1999 - Sound Insulation and Noise Reduction for Buildings - Code of Practice and for residential dwellings the good standards as contained within BS8233:1999 - Sound Insulation and Noise Reduction for Buildings - Code of Practice, or any subsequent British Standard which replaces this, shall be submitted to and approved in writing by the local planning authority. The access link shall not be opened for vehicular traffic until the approved scheme of mitigation has been implemented and a validation report has been submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure adequate protection against noise generated as a result of the development for the residents in the Barton Road/new link (Access F) junction area in accordance with Policy 9 of the National Planning Policy Framework and Policy 8 of the North Northamptonshire Joint Core Strategy.

51. Not to commence development on a development parcel (as shown on the approved Strategic Master Plan - see condition 4) until all owners and/or leaseholders (including any relevant mortgagee) of that development parcel have deduced title to the local planning authority and entered into a confirmatory or supplemental deed in a form acceptable to the local planning authority binding the relevant development parcel by the obligations covenants and undertaking secured by the Section 106 Agreement entered into in respect of this planning permission.

REASON: In the interests of site delivery and to ensure that all development parcels are carried out in accordance with the secured planning obligations and covenants.

52. The development hereby permitted shall be carried out in accordance with all details approved pursuant to the following Reserved Matters approvals (or such alternative details submitted and approved by the Local Planning Authority in substitution for the said details, or such alternative Reserved Matters as may be approved in substitution for the said Reserved matters approvals listed below) together with such additional reserved matters applications submitted pursuant to condition [2] of this permission and subsequently approved by the Local Planning Authority:

- (a) KET/2013/0213
- (b) KET/2013/0780
- (c) KET/2013/0781
- (d) KET/2013/0792
- (e) KET/2014/0255
- (f) KET/2013/0314
- (g) KET/2015/0028
- (h) KET/2015/0564
- (i) KET/2015/0887
- (j) KET/2016/0236
- (k) KET/2016/0778
- (l) KET/2017/0928

REASON: To allow the Development to be built pursuant to approvals approved under earlier planning permissions for substantially the same form of Development.

Notes (if any):-

1. Environment Agency

Notwithstanding the planning permission(s) that may be granted or extant on the site, any proposed works affecting ordinary watercourses, statutory main river, within the indicative floodplain or within the byelaw distance (9 metres) requires the prior written consent of the Environment Agency under the relevant statutory legislation and current land drainage byelaws. This will require unimpeded bankside access including for the area proposed for a river crossing.

It should not be assumed that such consent will automatically be forthcoming, and the applicant should consult with the Environment Agency at the earliest opportunity in order to determine and secure formal flood defence consent for the proposed works as appropriate.

2. Lighting

The lighting details required with reserved matters shall include a layout plan with beam orientation and lighting Lux levels and a schedule of equipment in the design (luminaire type, mounting height, aiming angles and luminaire profiles). The scheme shall have regard to the spillage of light beyond the site boundary.

3. Protected Species

It is the responsibility of the applicant to ensure that where any aspect of the proposals directly affects badgers or their setts, work must be undertaken under licence, which must be obtained from Natural England.

Operations that involve the destruction and removal of vegetation or buildings (or part of a building) shall not be undertaken during the months of March to August inclusive, except when approved in writing by the Local Planning Authority, once they are satisfied that breeding birds will not be adversely affected.

#### 4. Highways

No works may commence upon the existing public highway without the express written consent of the Local Highway Authority. Such consent would only be forthcoming subject to the completion of an Agreement under Section 278 of the Highways Act 1980. The preparation of the Agreement would require the submission of full engineering, drainage, street lighting, signal, signing, road marking and constructional details etc along with updated capacity assessments. Submitted details would be subjected to a full Technical and Safety Audit which may result in changes to layouts and works extents shown indicatively on the approved plans.

The developer is advised that details required to discharge conditions associated with highway and access works should be submitted to and gain the Technical Approval of the Local Highway Authority prior to submitting such approved details to the Local Planning Authority for the discharge of associated conditions.

After the completion of the Section 278 Agreement, the commencement of any highway works will be subject to suitable Notices required by the New Roads and Streetworks Act 1991 as amended by the Traffic Management Act 2004. This, in practice, means that a three month Notice is required to book the road space necessary to undertake works of this nature on any highway. Separate Notices will be required for each element or phase of the Off Site Highway Works. The County Council's Traffic Manager may stipulate start and completion dates, duration of works and impose penalties for failure to adhere to conditions that may be imposed. Any works that may affect the Trunk Road Network either directly or indirectly will also need the agreement of the Highways Agency in respect of road booking space.

No works may commence or affect any existing public Right of Way without the express written permission of the Northamptonshire Highways' Rights of Way Officers. Temporary diversion/closure, conversion and extinguishment Orders will be required to facilitate the development. Details should be discussed and agreed with Northamptonshire Highways' Definitive Map Team.

The provision of controlled pedestrian crossings and cycle facilities within the existing highway require the processing of appropriate Statutory Notices which are available for public comment which may result in amendments to crossing locations or routes. The developer is encouraged to ensure that all parties directly affected by such works are informed of proposals.

#### 5. Public Rights of Way

With respect to construction works to be carried out in close proximity to Public Rights of Way, please note the following standard requirements:

- i. The routes must be kept clear, unobstructed, safe for users, and no structures or material placed on the right of way at any time.
- ii. There must be no interference or damage to the surface of the Public Right of Way as a result of the construction. Any damage to the surface of the path must be made good



by the applicant, specifications for any repair or surfacing work must be approved by the Local Highway Authority

iii. As a result of the major urban expansion of East Kettering, Public Rights of Way will need to be closed by a Temporary Traffic Regulation Order during the construction of each phase for each individual right of way affected. An application form for such an order is available from Northamptonshire Highways, a fee is payable for his service and a period of six weeks notice is required.

iv. Any new path furniture (e.g. gaps or gates preferred over stile) needs to be approved in advance with the Local Highway Authority, standard examples can be provided.

No works affecting any existing Public Right of Way may commence without the express written permission of the Local Highway Authority's Rights of Way Team.

The developer is reminded to apply to the Local Planning Authority for any proposed diversion to a Public Right of Way under Section 257 of the Town and Country Planning Act 1990 required to facilitate the development of East Kettering. The alternative route for such a diversion must be agreed with the Highway Authority's Right of Way Team and be available for public use prior to the closure of any existing route.

Northamptonshire Highways' Definitive Map Team is available and preferably required for the involvement, guidance and consultation at all stages of the diversion orders as necessary.

#### 6. Condition 43 (iii)

As part of the approval process for condition 43(iii) the local planning authority will require each section of the said access road to be constructed so as not to prejudice the connection, integration and construction of any remaining sections of the said access road.

7. The word average in condition 17 shall be the mean average and be calculated on the basis of the total emissions divided by no. of dwellings.

8. In accordance with The Town and Country Planning (Development Management Procedure) (England) Order 2015, Article 35(2). The Local Planning Authority has worked positively and proactively with the applicant to seek solutions to problems arising from the application including seeking amendments and additional information during the application process and as such planning permission is granted.

9. 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	KET Ref.	Agent's Ref	Received Date	Status
Location plan		BBD005/001	26/11/15	Approved
Strategic Master Plan		BBD034/138 Rev E	26/11/15	Approved
Landscape Phasing Plan		BBD034/156 Rev D	06/03/18	Approved
Barton Road/Cranford Road		KETJCT-WSP-HGN-0000-SK-CH-00013	07/12/17	Approved
Update Statement			10/01/18	For Information
New Properties to be Notified			11/01/18	For Information
Schedule of Conditions to be Varied or Removed			04/01/18	For Information

Date of Decision: 22 November 2018



Robert Harbour  
Head of Development Services

Contact:-

Mr D Chadwick  
David Lock Associates  
50 North Thirteenth Street  
MILTON KEYNES  
MK9 3BP

1. In accordance with the National Planning Policy Framework the Local Planning Authority has acted positively and proactively in dealing with this application.
2. Planning approvals may be monitored to ensure compliance. If development is found not to be in full accordance with the permission, the Council may stop the work, invite a fresh application and/or take enforcement action against the developer/owner. I would urge you to notify the Case Officer at least 8 weeks prior to commencement of any works by completing and returning the attached "Notice of Intention to Commence" form, so that any outstanding matters can be identified.
3. Please pay attention to the requirements of any conditions imposed on the approval, in particular, to any schemes and details that need approval **before**

**development commences.** Under Article 27 of the Town & Country Planning (Development Management Procedure) (England) Order 2015, the Council has a further 8 weeks to agree conditions once details are submitted

4. Any details requiring approval by the Council must be submitted on the relevant form “Application for approval of details reserved by condition” (attached). There is a fee<sup>1</sup> for requests to discharge conditions of Planning Permissions: currently £34 per submission for householder developments and £116 for all other developments. There is no fee to discharge conditions of other types of consent. Your development will be liable to enforcement action if you do not comply with the approved plans and all of the conditions.

This permission refers only to that required under the Town & Country Planning Acts and does not include any consent or approval under any other enactment, byelaw, order or regulations.

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<sup>1</sup> Please be aware each fee paying application made on line through the Planning Portal will attract a £20.00 financial transaction service fee, which is an additional cost on top of the application fee. Full details of this service are available at:  
[https://www.planningportal.co.uk/info/200208/supporting\\_local\\_authorities\\_services\\_and\\_resources/144/financial\\_transaction\\_service](https://www.planningportal.co.uk/info/200208/supporting_local_authorities_services_and_resources/144/financial_transaction_service)

## Appeals Against Decision

The rules for lodging an appeal against this decision are set out in Article 37 of Town & Country Planning (Development Management Procedure) (England) Order 2015. The following is a summary of the rules:

1. If you wish to appeal against this decision you must do so on the Planning Appeal form. Appeals may be made online at <https://www.gov.uk/appeal-planning-inspectorate>. If you are unable to use the online service, please contact the Planning Inspectorate's Customer Services Team on 0303 444 5000 and ask for a Planning Appeal form.
2. Completed appeals (forms and supporting documents set out in the appeal form) must be received by the Planning Inspectorate within the relevant time scale set out in the table below. The Secretary of State has the power to allow a longer period for you to give notice of an appeal, but he will not normally exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal.

Appeal Type	Time Period
Appeal against decision where no enforcement action taken or pending	Six months from date of this decision notice
Appeal against decision where enforcement notice served in respect of substantially the same development: <ul style="list-style-type: none"><li>• within two years before the date of the planning application, or</li><li>• before the date of this planning decision and still in force.</li></ul>	28 days from date of this decision notice
Appeal against decision where enforcement notice served in respect of substantially the same development: <ul style="list-style-type: none"><li>• on or after the date of this planning decision, and</li><li>• is still in force.</li></ul>	The <b>earlier</b> of the following dates: <ul style="list-style-type: none"><li>• 28 days from date enforcement notice is served, or</li><li>• Six months from date of this decision notice</li></ul>

These time scales are in relation to the appeal against the planning decision.

**The time scales for appeals against the enforcement notice (as set out in the enforcement notice) are not affected by this decision.**

## Purchase Notices

If permission is refused, whether by the Local Planning Authority or by the Secretary of State and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonable beneficial use by carrying out of any development which has been or would be permitted, he may serve on the Council of the district in which the land is situated a purchase notice requiring that Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.