

## North Northamptonshire Area Planning (Kettering) Committee 13/12/2021

<b>Application Reference</b>	<b>KET/2020/0815</b>
<b>Case Officer</b>	<b>Nicola Wheatcroft</b>
<b>Location</b>	<b>Maplefields School, Beatrice Road, Kettering</b>
<b>Development</b>	<b>Full Planning Permission: 14 no. dwellings with access road and associated works</b>
<b>Applicant</b>	<b>Castlegate 772 Ltd.</b>
<b>Agent</b>	<b>Mr R Bradshaw DLP Planning Ltd</b>
<b>Ward</b>	<b>All Saints</b>
<b>Overall Expiry Date</b>	<b>02/03/2021</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 it falls outside of the Council's Scheme of Delegation because a ward member has asked for it to be considered.

#### **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 Full Planning Permission is sought for 14 no. dwellings with access road and associated works. Five dwellings are proposed to front Beatrice Road comprising

one bungalow and four x two storey detached houses. Five dwellings (two bungalows and three houses) fronting Britannia Road together with the vehicular access into the centre of the site where are a further four bungalows are proposed served off a private drive.

- 2.2 The scheme has been revised slightly in response to the Design comments by relocating the bungalows within the centre of the site and introducing some design improvements, including more bay windows and the removal of some of the gable features.

### **3. Site Description**

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- 3.1 The site is an irregular shaped parcel of land, which was a former school, is situated between two parallel streets: Britannia Road and Beatrice Road. Further to the closure of the school the site has remained vacant. The school sports hall has been retained adjacent to the site and has planning permission to be used as a community facility
- 3.2 The site is mostly surrounded by residential dwellings except to part of the east boundary where it abuts commercial development off Britannia Road. There is a mix of dwelling types with bungalows, detached and semi-detached houses. The overriding character of the area is one of straight parallel streets and strong building lines and a prevalence of low boundary walls along front gardens.
- 3.3 There were some trees on site close to the proposed vehicular access off Britannia Road, these have been removed part of the site clearance works.

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

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- 4.1 KET/2019/0480 - Access, appearance, landscaping, layout, and scale details in respect of KET/2016/0303 (Demolition of school buildings and construction of up to 17 no. dwellings) – refused March 2020
- 4.2 KET/2016/0303 – Demolition of school buildings and construction of up to 17 no. dwellings with associated access, open space, and landscaping – granted November 2016

### **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 Parish / Town Council  
No observations received

5.2 Neighbours / Responses to Publicity

A total of 11 letters of representations have been received from 9 households, including 5 letters of support. The main issues raised are summarised below:

- Overlooking of garden and property from landing window;
- Would like a 2.4m fence ;

- Area behind hall will become wasteland and subject to antisocial behaviour
- Anti social behaviour since the school has been left empty, would like to see small residential development;
- Is there going to be social housing?
- The mix of housing is acceptable and the bungalows in the middle of the site is favourable;
- Some loss of trees , but landscaping shown on plans;
- Carport for no.6 is too close to adjacent fence for maintenance;
- Tree protection measures;
- The development is in keeping with the area;
- The provision of bungalows is welcome;

### 5.3 Local Highway Authority (LHA)

No objection, but the following comments are raised:

- Pedestrian splays for plot 1 still fall within the adjacent car park land. The LPA should take a view on this;
- The proposed access road off Britannia Road is designed as a shared private drive serving 4 dwellings. Road markings are not required on private drives;
- An accurate and scaled plan detailing the following standard requirements for the shared private drive access onto Britannia Road is required;
- Utility covers and carriageway gullies must not be located within vehicle crossovers;
- The LHA do not accept single garages to count as a parking space for a 2/3 bed dwelling;
- Carports should be conditioned to prevent enclosure or gating of the access;
- Visitor parking provision is 6 spaces and a Parking Beat survey has been submitted which demonstrates that there is capacity for the additional parking within the local road network;
- The LPA should take a view as to whether each dwelling should incorporate electric vehicle parking or sufficient ductwork to enable future installation by the resident.

### 5.4 Lead Local Flood Authority

Insufficient information available to comment on the acceptability of the proposed surface water drainage scheme for the proposed development

### 5.5 Joint Planning and Delivery Unit Design Surgery

- Is public open space required on site ;
- No justification for existing tree removal;
- Whilst the current layout is better than it was, it still appears pinched, with small spaces left over that may be poorly maintained, plus the narrow landscaping strips should be reconsidered;
- If the number of units is crucial then smaller units or different dwelling types should be used instead;
- If the units had front gardens that were paired up rather than separated by footpaths it will create the illusion of a greener scheme;

- Bungalows: would be better located in the centre of the scheme with a gabled bungalow (A1) type located to terminate the view;
- Scheme needs to relate better to the surrounding context in terms of materials and detail design;
- Ground floor bay windows should be introduced, double gables are not typical of this area and should be replaced with full gables;
- Substantial planting areas are required;
- Category b on the east/west boundary – plot 7. And plot 10 have root lines beneath properties.
- Site is adjacent to a sports facility which requires careful consideration.

5.6 Lead Local Flood Authority

Insufficient information available to comment on the acceptability of the proposed surface water drainage scheme for the proposed development.

5.7 Clinical Commissioning Group

Confirm there will not be sufficient capacity in the local primary healthcare system to absorb the anticipated increase in demand created by the proposed new development and request a S.106 £7,764.72 contribution.

**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 6: Development on Brownfield Land and Land Affected by Contamination  
Policy 8: North Northamptonshire Place Shaping Principles  
Policy 9: Sustainable Buildings  
Policy 11: The Network of Urban and Rural Areas  
Policy 28: Housing Requirements  
Policy 29: Distribution of new homes  
Policy 30: Housing Mix and Tenure

6.4 Local Plan for Kettering Borough (saved policy)

Policy 35: Housing: Within Town

6.5 Site Specific Part 2 Local Plan (SSLP) (2020) Submission Plan

Policy HOU1: Windfall and Infill Development

## **7. Evaluation**

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The key issues for consideration are:

- Principle of Development
- Visual Impact
- Impact on Neighbouring Amenity
- Highway Matters
- Landscaping

### **7.1 Principle of Development**

- 7.1.1 The site is located within the town boundary of Kettering, as defined in the Local Plan for Kettering Borough, in an established residential area. Policy 35 of the Kettering Borough Local Plan states that planning permission will normally be granted for proposals for residential development within the Town boundaries where the proposal is compatible with other policies and proposals in the Plan.
- 7.1.2 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 the open countryside.
- 7.1.3 Policy 11 of the North Northamptonshire Joint Core Strategy directs development towards the Growth Town of Kettering and market towns. Growth towns are the focus for infrastructure investment and higher order facilities to support major employment, housing, retail, and leisure development. The site is located within the urban area of Kettering and is a brownfield site which will provide additional housing. This is in line with Policy 11 of the JCS.
- 7.1.4 Policy 8 of the North Northamptonshire Joint Core Strategy is supportive of new residential development if 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 of existing or future occupiers and the highway network.
- 7.1.5 The SSP2 is at an advanced stage in preparation, the Inspector's Report was received on 2 July 2021. The report concluded that with the recommended Main Modifications, the Plan is sound. The Council is now advancing the Plan through the Committee process towards adoption. Policy HOU1 states that infill development within settlement boundaries will generally be accepted provided that 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 and they meet the requirements of policy set out in the JCS. These matters are considered further below.

7.1.6 The principle of the proposal therefore is in conformity with the adopted Local Plan, the JCS and the emerging SSP2. Furthermore, the principle of residential development has been established through the grant of outline permission for application KET/2016/0303. Therefore, the residential development of the site is acceptable in principle.

## 7.2 Visual Impact

7.2.1 Policy 8 (d) of the JCS, which consistent with chapter 12 of the NPPF seeks development to create a distinctive local character by responding to wider character and local context.

7.2.2 Beatrice and Britannia Roads are characterised by a range of different housing types including bungalows, two storey semi-detached and detached houses all located within linear plots located close to the back of the highway. The development proposes a mix of bungalows and detached houses, with the middle element allocated for bungalows.

7.2.3 In layout terms the development follows the clearly defined building line along Beatrice and Britannia Roads, with the dwellings set back sufficiently to accommodate drives for car parking. In the middle section of the site a small private drive is proposed accessed from Britannia Road for 4 bungalows. The noticeable difference between the proposed development and existing housing is the rear garden size. The existing housing have gardens typically 30m in depth, the proposal will have significantly smaller gardens around 10m. This will introduce a different character to the area but one that it is not uncommon in residential areas when brownfield sites are redeveloped. The middle part of the site will have a clear and separate identity with a bungalow terminating the view.

7.2.4 The Council Design Review Panel raised concerns about the development appearing 'pinched' with little area for landscaping. It is accepted that the site is more tightly developed than surrounding areas, and the reduction of a unit or two or reduction in size of the dwellings would allow a more spacious character. However, the density equates to 30 dwellings a hectare which is an acceptable density for new development. In addition, the applicant has tried to introduce more landscaping to soften the drive (which is discussed in more detail in the landscape section below) and on balance it is considered that the layout will create a varied neighbourhood with a mix of densities in line with Policy 8 of the JCS.

7.2.5 The appearance of the proposed dwellings is typical of much new build housing and the design team commented on the need to relate the design and materials to the surrounding dwellings. The scheme has been altered to remove the double gables on the front elevations of the houses which are not typical of this part of Kettering. However, there are missed opportunities to align the development more closely to the surrounding housing, by for example including more bay windows. On balance, the design is considered to be broadly acceptable and the use of good quality materials which can be controlled through a condition will help to elevate the scheme.

7.2.6 Whilst there are concerns from a design perspective, the improved layout with bungalows in the centre of the site ensures that the site is developed efficiently and will not be visually intrusive. The proposal will be in character with the form and appearance of residential development in the area. As such the proposal is in accordance with Policy 8 (d) of the JCS which requires development to reflect surrounding residential character and density. The proposal is therefore acceptable in this regard.

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

7.3.1 Policy 8 of the JCS seeks development to prevent harm to residential amenities of neighbouring properties, by reason of overbearing, loss of light or overlooking.

7.3.2 The siting and orientation of the majority of dwellings facing onto Beatrice and Britannia Roads will ensure that there is no undue impact on the amenity of adjacent houses from loss of privacy or loss of light. And the location of four bungalows within the centre of the site will protect the amenity of the surrounding houses due the single storey nature of the development.

7.3.3 Within the development, the dwellings have been orientated and sited sufficiently far enough away from each other to protect residential amenity.

7.3.4 It is therefore considered that the proposed development is in accordance with Policy 8(e) (i) of the North Northamptonshire Joint Core Strategy in that the new development does not result in an unacceptable impact upon the amenities of neighbouring properties.

### 7.4 **Highways**

7.4.1 Policy 8(b) (ii) of the JCS 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 Councils Highway Engineer initially raised concerns about the scheme with regard to pedestrian and highway visibility. These matters have been addressed by the applicants through the submission of revised plans and final comments are awaited from the Highway Engineer.

7.4.3 The proposal includes a garage together with a parking space for each dwelling to provide the off-street parking requirement for the development. The Highway Engineers do not accept single garages to count as a parking space for a 2/3 bed dwelling. In addition, house type A1 does not accord with the width requirements. However, on balance, the scheme does provide on plot parking for each dwelling and will be available for the occupier to use and this meets the principle of Policy 8(b)(ii). It is considered that a refusal on parking grounds could not be substantiated at any appeal.

7.4.4 A total of 6 visitor spaces are required to serve the proposed development. A Parking Beat Survey was provided and demonstrated that there was availability for 6 vehicles to park in the surrounding streets within the prescribed 200m radius

from the site. As a result, the provision of visitor parking on the local road network instead within the application site is considered acceptable.

- 7.4.5 The scheme would not prejudice highway safety and there would be adequate parking within the site so the proposed development would be in accordance with Policy 8 of the JCS.

## 7.5 Landscaping

- 7.5.1 Policy 3 of the JCS requires that development should be located and designed in such a way that is sensitive to its landscape setting. Policy 4 of the JCS seeks a net gain in biodiversity as a part of redevelopment of a site.
- 7.5.2 The application is accompanied by a Tree Survey which details that there is 1no. individual tree and 1no. group of trees immediately adjacent to the site which are of moderate quality where the root protection area and/or crown spread of the trees form a construction exclusion zone. The car port to Plot 6 will conflict with the root protection area of Group G1, as will the footprint of Plot 7 house, albeit to a very marginal degree. To mitigate for any adverse impact that might occur a low impact/minimal dig design for the foundation of the car port will be required and this matter can be controlled through a condition.
- 7.5.3 The opportunities for further landscaping are limited because of the level of development within the site. However, the scheme has been revised to incorporate a 1.3m wide planted border around the private drive and more significant planting along the rear boundaries of plots 10 to 14. These amendments will help to landscape and soften the built development and the exact planting details will be controlled through a condition.
- 7.5.4 A preliminary ecological assessment has also been submitted with the application which demonstrates that the site generally has low ecological potential although two of the buildings have moderate potential for bats. Consequently, further surveys are required to establish whether the buildings are being used as bat roosts and this is controlled through a condition.
- 7.5.5 Policy 4 of the JCS seeks to secure a net gain in biodiversity as a result of new development to protect and enhance biodiversity. There are opportunities to secure improvements to the biodiversity of the site through species rich planting and the introduction of bird and bat boxes. A condition is proposed requiring the submission of a biodiversity enhancement scheme to introduce such measures.
- 7.5.6 No open space is provided as part of the current application. Outline application KET/2016/0303 did propose an area in the centre of the site to be used for such purposes, however, there is no policy requirement for the provision of open space within a scheme of 14 dwellings.
- 7.5.7 Overall, it is considered that the proposal respects the landscape setting and will look to enhance the landscape through additional planting in line with Policy 3 of the JCS.



## **8. Other Matters**

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- 8.1 An Archaeological assessment has accompanied the application which demonstrates that there were no early archaeological deposits on the areas investigated.
- 8.2 Comments from the Lead Local Flood Authority are awaited on the revised application and Members will be updated at the meeting of any observations.
- 8.3 The size of the application is below the threshold for the provision of affordable housing. The NHS Clinical Commissioning Group (CCG) have requested a contribution of £7,764.72 towards expanding/improving capacity to care for the potential additional patients that will be created as a result of the provision of an extra 14 dwellings. Whilst the provision of additional primary healthcare facilities may be required, in the absence of any clear plans for the delivery of the new facilities it is considered that the request does not meet the tests of planning obligations as specified in paragraph 57 of the NPPF. Whilst the applicant has raised no objection to the proposed contribution, as it is not in line with Government guidance, the contribution should not form any part of the decision-making process.

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

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- 9.1 The proposal involves the redevelopment of a redundant school site which has been the subject of vandalism and disturbance to local residents. The scheme involves the provision of 14 dwellings within the centre of Kettering which is in line with Policy 11 of the JCS and Policy HOU1 of the SSLP2. The proposal respects the character and appearance of the site's surrounding, the residential amenities of the area and highway safety in compliance with Development Plan policies and guidance contained within the National Planning Policy Framework.

## **10. Recommendation**

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- 10.1 That planning permission be GRANTED subject to 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. 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 to E of Part 1 of Schedule 2 of the Order shall be constructed on or within the curtilage of any of the houses hereby permitted.

REASON: To protect the amenity and privacy of the occupiers of adjoining property in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

4. Prior to first occupation of the dwellings a scheme of landscaping which shall specify species, planting sizes, spacing and numbers of trees and shrubs to be planted and any existing trees to be retained shall be submitted to and approved by the Local Planning Authority. The approved scheme 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.

5. The development hereby permitted shall be carried out in accordance with the Tree Report prepared by RGS Arboicultural Consultants dated July 2021 with regard to the protection of the group of trees in G1 during the construction of the car port for plot 6.

REASON: To protect the health and stability of the trees to be retained on the adjacent site in accordance with Policy 8 of the Joint Core Strategy.

6. 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.

7. Works audible at the site boundary will not exceed the following times unless with the written permission of the Local Planning Authority or Environmental Health. 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.

8. No demolition or site clearance works shall occur during the bird nesting season which would result in disturbance or loss of habitat of nesting birds; the bird nesting season runs between the months of March and August.

REASON: In the interests of safeguarding biodiversity in compliance with the requirements of Policies 4 and 8 of the Joint Core Strategy and with the guidance contained within the National Planning Policy Framework.

9. Prior to the commencement of development a Demolition and Construction Method Statement 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: In the interests of highway safety and residential amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

10. No development above slab level shall take place on site until a scheme for boundary treatment has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved scheme has been fully implemented in accordance with the approved details.

REASON: In the interests of the amenity and protecting the privacy of the neighbouring property in the interests of amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

11. 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) the car port serving plot shall remain as a car port with no enclosure of sides in accordance with the approved plans.

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

12. The dwellings hereby permitted shall not be occupied until a scheme for biodiversity enhancement has been submitted and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details.

REASON: To ensure that biodiversity enhancements are introduced in accordance with Policy 4 of the North Northamptonshire Joint Core Strategy.

## **12. Informatives**

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Positive/Proactive - amendments

## 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>KET Ref.</b>	<b>Agent's Ref</b>	<b>Received Date</b>
Location plan		C32-001A	23/11/20
Existing site plan		C32-010	23/11/20
Proposed site plan		C32/225A	1/10/21
Proposed materials plan		C32-030F	23/11/20
House type A1 proposed elevations, floor plans & roof plan		C32-321	23/11/20
House type A2 proposed elevations, floor plans & roof plan		C32-322	23/11/20
House type B1 proposed elevations, floor plans & roof plan		C32-323	23/11/20
House type B2 proposed elevations, floor plans & roof plan		C32-324	23/11/20
House type C proposed elevations, floor plans & roof plan		C32/326B	14/07/21
House type D proposed elevations, floor plans & roof plan		C32/327A	14/07/21
House type D2 proposed elevations, floor plans & roof plan		C32-328A	14/07/21
House type E1 proposed elevations, floor plans & roof plan		C32-329A	14/07/21

House type E2 proposed elevations, floor plans & roof plan		C32-330A	14/07/21
House type F1 proposed elevations, floor plans & roof plan		C32-331	23/11/20
House type F2 proposed elevations, floor plans & roof plan		C32-332	23/11/20
Proposed boundary and materials plan		C32-225A	1/10/21
Design and access statement		N5252	23/11/20
Archaeological report		ENN109058	23/11/20
Bat & bird survey	KET/2020/0815/1		23/11/20
Cover letter		JW-N5252P	23/11/20
Ecology report	KET/2020/0815/2		23/11/20
Phase 2 site investigation report		JN1085	23/11/20
Sustainable drainage strategy August 2021			3/11/21
Sustainable drainage strategy appendices 1 of 2			3/11/21
Sustainable drainage strategy 2 of 2			3/11/21



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