



**PLANNING COMMITTEE:** 7<sup>th</sup> July 2020  
**DEPARTMENT:** Planning Service  
**DIRECTOR OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2020/0399

**LOCATION:** 486 - 492 Kettering Road

**DESCRIPTION:** Demolition of existing bungalow at 486 Kettering Road and redevelopment of site to provide new care home (Class C2) arranged over part two and part three storeys together with associated car parking, landscaping and amenity space and new access from Kettering Road

**WARD:** Parklands Ward

**APPLICANT:** Seagrave (Northampton) Ltd  
**AGENT:** QED Planning

**REFERRED BY:** Councillor M Hallam  
**REASON:** Impact on adjacent properties

**DEPARTURE:** No

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## **APPLICATION FOR DETERMINATION:**

### **1 RECOMMENDATION**

1.1 **APPROVAL** subject to the conditions as set out below and for the following reason:

The proposed development, subject to conditions, would provide specialist accommodation for older people to help contribute to the different housing needs across the Borough and the Council's five year housing land supply. Furthermore, it would not have a detrimental impact upon the character and appearance of the surrounding area, neighbour amenity or highway safety. The development is therefore in conformity with the requirements of the National Planning Policy Framework; Policies S1, S7, S10, S11, C2, H1, H5, BN1, BN2, BN7, and BN9 of the West Northamptonshire Joint Core Strategy; and Policies E20 and H29 of the Northampton Local Plan.

### **2 THE PROPOSAL**

2.1 The application seeks full planning permission for the demolition of the existing bungalow at 486 Kettering Road and the redevelopment of the application site to provide a 56 bed care home for the frail elderly (Use Class C2) arranged over two and three storeys together with associated 19 car parking spaces, landscaping and amenity space, and altered vehicular access arrangements from the Kettering Road.

### **3 SITE DESCRIPTION**

- 3.1 The application site is located to the eastern side of the Kettering Road within the Parklands Ward. It is in a residential area, but the site is close to local facilities on Coppice Drive and bus stops along the Kettering Road.
- 3.2 The application site contains two distinct parts: the former site of the Cedarwood care home to the north; and an existing bungalow at 486 Kettering Road to the south.
- 3.3 The Cedarwood care home comprised a sprawling property, with a mix of two storey and single storey elements incrementally added over time, as well as the foundations for a previously approved care home extension to the southern side and rear of the property. However, the care home has been vacant for some time and was recently demolished following the approval of a planning application to build ten dwellings on the care home site. The care home part of the site benefits from a coach drive with a low wall to the northern part of the frontage, including a number of trees covered by a Tree Preservation Orders. The southern part of the care home frontage also includes a section of close boarded fencing with an additional vehicular access.
- 3.4 The bungalow at 486 Kettering Road has a gabled roof form with a deep front garage projection running alongside the shared boundary with the former care home and extending close to the front boundary of the site. It has a close boarded fence set in front of mature trees to the front of its plot, with a vehicular access to southern part of its frontage.
- 3.5 The application site is neighboured by a tree lined footpath to the northern side that leads to Eastfield Park to the east, with the Cynthia Spencer Hospice beyond the footpath to the north. The Cynthia Spencer Hospice comprises an institutional property in a spacious treed setting with single storey elements adjacent to site.
- 3.6 There are bungalows to the rear (east of) the site on Squires Walk.
- 3.7 There is some variety in house types and designs along the stretch of the Kettering Road to the south of the site, with each property having an individual design. Properties to the west of the site, on the opposite side of the Kettering Road, comprise bungalows.

### **4 PLANNING HISTORY**

- 4.1 The site has a long and complex history; however the following approvals are relevant to the current application:

N/2018/1188: 10 houses. Approved. Not implemented.

N/2017/0627: 14 x 2 bedroom apartments. Approved; not implemented.

N/2016/0141: First floor and ground floor extensions and alterations. Approved, with ground floor slab constructed prior to the demolition of the care home.

N/2015/0747: Erection of 2no detached dwellings, and entrance gates and piers. Approved, not implemented and lapsed.

N/2011/0508: Erection of two and a half storey extension to care home requiring the demolition of a dwelling house. Approved, not implemented and lapsed.

N/2008/0406: Demolition of existing dwelling and associated outbuildings and erection of a 3-storey building with link to nursing home at ground floor and extension to side of existing nursing home with office in roof space. Approved, not implemented and lapsed.

### **5 PLANNING POLICY**

## 5.1 **Statutory Duty**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted West Northamptonshire Joint Core Strategy (2014), Northampton Local Plan (1997) saved policies,

## 5.2 **National Policies**

The National Planning Policy Framework (NPPF) sets out the current aims and objectives for the planning system and how these should be applied. In delivering sustainable development, decisions should have regard to the mutually dependent social, economic and environmental roles of the planning system. The NPPF should be read as one complete document. However, the following sections are of particular relevance to this application:

Paragraphs 7-12 - Presumption in favour of sustainable development.

Section 5 - Delivering homes

Section 8 - Promoting healthy and safe communities.

Section 9 - Promoting sustainable transport

Section 11 - Making effective use of land

Section 12 - Achieving well designed places

Section 14 - Climate change, flooding and coastal change

Section 15 - Natural Environment

## 5.3 **West Northamptonshire Joint Core Strategy (2014)**

The West Northamptonshire Joint Core Strategy (JCS) provides an up to date evidence base and considers the current Government requirements for plan making as it has been prepared in full conformity with the NPPF. Policies of particular relevance are:

S1 - The Distribution of Development

S7- Provision of Jobs

S10 - Sustainable Development Principles.

S11 - Low Carbon and Renewable Energy

C2 - New Developments

H1 - Housing

H5 - Existing Housing Stock

BN1 - Green Infrastructure

BN2 - Biodiversity

BN7 - Flood risk

BN9 - Planning for Pollution Control

## 5.4 **Northampton Local Plan 1997 (Saved Policies)**

Due to the age of the plan, the amount of weight that can be attributed to the aims and objectives of this document are diminished, however, the following policies are material to this application:

E20 - New Development (Design)

H29 - Residential Institutions

## 5.5 **Supplementary Planning Documents**

Planning out Crime in Northamptonshire SPG 2004

Northamptonshire County Parking Standards 2016

Biodiversity SPD 2017

Northampton Parking Standards 2019

## 6 CONSULTATIONS / REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **Anglian Water:** There is available capacity for the foul drainage / sewerage from this development. A planning condition should be imposed to address surface water drainage.
- 6.2 **Arboricultural Officer:** The tree survey is thorough, and the analysis is typically thoughtful and considered. The proposals to protect the rooting volumes of the trees on the Kettering Road will need more detail in due course. The canopies of the trees along the northern boundary, may present a constraint, but as their canopies will be high on the main stem so they ought not encroach upon the built form or interfere with construction. No objection in principle to the development of this site, or to the proposed scheme.
- 6.3 **Construction Futures:** A financial contribution should be provided for construction training.
- 6.4 **Environment Agency:** No comments.
- 6.5 **Environmental Protection:**
- The application has been accompanied by a site investigation report for contaminated land and it is recommended that conditions are imposed to secure a remediation scheme and address any unexpected contamination.
  - An Environmental Noise Assessment has been submitted and details glazing and ventilation mitigation measure which should be made the subject of conditions. The Assessment also includes a mitigation scheme for mechanical plant noise (e.g. kitchen intake and laundry fan) and this should also be covered by conditions.
  - The submitted CEMP is sufficient to address dust, noise and vibration and should be secured by condition.
  - Construction hours should be addressed by a condition.
  - Electric Vehicle Charging Points should be secured by condition.
  - A refuse storage condition should be imposed.
  - Kitchen ventilation and extraction conditions are required together with an associated informative.
  - External lighting should be conditioned.
- 6.6 **NCC Archaeology:** No comments.
- 6.7 **NCC Ecology:** The site currently offers little in the way of biodiversity interest, and therefore minimal mitigation would be required. Although the following measures should be addresses:
- The CEMP should be updated relating to the dismantling of rubble piles to safeguard amphibians or animals sheltering within.
  - Hedgehog holes should be installed in the boundary fence.
  - The Landscape and Ecological Management Plan is acceptable and should be secured by condition.
- 6.8 **NCC Highways:** The general layout and transport statement are accepted. Conditions should be imposed to require existing accesses are closed with footways reinstated prior to occupation and ensure the development is laid out in accordance with the approved details.
- 6.9 **NCC Lead Local Flood Authority:** Subject to conditions, the impacts of surface water drainage will have been adequately addressed at this stage.
- 6.10 **Northants Police Crime Prevention Design Advisor:**
- The site is secure to the rear ensuring a quality of residential amenity space for the quiet enjoyment of residents with suitably high boundary treatments to deter persons from climbing over the fence.
  - The bin store should be a brick built lockable structure.
  - As the site is secure the proposed cycle storage is acceptable.
  - All external doors and windows should be security rated.

- The car park should be lit with mast mounted white lighting.
- Internal access controls should be introduced.

6.11 **Councillor M Hallam** called in the application on the grounds of overlooking of properties at the rear on Squires Walk.

6.12 **Ten neighbour objections** to the application have been received. These objection letters include the following points:

- A business property should not be introduced into this residential area; a home should not be replaced by a care facility.
- The scale of the development is overpowering and would be out of context with, dwarf and detract from neighbouring residential properties.
- The previously approved care homes on the site were only for 32 and 25 bed units and, whilst the site has been enlarged to include an additional bungalow, increasing it to 56 beds is excessive.
- The proposal has four times the floor area of the original care home and would double the frontage of the existing care home.
- It is misleading to suggest the proposed building is a mix of two and three storeys as there are three floors over the whole of the building and the ridge heights are the same.
- The new building breaks the established building line along the Kettering Road and would also be closer to the rear boundary of the site than existing properties along the Kettering Road.
- The number of rooms appears disproportionate for the size of the site and available parking.
- Inadequate parking arrangements; although the development may have enough staff parking there are not enough spaces for visitors.
- Concerned insufficient parking would result in parking on neighbouring streets causing hazards.
- Parking arrangement is inadequate, with tight running circles and refuse vehicles and ambulances having to reverse long distances and potentially onto the Kettering Road creating a major hazard.
- It is inaccurate to compare traffic generated from the former care home to the proposal.
- The scheme will exacerbate existing traffic problems on the already congested Kettering Road to the detriment of highway safety and the amenity of neighbours.
- The building is effectively three storeys in height and due to close proximity to boundaries would directly overlook and overshadow neighbouring properties.
- Location of bin store will detract from neighbour amenity and attract vermin.
- Odour concerns from the commercial kitchen.
- Concerned future residents may be upset in the garden of the care home and the noise/activity would be detrimental to neighbour amenity.
- Car park lighting would detract from neighbour amenity.
- Care home would increase risk to neighbours of catching viruses and vulnerability to pandemics; there should be separation to neighbours.
- The scheme does not include any group meeting areas for staff and residents making it an unpleasant dormitory development (Officer Note: The development includes at least one lounge and one dining room per floor as well as other facilities including a café, private dining room, cinema, spa bathrooms, salon and also staff areas such as a staff room and a managers office).
- The development does not provide a bathroom for every room (Officer Note: All rooms are en suites).
- Trees provide amenity to residents in the vicinity and a haven for wildlife, however several trees to the rear of the site will be removed.
- There are conflicting details and discrepancies in the supporting submissions relating to accesses, parking, staffing numbers and tree removal.
- Additional drawings should be provided to show relationships to neighbours (Officer Note: The applicant has been accompanied by all the drawings necessary to meet the Council's Local List Validation Requirements).
- Concerned regarding neighbour notification procedure (Officer Note: All adjoining neighbours were sent notification letters; a site notice was displayed; and the application was also advertised in the local newspaper).
- Proposal would devalue neighbouring properties (Officer Note: Property values are not a material planning consideration).

- 6.13 **Two neighbour representation in support** of the proposed development have also been received, which include the following points:
- The care home would be an asset for Northampton.
  - There are lots of bungalows in the locality of the site, the majority of which are occupied by older people, and the proposal provides an opportunity to remain in the area when the time comes.
  - The shared amenities would work well for residents.
  - Welcome the inclusion of en-suite bathrooms which would respect dignity and privacy.

## **7 APPRAISAL**

### **Principle of development**

- 7.1 The application proposes a residential use in a residential area and is therefore, by definition, compatible with neighbouring residential properties. Furthermore, the proposal would provide specialist accommodation for older people in the form of 24 hour care for the frail elderly, such as those with nursing and dementia care need, and therefore would help contribute to the different housing needs across the Borough in accordance with the requirements of Policy H1 of the Joint Core Strategy. As such, no objections are raised to the principle of the proposed development.
- 7.2 In addition, and notwithstanding the above, the Council cannot presently demonstrate a five year housing land supply. Therefore, in accordance with the presumption in favour of sustainable development in Paragraph 11 of the National Planning Policy Framework (NPPF), development should be permitted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. The redevelopment of the site for a 56 bed care home would make a positive contribution towards the Council's housing supply, with associated social and economic benefits. In addition, the proposal would provide other benefits such as meeting a need for accommodation for older people, generating permanent employment opportunities and the redevelopment of a vacant brownfield site. These benefits would weigh in favour of the proposal.

### **Design and layout**

- 7.3 Saved Policy E20 of the Northampton Local Plan and Policy H1 of the Joint Core Strategy place great importance on the quality of design of new developments and are in conformity with the NPPF which advises that planning should always seek to secure high quality design.
- 7.4 There are distinct character areas in the locality of the application site. Indeed, the properties to the south of the site comprise a run of detached houses of two storey scale and individual design, including a variety of different materials and roof forms, which also have deep front gardens and regular plot widths. The bungalow on the application site that is proposed to be demolished as part of the current application forms the last of this run of dwellings; it is smaller in height and benefits from a deep front projection that extends closer to the road than neighbouring properties.
- 7.5 The part of the site that previously contained the Cedarwood care home differed in character from the run of dwellings to the south of the site; occupying a larger plot which narrowed in width to the rear and comprised a two storey property with sprawling single storey projections. Furthermore, the care home benefited from a 2016 planning permission which was part implemented for extensions to fill the bulk of the width of the plot at two storey level with a large single storey rear extension. In addition, it is notable that planning permission was granted in 2017 for the construction of a part two storey, part three storey flatted development on part of the site. Also, an alternative permission to redevelop the care home with ten dwellings was permitted last year, which included 2.5 storey dwellings to the frontage of the site and two storey dwellings also located to the rear part of the site.
- 7.6 To the north of the site, there is a different character to the streetscene with large institutional buildings set well back from the Kettering Road and largely screened from the street. Although, the treed character of frontages to the eastern side of the Kettering Road helps to tie the southern and northern parts of the streetscene together.

- 7.7 The opposite side of the Kettering Road from the application site differs again in character, comprising predominantly semi-detached bungalows. The immediate neighbours to the rear of the site on Squires Walk also comprise bungalows.
- 7.8 The proposed care home would comprise a large building with an overall width and depth of some 60 metres and 37 metres respectively and a maximum height of 11.3 metres. However, the frontage of the building has been broken up into three blocks that would be connected via recessed glazed links. Furthermore, each block has a different height and set back from the Kettering Road and includes projections to provide additional articulation and a strong rhythm of windows to add interest and facilitate an active frontage. As such, it is considered that the development would have the appearance of three buildings in the streetscene and the mass of the new care home would be effectively broken up. In addition, the southern block would have the proportions of a large dwelling and thus would serve as a transition feature in the streetscene between the existing run of detached houses to the south of the site and the central 3 storey part of the care home and the northern 2.5 storey block that have a more institutional design. It is acknowledged that the northern block would step forward of the existing pattern of development, but it would still remain some 8 metres back from the frontage of the site and as the end building in this part of the streetscene it would not appear out of place. Furthermore, the front corners of the new care home would be set in 4.6 metres and 8 metres from the southern and northern side boundaries respectively with the rear of the care home set in 10 metres from the rear boundary such that it would not appear unduly cramped within its plot. It is also acknowledged that the northern block includes some unusual roof form elements, such as a dormer feature to the side to contain a lift and flat roof forms, but these parts of the proposal would not appear unduly prominent in the streetscene due to their siting. The materials for the proposed development would have a contemporary feel, incorporating sections of red brick and sections of buff bricks separated horizontally by a course of engineering bricks. However, given the existing variety of materials in the streetscene it is considered such an approach to elevation treatments is acceptable.
- 7.9 The existing trees the subject of a Tree Protection Order to the frontage of the site would be retained as part of the proposed development, with the car parking designed around the existing trees and the new care home set back from their root protection areas. In addition, the proposal would include areas of landscaping to the frontage of the site with railings to the front boundary. The majority of the existing trees to the rear boundary of the site would also be retained and again the new building would be set outside the root protection area for these trees. The building would also set in from the side boundary with No. 484 to ensure minimal encroachment on the root protection area for the Cedar tree in the garden of this neighbouring property. The new care home would at one point be located relatively close to the trees running along the footpath to Eastfield Park due to the tapering nature of this side boundary, but this is also the case for the existing care home and the Council's Arboricultural Officer advises that the canopies for these trees are high on the main stem and that the development would not unduly encroach upon them. Furthermore, the Council's Arboricultural Officer raises no objections to the proposal, subject to conditions to secure tree protection measures. As such, it is considered that the proposal would maintain the sylvan character of this part of this streetscene, with the retained trees and landscaping proposals also helping to soften the appearance of the new care home building.
- 7.10 Overall, and subject to conditions relating to materials, levels, landscaping, tree protection and boundary treatments, it is considered that the proposal would not have a detrimental impact on the character and appearance of the streetscene.

### **Residential amenity**

- 7.11 Saved Policy E20 of the Northampton Local Plan, Policy H1 of the Joint Core Strategy and the guidance in the NPPF all seek to secure a good standard of amenity for all existing and future occupants of land and buildings.
- 7.12 The new care home would be set to the northern side of 484 Kettering Road, some 4.6 metres in from the side boundary with no flank windows in its southern wing such that it would not appear prominent, overbearing or result in a loss of privacy, daylight or overshadowing. The proposal

does include a bin store directly adjacent to the side boundary with No. 484 and a small part of this building would project beyond the rear elevation of this neighbouring property. However, the existing bungalow at 486 Kettering Road is located close to the boundary with No. 484 and extends substantially beyond the rear elevation of No. 484. Furthermore, the bin store would be a wholly enclosed single storey structure of brick construction with a low flat roof and secure doors set away from the neighbouring property. As such, it is considered that the bin store would not have a detrimental impact on the residential impact of this neighbouring property.

- 7.13 The application site backs onto the rear boundaries of 7 and 8 Squires Walk, two bungalows which are located at the end of a cul-de-sac and set at angles within their plots such that their rear elevations do not face wholly square onto the application site. The proposed care home would be set in some 10 metres from the rear boundary at its closest point and 7 and 8 Squires Walk are set in similar distances from their rear boundaries with the application site. As such, and given that the rear projection for the new care home would have a hipped roof form and only one upper floor window at first floor level that would serve a corridor and is proposed to be obscure glazed, it is considered that the proposal would not appear prominent or overbearing when viewed from these neighbouring properties or result in an unacceptable loss of privacy, daylight or overshadowing. In addition, it is considered that the retention of the existing trees adjacent to the rear boundary would help to soften the initial impact of the development. It is also noteworthy that a two storey dwelling has recently been permitted closer the rear boundary of the application site than the built form proposed under the current application.
- 7.14 It is noted that third party concerns have been received regarding the potential for noise and activity from future users of the garden of the care home detracting from the amenity of neighbours. However, a care home is a residential use and is, therefore, by nature compatible with neighbouring residential dwellings. Also, it is noteworthy that a substantial part of the site was previously used as a care home. Furthermore, the use can be restricted to a care home only and no other use within Class C2 to prevent a change to other C2 uses that may not be as compatible with neighbours. In addition, and in any event, the noise implications of the scheme have been assessed by Environmental Health and found to be acceptable subject to conditions to prevent unacceptable impacts from plant and equipment associated with the kitchen and laundry.
- 7.15 It is also noted that Environmental Health recommend conditions relating to refuse storage, lighting and construction work to safeguard the amenities of neighbours.
- 7.16 Overall, and subject to conditions recommended by Environmental Health and conditions relating to boundary treatments, landscaping, tree protection, levels and obscure glazing of the first floor window in the rear projection, it is considered that the proposal would not have a detrimental impact on the residential amenity of neighbours.
- 7.17 Turning to the amenities of future occupiers of the care home, the individual bedrooms are generously sized and all include en-suites. In addition, all bedrooms are served by at least one large window, with landscaped buffer strips to the car parking to the front and communal amenity space to the rear. A couple of the windows in projections have a 45-degree relationship to other windows or other wings of the care home, but there are only a limited number of instances of this and such relationships are not unusual for a care home. The new care home would also include several communal rooms and facilities, such as separate dining and lounges on each floor and also a café, cinema room and hair salon. Furthermore, the residents would also benefit from a generously sized and landscaped communal amenity area to the rear of the site.
- 7.18 In addition, it is noted that Environmental Health advise that specific glazing and ventilation mitigation measures should be secured by condition to safeguard the amenities of future occupiers from noise impacts, as well as conditions relating to plant and extract noise, refuse storage and car park lighting as detailed above.
- 7.19 Therefore, subject to the conditions recommended by Environmental Health, it is considered that the proposal would, overall, offer a good standard of amenity for future occupiers of the proposed development.

## **Parking and highway safety**

- 7.20 The County Parking Standards seek one parking space per full time equivalent staff plus 1 one visitor space per 3 beds, with 10% of the total car parking spaces required to be disabled spaces. In addition, the County Parking Standards seek 1 cycle space per five staff members.
- 7.21 The existing care home prior to its recent demolition had 20 bedrooms and only benefitted from a very limited number of informal parking spaces, with the frontage largely occupied by the coach drive. The extension permitted in 2016 and part constructed to reconfigure and enlarge the care home to accommodate a total of 25 bedrooms would have increased the parking provision on the site to 10 spaces. As such, there was an existing parking shortfall on the site and this is a material consideration in the assessment of the current application.
- 7.22 The current application follows pre-application enquiries in which the applicant originally sought advice on the acceptability of a 66 bed care home on the site. However, officers advised that the quantum of development should be reduced to better reflect the guidance in the County Parking Standards.
- 7.23 The current application proposes a 56 bed care home served by 19 parking spaces, two of which would be disabled spaces, and an additional ambulance and drop off / pick up space. The proposal would however still not meet the Standards, with for example the Standards suggesting that the development should provide 19 parking spaces for visitors as well as additional parking for staff at one space per full time equivalent (FTE) staff – The supporting submissions suggest that there would 55 FTE staff with 16 to 18 staff likely to one site at any one time. However, the application has been supported by a Transport Assessment which details that there would be a minimal increase in traffic when compared with the previous care home on the site equivalent to three peak hour two-way movements during a single hour and that there would be a maximum parking accumulation of 16 vehicles. Furthermore, the application has been supported by a Travel Plan to seek to promote sustainable forms of transport to the site. In addition, it should be acknowledged that the Standards are only guidance and it must also be taken into account that there was an existing parking shortfall on the site, there are bus stops along the Kettering Road close to the application site, and the proposal include details of cycle parking. Moreover, the County Highway Engineer has assessed the application and raises no objections on parking, layout or highway safety grounds subject to access related conditions.
- 7.24 The Parking Standards recently adopted by the Borough seek to encourage the installation of Electric Vehicle Charging Points (EVCP). Two such charging points are proposed as part of this application and these can be secured by condition.
- 7.25 Overall, having regard to the above, it is considered that the proposal is acceptable on parking and highway safety grounds subject to conditions to secure the parking, manoeuvring areas and access alterations; cycle storage; and EVCPs.

## **Other considerations**

- 7.26 The application has been accompanied by a site investigation report for contaminated land which has been assessed by Environmental Health and it is recommended that conditions are imposed to secure a remediation scheme and address any unexpected contamination should planning permission be forthcoming.
- 7.27 The application site is not located in Flood Zones 2 or 3. However, the new care home would have a floor space of 2,982sqm such that it would comprise a major development and has been accompanied by a Flood Risk Assessment with details of surface water drainage. The submitted details have been assessed by Anglian Water, the Environment Agency and the Lead Local Flood Authority and found to be acceptable subject to surface water drainage conditions.

- 7.28 The Northants Police Crime Design Advisor advises that the scheme is acceptable subject to conditions to secure specific details of the development, such as boundary treatments, materials for the bin store, and car park lighting.
- 7.29 The County Ecologist has assessed the submitted Ecological Report and advises that the site currently offers little in the way of biodiversity interest, but recommends conditions to secure a Construction and Environmental Management Plan to ensure wildlife is adequately protected during the construction phase, details of hedgehog holes in the boundary fences and compliance with the submitted Landscape and Ecological Management Plan to secure biodiversity enhancements.
- 7.30 The application has been supported by a BREEM pre-assessment to indicate that the development could achieve BREEM Very Good accreditation to contribute to reductions in carbon emissions and to minimise the impacts of climate change and this can be secured by condition.
- 7.31 The application has been accompanied by a Construction Environmental Management Plan. However, it is recommended that a revised CEMP is secured by condition to clarify further details of the construction works such as the construction compound location, traffic routing and delivery arrangements, review construction hours in light of the relevant government guidance and Environmental Health advise at the time, and ensure other matters such as tree protection are adequately addressed.
- 7.32 As the building would fall within Use Class C2, there is not a policy requirement to secure construction training or other Section 106 matters and, for the avoidance of doubt, a condition is recommended that would reinforce the Use Class of the approved development.

## **8 CONCLUSION**

- 8.1 To conclude, the Council cannot presently demonstrate a five year housing land supply and, therefore, the application needs to be assessed in accordance with the presumption in favour of sustainable development. In this instance, the proposal would comply with the development plan and provide specialist accommodation for older people to help contribute to the different housing needs across the Borough and the Council's five year housing land supply, with associated social and economic benefits. Furthermore, subject to conditions, no harm has been identified that would significantly and demonstrably outweigh the benefits. Therefore, it is recommended that planning permission is granted subject to conditions.

## **9 CONDITIONS**

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

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the attached schedule of approved plans.

Reason: For the avoidance of doubt and to conform with the planning application.

3. The development hereby permitted shall be used as a care home only and for no other purpose including any other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason: For the avoidance of doubt and in the interests of ensuring a satisfactory standard of development, residential amenity and parking provision as the application has been assessed on details submitted in accordance with the requirements of Policies H1, S10 and C2 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

4. Notwithstanding the submitted details and Prior to the commencement of the development hereby permitted, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. Development shall than be carried out in accordance with the approved CEMP which shall include:
- i. Traffic management and signage during construction.
  - ii. Parking for site operatives and visitors.
  - iii. Storage areas for plant and materials.
  - iv. The erection and maintenance of security fencing/hoardings and lighting.
  - v. Welfare and other site facilities.
  - vi. Working hours and delivery times.
  - vii. Measures to control noise, vibration, dust and fumes during construction
  - viii. Measures to prevent mud and other debris being deposited on the surrounding highway.
  - ix. Ecological mitigation measures

Reason: To minimise the impact of the development during the construction phase in accordance with the National Planning Policy Framework. Pre-commencement condition to ensure details are agreed in a timely manner.

5. Notwithstanding the submitted details and prior to the commencement of development hereby permitted, an Arboricultural Report including tree protection measures for all the trees to be retained as part of the development and a method statement for all works within the root protection areas of the retained trees shall be submitted to and approved in writing by the local planning authority. The development shall thereafter be constructed in accordance with the approved details.

Reason: In the interests of the character and appearance of the locality in accordance with Policies H1 and S10 of the West Northamptonshire Joint Core Strategy and Saved Policy E20 of the Northampton Local Plan. Pre-commencement condition to ensure details are agreed in a timely manner and to ensure a satisfactory standard of development.

6. Prior to the commencement of the development hereby permitted, 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 shall be subject to approval in writing by 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.

Reason: To ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy. Pre-commencement condition to ensure details are agreed in a timely manner and to ensure a satisfactory standard of development.

7. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and shall be subject to approval in writing by the Local Planning Authority.

Reason: To ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy. Pre-commencement condition to ensure details are agreed in a timely manner and to ensure a satisfactory standard of development.

8. 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 and where remediation is necessary a remediation scheme must be prepared 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.

Reason: To ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy. Pre-commencement condition to ensure details are agreed in a timely manner and to ensure a satisfactory standard of development.

9. Prior to the commencement of the development hereby permitted, full details of the surface water drainage scheme for the site based on the details in the submitted Flood Risk Assessment and Drainage Strategy Issue 2 dated 25 March 2020; correspondence from Anglian Water dated 23 April and 6 May 2020; and drawings HC-2622-502 rev P1 and HC-2622-501 rev P3, shall have been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the new care home is completed. The scheme shall include:
- a) Details (i.e. designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets and attenuation structures (if required).
  - b) Cross sections of all control chambers (including site specific levels mAOD).
  - c) Details of the drainage system are to be accompanied by full and appropriately cross-referenced supporting calculations.
  - d) Details of infiltration tests to BRE 365.

Reason: To reduce the risk of flooding both on and off site by ensuring the satisfactory means of surface water attenuation and discharge from the site in accordance with the NPPF and Policy BN7 of the West Northamptonshire Joint Core Strategy. Pre-commencement condition to ensure details are agreed in a timely manner and to ensure a satisfactory standard of development.

10. Prior to the commencement of the development hereby permitted, a scheme for the maintenance and upkeep of the surface water drainage system proposed for the site, including details of any drainage elements that will require replacement within the lifetime of the development, shall have been submitted to and approved in writing by the Local Planning Authority. The maintenance plan shall be carried out in full thereafter.

Reason: To ensure the future maintenance of drainage systems associated with the development and reduce the risk of flooding both on and off site by ensuring the satisfactory means of surface water attenuation and discharge from the site in accordance with the NPPF and Policy BN7 of the West Northamptonshire Joint Core Strategy. Pre-commencement condition to ensure details are agreed in a timely manner and to ensure a satisfactory standard of development.

11. The development hereby permitted shall not be occupied until a Verification Report for the installed surface water drainage system for the site has been submitted to and approved in writing by the Local Planning Authority. The verification report shall include the following details:
- a) Any departure from the agreed design is keeping with the approved principles
  - b) As-Built Drawings and accompanying photos
  - c) Results of any Performance testing undertaken as a part of the application process (if required / necessary)
  - d) Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges etc.
  - e) Confirmation that the system is free from defects, damage and foreign objects.

Reason To ensure the installed Surface Water Drainage System is satisfactory and in accordance with the approved reports for the development site and reduce the risk of flooding both on and off

site by ensuring the satisfactory means of surface water attenuation and discharge from the site in accordance with the NPPF and Policy BN7 of the West Northamptonshire Joint Core Strategy.

12. Prior to the commencement of the development hereby permitted, full details of the existing and proposed ground levels and finished floor levels of the development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy and Saved Policy E20 of the Northampton Local Plan. Pre-commencement condition to ensure details are agreed in a timely manner and to ensure a satisfactory standard of development.

13. The external surfaces of the development hereby permitted shall be constructed in the materials detailed on the submitted Application Form and shown on the Proposed Elevations drawing number AL(1)141B.

Reason: In the interests of visual amenity and to ensure that the development will harmonise with its surroundings in accordance with Policies S10 and H1 of the West Northamptonshire Joint Core Strategy and Saved Policy E20 of the Northampton Local Plan.

14. The first floor rear facing window shown to be obscure glazed on drawing number AL(1)101A shall be glazed with obscured glass to Level 3 or higher of the Pilkington scale of privacy or equivalent as may be agreed in writing by the Local Planning Authority before the development hereby permitted is first occupied and thereafter retained in that form at all times.

Reason: To safeguard the privacy of the adjoining properties in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy and Saved Policy E20 of the Northampton Local Plan.

15. The development shall be constructed to a minimum rating of BREAAAM Very Good and certification of compliance with this sustainability rating by a licenced inspector shall be submitted to and approved in writing by the Local Planning Authority within three months of the occupation of the development hereby permitted.

Reason: In the interests of minimising the environmental impact of the development, in accordance with Policies S10 and S11 of the West Northamptonshire Joint Core Strategy.

16. Prior to the occupation of the development hereby permitted, car parking shall be constructed and laid out in accordance with the details shown on drawing number AL(9)901C and retained thereafter.

Reason: To ensure that the proposed development does not prejudice the free flow of traffic or conditions of highway safety in accordance with Policies S10 and C2 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

17. Prior to the occupation of the development hereby permitted, the new access shall be constructed in accordance with the approved details and all existing accesses from the site onto the highway shall be permanently closed in accordance with the details shown on drawing AL(9)901C including the reinstatement of the footway and verge.

Reason: To confine access to the permitted point(s) in order to ensure that the development does not prejudice the free flow of traffic or conditions of highway safety along the neighbouring highway in accordance with Policies C2 and S10 of the West Northamptonshire Joint Core Strategy.

18. Prior to occupation of the development hereby permitted, a scheme for the installation of at least two electric vehicle charging points within the site 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.

Reason: In the interests of reducing carbon emissions and to secure a satisfactory standard of development in accordance with Policies S10 and S11 of the West Northamptonshire Joint Core Strategy.

19. Notwithstanding the submitted details and prior to the occupation of the development hereby permitted, full details of facilities for the secure and covered parking of bicycles to serve the development shall be submitted to and approved in writing by the Local Planning Authority. The approved cycle storage shall be provided prior to the occupation of the development hereby permitted and retained thereafter.

Reason: To ensure the provision of adequate facilities in accordance with Policies C2 and S10 of the West Northamptonshire Joint Core Strategy.

20. Notwithstanding the submitted details and prior to the occupation of the development hereby permitted, a travel plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall be fully implemented within two months of the first occupation of the development hereby permitted and retained thereafter.

Reason: In the interests of promoting more sustainable means of travel in accordance with the requirements of the National Planning Policy Framework.

21. Notwithstanding the submitted details and prior to occupation of the development hereby permitted, a detailed scheme of hard and soft landscaping for the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include, where present, the location and species of any existing trees and hedgerows on the land and details of any to be retained.

Reason: In the interests of amenity and biodiversity and to secure a satisfactory standard of development in accordance with Policies S10, H1, BN1 and BN2 of the Joint Core Strategy and Saved Policy E20 of the Northampton Local Plan.

22. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner, and which shall be maintained for a period of five years; such maintenance to include the replacement in the current or nearest planting season whichever is the sooner or shrubs that may die are removed or become seriously damaged or diseased with others of similar size and species.

Reason: In the interests of amenity and biodiversity and to secure a satisfactory standard of development in accordance with Policies S10, H1, BN1 and BN2 of the Joint Core Strategy and Saved Policy E20 of the Northampton Local Plan.

23. Notwithstanding the submitted details and prior to occupation of the development hereby permitted, a Landscape and Ecological Management Plan (LEMP) shall be submitted for approval in writing by the Local Planning Authority. The development shall be implemented and maintained in accordance with the approved details thereafter.

Reason: In the interest of biodiversity and to secure a satisfactory standard of development in accordance with the requirements of Policies BN1, BN2 and S10 of the West Northamptonshire Joint Core Strategy.

24. Prior to the occupation of the development hereby permitted, full details of all external lighting within the site 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 and retained thereafter.

Reason: In the interests of appearance of the locality, residential amenity and crime prevention in accordance with Policies H1 and S10 of the West Northamptonshire Joint Core Strategy and Saved Policy E20 of the Northampton Local Plan.

25. Prior to the occupation of the development hereby permitted, bin storage, boundary treatments and enclosures within the site shall be provided in accordance with the details shown on drawing number AL(9)902D and retained thereafter.

Reason: In the interests of ensuring a satisfactory standard of development and visual and residential amenity in accordance with Policies H1 and S10 of the West Northamptonshire Joint Core Strategy and Saved Policy E20 of the Northampton Local Plan.

26. Prior to the occupation of the development hereby permitted, full details of an odour control system for the cooking equipment to serve the new care home and measures for the acoustic treatment of the system shall be submitted to and approved in writing by the Local Planning Authority. The approved system and acoustic treatment shall be installed prior to the occupation of the approved development and retained and maintained thereafter in accordance with the approved details

Reason: To secure an acceptable level of residential amenity in accordance with Policies H1 and BN9 of the West Northamptonshire Joint Core Strategy.

27. Prior to the occupation of the development hereby permitted, glazing and ventilation acoustic design measures shall be implemented in accordance with the details in Section 6.1 of the submitted Noise Assessment (report reference 2010-04-02a) and retained thereafter.

Reason: To secure an acceptable level of residential amenity in accordance with Policies H1 and BN9 of the West Northamptonshire Joint Core Strategy.

28. Prior to the occupation of the development hereby permitted, fixed plant acoustic mitigation measures shall be implemented in accordance with the details in Section 6.2 of the submitted Noise Assessment (report reference 2010-04-02a) and retained and operated in accordance with the details in the afore referenced assessment thereafter.

Reason: To secure an acceptable level of residential amenity in accordance with Policies H1 and BN9 of the West Northamptonshire Joint Core Strategy.

INFORMATIVE: The applicant is advised that it will be necessary to obtain a crossover (Section 184) licence from Northamptonshire Highways Regulations Department for the purpose of installing the new commercial crossover of publicly maintained highway land. The works necessary to install vehicle crossover must be undertaken only by a Northamptonshire Highways Approved Contractor who has the required and necessary public liability insurance in place. The vehicle crossover of public highway land must be hard surfaced in tarmac only, no paving or any loose material may be placed in publicly maintained highway land. Please note that planning permission does no guarantee that a licence will be permitted, as it is a separate process.

INFORMATIVE: The applicant's attention is drawn to the consultation response from the Police Crime Prevention Design Advisor, which is available to view on the Council's website and provides advice on internal access controls and the specifications for external doors and windows to ensure that the development is secure.

INFORMATIVE: The applicant's attention is drawn to the consultation response from Anglian Water, which is available to view on the Council's website and highlights the presence of Anglian Water infrastructure in the vicinity of the site.

## **10 BACKGROUND PAPERS**

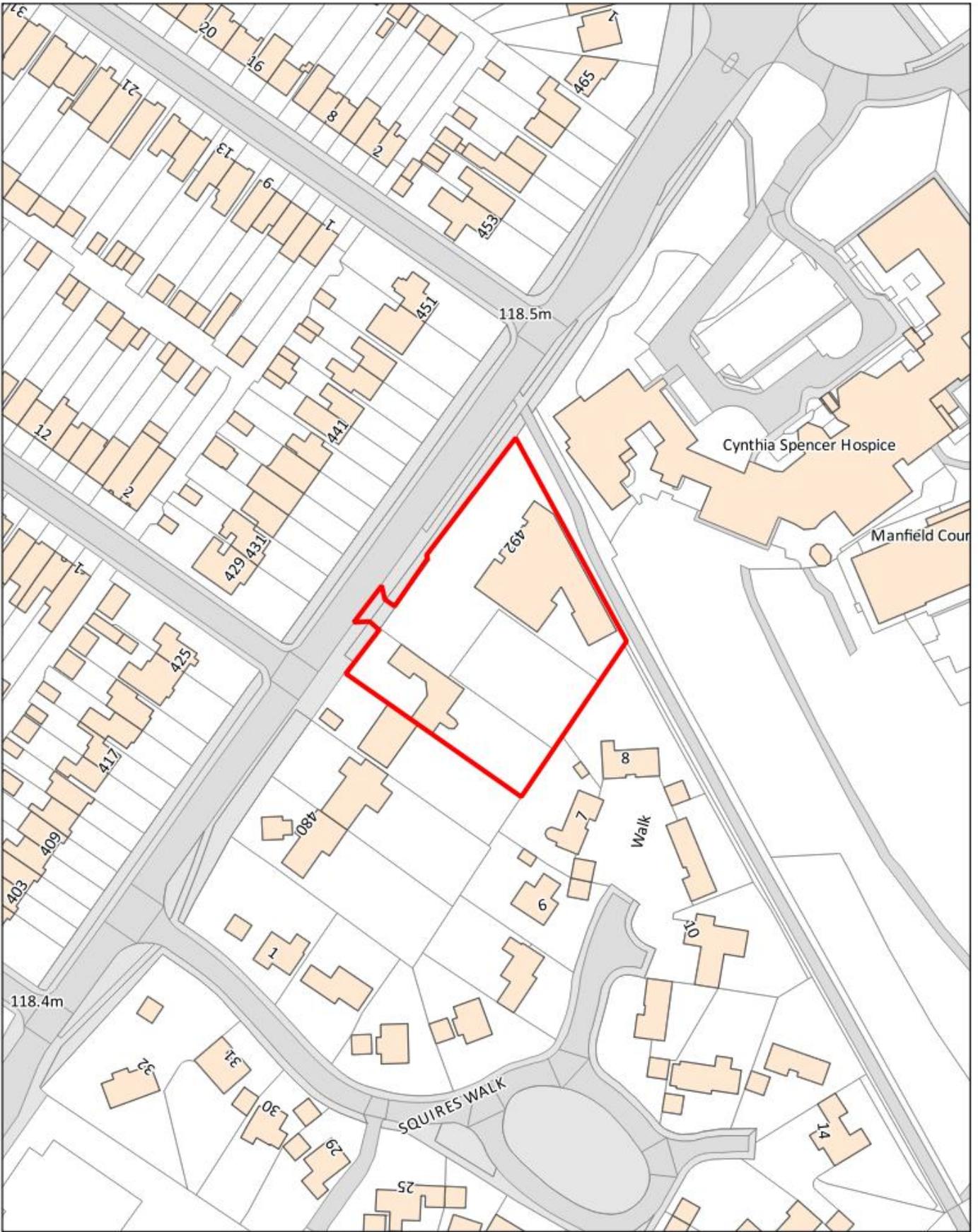
- 10.1** N/2020/0399, N/2018/1188, N/2017/0627, N/2016/0141, N/2015/0747, N/2011/0508, and N/2008/0406.

## **11 LEGAL IMPLICATIONS**

11.1 The development is for a C2 Use Class and is not therefore CIL liable

## **12 SUMMARY AND LINKS TO CORPORATE PLAN**

12. In reaching the attached recommendations regard has been given to securing the objectives, visions and priorities outlined in the Corporate Plan together with those of associated Frameworks and Strategies.



Title: **492 Kettering Road**

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Date: 25-06-2020

Scale: 1:1,250

Drawn by: -----