



Committee Report

Committee Date: 19 February 2020

Printed: 20 January 2020

Extension of Time: To be confirmed

Case Officer **Mr Matthew Brown**

WP/19/00762/EXT

Date received Date valid Overall Expiry
19 December 2019 19 December 2019 9 January 2020

Applicant DB Symmetry (Kettering) LLP

Agent Sean Bennett

Location A509, Kettering Road and land adj, Kettering

Proposal Full Application (EIA): Construction work for the dualling of A509 between A14 jct 9 and Symmetry Park employment site, with new roundabout, associated drainage, lighting and landscaping. **AMENDED PLANS**

PLANNING HISTORY

WP/16/00561/EXT	No objection WBC response Outline application: Up to 214,606 sqm gross external area for B8 warehousing and distribution, ancillary B1(a) offices, with associated access, internal roads, parking and sustainable drainage	16.11.2016
WP/17/00444/EXT	No objection WBC response Demolition of redundant bridge	01.08.2017
WP/17/00550/EXT	No objection WBC response Outline application (EIA): Up to 214,606sqm gross external area for class B8 warehousing & distribution, ancillary class B1(a) offices, with associated access, internal road, parking, landscaping and drainage	14.09.2017
WP/18/00017/EXT	No objection WBC response Full Application: 4 no. interconnecting tipis and associated development to create event venue	15.02.2018
WP/18/00300/EXT	Application withdrawn by authority Full Application: 4 no. interconnecting tipis, and associated development to create event venue	23.08.2018
WP/18/00807/EXT	No objection WBC response Outline Application (EIA): Up to 214,606sqm gross external area for class B8 warehousing and distribution, ancillary class B1(a) offices, with associated access, internal roads, parking, landscaping and drainage	18.02.2019
WP/19/00547/EXT	No objection WBC response Environmental Statement Scoping Opinion: Scoping Opinion request for Outline permission for up to 5,500 dwellings, schools, district and local centres, healthcare, employment, formal and informal open space including playing facilities, roads and associated infrastructure	04.10.2019
WP/19/00598/EXT	Objection by WBC Full Application (EIA): Construction work for the dualling of A509 between A14 jct 9 and Symmetry Park employment site, with new	21.11.2019

roundabout, associated drainage, lighting and landscaping
WP/19/00762/EXT Determination pending.
Full Application (EIA): Construction work for the dualling of A509
between A14 jct 9 and Symmetry Park employment site, with new
roundabout, associated drainage, lighting and landscaping.
AMENDED PLANS

In accordance with Section 100B(4)(b) of the Local Government Act 1972, the chairman has agreed that this item may be considered at the meeting as a matter of urgency as Kettering Borough Council are due to present this application to planning committee on or after 11 February 2020

- This is an external consultation for a proposed development on land in an adjoining authority - Kettering Borough Council (KBC).

- The purpose of this report is to inform members of the revisions and provide them with the opportunity to minute any comments or concerns they may have which can then be reported back to KBC via letter.

- Members have been informed of previous applications for the DB Symmetry Ltd site - KET/2016/0606 and KET/2018/0965 and have been consulted previously regarding the expansion of the A509 under Kettering reference KET/2019/0666

THE SITE AND SURROUNDINGS

The site covers the A509 Kettering Road and adjacent land, to the north of Isham village and immediately to the south east of the A14, Junction 9, Kettering.

The nearest residential properties to the site are individual dwellings along Station Road, Isham which lie to the south of the application boundary. The site falls within the administrative area of KBC but the southern edge of the site lies in close proximity to the borough boundary of Wellingborough.

APPLICATION PROPOSAL AND BACKGROUND

A full application has been submitted for the dualling of A509 between A14 jct 9 with new roundabout, associated drainage, lighting and landscaping.

The redline boundary plan submitted with the application only covers the highway and land adjacent to the highway and does not cover land to the east of the application site which was granted outline planning permission for up to 214,606sqm gross external area for class B8 warehousing and distribution, ancillary class B1(a) offices, with associated access, internal roads, parking, landscaping and drainage under Kettering Borough Council reference KET/2018/0965.

Members objected to the application for the dualling of the A509 at the November Committee for the following reasons,

"The Borough Council of Wellingborough recommends that the strongest possible objection is raised to this application. The proposed alignment and design of the dualled section of the A509 Kettering Road would have a significant negative impact on the village of Isham, and would be highly likely to delay or jeopardise the

implementation of the Isham bypass. The application should be assessed with due regards to policies 17 (ii) and (iv) and 37 (i) (m) and (n) of the North Northamptonshire Joint Core Strategy.

The Borough Council of Wellingborough request that they are re-consulted on any amendments made to the proposed scheme."

Kettering Borough Council consulted us on 19 December 2019 in response to the receipt of further details from the applicant's agent. The applicant's agent, Framptons, have submitted a response to our objection. In summary, Framptons have stated that members concerns have been addressed by virtue of the County Council removing their objection to the proposal.

NATIONAL GUIDANCE, DEVELOPMENT PLAN POLICY AND SUPPLEMENTARY PLANNING DOCUMENTS/GUIDANCE

National Planning Policy Framework
Planning Practice Guidance

North Northamptonshire Joint Core Strategy (JCS)

1 Presumption in favour of sustainable development
5 Flood risk
8 North Northamptonshire place shaping principles
11 Network of urban and rural areas
17 North Northampton Strategic Connections
22 Delivering economic prosperity
23 Distribution of new jobs
24 Logistics
37 Land at Kettering South

SUMMARY OF REPLIES TO CONSULTATIONS/REPRESENTATIONS RECEIVED

It is important to note that KBC have consulted with all residents of Isham village, the Parish Council and all statutory consultees at the County Council and nationally required consultees. The Borough Council of Wellingborough is a consultee only but in this instance has undertaken consultation with a number of key players. (In addition to previous consultation).

1. Northamptonshire Highways - 8 January 2019. Discussions have been held with the applicant and sufficient technical information has now been provided regarding the design of the dualling works to enable the objection to the application originally raised by the local highway authority to be removed.

2. Archaeological Advisor - any impacts on the archaeological resource could be dealt with by condition.

3. Northamptonshire County Council Lead Local Flood Authority - no objection subject to conditions.

4. Isham Parish Council - no comments received directly to WBC.

5. Natural England - no objection submitted to KBC.

ASSESSMENT AND REASONED JUSTIFICATION

To reiterate, the need for the road widening is generated by the 214,606sqm building as approved by permission ref: KET/2018/0965 which is located on adjacent land to the east of the A509.

The site adjacent to the A509 (to the east) is allocated for employment land in the JCS, and will contribute to the economic growth of North Northamptonshire and to the job targets set out in Policies 22 and 23 of the JCS. Policy 37 of the JCS supports an employment scheme on the site and as such the principle of the wider development has already been established and as a consequence of this approval significant works are required to the A509.

As part of approval (KET/2018/0965) it was determined that due to the significant scale of the commercial activity highway alterations would be required and it was determined that the existing A509 would not be able to accommodate traffic from this development without the provision of significant capacity and safety enhancements to this section of road; this was despite indicative plans showing the widening of the A509 (as part of the approval). The adequacy of the works proposed was not assessed and KBC chose to attach condition 32.

"The on-line dualling of the A509 between A14-Junction 9 and the site access, as shown on indicative drawing 30062/2008/007 Rev. B (or as amended by Road Safety Audit and/or Detailed Design) shall be delivered and open to traffic prior to first occupation of the development. The full engineering and construction details of the on-line dualling shall be agreed in writing by the local planning authority prior to commencement of the development. The development shall be carried out in accordance with the approved details."

DB Symmetry Ltd has submitted an application for the road widening independent of the commercial development. On review of additional submission and discussions the County Council Highways Officer have now withdrawn their objections to the road widening scheme.

HIGHWAYS AND THE ISHAM BYPASS

A key issue of the development proposals associated with Kettering South is the Isham bypass, which is a local highway improvement scheme identified within Policy 17 the North Northamptonshire Joint Core Strategy (JCS). Further information has been sourced replace with 'supplied' from Northamptonshire County Council regarding the implementation of the Isham bypass.

The Isham By-pass was approved in 2006 (KET/2005/0790 and WP/05/584), with the time limit extension for 10 years approved under planning approval KET/2012/0261.

Despite Policy 37 of the JCS not requiring the provision of the Isham bypass, the commercial development associated with KET/2018/0965 would however require the dualling of the A509 and concern was previously raised by the County Highway Officer as to whether the two roads could be adequately linked without abortive works being required.

County Highways Officer's objection to application KET/2019/0666 have been withdrawn with officers stating "sufficient technical information has now been provided regarding the design of the dualling works to enable us to remove our objection to the application".

"The LHA was seeking comfort that the highway works were likely to gain technical approval from Northamptonshire Highways prior to making a positive recommendation to the Local Planning Authority (LPA). We have subsequently received such confirmation from our highway adoption team."

Further to this, BCW have sought further information from the County Council Highways department regarding about a programme for implementing the Isham bypass. It is noted and acknowledged that changes would be required to the Isham bypass permission in situ to ensure that A509 dualling and By-pass tally. The technical changes required to ensure the A509 widening and Isham bypass dovetail would trigger the requirement for the submission of a new planning application for the bypass in its entirety. The County Council have been unable to confirm when this application will come forward (This would, if it comes forward in time be a cross boundary application submitted by the County Council).

It is at this point that Members are reminded that the Isham bypass is listed as a priority in the North Northamptonshire Investment Framework (June 2019). Further to this the Department for Transport have noted Isham bypass is a scheme that has been given approval to proceed to the next stage. This information was released by the DFT on 30 September 2019.

CONCLUSION

The County Highways officer's previous concerns regarding the A509 dualling have been addressed, as such their objection to the scheme has been removed and are happy that expensive abortive works will not be required to link with the Isham bypass. The County Council have stated that a new planning permission would be required for the Isham bypass as a consequence of the dualling of the A509.

The County Council are aware, it is strategically important - in accordance with Policy 17 of the JCS - to ensure that the Isham bypass can be enabled to strengthen and enhance North Northamptonshire's strategic connections with surrounding areas, whilst addressing concerns previously raised by BCW.

RECOMMENDATION

It is proposed that BCW responds to KBC to state the following points.

Conditions/Reasons

1. No objections are raised to the principle of development based on County Council Highways Officer removing their initial objection but concern is still raised as to whether the A509 dualling would prevent the Isham bypass being implemented in line with the extant permission KET/2018/0965. The application should be assessed against the requirements of Policy 17(ii) and (iv) the North Northamptonshire Joint Core Strategy (JCS) which states that Isham Bypass is a priority within North Northamptonshire.