

## BOROUGH OF KETTERING

<b>Committee</b>	<b>Full Planning Committee - 14/01/2014</b>	<b>Item No: 5.3</b>
<b>Report Originator</b>	<b>Anne Dew Senior Development Officer</b>	<b>Application No: KET/2013/0798</b>
<b>Wards Affected</b>	<b>Welland</b>	
<b>Location</b>	<b>Stoke Albany Road (land off), Desborough</b>	
<b>Proposal</b>	<b>s.73 Application: KET/2013/0263 (Traveller caravan park consisting of 7 no. plots and amenity buildings) variation of condition 6 in respect of boundary treatments</b>	
<b>Applicant</b>	<b>Mrs S Snelling Kettering Borough Council,</b>	

### **1. PURPOSE OF REPORT**

- To describe the above proposals
- To identify and report on the issues arising from it
- To state a recommendation on the application

### **2. RECOMMENDATION**

THE DEVELOPMENT CONTROL MANAGER RECOMMENDS that this application be APPROVED subject to the following Condition(s):-

1. The development hereby permitted shall be begun before 7 June 2016.  
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 amenity buildings hereby approved shall be built in Hanson Nene Valley Stone bricks and Decra Roofing Sheet, colour Oberon Bark, unless alternative materials are submitted to and approved in writing by the Local Planning Authority.  
REASON: In the interests of the visual amenities of the area in accordance with policy 13 (h) of the North Northamptonshire Core Spatial Strategy.
3. The development hereby permitted shall not be carried out other than in accordance with the approved plans and details shown on drawing numbers 4041-76A, 4041/19A received 20.05.2013, 4041-78 received 29.04.2013, 4041-77 received 15.04.2013, 87206A received 29.04.2013, 04-13-01B received 15.04.2013, J8110 received 15.04.2013 and 04-13-04 received 22.05.2013 all as updated by drg no. 4041-SH-EM-2013-11-27-02 Wind Protection Fencing received 05.12.2013.  
REASON: In the interests of amenity in accordance with policy 13 (h) and (l) of the North Northamptonshire Core Spatial Strategy.
4. All planting, seeding or turfing comprised in the approved details of landscaping as detailed in drawing number 4041-77 received 15.04.2013 shall be carried out in the first planting and seeding season following the occupation of the site or the completion of the development whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of development die, are removed or become seriously diseased shall

be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

REASON: In the interests of amenity in accordance with policy 13 (h) and (l) of the North Northamptonshire Core Spatial Strategy.

5. The site shall not be occupied by any persons other than Gypsies and Travellers as detailed in Annex 1 of the Planning Policy for Travellers Sites 2012.

REASON: This open countryside location is acceptable in policy terms for this use but not for general residential use in accordance with policies 1, 9 and 17 of the North Northamptonshire Core Spatial Strategy.

6. Before the development hereby permitted is first occupied the boundary screening as shown on drawing numbers 4041-75 received 15.04.2013 and 4041-78 received on 29.04.2013 both updated by drawing number 4041-SH-EM-2013-11-27-02 received 5 December 2013 and Allen Concrete Post and Panel fencing received 18.12.2013 shall be erected and shall be permanently retained in that form thereafter.

REASON: In the interests of amenity in accordance with policy 13 (l) and (h) of the North Northamptonshire Core Spatial Strategy.

7. The construction of the means of access to the site shall not be carried out other than in accordance with the details approved on drawing numbers 4041-15 Rev B, 4041-17 Rev B and 4041-21 Rev B received 30.09.2013. The site shall not be occupied until these agreed details have been fully implemented.

REASON: To ensure a satisfactory means of access to the highway in accordance with policy 13 (d) of the North Northamptonshire Core Spatial Strategy.

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

REASON: In the interests of the amenity of the area in accordance with policy 13 (h) and (l) of the North Northamptonshire Core Spatial Strategy.

9. The development hereby approved shall only be undertaken in accordance with the land contamination report, Soiltechnics Ltd, Environmental Assessment Report proposed Caravan Park off Stoke Albany Road, Desborough, report reference R-ST/A384V-01rev0, dated 19 October 2004.

REASON: In the interests of residential amenity in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

## **Officers Report for KET/2013/0798**

This application is reported for Committee decision because the applicant or agent is a member of KBC staff or their spouse/partner.

### **3.0 Information**

#### **Relevant Planning History**

KET/2013/0365 Traveller caravan park consisting of 7 no. plots and amenity buildings. APPROVED 07.06.2013

KET/2011/0371 Renewal of extant permission: KET/2008/0397 Traveller caravan park consisted of 7 no. plots and amenity buildings. APPROVED 11.10.2011

KET/2008/0270 Erection of a new office and machinery unit for storage and distribution of aggregates. REFUSED 14.05.2008. This application was refused on the grounds of unjustified development in the open countryside and insufficient information submitted regarding traffic movements to assess impact.

KE/04/1182 Change of use to traveller transit site and erection of toilet block, office and stationing of mobile home. APPROVED 23.02.2005. This permission was never implemented.

#### **Site Description**

Officer's site inspection was carried out on 18/12/2013.

The site has an area of 0.34 hectares and is located in the open countryside, off a small lane leading north- east from the Stoke Albany Road, Desborough. The lane currently serves the existing Kettering Borough Council owned Gypsy Traveller Site (The Pastures) which is located approximately 80 metres to the north of the application site. The lane also serves commercial businesses located to the south west of the site.

Works have commenced on site with the construction of the 7 pitch site (known as The Laurels) which was granted planning permission under KET/2013/0365.

#### **Proposed Development**

The proposal is to vary condition 6 of planning permission KET/2013/0365 which is currently being constructed on site. Condition 6 states:

C6 'Before the development hereby permitted is first occupied the boundary screening as shown on drawing numbers 4041-75 received 15.04.2013 and 4041-78 received 29.04.2013 shall be erected and shall be permanently retained in that form thereafter.

REASON: In the interests of amenity in accordance with policy 13 (l) and (h) of the North Northamptonshire Core Spatial Strategy.'

The application is to change the boundary treatment that was originally approved on the north east and south east boundaries of the site and as a consequence vary condition 6 to make reference to these new drawing numbers.

The original scheme provided for a 1.2 metre high post and rail fence on the north east and south east boundaries. The proposed scheme is for a 2.1 metre high concrete fence on the entire north eastern boundary and a substantial part of the south eastern boundary. This application also includes one panel of 1.8 metre high close boarded fence on the shared boundary with each pitch which abuts the concrete fence proposed on the north eastern boundary.

#### **Any Constraints Affecting The Site**

None.

#### **4.0 Consultation and Customer Impact**

**Desborough Town Council** No observations received to date.

**Wilbarston Parish Council** No observations received to date.

**Neighbours** No third party representations received to date.

#### **5.0 Planning Policy**

##### **National Planning Policy Framework**

Policy 4 Promoting Sustainable Transport

Policy 6 Delivering a Wide Choice of High Quality Homes

Policy 7 Requiring Good Design

Policy 8 Promoting Healthy Communities

Policy 11 Conserving and Enhancing the Natural Environment

##### **Planning Policy for Traveller Sites (CLG 2012)**

This policy is a material consideration on the determination of this application. The overarching aim is to ensure fair and equal treatment for Travellers, in a way that facilitates the tradition and nomadic way of life while respecting the interests of the settled community.

It also sets out the need for Local Planning Authorities to increase the number of Traveller sites in appropriate locations, in order to address under provision and reduce the number of unauthorised developments. This should involve the setting of pitch targets to meet a five year supply to be reviewed on an annual basis. This policy confirms that Local Planning Authorities should strictly limit new Traveller site development in the open countryside that is away from existing settlements.

##### **Development Plan Policies**

##### **North Northamptonshire Core Spatial Strategy**

P1. Strengthening the Network of Settlements

P9. Distribution and Location of Development

P13. General Sustainable Development Principles

P17. Gypsies and Travellers

## **Local Plan**

P7. Protection of the Open Countryside

## **SPD's**

Sustainable Design SPD

## **Emerging Policies (Local Development Framework)**

Work is currently in progress on the Site Specific Proposals Development Plan Document and allocation of Gypsy and Traveller Sites. The Council has made a study of land across the whole borough of Kettering. These seven pitches at The Laurels have already been taken into account as supply in this document.

### **6.0 Financial/Resource Implications**

None

### **7.0 Planning Considerations**

The planning consideration is purely based upon the changes in boundary treatment. The principle of development has already been established under planning permission KET/2013/0263 and there were no highway or drainage/flooding issues with this application.

Therefore the key issues for consideration in this application are:-

1. Impact on Residential Amenity
2. Design and Landscape Implications

#### 1. Impact on Residential Amenity

Policy 13 (l) of the North Northamptonshire Core Spatial Strategy requires that developments do not result in an unacceptable impact on the amenities of neighbouring properties of the wider area, by reason of noise, loss of light or overlooking.

The changes to the boundary treatment are proposed on the north east and south east boundaries of the site. The north east boundary faces the existing Pastures site, however is separated by an agriculture field, with a separation distance of approximately 80 metres. It is not considered that the erection of 2.1 metre concrete fence will harm the residential amenity of existing occupiers of the Pastures. It is however considered that the erection of the concrete fence will improve the amenity of future occupiers of The Laurels as it will not only provide for some privacy, but will also provide for improved wind protection on this exposed boundary.

#### 2. Design and Landscape Implications

Policy 13 (o) of the North Northamptonshire Core Spatial Strategy requires that development conserves and enhances the landscape character of the environment making reference to the Environmental Character Assessment and Green Infrastructure Strategy. Paragraph 109 of the National Planning Policy Framework requires that development should contribute and enhance the natural local environment by protecting and enhancing valued landscapes, geological

conservation interest and soils.

Whilst the previous boundary treatment approved on this north eastern and part south eastern boundary of the site (1.2 metre high past and rail fence) would be more in keeping with a site located within the open countryside, it is accepted that the provision of a 2.1 metre high concrete fence will provide for an improved level of amenity for future occupiers for which the principle of a Gypsy / Traveller site has already been accepted on this site. This type of boundary treatment is not uncharacteristic of the area as a similar concrete fence is in place along the southern western boundary of the existing Pastures site. Nearby commercial uses to the south west of the site also have boundary treatment of a similar height. For these reasons, and also given the site has permission for a Gypsy / Traveller site, it is not considered that changes in boundary treatment will have any adverse impact on the character of the surrounding area.

### **Conclusion**

The application is recommended for approval subject to all the previous conditions of planning permission KET/2013/0263 being carried over. The alterations to the boundary treatment will not have any adverse impact on the character of the area and will provide for an improved level of amenity for future occupiers of the site. The scheme is thereby considered to be in accordance with policy 13 of the North Northamptonshire Core Spatial strategy.

#### **Background Papers**

Title of Document:

Date:

Contact Officer:

#### **Previous Reports/Minutes**

Ref:

Date:

Lewis Goodley, Assistant Planning Officer on 01536 534316