

BOROUGH OF KETTERING

Committee	Full Planning Committee - 28/07/2015	Item No: 5.2
Report Originator	Andrew Smith Senior Development Officer	Application No: KET/2015/0253
Wards Affected	Slade	
Location	Millwinds, Harrington,	
Proposal	Full Application: Farrier residential training facility and equine hospital	
Applicant	Dr John Reilly	

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 a S.106 OBLIGATION being entered into, and conditions as identified in the Appendices:-

Officers Report for KET/2015/0253

Officer Update

The application went before Planning Committee on 30th June 2015 where it was recommended that the application be approved subject to relevantly worded planning conditions, which had been updated to tighten the definition of occupation of the proposed 'vets bungalow' and training facility residential elements. The Committee resolved to defer the application so as to allow for the opportunity to seek further information from the applicant as regards the viability of the scheme.

The applicant has submitted a 'Detailed Business Plan' (06/07/2015) in the interests of providing additional information. The submitted document is appended to this report. Included within it is a clarification of the anticipated funding streams of the project. It is stated that funds for the acquisition of the site (£275,000) are immediately available whilst funding for the building of the bungalow (£150,000), the conversion of the existing buildings (£300,000) and the fitting out of the equine clinic would be raised by the sale of other valuable property. It is also stated that funding beyond this would be borrowed using the new and converted buildings as collateral.

An anticipated timeline for the development of the site has also been provided, within which it estimates that a start could realistically be expected on-site 19 weeks post the grant of planning permission. It would then take approximately one calendar year to construct the bungalow and convert the existing buildings. The creation of the menage, landscaping and parking areas would take a further anticipated 5no. months. Based upon the information submitted, it could realistically be expected that the site would be occupied within 2no. years of planning permission being granted.

The applicant, within the Detailed Business Plan, has once again taken the opportunity to clarify that some sensitive information regarding existing clients in the area has been withheld on the grounds that, if leaked, it could have an adverse effect on future business and cause damage to the applicant's professional integrity.

As a further note, the applicant has confirmed that they would be willing to enter into a S106 legal agreement that ties the occupation of the vet's bungalow to the active use of the commercial elements of the scheme, i.e. the equine hospital and the farrier training facility. This would provide further assurances that any residential use of the site is only authorised in direct association with an active commercial use of the site (this builds upon the requirements of proposed Condition 5, which would limit the occupation of the bungalow to a person solely or mainly employed in the approved business use).

With respect to foul water drainage at the site, it is noted that the previous KET/2010/0133 consent for mobile homes and traveller vans at the site was granted (subsequently quashed following Judicial Review of the decision) subject to a condition requiring that details of sewage treatment works were submitted, approved and implemented prior to the first occupation of the site. In this instance and in light of the consultation responses that have been received, it is continued to be felt that the proposed informative that is contained within the update to Committee on 30th June 2015 (which encourages the applicant to give early consideration to a suitable system of foul water drainage) appropriately covers such matters. Any system would be required to fully comply with the requirements of Approved Document H of the Building Regulations 2010 whilst a permit would be required from the Environment Agency for sewage effluent discharges in excess of 2 cubic metres per day. It is not thought necessary to apply any additional controls in this context.

In summary it is considered that the original recommendation to Members still stands, but is amended so that the proposals are subject to a S106 agreement.

Revised Recommendation

To grant planning permission subject to:

- 1) The completion of a S106 agreement which ties the construction and the occupation of the vet's bungalow to the active operation of the commercial elements of the scheme. An appropriate trigger will need to be the subject of further negotiation but may tie the start of construction of the bungalow to substantially completing the conversion and/ or new buildings identified for the business use.
- 2) The revised conditions as stated in the earlier report and update to the 30 June 2015 Committee.

In addition, in light of the time scale commitments provided within the submitted 'Detailed Business Plan' it is recommended that Condition 1 be revised to reference a 2 year time frame for commencement (as opposed to 3 years).

Revised Condition 1: The development hereby permitted shall be begun before the expiration of 2 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.

The additional viability information that has been received is attached as Appendix A to this report, the earlier report to Committee as Appendix B and updated conditions as Appendix C.

Background Papers

Title of Document:

Date:

Contact Officer:

Andrew Smith, Senior Development Officer on 01536 534316

Previous Reports/Minutes

Ref:

Date: