B O R O U G H O F K E T T E R I N G

**PLANNING COMMITTEE**

# Meeting held – 30th June 2015

 **Present:** Councillor Shirley Lynch (Chair)

Councillors Linda Adams, Ash Davies, Terry Freer, Mark Rowley, David Soans, Karl Sumpter and Keli Watts

**15.PC.06 APOLOGIES**

 Apologies for absence were received from Councillors Lesley Thurland. It was noted that Councillor Karl Sumpter was acting as a substitute for Councillor Thurland.

**15.PC.07 DECLARATIONS OF INTEREST**

 Councillor David Soans declared an interest in Item 5.11 as a member of Desborough Town Council

**\*15.PC.08 MINUTES**

 **RESOLVED** that the minutes of the meeting of the Planning Committee held on 2nd June 2015 be approved as a correct record and signed by the Chair.

\***15.PC.09 ITEMS OF URGENT BUSINESS**

 The Chair drew the attention of the meeting to a factual inaccuracy page 14 of the report relating to Item 5.5 – Ise Garden Centre. No meeting had been held between the applicant and Ise Lodge ward councillors.

**\*15.PC.10 APPLICATIONS FOR PLANNING PERMISSION**

 The Committee considered the following applications for planning permission which were set out in the Head of Development Control’s Report and which were supplemented verbally and in writing at the meeting. Eighteen speakers attended the meeting and spoke on applications in accordance with the Right to Speak Policy.

 The report included details of applications and, where applicable, results of statutory consultations and representations which had been received from interested bodies and individuals, and the Committee reached the following decisions:-

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| Proposed Development\*5.1 Full Application: 68 no. dwellings comprising 10 no. conversions from listed buildings, 56 no. new build and 2 no. refurbishments. Landscaping to include the restoration of the gardens and pond to Bryn Haford. Highways and drainage works at Convent of Our Lady, Hall Lane, Kettering for WR (NI) Property Realisations LimitedPlan No: KET/2014/0591Speakers:Carol Fellows attended the meeting and spoke as a third party objectorMichael Evans attended the meeting and spoke as agent for the applicant |  | DecisionThe committee considered both Item 5.1 and 5.2 together.At the meeting of the Planning Committee 7th April 2015 it was agreed that the Committee were minded to grant planning permission and Listed Building Consent, subject to:1. The outcome of further negotiations between the applicant and the LPA with appropriate technical advice from the Highway Authority regarding the possibility of highway improvements at Hall Lane or at junction with Northampton Road, being first reported to the Planning Committee and an outcome agreed;
2. A completed s106 obligation to address:

If appropriate the matter referred to in (a) above; 2) The s106 matters identified in the report; and 3) The s106 matters clarified in the Update, i.e. safeguarding the site and protecting the listed buildings against  further deterioration until they are fully repaired and occupied or reusedAnd conditions as set out below. An update was presented to the committee outlining a letter from local residents in relation to drainage concerns and new technical details for negotiated footway and tactile paving improvements at the junction of Northampton Road and Hall Lane. It was agreed that planning permission be **APPROVED** subject to a S106 OBLIGATION being completed including the footway improvements. identified in the 30 June update, plus the obligations referred to in earlier resolution except no other works to alter highway; and to the following conditions:- |

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.

2. Prior to the commencement of works, method statements and specifications of the proposed works to Bryn Hafod and Middlewest and the two cottages shall be submitted to and approved in writing by the Local Planning Authority. The statements and specifications shall include details of door and window repair, new internal plasterwork and plaster repair, new external render and external render repair, floorboard reinstatement and repair, pointing, cleaning, timber repair / replacement, and works to reinstate and repair the roof structure including tiles. The works shall be carried out thereafter in accordance with the approved particulars.

3. In regard to the Listed Buildings, prior to the installation of new replacement roof materials, at least three samples of the proposed roof material and a sample of the proposed ridge tile, shall be submitted to, and approved in writing by the Local Planning Authority. Samples shall be accompanied with details of source/supplier. The works shall be carried out thereafter in accordance with the approved particulars.

4. Prior to the commencement of any new brickwork, a sample panel of brickwork shall be constructed on site for the inspection and written approval of the Local Planning Authority. The sample panel should use the proposed walling material, mortar type, bond, coursing and pointing. The panel shall remain on site until the works are completed. The works shall be carried out thereafter in accordance with the approved particulars.

5. Prior to the commencement of any new external render, roughcast or pebble dash, a sample panel of the proposed covering shall be carried out on site for the inspection and written approval of the Local Planning Authority. The works shall be carried out thereafter in accordance with the approved particulars.

6. Prior to the installation of any new soil stacks, flues, vents, extracts, ductwork, grilles, security alarms, lighting, cameras or other appurtenances the details of these items and the proposed location shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out thereafter in accordance with the approved particulars.

7. The proposed new rooflights shall be conservation type, have a vertical glazing bar, have a maximum distance between the top and sides of the window and adjacent roof covering of 50mm, have lead flashings and soakers and have no parts that project above the plane of the roof, unless otherwise agreed in writing by the Local Planning Authority.

8. Prior to the removal of any doors or windows, a schedule detailing which items are to be retained or removed from site is to be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out thereafter in accordance with the approved particulars.

9. Prior to their installation full details of proposed new windows shall be submitted to and approved in writing by the Local Planning Authority. Details shall include window elevation drawings, horizontal and vertical cross sections at a scale of at least 1:5 and details of mouldings, at a scale of at least 1:2. Details shall confirm the finish of the windows, depth of reveal (to face brickwork) and include opening method and sill. The works shall be carried out thereafter in accordance with the approved particulars.

10. Prior to commencement of works, full details of proposed new doors shall be submitted to, and approved in writing by the Local Planning Authority. Details shall include elevation drawings, horizontal and vertical cross sections at a scale of at least 1:5 and confirm the proposed finish. The works shall be carried out thereafter in accordance with the approved particulars.

11. All new and disturbed internal and external surfaces shall be made to match the existing in all respects.

12. No development 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 dwellings shall not be occupied until the approved scheme has been fully implemented in accordance with the approved details.

13. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping works which shall specify species, planting sizes, spacing and numbers of trees and shrubs to be planted, the layout, contouring and surfacing of all open space areas. The works approved 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. Any trees or plants which, within a period of 7 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.

14. Development shall not commence until there has been submitted to and approved by the Local Planning Authority a scheme in accordance with BS 5837:2012 for the protection (during construction) of trees or tree groups identified for retention, or otherwise protected by a TPO. Thereafter construction shall not take place unless the required protection has been provided and remains on site in a good state of repair.

15. Development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions below have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until the second condition below has been complied with in relation to that contamination.

 a) Implementation of Approved Remediation Scheme

The approved remediation scheme report reference 42419/001/10046 dated February 2014 by WSP Environmental Limited 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 is subject to the approval in writing of the Local Planning Authority.

 b) Reporting of Unexpected Contamination

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 in accordance with the requirements of the currently submitted study, and where remediation is necessary a remediation scheme must be prepared.

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 in accordance with condition a.

 c) Long Term Monitoring and Maintenance

A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period to be agreed in advance, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority. Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority.

16. No works shall take place on the listed buildings until a record of the listed buildings has been carried out and submitted to and approved in writing by the Local Planning Authority. Such records shall take the form of plans, drawings and photographs of the interior and exterior elevations, and shall include a location plan at an appropriate scale; and location and direction of photographs on floor plan. A full copy of this record shall also be deposited in the Northamptonshire County Record Office within two weeks of the commencement of the permitted alterations to the building.

17. No development shall take place within the site until the implementation of a programme of archaeological work has been secured in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

18. No development 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.

19. No development shall take place on site until full details of all windows, doors, verge detailing and rainwater good 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.

20. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without notification) no building, structure, balconies or other alteration permitted by Classes A, B, C, D, E and G of Schedule 2 of the Order shall be erected, constructed or made on the application site.

21. No development shall take place until a plan(s) and cross-sectional plan(s) prepared to a scale of not less than 1:500 showing details of existing and intended final ground and finished floor levels (and land contours in the cross-sectional plan(s)) has 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.

22. No development shall take place until details of all site access junctions (vehicular and pedestrian) on to Hall Lane have been submitted to and approved in writing by the Local Planning Authority. No part of the development hereby permitted shall be occupied until the works have been completed in accordance with the approved plans. The development shall not be carried out other than in accordance with the approved details.

23. No development shall commence on site until a scheme for limiting the transmission of noise between individual units of accommodation has 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 scheme and the scheme shall be completed before any of the units of accommodation are occupied.

24. The development hereby approved shall not commence until details of cycle storage for each dwelling has been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied unless or until its approved cycle storage has been fully implemented as approved. The approved cycle storage shall be retained in that form thereafter.

25. The development hereby approved shall not commence until details of the storage and collection of refuse for each dwelling has been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied unless or until its approved refuse storage and collection has been fully implemented as approved. The approved refuse storage and collection shall be retained in that form thereafter.

26. No development shall commence on site until full details of a scheme, including phasing, for the provision of mains foul sewerage infrastructure on and off site has been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the works have been carried out in accordance with the approved scheme.

27. The development hereby approved shall not commence until a surface water drainage strategy has been submitted to and approved in writing by the Local Planning Authority. No hard-standing area shall be constructed until the approved surface water drainage works has been implemented in full. The approved surface water drainage shall be retained in that form thereafter.

28. No development shall take place until a Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The approved CEMP shall be adhered to throughout the construction/demolition period unless otherwise first agreed in writing by the Local Planning Authority.

29. No development shall take place until a scheme to address ecological interests within the site in accordance with the ‘Mitigation and Enhancement’ of the ‘Ecological Appraisal’ and the Mitigation and Enhancement Proposals’ of the ‘Bat Report’ both dated March 2014 by Lockhart Garratt has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a timetable for implementation of the proposed measures. Thereafter the scheme shall be fully implemented in accordance with the approved timetable.

30. No development shall commence on site until grafts of the existing fruit trees on site are taken and replanted in accordance with a scheme that has been submitted to and approved in writing by the Local Planning Authority.

31. Before the development hereby permitted is begun, a scheme for demonstrating how the development will incorporate techniques of sustainable construction and energy efficiency, provision for waste reduction and recycling and provision for water efficiency and recycling shall 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.

32. The development hereby permitted shall not be carried out other than in accordance with the amended plans.

 *(Voting on the officer recommendation to* ***approve*** *the application:*

*For 6; Against 1)*

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| Proposed Development\*5.2 Application for Listed Building Consent: Demolition of Grade II listed chapel. Renovation and conversion into 10 no. residential dwellings of Bryn Haford and Middle West, including internal alterations and the renovation of their associated 2 no. cottages, including internal alterations. Restoration of the associated gardens and pond to Bryn Haford at Convent of Our Lady, Hall Lane, Kettering for WR (NI) Property Realisations Limited.Plan No: KET/2014/0592Speakers:None |  | DecisionDetail as 5.1 aboveIt was agreed that planning permission be **APPROVED** subject to a S106 OBLIGATION being completed as required in the resolution to KET/2014/0591 and to the following conditions:- |

1. The works to which this consent relate shall be begun before the expiration of 3 years from the date of this consent.

2. Prior to the commencement of works, method statements and specifications of the proposed works to Bryn Hafod and Middlewest and the two cottages shall be submitted to and approved in writing by the Local Planning Authority. The statements and specifications shall include details of door and window repair, new internal plasterwork and plaster repair, new external render and external render repair, floorboard reinstatement and repair, pointing, cleaning, timber repair / replacement, and works to reinstate and repair the roof structure including tiles. The works shall be carried out thereafter in accordance with the approved particulars.

3. Prior to the installation of new replacement roof materials, at least three samples of the proposed roof material and a sample of the proposed ridge tile, shall be submitted to, and approved in writing by the Local Planning Authority. Samples shall be accompanied with details of source/supplier. The works shall be carried out thereafter in accordance with the approved particulars.

4. Prior to the commencement of any new brickwork, a sample panel of brickwork shall be constructed on site for the inspection and written approval of the Local Planning Authority. The sample panel should use the proposed walling material, mortar type, bond, coursing and pointing. The panel shall remain on site until the works are completed. The works shall be carried out thereafter in accordance with the approved particulars.

5. Prior to the commencement of any new external render, roughcast or pebble dash, a sample panel of the proposed covering shall be carried out on site for the inspection and written approval of the Local Planning Authority. The works shall be carried out thereafter in accordance with the approved particulars.

6. Prior to the installation of any new soil stacks, flues, vents, extracts, ductwork, grilles, security alarms, lighting, cameras or other appurtenances the details of these items and the proposed location shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out thereafter in accordance with the approved particulars.

7. The proposed new rooflights shall be conservation type, have a vertical glazing bar, have a maximum distance between the top and sides of the window and adjacent roof covering of 50mm, have lead flashings and soakers and have no parts that project above the plane of the roof, unless otherwise agreed in writing by the Local Planning Authority.

8. Prior to the removal of any doors or windows, a schedule detailing which items are to be retained or removed from site is to be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out thereafter in accordance with the approved particulars.

9. Prior to their installation full details of proposed new windows shall be submitted to and approved in writing by the Local Planning Authority. Details shall include window elevation drawings, horizontal and vertical cross sections at a scale of at least 1:5 and details of mouldings, at a scale of at least 1:2. Details shall confirm the finish of the windows, depth of reveal (to face brickwork) and include opening method and sill. The works shall be carried out thereafter in accordance with the approved particulars.

10. Prior to commencement of works, full details of proposed new doors shall be submitted to, and approved in writing by the Local Planning Authority. Details shall include elevation drawings, horizontal and vertical cross sections at a scale of at least 1:5 and confirm the proposed finish. The works shall be carried out thereafter in accordance with the approved particulars.

11. All new and disturbed internal and external surfaces shall be made to match the existing in all respects.

12. No works shall take place on the listed buildings until a record of the listed buildings has been carried out and submitted to and approved in writing by the Local Planning Authority. Such records shall take the form of plans, drawings and photographs of the interior and exterior elevations, and shall include a location plan at an appropriate scale; and location and direction of photographs on floor plan. A full copy of this record shall also be deposited in the Northamptonshire County Record Office within two weeks of the commencement of the permitted alterations to the building.

13. No development shall commence on site until a scheme for limiting the transmission of noise between individual units of accommodation has 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 scheme and the scheme shall be completed before any of the units of accommodation are occupied.

14. The development hereby permitted shall not be carried out other than in accordance with the amended plans.

*(Voting on the officer recommendation to* ***approve*** *the application:*

 *For 6; Abstain 1)*

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| Proposed Development\*5.3 Full Application: Change of Use (from 3 pitch traveller site and former highway land) to Permanent Gypsy and Traveller Site for 6 no. Pitches and Play Area at The Old Willows, 10 Old Northampton Road, Broughton for Mr P Rooney Plan No: KET/2014/0695Speakers:Cllr Hilary Bull attended and spoke on behalf of Broughton Parish CouncilCllr Jim Hakewill attended and spoke as ward councillor |  | DecisionThe Committee considered an application for a Permanent Gypsy and Traveller Site with 6 pitches. The site had existing consent for 3 pitches, so if approved, a further 3 pitches would be created. The committee heard that KBC had a statutory requirement to provide a rolling five-year supply of pitches for gypsies and travellers and were currently 6 short of that requirement.An update was supplied to the meeting outlining additional consultation responses and an amendment to Condition 9.The meeting noted that the application had been amended from an original 10 pitches down to 6 as officers had expressed concerns over the level of development. The revised application featured a more traditional pitch layout defined by post and rail fencing. No objections had been received from statutory consultees. Broughton Parish Council had provided objections that were listed in the report and update. One letter of support had been received from a local resident, with two letters of objection received focussing on highway safety issues, an aspect that the Committee discussed at length.In terms of the principle of development and associated policy the site was located in open countryside, although it made use of previously developed land. The lack of a five-year supply of deliverable gypsy and traveller sites formed a material consideration for the Committee. The application needed to be determined on its merits alongside the development plan and national policy.Policy 17 of the Core Spatial Strategy (CSS) provided three criteria for the assessment of gypsy and traveller sites, that the proposal must be in accordance with policies 9 & 13 of the CSS and also not in an environmentally sensitive area and be closely linked to an existing settlement. The meeting noted that the site was an established gypsy and traveller site, lacked any environmental issues but was located outside the settlement boundary. However, there was a close link to Broughton and it was considered that an additional 3 pitches would not place undue pressure on local infrastructure. The site was also considered to be in accordance with emerging planning policy. The site was set down from the A43 and was not visible due to substantial landscaping. The site was bounded by a wall and fencing and it was considered that the proposal wouldn’t represent a harmful intrusion in the open countryside. There were concerns raised by councillors about the difference in level between the site and the A43. The Committee asked Officers to discuss this matter with Northamptonshire Highways and check whether any safety measures (e.g. extension to the Armco barrier) would be needed. This matter was delegated to Officers. Should a planning condition be necessary and appropriate this would be imposed. Conditions were proposed to control the scale of development, if additional facilities were required, further approval would be required prior to erection.In terms of residential amenity, the site was located adjacent to existing pitches but the sites were physically separate and it was not considered that the scale of development would have a detrimental impact on residential amenity.Existing access would be used and a turning space was provided on site and the Highways Authority had no objection. It was agreed that planning permission be **APPROVED** subject to the following conditions:- |

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.

2. The site shall not be occupied by any persons other than Gypsies and Travellers as defined in Annex 1 of Planning Policy for Traveller Sites (CLG March 2012).

3. The development shall not be carried out other than in accordance with the Amended Block Plan (KET/2014/0695/5) received by the Local Planning Authority on 18th May 2015. The development shall be laid out in accordance with the approved Block Plan prior to first occupation of the development.

4. No more than one caravan or mobile home shall be permanently stationed at any time on a single pitch and no other buildings or structures shall be erected on a pitch, unless a detailed pitch layout plan and design details showing the positioning, layout, scale and appearance of all proposed caravans, mobile homes, buildings or other structures to be sited within the pitch, are first submitted to and approved in writing by the Local Planning Authority. Pitches shall not be developed other than in accordance with the approved pitch layout plan(s).

5. Prior to first occupation of the development, a post and rail fence shall be provided along the side and front boundaries of each pitch to provide enclosure, unless an alternative scheme for boundary treatment is submitted to and approved by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved scheme. The boundary treatment provided shall be permanently maintained as approved thereafter.

6. There shall be no external illumination on the 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.

7. Prior to first occupation of the development, the Klargester Bio-Disc BA-BC sewage treatment plant shall be installed and operational. This shall be permanently retained in working order at all times for the duration of the site's occupation. If an alternative foul drainage scheme is required, prior to first occupation a foul drainage scheme shall submitted to and approved by the Local Planning Authority and shall be installed and operational in accordance with the approved scheme. Any approved alternative drainage scheme shall be permanently retained in working order at all times for the duration of the site's occupation.

8. No equipment shall be installed and no other development shall take place within the area shown as the 'Play Area' on the approved Block Plan unless full design details, including layout, appearance and specifications, are first submitted to and approved by the Local Planning Authority. Any development within this part of the site shall not be carried out other than in accordance with the approved design details.

9. The site shall not be used for any trade, industrial or business activity and there shall be no open storage of commercial waste or materials.

10. Prior to first occupation, proposals for the storage of domestic waste and recycling shall be submitted to and approved by the Local Planning Authority. Thereafter development shall not proceed other than in accordance with the approved details.

*(Voting on the officer recommendation to* ***approve*** *the application:*

*For 5; Against 2)*

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| Proposed Development\*5.4 Full Application: Use as permanent traveller site for 3 no. pitches at The Paddocks, Park Hill, Braybrooke for Messrs Biddle, Foster and Smith.Plan No: KET/2015/0065Speakers:Karen Stanley attended and spoke as third party objectorCllr Marie Jessop attended and spoke on behalf of Braybrooke Parish CouncilBarry Wayne attended and spoke as agent for the applicantCllr David Howes attended and spoke as ward councillor |  | DecisionThe committee received an update from the applicant’s agent outlining medical information relating to one of the applicants. The Committee noted that the site had had permission on a temporary basis for more than 10 years and had extant permission until September 2015. In principle it was recognised that the site was not in a sustainable location however, it was well contained and maintained. There were no adverse residential impacts arising from application. The Highways Authority had not raised any objections and a drainage issue covered in the report could be accommodated through conditions.It was understood that the proposal was contentious; however, given KBC’s lack of a 5 year supply of traveller pitches, if approved, the council would be in a stronger position to control future traveller applications in accordance with policies and be able to address concerns of local residents in a more satisfactory way. The Committee considered that the previous temporary application for the site had only been approved on the assurance that when the Laurels Site was completed, this site would close. The site was considered to be unstainable and did not comply with Policy 17 of the Core Spatial Strategy. It was agreed that planning permission be **REFUSED** for the reasons set out below:- |

The National Planning Policy Framework (NPPF) requires development to be sustainable. The Planning Policy for Travellers sites (PPTS) states that Local Authorities should strictly limit new traveller development in the open countryside that is away from existing settlements or outside areas allocated in the Development Plan. The PPTS also states that the sites in rural areas should respect the scale of and not dominate the nearest settled community and avoid placing pressure on local infrastructure.

The Development Plan Policies are as follows:

North Northamptonshire Core Spatial Strategy (NNCSS) Policy 17 sets out criteria to be met by applications for gypsy and traveller accommodation. The policy requires that proposals should be in accordance with the locational requirements set out in Policy 9 of the NNCSS and also meet the (relevant) criteria set out in Policy 13 . Policy 17 also requires that a site is to be closely linked to an existing settlement with an adequate range of services and facilities in order to maximise the possibilities for social inclusion and sustainable patterns of living.

Policy 9 states that development will be distributed to strengthen the network of settlements as set out in Policy 1 of the NNCSS which focuses development at the Growth towns with the smaller towns providing a secondary focus for development and limited development in the rural area. Policy 9 of the NNCSS states that new building development in the open countryside, outside the sustainable urban extensions will be strictly controlled. Policy 9 also gives preference to locations that are easily accessible by a choice of means of travel.

Saved Local Plan Policy 7 states that planning permission for development on the open countryside will not be granted except for where otherwise provided for in that plan. Saved Local Plan Policy RA5 states that planning permission for residential development will not normally be granted and lists exceptions to this, one of which is gypsy sites (criterion vi), however the related Policy 119 has not been saved.

The site is in an unsustainable location being in open countryside more than 2 miles from Desborough which is the nearest location with services including schools and shops. The village of Braybrooke though closer has no community facilities except a church, pub and village hall and furthermore has lost in the recent past its only primary school which closed with the site of the school now being considered for redevelopment. There are no footways along the rural lanes between the site and Braybrooke or Desborough.

Therefore to establish a permanent Gypsy and Travellers site here is contrary to the above policies and is unsustainable development.

*(Voting on the officer recommendation to* ***approve*** *the application:*

 *For 2; Against 5)*

*Councillor Terry Freer left the meeting at 9.05pm*

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| Proposed Development5.5\* Full Application: Replacement of 3 no. antenna with 6 no. new antennas on the existing monopole. Installation of a 300mm transmission dish and ancillary development works at Ise Garden Centre, Warkton Lane, Kettering for CTIL and Telefonica UK Ltd. Plan No: KET/2015/0177Speakers:Gail Chapman attended and spoke as a third party objector. |  | DecisionThe committee heard that the application was an upgrade to the existing mast, proposing a replacement from 3 antennas to 6 with a 0.3m dish. The overall height of the mast would be reduced by 80cm, although the head frame would be larger. The nearest property was located 85m away from the site. The NPPF encouraged reuse of existing masts to limit visual intrusion in other locations. Objections from residents included visual impact, health implications and the effect on the surrounding East Kettering development. In relation to health implications, the applicant had confirmed that the mast would operate within Public Exposure Guidelines. It was considered that the additional impact of the upgraded mast did not warrant refusal.It was agreed that planning permission be **APPROVED** subject to the following conditions:-  |

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.

2. The development hereby permitted shall not be carried out other than in accordance with the approved plans and details shown on drawing numbers 201 and 301 received by the Local Planning Authority on 26th February 2015.

 *(Voting on the officer recommendation to* ***approve*** *the application:*

 *For 6; Against 0)*

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| Proposed Development\*5.6 Full Application: Farrier residential training facility and equine hospital at Millwinds, Harrington for Dr John Reilly Plan No: KET/2015/0253Speakers:Cllr Katherine Cadbury attended and spoke on behalf of Harrington Parish CouncilNicholas Marshall attended and spoke as agent for the applicantCllr Jim Hakewill attended and spoke as ward councillor |  | DecisionThe committee heard that the site was located in open countryside, a short distance outside Harrington and had a history of differing applications. An update was supplied adding additional information on the site’s planning history as well as revisions to proposed conditions 5 & 6 and new conditions 18 & 19.The NPPF promoted a strong rural economy through conversion of existing buildings. Officers considered that the proposal related to activities common in the countryside and was therefore suitable for the location. Activities on site would be tightly prescribed by attached conditions and vehicle movements to and from the site would be low. The committee considered comments from speakers regarding both demand for, and viability of the business.It was agreed that this item be **DEFERRED** in order for further information to be supplied by the applicant outlining a business plan for the proposal |

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| Proposed Development\*5.9 Full Application: 1 no. detached single storey dwelling and parking provision for 101 Rushton Road at 101 Rushton Road, Rothwell for Mrs & Mrs M Jones  Plan No: KET/2015/0350Speakers:Anna Musiol attended and spoke as third party objector |  | DecisionThe committee was advised that the site had previously had an application refused on the grounds of back-land development; however, this decision had been overturned on appeal. Therefore the principle of development had been established. The committee heard that in relation to the speaker’s comments regarding location of parking it would be difficult to dictate where someone parked within a plot, although surface treatments could be conditioned. The committee requested an additional condition be added to the permission, to ensure that the surface treatment used was not gravel to reduce noise impact on neighbouring amenity.It was agreed that planning permission be **APPROVED** subject to the following conditions:- |

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.

2. The development hereby permitted shall not be carried out other than in accordance with the approved plans and details shown on drawing numbers 100A LPA 1 and 100/A LPA2.

3. The landscaping and boundary treatment of the development hereby permitted shall not be carried out other than in accordance with the approved plan 100/A LPA1.

4. No development 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.

5. The development of the dwelling hereby permitted shall be carried out in accordance with the Sustainability Appraisal and Energy Statement received by the Local Planning Authority on 12/05/2015. The development shall not be carried other than in accordance with the approved details unless otherwise first agreed in writing by the LPA.

6. Prior to the commencement of the development hereby permitted, details of a positive means of drainage to ensure that surface water from the vehicular access does not discharge onto the highway shall be submitted to and be approved in writing by the local planning authority. Such details as may be approved shall thereafter be installed and operational prior to first use and thereafter be permanently maintained.

7. The driveway and parking area hereby permitted in accordance with plan 100/B received by the Local Planning Authority on 24/06/2015 shall be constructed with a hard bound surface (allowing for drainage holes) and permanently retained in that form.

 *(Voting on the officer recommendation to* ***approve*** *the application:*

 *For 6; Against 0)*

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| Proposed Development\*5.10 Full Application: Agricultural building for storage at the Dales, Green Lane, Ashley for Mr C Squires, HT Squires & Son. Plan No: KET/2015/0029Speakers:Rodney Richardson attended and spoke as a third party objectorCllr Stephen Castens attended and spoke on behalf of Ashley Parish CouncilC Squires attended and spoke as the applicantCllr David Howes attended and spoke as ward councillor |  | DecisionThe committee considered an application seeking permission for a single barn in a rural location. The committee noted that the issue of farm traffic movement raised by speakers had to be seen in proportion to the proposal and it was considered that there would be no greater vehicle movement than was currently the case. The Highways Authority had no objections to the proposal and it would not be possible to condition vehicle movements across the farm as such a condition would be unenforceable. Additionally, the amount of extra traffic resulting from the erection of one building was not within scope for the imposition of a traffic survey. The application complied with all relevant policies and if there was an issue regarding the need for wider public highways, this needed to be addressed with the Highways Authority.It was agreed that planning permission be **APPROVED** subject to the following conditions:- |

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.

2. The development hereby permitted shall not be carried out other than in accordance with the approved plans and details submitted with the application shown on drawing number G(1) dated 30/04/2015.

*(Voting on the officer recommendation to* ***approve*** *the application:*

 *For 5; Abstention 1)*

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| Proposed Development\*5.11 s.73 Application: Variation of Condition 13 of KET/2013/0384 in respect of Arboricultural Survey & Report at 135 Rothwell Road (land at), Desborough for Ms T Baker, Green Bean Development Co Ltd.  Plan No: KET/2015/0431Speakers:Richard Hill attended and spoke as third party objector |  | DecisionThe committee considered an application for permission to remove a number of ash and Lawson’s Cypress trees due to interference with the development permitted under permission KET/2013/0384.It was agreed that planning permission be **APPROVED** subject to the following conditions:- |

1. The development hereby permitted shall not be carried out other than in accordance with the approved plans and details shown on drawing numbers 9856/02C received 22/10/2014 and GRE2691WD001D received on 26/05/2015.

2. There shall be provided for each dwelling either garaging and/or hardstanding for the parking of vehicles clear of the highway, and such provision shall be shown be in accordance with the layout plan submitted with this application (reference GRE2691WD001D), and shall be provided prior to the occupation of the dwellings. The completed parking provision for each dwelling shall be retained, as approved and kept permanently for parking purposes thereafter.

3. The development shall not be carried out other than in accordance with the recommendations contained within the Ecological Survey dated June 2013 submitted with application KET/2013/0384. The development shall be carried out in accordance with the recommendations of the approved survey only and shall be retained as approved in perpetuity.

4. This consent grants outline permission for up to 4 houses only.

 *(Voting on the officer recommendation to* ***approve*** *the application:*

*For 4; Against 1; Abstention 1)*

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| Proposed Development\*5.7 Full Application: 1 no. bungalow at 58 Finedon Road (land to rear of), Burton Latimer for Mr & Mrs B Ojideagu  Plan No: KET/2015/0303Speakers:None |  | DecisionThe committee considered an application seeking permission for the demolition of an existing garage and the erection of one bungalow. The site was within an established residential area, therefore the location of site was acceptable in principle. Objections had been received, but given separation distances and scale of the development, the proposal was acceptable in terms of residential amenity. The surrounding area featured a number of back-land developments so the proposal was also acceptable in terms of design and character.It was agreed that planning permission be **APPROVED** subject to the following conditions:- |

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.

2. The development hereby approved shall not be carried out other than in accordance with drawing number E0002-03-Rev B received by the Local Planning Authority on 29/04/2015.

3. No development 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.

4. No development 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.

5. 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 Class A, B, C, D and E of Part 1 of Schedule 2 of the Order shall be constructed on the application site.

6. Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until parts a to d have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition d has been complied with in relation to that contamination.

A. Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

 - human health,

 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,

 - adjoining land,

 - groundwaters and surface waters,

 - ecological systems,

 - archaeological sites and ancient monuments;

 (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11(or any model procedures revoking and replacing those model procedures with or without modification)'.

B. Submission of Remediation Scheme

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 is subject to the approval in writing of 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. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

C. Implementation of Approved Remediation Scheme

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 is subject to the approval in writing of the Local Planning Authority.

D. Reporting of Unexpected Contamination

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 in accordance with the requirements of condition a, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition b, 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 in accordance with condition c.

7. Prior to first occupation of the development hereby permitted a Sustainability Strategy and Energy Statement and SPD Checklist shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

8. Prior to occupation of the development hereby permitted, the means of vehicular access shall be paved with a hard bound surface for the first 5.5m from the highway boundary such surfacing shall thereafter be retained. The maximum gradient over the 5.5m distance shall not exceed 1 in 15.

9. Prior to the commencement of the development hereby permitted, details of a positive means of drainage to ensure that surface water from the vehicular access [or private land] does not discharge onto the highway shall be submitted to and be approved in writing by the local planning authority. Such details as may be approved shall thereafter be installed and operational prior to first use and thereafter be maintained.

10. No gates, barrier or means of enclosure shall be erected across a vehicular access within 5.5m of the highway boundary. Any such feature erected beyond that distance should be hung to open inwards away from the highway.

*(Voting on the officer recommendation to* ***approve*** *the application:*

 *For 6; Against 0)*

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| Proposed Development\*5.8 Full Application: Increase of roof eaves height with first floor extensions at 107 Warkton Lane, Kettering for Mr R Kumar  Plan No: KET/2015/0148Speakers:None |  | DecisionThe committee considered an application which sought permission to increase the height of roof eaves of an existing dormer bungalow to create a 2 storey property. The property was surrounded by residential development. Given separation distances involved, it was considered that there was no significant impact on neighbouring amenity.It was agreed that planning permission be **APPROVED** subject to the following conditions:- |

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.

2. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match, in type, colour and texture, those on the existing building.

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 additional openings permitted by Schedule 2, Part 1 Classes A or C shall be made in the north and south elevations or roof planes of the extension.

 *(Voting on the officer recommendation to* ***approve*** *the application:*

 *For 6; Against 0)*

*\*(The Committee exercised its delegated powers to*

*act in the matters marked \*)*

*(The meeting started at 7.00pm and ended at 10.39pm)*

Signed: ..........................................................

Chair

DJP