**Full Planning Committee - 17 November 2015**

**Agenda Update**

5.1 **KET/2015/0386**

Chelsea Works, St Michaels Road, Kettering

Amended Plans
Amended plans have been received detailing the removal of the private footpaths to the rear of the mid terraced properties on plots 6, 9 and 12. Gated timber bin stores are proposed to the front of plots 6, 9 and 12 and to the rear of the remaining dwellings. The parking spaces serving plots 13 and 14 have been handed so that the parking space of plot 14 is immediately adjacent to the rear boundary of this plot with plot 13 beyond.

These amendments have been requested by officers and are considered acceptable.

An additional condition is also recommended which removes permitted development rights for means of enclosure, including gates, walls and fences in the front garden area of each dwelling so in future such structures do not impede access to the cars parked in the parking spaces. The condition is as follows:

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 gate, fence, wall or other means of enclosure permitted by Class A of Part 2 of Schedule 2 of the Order shall be erected on any part of the frontage of the dwellings hereby approved.
REASON: To safeguard convenient access to parked vehicles in the interests of highway safety in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

5.2 **KET/2015/0524**

29 High Street (land to rear), Burton Latimer

No update.

5.3 **KET/2015/0660**

14 Green Lane, Kettering

Two further objections received. Concerns relate to lack of parking, amenity of future occupiers and neighbouring properties including the potential for overlooking and noise. These issues are covered in the Officers Report at section 7.

Officers consider an additional condition is required to secure the submission of a method statement which will detail how works to the listed building will be carried out:

Prior to the commencement of works a statement of methodology shall be submitted to and approved in writing by the Local Planning Authority. This method statement shall include details of all works proposed to the listed building including any internal stud walls and their fixings, works to make good, floor treatment, the introduction of services and any treatment to walls. The works shall not be carried out other than in accordance with the approved method statement.
REASON: To protect the historic interest of the building in accordance with Policy 12 of the National Planning Policy Framework.

5.4 **KET/2015/0663**

14 Green Lane, Kettering

Two further objections have been received. These are the same as for KET/2015/0660 and are summarised above.

5.5 **KET/2015/0672**

Whitehill Farm (land at), Loddington Road, Cransley

An additional letter of objection has been received from the residents of 3, 5 and 7 Bridle Way, amplifying previous comments. The proposal is too high a density, is an inappropriate built form and would impact unacceptably on the conservation area and neighbours.

With regards to neighbouring residential amenity Plots 4 and 5 are situated considerably higher than 3, 5 and 7 Bridle Way that have rear gardens which rise to levels significantly higher than internal ground floor levels. The open outlook from rear habitable rooms will be unacceptably impacted by the dominating effect of the side elevation and roof plane of plot 5. The massing and bulk can only result in an alien and inappropriately urban relationship. This urbanising effect will be fully viewable from the public footpath to the east of 7 Bridle Way. The perception of privacy to the northern most parts of the gardens of 3, 5 and 7 Bridle Way, will be compromised.

Concerns about the residential amenity for future occupants include the minimal amenity space for individual dwellings and the high probability of conflicts between cars and those at play or recreation.

With regards to highway safety Cransley village is by no means a sustainable location and the majority of new occupants will be highly dependent of the private motor car. The proposed access is located close to sources of concealed moving traffic and the creation of 5 dwellings will likely result in additional hazards for road users and pedestrians. The provision of 11 parking spaces is inadequate and displaced parking will add to visibility and obstruction on Loddington Road and Bridle Way.

Officer Response:
Private spaces are provided for each dwelling and are considered to provide appropriate levels of amenity for future occupiers as set out in section 7 of the report.

Plot 5 has 5 metre eaves and a maximum ridge of 8m, with a projecting rear gable presenting 4.1 metre eaves and a 6.5 metre ridge to neighbouring properties. The separation distance, orientation in relation to the path of the sun and local topography between this plot and 3, 5 and 7 Bridle Way is considered in section 7, sub-section 3 of the officer report. Conditions 4 removes permitted development rights from this plot to ensure that no additional openings are created in the wall or roof slope without formal approval from the LPA.

Highway aspects are set out in section 7, sub-section 4 of the officer report.

5.6 **KET/2015/0675**

Whitehill Farm (land at), Loddington Road, Cransley

Comments received from 3, 5 and 7 Bridle Way in respect of KET/2015/0672 have also been submitted under this application. The Listed Building Consent is for demolition and conversion elements of the proposal and does not relate to the new build elements including plots 4 and 5.

5.7 **KET/2015/0728**

7 Deeble Road, Kettering

No update.

5.8 **KET/2015/0757**

33 Warkton Lane, Kettering

Additional Condition
It is recommended that an additional condition be attached to any planning permission granted requiring the windows in the dwelling on Plot 1, the large replacement dwelling at the front of the site, be white painted timber and recessed.

5.9 **KET/2015/0798**

79 One Stop Stores, Brambleside, Kettering

No update.

5.10 **KET/2015/0800**

1 Cransley Hill (land adj), Broughton

Highway Authority comments:

"Previously the applicant indicated the ability for customer to continue using the side of the shop for parking with, potentially 3 spaces available albeit very close to the junction. This would represent a continuation of the arrangements in place now but closer to the junction which was accepted as means to get cars off the road so that the access to the proposed dwelling would be possible.
In light of no progress being made to form these parking spaces and the lack of a planning condition to require them the situation for the current application is far from ideal with the expectation that the resident would have to either reverse in or out and be faced with parked cars blocking visibility to the junction. The convention is that accesses off classified roads should have turning facilities on site but as the parking space for the house was replacing one or more of the shop's spaces this was conceded as acceptable to have a simple single access with no turning.

The submitted drawing shows that the pedestrian visibility splays are unable to be formed successfully because of either the corner of the house on the right or neighbouring land on the left. . It is appreciated that the previous application also contained this condition but at least with that one, all land belonged to the applicant and the access was wider.

This has led the applicant to consider parking on the street instead for their 1 or more vehicles". Advise of the need for "a parking survey completed to show whether Cransley Hill has sufficient capacity overnight to cope with 2 more vehicles parked on street"

Officer Update:

The applicants have now provided a parking survey that was undertaken from 7.00pm last night (16/11/15) until 7.00am this morning (17/11/15) (a suitable representative period for a survey (as advised by the Highway Authority) when parking demands would be most in demand. This showed 0-100m from development

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| --- | --- | --- |
| Time | No. Parked Vehicles | No. of Parking Spaces |
| 19:00 | 9 | 6 |
| 20:00  | 8 | 7 |
| 21:00 | 7 | 8 |
| 22:00  | 9 | 6 |
| 23:00  | 9 | 6 |
| 05:00  | 9 | 6 |
| 06:00  | 9 | 6 |
| 07:00  | 8 | 7 |

Accordingly, the Development Manager advises:
1) the option omitting on- site parking space is the plan recommended for approval
2) Condition 8 as stated on the agenda be deleted and instead the following conditions (including one based on the Environmental Health 's recommendation missed off the papers) be added:

Revised condition 8
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 C have been complied with.
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.
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.
Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised

New condition 9
No on-site vehicle parking shall occur anywhere on the plot at any time following first occupation of the dwelling hereby approved, in accordance with the revised plan drawing number 15-098-03 date stamped 09.11.15.
Reason: In consideration of highway safety and in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

New condition 10
Prior to the commencement of development there shall be submitted to details of the existing and proposed ground levels and the proposed finished floor levels of the dwelling hereby approved. The information shall include sections through the site indicating surrounding buildings; the amount of material to be removed from the rear and/or added elsewhere on the site; and confirmation as to how the structural or construction issues arising from the removal of a low wall/raised area adjacent to the gable end of 1 Cransley Hill (property adjacent) have been properly attended to.
Reason: In the interest of ensuring that resulting ground and finished floor levels take account of the natural fall of the site; residential amenity; and to ensure that development proceeds in a suitable way, in consideration of Policy 13 of the North Northants CSS.