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

**PLANNING COMMITTEE**

# Meeting held – 17th November 2015

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

Councillors Linda Adams, Ash Davies, Terry Freer, Cliff Moreton, Mark Rowley, Lesley Thurland and Keli Watts

**15.PC.42 APOLOGIES**

Apologies for absence were received from Councillor Soans

**15.PC.43 DECLARATIONS OF INTEREST**

None

**\*15.PC.44 MINUTES**

**RESOLVED** that the minutes of the meetings of the Planning Committee held on 20th October 2015 and 27th October 2015 be approved as a correct record and signed by the Chair.

\***15.PC.45 ITEMS OF URGENT BUSINESS**

None.

**\*15.PC.46 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. Five 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: Demoltion of existing buildings and construction of 14 no. dwellings at Chelsea Works, St Michaels Road, Kettering for Berekley DeVeer C/O England and Lyle  Application No: KET/2015/0386  Speakers:  Tessa Fletcher, agent for the applicant attended the meeting and spoke about the site, design and policies relating to the application. |  | Decision The Committee received a report for the demolition of existing factory buildings and erection of 14 no. dwellings.  The committee received an update which stated amended plans had been received detailing the removal of private footpaths to the rear of the mid terraced properties on plots 6, 9 and 12. Gated timber bin stores were proposed top the front of plots 6, 9 and 12 and to the rear of the remaining dwellings. The parking spaces serving plots 13 and 14 had been amended so that the parking space of plot 14 was immediately adjacent to the rear boundary of this plot with plot 13 beyond.  An additional condition was recommended to remove 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 impede access to the cars parked in the parking spaces.  The planning officer reported that the site was easily accessible and within easy reach of transport and other facilities. The scheme was a good use of an existing industrial site.  Members commented that the scheme was an asset to the community and that the amended plans incorporating the bin stores had made the application more acceptable.  It was agreed that the application be approved subject to S106 obligation being entered in to and 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. 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.

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.

3. No demolition or development shall take place until a Demolition and Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Statement shall detail the following:

- the parking and turning of vehicles of site operatives and visitors;

- loading and unloading of plant and materials;

- storage of plant and materials used in constructing the development;

- the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;

- details of measures to prevent mud and other such material migrating onto the highway from construction vehicles;

- wheel washing facilities;

- measures to control the emission of dust and dirt during demolition and construction;

- a scheme for waste minimisation and recycling/disposing of waste resulting from the demolition and construction works, which must not include burning on site.

- design of construction access

- hours of demolition and construction work

- control of noise and/or vibration

- measures to control overspill of light from security lighting

The approved method statement shall be adhered to throughout the construction period and the approved measures shall be retained for the duration of the demolition and construction works, unless otherwise agreed by the Local Planning Authority.

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. 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 first occupied until the approved scheme has been fully implemented in accordance with the approved details.

6. Prior to commencement of development a Site Specific Waste Audit shall be submitted to and approved by the Local Planning Authority. The audit shall take the form of a written report (accompanied by layout plans where appropriate) and must include matters (a) to (j) inclusive as listed in paragraph 2.28 of the Northamptonshire County Council Development and Implementation Principles Supplementary Planning Document (September 2011). The development shall not be carried out other than in accordance with the approved details unless otherwise agreed by the Local Planning Authority.

7. Prior to commencement of development a Site Specific Waste Management Strategy shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall take the form of a written report (including accompanying layout and design plans) and address points (a) to (e) inclusive as listed in paragraph 2.51 of the Northamptonshire County Council's Development and Implementation Principles Supplementary Planning Document (September 2011).The development shall not be carried out other than in accordance with the approved details unless otherwise agreed by the Local Planning Authority.

8. Before the development hereby permitted is begun, a scheme demonstrating how the development will incorporate techniques of sustainable construction and energy efficiency, provision for waste reduction and recycling, provision for water efficiency and recycling, and demonstrating that at least 10% of the demand for energy will be met on site or renewable and/or from a decentralised renewable or low-carbon energy supply, shall be 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.

9. Notwithstanding the approved plans, prior to first occupation of the development a scheme of hard and soft landscaping which shall specify species, planting sizes, spacing and numbers of trees and shrubs to be planted shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in the first planting and seeding seasons following the occupation of the building, unless these works are carried out earlier. Any trees or plants which, within a period of 5 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.

10. No works shall commence on site until a full detailed survey, including working drawings and photographs, of all existing historical and architectural features has been submitted to and approved in writing by the Local Planning Authority in accordance with the guidance set out in 'Understanding Historic Buildings' (Historic England 2006).

11. No demolition work hereby approved shall be undertaken between the 1st March and 31st July (bird nesting season) in any calendar year unless it has first been demonstrated through the undertaking of an appropriate bird survey, which shall have been submitted to and approved in writing by the Local Planning Authority, that no building is occupied by nesting birds. In the event nesting birds are present demolition work will only be permitted during the aforementioned period subject to the prior written approval of the Local Planning Authority of a mitigation survey.

12. Prior to the commencement of development full details of the surface water drainage scheme for the site, based on the approved Flood Risk Assessment document (prepared by iD Civils Design Ltd, report ref 4406/FRA1 revision C dated 12/10/2015), shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details. The details of the scheme shall include:

a) Evidence, by way of infiltration testing, that the discharge of surface water via infiltration is not feasible on the site;

b) Details (i.e. designs, diameters, invert and cover levels, gradients, dimensions, materials

and so on) of all elements of the proposed drainage system, to include pipes, inspection

chambers, permeable paving, and outfalls/inlets. This should include a plan which notes

manhole and pipe numbers as referenced in the associated Micro-Drainage calculations.

c) Cross sections of the flow control chamber (including site specific levels mAOD) and the manufacturer’s hydraulic curves for the specified devices.

13. Prior to the commencement of development a detailed scheme for the ownership and maintenance of the surface water drainage system shall be submitted to and approved in writing by the Local Planning Authority and the maintenance plan shall be carried out in full thereafter. This scheme shall include details of any drainage elements that will require replacement within the lifetime of the proposed development.

14. Prior to the commencement of development hereby approved a survey of the building for use by bats shall be undertaken and a report detailing the findings shall be submitted to and approved in writing by the Local Planning Authority. In the event the presence of bats is found a mitigation scheme shall accompany the survey report responding to the nature of any occupation found. Any mitigation scheme shall be implemented in full accordance with that approved.

15. 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.

*Members voted on the officers’ recommendation to approve the application*

*(Voting, For 7; Against 0)*

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| Proposed Development \*5.5 Full Application: Conversion of traditional buildings to 3 no. dwellings, construction of 2 no. dwellings with associated works and demolition of modern buildings at Whitehill Farm (land at), Loddington Road, Cransley for Mr D Knight  Application No: KET/2015/0672  Speakers:  Kelly Sanders, a third party speaker against the application spoke on behalf of residents at 3, 5 and 7 Bridle Way and raised issues regarding the adverse impact on residential amenity and the highways  Patrick Reid, Agent for the applicant attended the meeting and commented that the proposal was attractive and sympathetic, which would bring traditional brick and stone buildings back in to use |  | Decision The committee received a report which sought permission for the demolition of an open fronted barn and a modern wooden clad building, the conversion of traditional buildings to three dwellings and the erection of two houses at the farmstead.  The committee received an update, which outlined an objection received from the residents of 3, 5 and 7 Bridle Way, and the Planning Officers comments.  The Planning Officer reported that the two modern buildings to be removed from the site were not part of the listed buildings.  The Conservation Area Appraisal requested that the wall to the front of the site be retained and as a result of this the Highways Authorities visibility splay requirements could not be met, although it was not though that this would be an issue as the site was not situated on a main road.  It was noted that level changes and extensions were considered and officers did not consider it would be overbearing on existing properties.  It was also noted that the current use of the site could be reinstated without permission if the application was not granted.  It was agreed that the application 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. No development shall commence on site until details of the types and colours of all external facing and roofing materials to be used including windows, 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.

3. Prior to first occupation of the development a scheme of landscaping which shall specify species, planting sizes, spacing and numbers of trees and shrubs to be planted shall be submitted to and approved by the Local Planning Authority. The approved scheme shall be carried out in the first planting and seeding seasons following the occupation of the building, unless these works are carried out earlier. Any trees or plants which, within a period of 5 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.

4. 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 east elevation or roof plane of the building to be used for plots 1 and 2 or the south east elevation or roof plane of plot 5 as shown on plan number WIL178PA001 Rev B received 1 October 2015 by the Local Planning Authority.

5. Due to the previous potentially contaminative use of the site and the underlying geology present throughout Northamptonshire at which the levels of some naturally occurring contaminants frequently exceed the levels at which the risk to human health would be considered acceptable for residential land use; it is expected that there may be unacceptable risks to future occupiers of the site without the following investigation being carried out.

Development on land affected by contamination:

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.

6. No development shall commence on site until details of the materials to be used for hard and paved surfacing, together with samples, have been submitted to and approved in writing by the Local Planning Authority. The approved surfacing shall be completed before the adjoining buildings are first occupied.

7. Prior to the first occupation of the development hereby permitted the shared private access and visibility splays shall be provided in accordance with the details shown on drawing number WIL178PA001 Rev B received 1 October 2015 by the Local Planning Authority. The access point hereby approved shall be retained in its approved form thereafter.

8. No development shall take place until a plan prepared to a scale of not less than 1:500 showing details of intended final ground and finished floor levels of plot 4 and 5 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.

9. The window at first floor level on the south east elevation of plot 5 shall be glazed with obscured glass (no less than level 4 Pilkington Standard, or equivalent) and any portion of the window that is within 1.7m of the floor of the room where the window is installed shall be non openable. The window shall thereafter be maintained in that form.

10. Prior to the commencement of development, a scheme for the provision of bird boxes for the development shall be submitted to and approved in writing by the Local Planning Authority. Development shall not be carried out other than in accordance with the approved details.

11. No demolition work hereby approved shall be undertaken between the 1st March and 31st July (bird nesting season) in any calendar year unless it has first been demonstrated through the undertaking of an appropriate bird survey, which shall have been submitted to and approved in writing by the Local Planning Authority, that no building is occupied by nesting birds. In the event nesting birds are present demolition work will only be permitted during the aforementioned period subject to the prior written approval of the Local Planning Authority of a mitigation survey.

*Members voted on the officers’ recommendation to approve the application*

*(Voting, For 6; Against 1)*

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| Proposed Development \*5.6 Application for Listed Building Consent: Conversion of traditional buidings to 3 no. dwellings, with associated works and demolition of modern buildings at Whitehill Farm (land at), Loddington Road, Cransley for Mr D Knight  Application No: KET/2015/0675  Speakers:  None |  | Decision The committee received a report was sought listed building consent for the demolition of buildings of conversion of curtilage listed buildings to create 3 no. dwellings within the wider scheme considered through KET/2015/0672  It was agreed that the application was approved subject 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. No works shall take place on site until full details of all windows to be installed have been submitted to and approved in writing by the Local Planning Authority. The window details shall include glazing bar details at 1:10. The works shall not be carried out other than in accordance with the approved details.

3. All works of repair, restoration and replacement are to exactly match the original features, unless otherwise approved in writing by the Local Planning Authority.

4. No works shall commence on the existing roof timbers until details of the works to the roof timbers, including any that are to be replaced and the details of their replacements, have been submitted to and approved in writing by the Local Planning Authority. The works shall not be carried out other than in accordance with the approved details.

5. 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 stud walls and their fixings, works to make good, floor treatments, the introduction of services, any treatment to existing external walls and any hard surfacing within 1 metre of the walls of the listed structures. The works shall not be carried out other than in accordance with the approved method statement.

6. 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.

*Members voted on the officers’ recommendation to approve the application*

*(Voting, For 7; Against 0)*

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| Proposed Development \*5.8 Full Application: Demolition of existing dwelling and erection of 3 no. dwellings with associated works at 33 Warkton Lane, Kettering for Elm Park Homes  Application No: KET/2015/0757  Speakers:  Samantha Feely, agent for the applicant, attended the meeting and raised points relating to the recently approved day nursery, the NNPF and the street scene. |  | Decision The committee received a report which sought to demolish an existing dwelling and erect a new detached 5 bed dwelling, with two further new dwellings in to the rear.  The committee received an update recommending a condition to any permission granted requiring the windows in the dwelling on plot 1, be white painted timber.  The committee heard that the application was on a large plot of land, subject to local planning policy which identified the importance of that. The changes proposed would have an effect on the nature of the area. In principal the idea was acceptable, however members would need to take in to account policies including the Local Plan for Kettering which covered this part of the town.  Members expressed concern regarding the number of properties proposed along with the previously agreed permission for a further two dwellings on one road not accessible by the fire service. The over concentration of houses on the site was also considered to be unacceptable to the character of the area.  It was agreed that the application be refused for the following reasons: - |

1. The proposed development would result in the redevelopment and subdivision of a large mature plot occupied by a substantial detached dwelling which is typical of the character of Warkton Lane. The proposal represents a tipping point (in the quantum) of development of the site and would be out of balance with and materially harm the established character and appearance of the area contrary to saved Policy K15 of the Local Plan for Kettering 1995 and Policy 13(h) of the North Northamptonshire Core Spatial Strategy 2008. The proposal also conflicts with the advice in the National Planning Policy Framework which seeks to ensure that development responds to local character, reflects its surroundings and adds to the quality of an area. If permitted, the proposed development would fail to do this and alter the character of the area with the harm identified.

*Members voted on the officers’ recommendation to approve the application*

*(Voting, For 2; Against 5)*

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| Proposed Development 5.10\* Full Application: Detached dwelling at 1 Cransley Hill (land adj), Broughton for Mr R Darlow  Application No. KET/2015/0800  Speakers:  Hillary Bull spoke on behalf of Broughton Parish Council and raised concerns relating to the scale of the application, on-site parking and the congestion on Cransley Hill which was highlighted in the village plan |  | Decision The committee received a report which sought approval for a detached dwelling with a small garden and one parking space on underutilised building land.  An update was given to members which outlined concerns raised by the Highways Authority who advised the need for a traffic survey to show whether Cransley Hill had sufficient capacity overnight to cope with two more vehicles parked on street. The applicants provided a parking survey which was included in the update. Accordingly the Development Manager advised the committee the option omitting the on-site parking space was the plan recommended for approval by the committee.  The Planning officer reported the site was in a conservation area which should be enhanced or preserved. The footprint of the building proposed was identical to the size of the dwelling recently approved within a hairs breathe. The differences between the two applications were listed in the report.  Members expressed concerns regarding parking but also considered the fact that a proposal had previously been agreed on the application site.  It was agreed that the application 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. 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 modification) apart from that hereby approved no building, structure or other alteration permitted by Classes A, B, C, D, or E of Part 1 of Schedule 2 of the Order shall be erected/constructed on the application site.

3. In accordance with samples first shown to and approved in writing by the Local Planning Authority, materials to be used are as follows:

- Walls, including NE and SE facing elevations and chimney stack, shall be faced in random coursed sand ironstone laid in the traditional manor using lime mortar; the NW gable end and SW facing rear elevations to be a lime render (in accordance with a sample panel to be first approved by the Local Planning Authority)

- Lintols, cills and corbels to be natural limestone,

- Roof covering: natural blue/ black slate

- Alutec gutters on rise and fall brackets are to be used. Development shall not proceed other than in accordance with the approved materials.

4. Prior to insertion of windows or external doors, joinery sections of these elements shall have been submitted to and approved in writing by the Local Planning Authority. Windows shall be recessed within the elevation openings.

5. Prior to commencement of development the following details shall have been first submitted to and approved by the Local Planning Authority (LPA). The materials and appearance for a) the proposed bin store; b) any proposed external hard surface which shall include means of drainage; c) the side and rear boundary walls (including height and wall coping) or fencing/gates where indicated; d) proposed external planting (including species). Thereafter development shall not proceed other than in accordance with the approved details.

6. For the whole of the period of construction, the whole of the site edged red on the application location plan, shall be kept clear of parked vehicles and instead be kept available for the storage of materials or plant needed to undertake the construction of the dwelling hereby approved.

7. During the whole of the period of construction, no lorry or vehicle delivering construction materials shall attend the site before 09:00am; nor between 3:00pm and 4.00pm; nor after 6:00pm on any day.

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

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.

10. Prior to the commencement of development there shall be submitted to and approved by the Local Planning Authority, 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.

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*Members voted on the officers’ recommendation to approve the application*

*(Voting For 6: Against 1)*

*Councillor Freer left the meeting at 8.35pm*

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| Proposed Development 5.2\* Full Application: Conversion of factory in to 3 no. flats at 29 High Street (land to rear), Burton Latimer for Mr C Phillips  Application No. KET/2015/0524  Speakers:  None |  | Decision The committee received a report which sought permission for the conversion of the factory building to provide 3 no. flats.  The planning officer reported that this was a suitable piece of land for a relatively modest scheme, which provided parking. The good quality materials would improve the area.  It was agreed that the application 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. No development shall commence on site until details of the types and colours of all external facing, roofing and window 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.

3. Prior to the first occupation of the building the access drive, visibility splays and parking spaces shall be provided in accordance with drawing number BL/05 Rev A received by the Local Planning Authority on 15th October 2015 and shall be permanently retained thereafter.

4. 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 west, north east or south east or south elevation or roof plane of the building.

5. The windows on the north west elevation shall be non-opening and glazed with obscured glass in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority and thereafter shall be permanently retained in that form.

6. The windows at first floor level on the north east elevation (rear elevation) shall be obscured in accordance with plan BL04B received 15 September 2015 and shall be glazed with obscured glass in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority. Any portion of the obscured windows that is within 1.7m of the floor of the room where the window is installed shall be non openable. The window shall thereafter be maintained in that form.

7. 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.

8. 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.

9. Due to the previous potentially contaminative use of the site and the underlying geology present throughout Northamptonshire at which the levels of some naturally occurring contaminants frequently exceed the levels at which the risk to human health would be considered acceptable for residential land use; it is expected that there may be unacceptable risks to future occupiers of the site without the following investigation being carried out.

Development on land affected by contamination:

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.

10. The development shall be carried out in accordance with the Sustainability Statement received 26 June 2015 by the Local Planning Authority.

*Members voted on the officers’ recommendation to approve the application*

*(Voting For 6: Against 0)*

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| --- | --- | --- |
| Proposed Development 5.3\* Application for Listed Building Consent: Conversion of ground floor offices to 1 no. one bedroom flat (C3) and I no. six bedroom house in multiple occupation (C4) at 14 Green Lane, Kettering for Mr A Cooke Red Box Developments  Application No. KET/2015/0660  Speakers:  None |  | Decision The committee received a report which sought the conversion of ground floor offices to 1 no. one bedroom flat (C3) and 1 no. six bedroom house in multiple occupation (C4).  An update was given to members which outlined two further objections received with concerns relating to lack of parking, amenity of future occupiers and neighbouring properties. An additional condition would be required to secure the submission of a method statement which would detail how works to the listed building would be carried out.  The application for Listed Building Consent was refused as there was no approved (planning application) scheme to which these works would relate, see item 5.4. Therefore the application was refused.  It was agreed that the LBC application be refused for the following reasons: - |

1. Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 Special regard is required to be paid to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess. The proposed scheme is part of a development proposal requiring planning permission but for which no planning permission exists. In the absence of an approved development the related works and their impact on the Listed building cannot be properly determined and hence the proposal is contrary to the requirement above and to the NPPF which requires any harm or less than substantial harm of a proposed development to be weighed against the public benefits.

*Members voted on the officers’ recommendation to approve the application*

*(Voting For 0: Against 5; abstained 1)*

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| Proposed Development 5.4\* Full Application: Conversion of ground floor offices to 1 no. one bedroom flat (C3) and 1 no. six bedroom house in multiple occupation (C4) at 14 Green Lane, Kettering for Mr A Cooke Red Box Developments  Application No. KET/2015/0663  Speakers:  None |  | Decision The planning officer reported that the application met space and amenity standards and there would be no impact on neighbours in terms of overlooking. No objections were received from the Highways Authority.  Members expressed concerns regarding overdevelopment of the site and strongly opposed the possibility of vulnerable people exiting the building on to the road.  The previous application for Listed Building Consent was refused as there was no approved scheme to which these works would relate.  It was agreed that the application be refused for the following reason: - |

1. One core planning principle, paragraph 17 of the National Planning Policy Framework, is that development should seek to secure 'a good standard of amenity for all existing and future occupiers of land'. The North Northamptonshire Core Spatial Strategy (NNCSS) Policy 13 states developments should incorporate flexible designs for buildings and their settings including access to amenity space to take into account the needs of all users.

The site only includes a very small outdoor area of approximately 21m2. The proposal would be overdevelopment of the existing site. There would be inadequate amenity space for the resident's basic needs incidental to the proposed uses including a lack of room or unsatisfactory arrangements for storage including for refuse. The development does not provide an acceptable standard of amenity for the future occupiers. The proposed development is therefore contrary to Policy 13 of the North Northamptonshire Core Spatial Strategy and the Core Planning Principles of the National Planning Policy Framework.

*Members voted on the officers’ recommendation to approve the application*

*(Voting For 0: Against 6)*

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| Proposed Development 5.7\* Full Application: Two storey and single storey side extension at 7 Deeble Road, Kettering for Mrs S Buman  Application No. KET/2015/0728  Speakers:  None |  | Decision The committee received a report to demolish an existing single storey side and rear extension and replace it on the same footprint but additionally include a first floor side extension.  Members considered the application and it was agreed that the application 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 west elevation of the extension.

*Members voted on the officers’ recommendation to approve the application*

*(Voting For 6: Against 0)*

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| Proposed Development 5.9\* s.73A Retrospective Application: Installation of 3 no. air-conditioning units to rear and retention of 3 no. air-conditioning units to side at One Stop Stores, 79 Brambleside, Kettering for One Stop Stores Limited  Application No. KET/2015/0798  Speakers:  None |  | Decision The committee received a report for a retrospective application, therefore the applied for works had already been undertaken.  Members Considered the application and it was agreed that the application be approved subject to the following condition: - |

1. The development hereby permitted shall not be carried out other than in accordance with the approved plans referenced as follows: B150083-B101; B150083-B201.

*Members voted on the officers’ recommendation to approve the application*

*(Voting 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 9.07 pm)*

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

Chair

AN