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

**PLANNING COMMITTEE**

# Meeting held – 4th October 2016

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

Councillors David Soans, Ian Jelley, Mark Rowley, Lesley Thurland and Greg Titcombe

**16.PC.21 APOLOGIES**

Apologies for absence were received from Councillor Ashley Davies. It was noted that Councillor Ian Jelley would be acting as substitute for Councillor Davies.

**16.PC.22 DECLARATIONS OF INTEREST**

Councillor Soans declared an interest in item 5.7 as a member of Desborough Town Council.

Councillor Thurland declared an interest in items 5.4 and 5.5 as Ward Councillor.

Councillor Titcombe declared an interest in items 5.4 and 5.5 as Ward Councillor.

**\*16.PC.23 MINUTES**

**RESOLVED** that the minutes of the meeting of the Planning Committee held on 6th September 2016 be approved as a correct record and signed by the Chair, subject to the following additional conditions for item 5.4 on page 16 of the September 6th minutes

*3. No part of the extension shall overhang any neighbouring property.*

*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 gable (side) elevation or roof plane of the building.*

\***16.PC.24 ITEMS OF URGENT BUSINESS**

None

**\*16.PC.25 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. Four 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: 2 no. dwellings at Mill Barn, High Street, Cranford for Mrs S Jackson    Application No: KET/2016/0372  Speakers:  Mrs Heather Davis attended the meeting and spoke on behalf of the applicant as follows:  Appreciation and thanks were extended to the case officer for the positive report and assistance given.  The council’s requirements and comments from the case officer had been reflected within the scheme.  Mrs Davis was aware that an objection had been received in regard to the woodland area. Condition 6 ensured that biodiversity issues had been addressed and poor specimens removed providing an enhanced woodland area in accordance with requirements. |  | Decision The application was submitted for the development of 2 residential dwellings.  An update was provided giving additional information and revised conditions to secure suitable natural materials and to ensure the proposed garages were of sufficient width.  Members heard that the proposal was in accord with the character of the Cranford Conservation Area in which it sat. Amendments had been sought to ensure this. The principal of development had been established and was in line with policy. An objection received regarding the loss of woodland had been addressed through Condition 6.  Members discussed the application and there was general consensus in favour. The committee was advised that a previous application had been refused because of the design and form.  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 development hereby permitted shall not be carried out other than in accordance with the approved plans and details submitted with the application.

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 roof will be natural slate. The development shall not be carried out other than in accordance with the approved details.

4. No development shall take place on site until full details of all windows, doors, timber finishes, cills, verge detailing, rainwater goods and stone finishes 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. All external walls shall be constructed in natural stone and shall not be laid, coursed or pointed other than in accordance with a sample panel which shall have been constructed on site and approved in writing by the Local Planning Authority prior to the commencement of construction of any such external walls. As approved, the sample panel shall be retained on site and kept available for re-inspection throughout the construction period.

6. No development shall take place until a Woodland Creation and Management Plan comprising measures for biodiversity enhancements within the site has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved plans and details.

7. Prior to construction of the dwelling, there shall be submitted to and approved in writing by the Local Planning Authority a report identifying how the dwelling is to be constructed in order to achieve a maximum water use of no more than 110 litres per person per day in accordance with the optional criteria 36(2)(b) of the Building Regulations 2010 (as amended) as detailed within the Building Regulations 2010 Approved Document G - Sanitation, hot water safety and water efficiency (2015 edition). Thereafter and before first occupation, evidence is to be submitted to and approved in writing by the Local Planning Authority to demonstrate that this requirement has been incorporated.

8. Works audible at the site boundary will not exceed the following times unless with the written permission of the Local Planning Authority or Environmental Health. Monday to Friday 08:00 to 18:00 hours, Saturday 08:30 to 13:30 and at no time whatsoever on Sundays or Public/Bank Holidays. This includes deliveries to the site and any work undertaken by contractors and sub-contractors.

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. 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 elevations or roof plane of the building.

11. The development hereby permitted shall not be carried out other than in accordance with the approved access and refuse presentation point details shown on drawing number SK11 Rev A received by the Local Planning Authority on 8th August 2016, which shall be retained as approved at all times thereafter.

12. The parking shall not be carried out other than in accordance with the approved plans and details shown on drawing number SK11 Rev C received by the Local Planning Authority on 11th August 2016, which shall be retained as approved at all times thereafter. Notwithstanding the approved plan, the garage doors will be a minimum width of 2.6m

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

*(Voting For 5; Against: 0)*

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| Proposed Development \*5.2 Full Application: 1 no. dwelling at Bentham Close & High Street (corner of), Broughton for Mr M Krajewski  Application No: KET/2016/0462  Speakers:  Mrs Chamberlain attended the meeting and spoke as a third party objector expressed concerns relating to parking, highway safety and access permissions.  Vehicles would have to reverse off the shortened driveway which would be both awkward and unsafe.  Permission required for access would not be given. |  | Decision The committee received a report which sought approval for a dwelling with garage.  An update was provided advising that the proposal description had been amended to remove the reference to the garage and that parking spaces provided accorded with Highways Standing Advice.  The committee heard that the site lay on the edge of the Broughton Conservation Area. A previous outline application (KET/2007/0484) gave approval for a pair of detached dwellings fronting the High Street but only one was built. Previous concerns relating to a proposed garage and the area to the back had been addressed.  The committee asked for clarification regarding the ownership of the parking space, access and parking. Also a request was made to see the comments from Highways. Concerns were made in relation to the safety of children  Members were advised that ownership was not a planning issue, but a civil matter. Traffic in the area was slow moving and on street parking could be used. A balanced consideration had to be made.  Highways did not support the proposal, but if standards had been imposed out of context, the development would have been out of sync with the street scene. Members were advised that a refusal, if then contended at appeal, would not stand up. Previous Highways comments related mainly to the garage.  Further discussion concluded that it would be difficult to impose any further conditions relating to parking or access arrangements and acceptable reasons for refusal were difficult to formulate.  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 development hereby permitted shall not be carried out other than in accordance with the approved plans and details submitted with the application.

3. No development shall commence on site until details of the types and colours of all external facing and roofing materials to be used which shall be traditional and natural materials, together with samples, have been submitted to and approved in writing by the Local Planning Authority. The proposed roof lights shall be fitted so as to be flush with the external roof surface. The development shall not be carried out other than in accordance with the approved details.

4. Prior to construction of the dwelling, there shall be submitted to and approved in writing by the Local Planning Authority a report identifying how the dwelling is to be constructed in order to achieve a maximum water use of no more than 110 litres per person per day in accordance with the optional criteria 36(2)(b) of the Building Regulations 2010 (as amended) as detailed within the Building Regulations 2010 Approved Document G - Sanitation, hot water safety and water efficiency (2015 edition). Thereafter and before first occupation, evidence is to be submitted to the Local Planning Authority to demonstrate that this requirement has been incorporated.

5. All external walls shall be constructed in natural stone and shall not be laid, coursed or pointed other than in accordance with a sample panel which shall have been constructed on site and approved in writing by the Local Planning Authority prior to the commencement of construction of any such external walls. As approved, the sample panel shall be retained on site and kept available for re-inspection throughout the construction period.

6. No development shall take place on site until full details including sections at a scale not less than 1:5 of all windows and doors which are to be timber, timber finishes, verge and eaves detailing and rainwater goods 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.

7. Works audible at the site boundary will not exceed the following times unless with the written permission of the Local Planning Authority or Environmental Health. Monday to Friday 08:00 to 18:00 hours, Saturday 08:30 to 13:30 and at no time whatsoever on Sundays or Public/Bank Holidays. This includes deliveries to the site and any work undertaken by contractors and sub-contractors.

8. No development shall take place until a cross-sectional plan of the site including in the context of neighbouring land, prepared to a scale of not less than 1:500, showing the existing and intended final ground levels and land contours 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. 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. No development shall take place on site until full details of the proposed refuse storage and collection points have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

11. 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 building shall not be occupied until the approved scheme has been fully implemented in accordance with the approved details.

12. Notwithstanding the approved plan, prior to occupation of the development hereby permitted, a plan showing pedestrian visibility splays of at least 2.0m x 2.0m to be provided on each side of the vehicular access to number 20 High Street shall be submitted and approved by the Local Planning Authority. These measurements are taken from and along the highway boundary. The splays shall thereafter be permanently retained and kept free of all obstacles to visibility over 0.6m in height above access / footway level. The access shall have suitable drainage facilities to prevent surface water discharging over the highway

13. The vehicular access gradient from the Highway Boundary shall not exceed 1 in 15 for the first 5m from the highway boundary.

14. Prior to first use or occupation, the proposed parking facilities shall not be provided other than in accordance with the approved plans and shall thereafter be set aside and retained for those purposes.

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 structure or other alteration permitted by Classes A, B, C of Part 1 of Schedule 2 of the Order shall be erected on the application site.

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

*(Voting, For 4; Against 0; Abstention 1)*

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| Proposed Development \*5.4 Full Application: Change of use from factory to a personal training centre at Joinery Yard, Hallwood Road, Kettering for Mr R Debourgh  Application No. KET/2016/0510  Speakers:  Councillor James Burton spoke as Ward Councillor. Councillor Burton declared an interest as he was known to the applicant personally. He advised that he was not asking the committee to go against the proposed development, but to listen to the residents’ concerns.  Residents were relieved that an application had been submitted to bring the building back into use.  Proposed opening times for the Gym had caused concern as they would create difficulties at specific times of day with parking. Members were requested to review the opening times.  Councillor Burton also stated that he took exception to the reference in the officer report page 25 that states ‘The survey concluded that traffic flows are minimal with parking available at all hours including during peak times (early mornings, and late evenings).’ He would like to see a more hands on approach to surveying the road.  Members were reminded that parking on verges and footpaths is an offence.  It was further noted that the bus company had not been consulted even though the road is part of a bus route. |  | Decision The application was submitted for a change of use (COU) from a shoe factory to a fitness centre. The centre’s use will be based around personal training and boxing sessions for both individuals and community groups. External changes to the building were not proposed with limited internal alterations that would not affect the existing layout.  The committee was advised that a survey looking at car parking concluded that there was availability during the day and at peak times. Traffic flows were deemed to be minimal. A view had been taken that the Fitness Centre would be self-governing in terms of visitors to the site as the training units were small.  Noise levels were considered to be acceptable given the previous use of the building which included noise from machinery.  Members expressed strong concerns in regard to the parking in the road. Deliveries to local businesses made it unsafe at times. A request was made to see the survey and that the opening time be reduced by one hour to 8.00pm.  Officers advised that the survey was available to view on the council’s website. It was felt inappropriate to amend the closing time to 8.00pm. Condition 5 ensured a scheme to protect residential units nearby and this could be enforced if necessary.  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 development hereby permitted shall not be carried out other than in accordance with the approved plans and details submitted with the application shown on the plan list within this decision notice.

3. The building shall be used only for a fitness centre and for no other purpose whatsoever (including any other purpose in Class D2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) or in any statutory instrument revoking and re-enacting that Order with or without modification).

4. The premises shall not be open to the public before 10am hours or remain open after 9pm hours on Mondays to Thursday, nor before 10am hours or after 8.30pm hours on Fridays, nor before 10am hours or after 4pm hours on Saturdays. The premises shall not be open at all to members of the public on Sundays or any recognised public holidays.

5. Prior to the development commencing, a scheme for protecting the nearby residential units on Hallwood Rd, Masefield Road and Exeter Street from noise from the proposed development shall be submitted to and approved in writing by the Local Planning Authority. The provisions of this scheme shall include physical controls, operation restrictions and administrative controls, where appropriate. The approved scheme shall be implemented in full and shall thereafter be maintained at all times in accordance with the approved details.

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

*(Voting, For 5; Against 0)*

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| Proposed Development \*5.5 Full Application: Change of use from residential dwelling to a 7 bedroom house in multiple occupation, for occupation of up to 8 persons at 31 Regent Street, Kettering for Miss K Lemon Kamley Asset Management  Application No. KET/2016/0525  Speakers:  Councillor James Burton spoke as Ward Councillor. He described Regent Street as the widest, busiest and most over developed two way street in his ward area. As well as residential properties there were a substantial number of businesses and a Salvation Army Hall in constant use. In addition Crown Street that spurs from Regent Street had a Sikh Temple.  There were currently a total of 21 ‘Houses in Multiple Occupation’ (HMOs) in the street, of which only three were licensed.  Councillor Burton recently had personal involvement in emptying a property in the street and was unable to park outside or near to the property on any of the occasions he visited, due to congestion and the amount of traffic using the street.  The submitted survey showed supposed capacity but it had not been undertaken by Highways.  Cllr Burton concluded that was frustrating when ward councillors spoke regularly about these issues and it would be at the top of his agenda when speaking to the housing minister.  Miss Kelly Lemon, the applicant, spoke for the application.  Discussions with Kettering Borough Council demonstrated that the applicant would be providing much needed accommodation  .  The parking survey had digitally recorded times of the survey shown.  The property next door only had two cars.  All of the tenants were professionals and did not have vehicles.  Concerns over waste had been addressed in the application. |  | Decision The committee received a report which sought approval for a Change of Use (COU) from an existing dwelling house to a 7 bedroom House in Multiple Occupation for the occupation of up to 10 no. persons.  An update was provided advising that the number of occupants was reduced from 10 to 8 and amended plans had been received. Re-consultations had been done and a further letter of objection received stating that parking had become a greater problem since the new residents had moved in.  Members were advised that number 29 Regent Street was already owned by the applicant as a 6 person HMO which did not require planning permission. Consideration was therefore for the impact of an additional 2 residents for 31 Regent Street as an 8 person HMO. Amenity space at the rear of the residences was good, as it has been opened up as a shared area. Cycle storage was provided. No 31 had one double room, the rest being singles.  It has been noted that the area attracted town centre parking by shoppers and that there were differences to parking availability at different times of the day.  The committee expressed concerns regarding parking availability. It was felt that the survey provided by the applicant was not a true reflection of the parking situation in Regent Street. The street was well known and members considered that there was insufficient parking capacity. Whilst there was appreciation that the application had to be considered on the basis of an additional 2 occupants, there were strong concerns about parking and highway safety, as well as management of the waste in regard to wheelie bins being left out obstructing the pavements.  Further discussion and examination of the drawings revealed that the plans on the submitted report were slightly different to those on the presentation given. Apologies were offered as there was a revised plan submitted in association with the reduction from 10 persons to 8. However room sizes were still compliant with national space standards. Also future site management arrangements to ensure that bins were not left out had been secured by condition.  To ensure that the HMO occupation was kept to 8, the property would be closely monitored through the HMO License issued by Private Sector Housing, which would include periodic visits to the 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. The development hereby permitted shall not be carried out other than in accordance with the approved plans and details as listed below.

3. The House of Multiple Occupation (HMO) hereby approved shall be occupied by no more than eight persons at any time in perpetuity.

4. Prior to first occupation of the use hereby approved, a scheme for the storage of bins including the future management arrangements shall be submitted to and approved in writing by the Local Planning Authority. The use shall not first commence until the approved scheme has been fully implemented, and shall be retained thereafter.

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

*(Voting, For 3; Against 2)*

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| Proposed Development \*5.3 s.73 Application: Variation of Condition 3 of KET/2013/0130, in respect of opening hours at 5 St Stephens Road, Kettering for Mrs V Castagnette  Application No: KET/2016/0490  Speakers  None |  | Decision The committee received a report which sought approval to vary the hours of opening from 17:00 – 23:00 hours seven days a week to the proposed 07:00 – 23:00 hours seven days a week.  The committee heard that the operator of the shop wished to extend the opening hours. This was broadly in line with the opening hours of the other businesses  There were no comments from members.  It was agreed that the application be **APPROVED** subject to an additional condition and the following conditions: - |

1. The development hereby permitted shall not be carried out other than in accordance with the approved plans detailed below

2. The use hereby permitted shall be for A5 use (Hot Food Takeaway) as defined within the Town and Country Planning (Use Classes) Order 1987, or in any statutory instrument revoking or re-enacting that Order with or without modification.

3. The use hereby permitted shall not be carried out before 07.00 hours or after 23.00 hours seven days per week. The premises shall not open to the public on Christmas Day.

4. The use hereby permitted shall continue in accordance with the scheme showing the position and design of ventilation and extraction equipment, including details of odour abatement techniques and acoustic noise characteristics submitted to and approved in writing by the Local Planning Authority by discharge of conditions application referenced AOC/0130/1301 in relation to Planning Approval KET/2013/0130 and be retained hereafter.

5. The use hereby permitted shall continue in accordance with the scheme for the storage of refuse on the premises and the disposal of litter in the vicinity submitted to and approved in writing by the Local Planning Authority by discharge of conditions application referenced AOC/0130/1301 in relation to Planning Approval KET/2013/0130 and be retained hereafter.

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

*(Voting, For 5; Against 0)*

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| Proposed Development \*5.6 Full Application: Conversion of extension to 1 no. apartment at 30 Garfield Street, Kettering for Ms S Ward.  Application No: KET/2016/0526  Speakers  None |  | Decision The committee received a report which sought full planning permission for the conversion of a linked extension to a 1 bedroom apartment.  An update was provided giving revised conditions relating to noise assessment and hours of operation for the construction works.  The committee heard that the existing property consisted of two flats and that this conversion would provide a third dwelling on the site. The current frontage had an imposing garage door which would be removed as part of the development. The principal of the development was acceptable. The proposed apartment complied with National Space Standards for a 1 bedroom, 1 person flat on a single floor.  Members discussed the proposal and were advised that a carport would provide off road parking for one vehicle. Access through the carport to the proposed apartment would be under the control of the occupant.  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 development hereby permitted shall not be carried out other than in accordance with the approved plans and details submitted with the application.

3. Before development commences there shall be submitted to and approved in writing by the Local Planning Authority, a noise assessment of the Air Source Heat Pump that outlines the likely impact on any noise sensitive property, and the measures necessary to ensure that the noise does not affect the local amenity of residents. The assessment shall be determined by measurement or prediction in accordance with the guidance and methodology set out in BS4142: 2014. The use hereby permitted shall be operated in accordance with approved details and thereafter maintained in this approved state.

4. Unless with the prior written permission of the Local Planning Authority construction works audible at the site boundary will not exceed the following times:

Monday to Friday 08.00 to 18.00 hrs, Saturday 08.30 to 13.30 and at no time whatsoever on Sundays or Public/Bank Holidays. This restriction also includes deliveries to the site and any work undertaken by contractors and sub-contractors.

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

*(Voting, For 5; Against 0)*

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| Proposed Development \*5.7 Full Application:  Single storey side extension, conversion of part garage to habitable accommodation and insertion of new windows to front, rear and side elevations at 85A Braybrooke Road, Desborough for Mr S Bains.  Application No: KET/2016/0554  Speakers  None |  | Decision The committee received a report which sought approval of full planning permission for a single storey side extension with part garage conversion.  An update was given advising that the current plans; 1866-02A and 1866-03B, have the east and west elevations mislabelled. New plans had been requested.  The committee heard that the proposed development would result in an ‘L’ shaped dwelling. The access was improved under a previous application serving 5 dwellings and met highways requirements. Enough space remained for 3 cars to park. The design was subservient to the main dwelling and permitted development rights had been removed by condition, in order to control any future development.  There were no objections or concerns from members.  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. 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 numbers 1866-01B, 1866-02A, 1866-03B and 1866-04A received 02/08/16.

4. The existing access shown on plan 1886-01B with a width of at least 4.5m for the first 10m back from the edge of the highway shall be permanently retained in its existing form.

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 or E of Part 1 of Schedule 2 of the Order shall be constructed on the application site.

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

*(Voting, For 5; Against 0)*

At this point it being 8.30pm, it was

**RESOLVED** that the meeting continue in order to conclude the remaining business on the agenda.

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| --- | --- | --- |
| Proposed Development \*5.8 s.73A Retrospective Application: Variation of conditions 1 (drawing numbers), 2 (extend temporary time period), 4 (lighting) and 6 (maintenance programme), and removal of conditions 3 (construction hours), 5 (satellite dish) and 7 (temporary car parking) of KET/2015/0459 (Upgrade of construction access to form temporary access road and utilities to serve Parcel PS4)at East Kettering Development - Parcel PS4, Cranford Road, Barton Seagrave for Mr A Wordie Hanwood Park LLP  Application No: KET/2016/0577  Speakers  None |  | Decision The committee received a report which sought approval to extend the time period for the use of the temporary construction access road and utilities for Hayfield Cross School at parcel PS4 on the East Kettering Development (now known as Hanwood Park).  An update was given stating that condition 7 had been amended. This condition addressed the speed limit along part of Cranford Road. An informative had been added reminding the applicant of their duty of care. KBC Environmental Health had responded and had no comments to make.  The committee heard that the application related to the school that occupied parcel PS4 of the Hanwood Park development, which was surrounded by land set aside for residential use. The applicant sought to extend the temporary permissions until December 2017. Variations sought under the application include larger gas storage tanks and use of the existing compound as a temporary car parking area. Also included was the installation of temporary surface water discharge pipes.  The principal of the development was established through outline and previous applications for parcel PS4. The access road was required until the infill and link roads were constructed by the applicant. Highways had requested that the speed limit on part of Cranford Road be reduced to 30mph. This had been addressed by condition. The application regularised the use of 2 no. gas tanks, these were maintained by Calor Gas.  Members expressed concerns about the maintenance of the road and the time it would take to reduce the speed limit on Cranford Road. It was felt that the road maintenance standard must be kept high. Officers advised that the Traffic Regulation Order must be submitted to highways within one month and implemented within one month of the order being approved. Members asked if the cess pit situation from earlier in the year had been resolved. Officers advised that the situation was being monitored and worked on with the applicant.  It was agreed that the application 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 in the approved plan list table at the end of this decision notice.

2. Notwithstanding drawing number (SK) 600 Rev C, this plan will relate to the Proposed Access Road Priority/ Giveaway Scheme Plan only.

3. This permission shall be limited to a period expiring on 31 December 2017. At or before the expiration of this period the use of the access, road and temporary utilities hereby permitted shall be permanently discontinued and the site reinstated to the approved layout drawing ref. (90) 02 Rev E in accordance with the reinstatement strategy received on 29 June 2015.

4. The mobile lighting towers as indicated by the yellow dots adjacent to the temporary access road as shown on Drawing (SK) 601 Rev C shall be sited and operational between the months of October 2016 and April 2017 inclusive.

5. The maintenance of the access road and the lighting serving the access road shall be in accordance with the Programme for Maintenance submitted to the Local Planning Authority approved under AOC/0459/1502.

6. The area used for temporary parking' on drawing (SK)601 rev C, shall be retained for temporary parking and drop off / pick up facilities in accordance with a programme of details to be submitted to and approved in writing by the Local Planning Authority prior to the 30/11/2016. The details shall include a timetable for its implementation and cessation of use.

7. Within 1 month of this permission an application for a Traffic Regulation Order restricting part of Cranford Road to a 30mph speed limit shall be submitted to NCC Highways for approval and shall be implemented in accordance with the approved details within 1 month of the Traffic Regulation Order being approved.

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

*(Voting, For 5; Against 0)*

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

*act in the matters marked \*)*

*(The meeting started at 6.30 pm and ended at 8.37 pm)*

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

Chair

*RJ*