

BOROUGH OF KETTERING

PLANNING COMMITTEE

Meeting held – 8th November 2016

Present: Councillor Shirley Lynch (Chair)
Councillors Linda Adams, Ash Davies, Ian Jelley, Lesley Thurland,
Greg Titcombe, David Soans and Keli Watts

16.PC.26 **APOLOGIES**

Apologies for absence were received from Councillor Mark Rowley and it was noted that Councillor Ian Jelley would be acting as substitute.

16.PC.27 **DECLARATIONS OF INTEREST**

Councillor Greg Titcombe declared an interest in item 5.3 and stated he would not be voting on the application.

Councillor Thurland declared an interest in item 5.2 due to knowing the applicant. She also declared an interest in item 5.3 as ward councillor.

Councillor Lynch declared an interest in item 5.3 due to knowing the third party speaker. Councillor Lynch stated she would be leaving the room during discussion.

***16.PC.28** **MINUTES**

RESOLVED that the minutes of the meeting of the Planning Committee held on 4th October 2016 be approved as a correct record and signed by the Chair, subject to the following amendment to condition 15 of item 5.2 – KET/2016/0426

‘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.’

***16.PC.29** **ITEMS OF URGENT BUSINESS**

None

***16.PC.30 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. Ten 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:-

<u>Proposed Development</u>	<u>Decision</u>
<p>*5.2 Full Application: 1 no. dwelling to rear at 2 Powell Lane, Barton Seagrave for Mr and Mrs P Tompkins</p> <p>Application No: KET/2016/0382</p> <p><u>Speakers:</u></p> <p>Allan Ross, agent for the applicant attended the meeting and addressed concerns raised in the report and by Barton Seagrave Parish Council.</p>	<p>The Committee received a report which sought full planning permission for the erection of a single detached contemporary flat-roof dwelling.</p> <p>An update was provided detailing an additional condition to be added to the permission if granted.</p> <p>The committee heard the proposed building was very unusual but in an area with a variety of different existing styles in the street scene. Members were advised they should consider if the design of the building was acceptable.</p> <p>Members considered the design of the building to be acceptable, but requested a condition be added to the permission regarding construction management to protect residents during the construction of the property.</p> <p>It was agreed that the application be APPROVED subject to the following conditions: -</p>

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 documents detailed below.

3. 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.

4. No development shall commence on site until details of the types and colours of all external facing, roofing materials and surfacing materials to be used 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.
5. No development shall take place on site until full architectural details of all windows and doors (and their surrounds), verge, eaves, chimney 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.
6. No development shall take place until the applicant (or their agents or successors in title) has submitted to and had approved in writing by the local planning authority a programme of archaeological work consisting of a written scheme of investigation (WSI) and a timetable for that work. The development shall thereafter proceed in accordance with the approved WSI and timetable.
7. Within 6 months of the completion of the archaeological work in accordance with the written scheme of investigation approved pursuant to condition 6 above the applicant (or their agents or successors in title) shall submit to the local planning authority for its written approval an archaeological report comprising a post-excavation assessment and analysis, preparation of site

archive and completion of an archive report together with details of the store at which this is to be deposited

8. No development shall take place until a plan showing details of existing and intended final ground and finished floor levels 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. No development shall commence until a scheme of landscaping which shall specify species, planting sizes, spacing and numbers of trees and shrubs to be planted and details of hard surfacing 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. Prior to the commencement of development a scheme for the provision of the surface and waste water drainage 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 scheme.
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. No development shall take place on site until plans showing the architectural detailing of the parapet (including its height above the flat roof) and precise details of the roofs drainage system 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.
13. Prior to occupation of the dwelling a dropped kerb shall be constructed to serve the existing house at 2 Polwell Lane.
14. The upper floor windows in the east elevation serving 'Bedroom 3' on the approved plans shall be glazed with obscured glass and thereafter shall be permanently retained in that form.
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 building, structure or other alteration permitted by Classes A-E of Part 3 of Schedule 2 of the Order shall be erected on the application site.
16. Prior to the commencement of development a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority.

The plan shall include the following:

- A scheme of working hours for construction and deliveries to the site

(Planning No. 5)

8.11.16

A scheme for the disposition of all plant and machinery and external storage

A scheme for the control of dust arising from building works and site works

The development shall be carried out in accordance with the approved Construction Management Plan.

Members voted on the officers' recommendation to approve the application

(Voting For 6; Against: 1)

(Councillor Lynch declared an interest in the following item and left the meeting during discussion. Councillor Soans took the Chair)

<u>Proposed Development</u>	<u>Decision</u>
<p>*5.3 Full Application: Change of use of lower ground floor level at No. 18 from residential to nursery school being an extension for the nursery school at No. 20. Increase in the number of child places from a maximum of 21 (as originally consented) to a maximum of 36 and increase in evening hours from 17:30 to 18:00 Monday to Friday only at 18-20 Park Avenue for Mrs R Scott</p> <p>Application No: KET/2016/0503</p> <p><u>Speakers:</u></p> <p>David Williams, a third party speaker attended the meeting and spoke against the application. Concerns were raised regarding noise already generated from the business which, in his opinion, would get worse if the application was approved. Issues regarding parking congestion were also raised.</p> <p>The speaker requested that the application be deferred for further discussion between the applicants, residents and Ward Councillor.</p>	<p>The committee received a report which sought approval change of use to the lower ground floor of No. 18 Park Avenue from residential to a day nursery and then to be incorporated into the existing lower ground floor at No. 20 Park Avenue. This also included an increase in the number of child places from 21 to 36 and extension to the finishing time from 17:30 to 18:00</p> <p>The committee heard that Northamptonshire County Council had taken the speakers parking survey into consideration along with all the other evidence and still supported the application.</p> <p>The Department for Education supported the application and there was a lack of child care provision in Kettering at the time of the application.</p> <p>It was suggested that as the opening and closing time of the nursery did not correspond with neighbouring schools and businesses so would not affect existing parking congestion during school collection times.</p> <p>Members were assured that the previous application refusal related only to No. 20 Park Avenue, which would have led to over intensification of the site.</p> <p>Members raised concerns regarding noise but were assured Environmental Health had raised no objections and this would be controlled through suitable condition as outlined in the report.</p> <p>Members felt that the pictures provided to the committee gave a false picture of the parking congestion in the area as they were taken out of school time. Members were assured the pictures were provided to give a representation of the character of the area and were not intended to be misleading.</p>

	It was agreed that the application be APPROVED subject to the following conditions: -
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1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.
2. The day nursery use hereby permitted shall not be carried out before 0800 hours or after 1800 hours on Mondays to Fridays, nor at any time on Saturdays, Sundays or any recognised public holidays.
3. The day nursery use hereby permitted shall be for a maximum of 36 child places.
4. Before the day nursery use hereby permitted first commences, a scheme for achieving noise levels in accordance with BS8233:2014 shall be first submitted and approved in writing by the Local Planning Authority. The submitted scheme shall include full details of the management of the daily operations to clarify how the requirements of this condition are to be met. Once approved the scheme shall be maintained as approved thereafter.

Members voted on the officers' recommendation to approve the application

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

(Councillor Lynch returned to the meeting and took the Chair)

<u>Proposed Development</u>	<u>Decision</u>
<p>*5.4 Full Application: Substitution of house type to include installation of roof lights to front elevation and removal of mock chimney at Plot 9, Spring Gardens, Burton Latimer for Miss S Feely Elm Park Homes</p> <p>Application No. KET/2016/0562</p> <p><u>Speakers:</u></p> <p>Sam Feely, applicant attended the meeting and explained that the Velux windows would provide natural light to the roof storage which had no services. She informed members that when the properties had been sold the new occupiers could install Velux windows under permitted development rights, which could be more intrusive, this application would prevent that.</p> <p>Councillor Groome, Ward Councillor attended the meeting and thanked the Planning Officer for ensuring that no additional openings would be permitted in the future and obscure glazing would be used for this application.</p> <p>Councillor Groome reiterated a conversation she had had with the estate agents who had been told by Elm Park Homes to take the homes off the market as 2 storey and to remarket them as 2.5 storey.</p>	<p>The Committee received a report which sought permission to substitute the house type on Plot 9 to provide two additional roof lights to the front elevation and removal of the mock chimney.</p> <p>Members heard that the application was considered acceptable in design terms and any openings would have to come before the Planning Department.</p> <p>Members expressed concern that the windows could be a way of getting 2.5 storey when only 2 storey was approved. Members were reminded that the Velux windows could be installed under permitted development rights.</p> <p>It was agreed that the application be APPROVED subject to the following conditions: -</p>

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.
2. The development shall be constructed of Hanson -Yorkshire Multi Buff bricks and Marley Eternit - Mendip interlocking Profiled tiles.
3. Boundary treatment shall be carried out in accordance with plan 014-054-001 - proposed site plan approved on 25/06 /2015 through AOC/0406/1401 in respect of Condition 3 of KET/2014/0406. The development shall not be occupied until the approved scheme has been fully implemented in accordance with the approved details.
4. The development must be carried out with the recommendations made in paragraph 10.1.1 of the Contaminated Land Phase 1 desktop study approved

on 25th June 2015 through AOC/0406/1401 in respect of Condition 4 of KET/2014/0406.

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 shall be undertaken and where remediation is necessary a remediation scheme shall be prepared, 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 shall be submitted to and approved in writing by the Local Planning Authority.

5. The opening at first floor level on the western elevation shall be glazed with obscured glass and thereafter shall be permanently retained in that form.
6. 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, and additions or alterations to the roof permitted by Schedule 2, Part 1 Classes A or B shall be made in the south east roof plane or north east elevation of the building at first floor.
7. Before the development hereby permitted is first occupied or used, space for the parking and manoeuvring of vehicles shall be provided within the site in accordance with the approved plans SG/02A and approved through AOC/0406/1401 on 25 June 2014 in respect of KET/2014/0406. The parking and manoeuvring space shall thereafter be retained and kept available for such purposes.
8. Hard and paved surfacing shall be provided in accordance with plan 014-054-001 - proposed site plan received on 25/03/2015 in relation to condition 10 of KET/2014/0406. The approved surfacing shall be completed before the development hereby permitted is first occupied.

Members voted on the officers' recommendation to approve the application

(Voting, For 6; Against 1)

<u>Proposed Development</u>	<u>Decision</u>
<p>*5.5 Full Application: Substitution of house type to include installation of roof lights to front elevation and removal of mock chimney at Plot 11, Spring Gardens, Burton Latimer for Miss S Feely</p> <p>Application No. KET/2016/0563</p> <p><u>Speakers:</u></p> <p>The speakers spoke on items 5.4 and 5.5 collectively</p>	<p>The Committee received a report which sought permission to substitute the house type on Plot 11 to provide two additional roof lights to the front elevation and removal of the mock chimney.</p> <p>It was agreed that the application be APPROVED subject to the following conditions: -</p>

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.
2. The development shall be constructed of Hanson -Yorkshire Multi Buff bricks and Marley Eternit - Mendip interlocking Profiled tiles.
3. Boundary treatment shall be carried out in accordance with plan 014-054-001 - proposed site plan approved on 21 May 2015 through application AOC/0402/1401 in respect of Condition 3 of KET/2014/0402. The development shall not be occupied until the approved scheme has been fully implemented in accordance with the approved details.
4. The development must be carried out in accordance with the recommendations made in paragraph 10.1.1 of the Contaminated Land Phase 1 desktop study approved on 25 June 2015 in respect of Condition 4 of KET/2014/0402.

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 shall be undertaken and where remediation is necessary a remediation scheme shall be prepared, 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 shall be submitted to and approved in writing by the Local Planning Authority.

5. The opening at first floor level on the south west elevation shall be glazed with obscured glass and thereafter shall be permanently retained in that form.
6. 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, and additions or alterations to the roof permitted by Schedule 2, Part 1 Classes A or B shall be made in the south east roof plane or south west elevation of the building at first floor.
7. Hard and paved surfacing shall be provided in accordance with plan 014-054-001 - proposed site plan approved on 21 May 2015 in relation to condition 10

of KET/2014/0402. The approved surfacing shall be completed before the development hereby permitted is first occupied.

Members voted on the officers' recommendation to approve the application

(Voting, For 6; Against 1)

<u>Proposed Development</u>	<u>Decision</u>
<p>*5.6 s.73A Retrospective Application: Erection of oak framed building at Rectory Farm, Church Street, Broughton for Mr C Bithray</p> <p>Application No: KET/2016/0567</p> <p><u>Speakers</u></p> <p>Pat Scouse, Broughton Parish Council attended the meeting and spoke on the application, raising the Parish Councils concerns relating to boundary treatment, access and the use of the building.</p>	<p>The Committee received a report which sought retrospective permission for the erection of an oak framed building within the rear garden of Rectory Farm. The concrete floor and dwarf wall comprising 3 courses of facing brick had been constructed on site.</p> <p>Members heard that the building would be oak framed and sited where the existing shed was located at a separation distance of 7.5 metres from the property. The scale of the development was not considered sufficient to cause any harm and was acceptable in design and amenity terms.</p> <p>During discussions members requested that additional conditions be added to the permission to ensure that the boundary wall would be built and another to ensure the building would only be used as an adjoinment to the house.</p> <p>It was agreed that the application be APPROVED subject to an additional condition and the following conditions: -</p>

1. The development hereby permitted shall not be carried out other than in accordance with the approved plans and details shown on drawing numbers KET/2016/0567/7 block plan and KET/2016/0567/8 elevations both received 19 August 2016 by the Local Planning Authority.
2. The development shall be only for purposes incidental to the enjoyment of the dwelling house as such.
3. Prior to 1 April 2017 the extension of the boundary wall approved through the applications KET/2015/1039 and KET/2015/1040 shall be erected using lime mortar (no cement). The boundary wall shall be retained thereafter as approved.

Members voted on the officers' recommendation to approve the application

(Voting, For 7; Against 0)

<u>Proposed Development</u>	<u>Decision</u>
<p data-bbox="188 170 772 277">*5.9 Full Application: Replacement dwelling at 77 Powell Lane, Barton Seagrave for Mr Johnson</p> <p data-bbox="284 318 735 351">Application No: KET/2016/0622</p> <p data-bbox="188 392 325 425"><u>Speakers</u></p> <p data-bbox="188 465 772 902">Mr Alec Murieson attended the meeting and spoke on the application. Mr Murieson's property was attached to the house that was demolished. He described to the committee how this had affected him and his property. The applicants had caused structural damage and damp to his property along with the need to turn the heating up due to lack of insulation. He requested that the issue be resolved as quickly as possible.</p> <p data-bbox="188 943 772 1160">Councillor Roberts attended the meeting and spoke on behalf of Barton Seagrave Parish Council. He requested that the demolished property be rebuilt to its former state and damage to Mr Murieson's property be put right.</p>	<p data-bbox="831 170 1401 427">The committee received a report which sought approval for an application involving the splitting of the plot into two separate plots and the erection of a semi-detached bungalow to be attached to no. 79 and to replace the demolished dwelling, No. 77</p> <p data-bbox="831 465 1401 1126">Members received an update explaining that subsequent to the main committee report, the Planning department had been in contact with the agent and had asked for clarification regarding how the applicant dealt with their duties under the Party Wall Act and how they would now comply with those duties as a matter of urgency. The applicant had been asked to appoint a Party Wall Surveyor to provide an independent structural report and schedule of works and to confirm that they would engage with the neighbour or their representatives to bring about a satisfactory resolution of the Party Wall issues and any remedial work to their property.</p> <p data-bbox="831 1167 1401 1234">The applicant's agent confirmed on the day of committee:</p> <p data-bbox="831 1272 1401 1749"><i>"After discussions with the clients, a Party Wall Surveyor David Smith of David Smith Associates, who is a member of the Faculty of Party Wall Surveyors has now been appointed. He will formally write to the neighbours tomorrow, on all of the Party Wall issues, as well as addressing all points identified above. I can confirm that I will be able to provide you, very quickly after tomorrow, a copy of the statement demonstrating the steps to be taken, to resolve the Party Wall Issues"</i></p> <p data-bbox="831 1787 1401 1966">It is understandable that concerns had been raised by and on behalf of the neighbour who was believed to be taking their own steps and advice through their insurance company.</p> <p data-bbox="831 2007 1401 2074">Consequently, there now seemed to be a reasonable prospect that this</p>

separate procedure would be enough to follow up on the concerns for the party wall arising from the unauthorised demolition of the previous bungalow on site

In practice it should not be necessary to duplicate the provision that other legislation allowed for. Nevertheless, we have been promised shortly a statement by the applicant's Party Wall Surveyor detailing the steps being taken and the anticipated time table.

The committee heard **that** unauthorised demolition of the existing property had taken place causing damage to the adjoining property.

Members had great sympathy with the neighbour and questioned why the builders were not made to put right the damage they had done.

The committee were advised that the application was before committee as a means to resolve the issue, which was being dealt with through the correct channels. The application would need to be determined with a dispassionate approach, using material planning considerations. If the application was refused there would need to be clear planning reasons for the decision. This could lead to an appeal which would leave the authority open to costs and would not be helpful for the neighbour.

Accordingly, it was now recommended that this application be approved subject to conditions stated **but that the anticipated statement from the Party Wall Surveyor and evidence to demonstrate how the neighbour's party wall will be dealt with is to be first received and checked by Officers. If Officers consider that the time scales or actions to repair the party wall need to be part of a legal agreement with the LPA, for this to be completed.**

The above actions are delegated to Officers before the decision notice is released.

	It was agreed that the application be APPROVED subject to the recommendation as identified above.
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1. The development hereby permitted shall be begun before the expiration of 6 months from the date of this planning permission.
2. The development hereby permitted shall not be carried out other than in accordance with the plan numbers Location Plan KET/2016/0622/1 received by the local planning authority on 26/08/2016; Block Plan KET/2016/0622/02A and Proposed Layout PL/03A received by the local planning authority on 13/09/2016; Proposed Street Scene PL/100 received by the local planning authority on 30/08/2016 and Section through Kitchen PL/20 received by the local planning authority on 13/10/2016.
3. 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 adjacent building 79 Polwell Lane.
4. The windows and door on the northern side elevation shall be glazed with obscured glass and thereafter shall be permanently retained in that 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 additional openings permitted by Schedule 2, Part 1 Classes A or C shall be made in the southern side elevation or roof plane of the building facing 79 Polwell Lane.
6. 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 as set out in the Phase I desk study report for 77 Polwell Lane, Barton Seagrave, NN15 6TD Final Report dated 16-10-02 Revision 0 by Demeter Environmental Ltd received by the local planning authority on 11/10/16 and the Phase IIIA Implementation Plan for 77 Polwell Lane, Barton Seagrave, NN15 6TD Final Report dated 16-10-06 Revision 0 by Demeter Environmental Ltd received by the local planning authority on 19/10/16 must not commence until parts c 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.

C. Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

D. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition a, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition b, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition c.

7. No part of the proposed development including gutters shall overhang the boundary with 79 Polwell Lane.

Members voted on the officers' recommendation to approve the application

(Voting, For 5; Against 2)

<u>Proposed Development</u>	<u>Decision</u>
<p>*5.10 Full Application: Single and two storey rear extension at 7 Trent Crescent, Burton Latimer for Mr S Shearsmith</p> <p>Application No: KET/2016/0667</p> <p><u>Speakers</u></p> <p>The applicant, Mr Shearsmith attended the meeting and addressed the committee. He outlined reasons for the changes to the original proposal which included alleviating light and privacy issues for the neighbouring property and being able to move the upcoming nursery away from the neighbours' wall to reduce noise.</p>	<p>The committee received a report which sought to demolish the existing conservatory and construct a single and two storey side and rear extension.</p> <p>An update was given which stated Burton Latimer Town Council felt they had not received enough information to comment on the application.</p> <p>The committee heard that the application had passed the 45 degree test, did not affect the street scene, and would be constructed with materials in keeping with the existing property.</p> <p>It was agreed that the application be APPROVED subject to the following conditions: -</p>

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 number 287-02A.
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, B or C shall be made in the first floor of the north east or south west side elevations or roof plane of the extension hereby permitted.

Members voted on the officers' recommendation to approve the application

(Voting, For 7; Against 0)

<u>Proposed Development</u>	<u>Decision</u>
<p>*5.1 Outline Application: Residential development with associated infrastructure and open space. Access created by demolition of 44 Cranford Road with all other matters reserved at Cranford Road (land to rear of 30-50), Barton Seagrave for Ferguson Broadbent Developments.</p> <p>Application No: KET/2016/0048</p> <p><u>Speakers</u></p> <p>None</p>	<p>The committee received a report which sought outline planning permission for residential development with associated infrastructure and open space.</p> <p>An update was provided of an additional comment has been received from KBC Housing Strategy:</p> <p><i>'The proposed tenure mix (70% rent and 30% shared ownership) is in line with identified need. Some further comments are made regarding the mix of house types'</i></p> <p>The committee heard that the application site was surrounded by the proposed East Kettering development. The application was for outline permission with all aspects of design and layout to be dealt with at the reserved matters stage along with the number of houses.</p> <p>It was agreed that the application be APPROVED subject to a S106 agreement being entered into and subject to the following conditions: -</p>

1. Approval of the details of the appearance, landscaping, layout and scale (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.
2. Plans and particulars of the reserved matters referred to in condition 1 above, relating to the appearance, layout and scale of any buildings to be erected and the landscaping of the site, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.
3. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this planning permission.
4. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission or before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
5. No demolition or development shall take place on site until a Demolition and Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved 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 in writing by the Local Planning Authority. The Statement shall detail the following:

- Site HGV delivery / departure hours;
- Detailed routing plan;
- Supply of pre-journey information on routing and site restrictions to contractors, deliveries and visitors;
- Detailed plan and scheme detailing the location of on-site stores and facilities including the site compound, contractor & visitor parking and turning, un/loading points for plant and materials, turning and queuing for HGVs and storage of plant and materials;
- Details of debris management including location of wheel wash, programme to control debris spill/ tracking onto the highway, sheeting/sealing of vehicles and dust management;
- Site Manager name, contact details and details of any public liaison;
- Route details as required covering culverts, waterways, passing places, tracking of bends/junctions and visibility splays;
- Details of temporary construction accesses and their remediation post project;
- Provision for emergency vehicles;
- Erection and maintenance of any security hoardings/fencing;
- Measures to control the emission of dust and dirt during demolition and construction;
- Scheme for waste minimisation and recycling/disposing of waste;
- Hours of demolition and construction work;
- Control of noise and/or vibration; and
- Details of lighting and measures to control overspill of lighting.

6. Prior to any other construction works commencing on site, the access shall be completed in accordance with the Proposed Access drawing 5374-30 Rev B received by the Local Planning Authority on 4th October 2016.
7. The gradient of the access road shall not exceed 1:15 for the first 5 metres behind the highway boundary.
8. Prior to any works commencing, including on the site access, a scheme for the relocation of the westbound bus stop shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the new location and design details.
9. Due to 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 not be carried out other than in accordance with the conclusions and recommendations of the Extended Phase 1 Habitat Survey by REC Ltd (REC Reference: 60523p1r1) dated June 2015 and received by the Local Planning Authority on 22nd January 2016 and the letter entitled 'Further Information Statement - Ecology' reference No. 01p60523 dated 31st March 2016 and received by the Local Planning Authority on 4th April 2016.
11. Prior to the demolition of No. 44 Cranford Road, a bat and bird survey shall be completed and submitted to and approved in writing by the Local Planning Authority together with details of any required mitigation measures and timing of implementation of these measures. The development shall not be carried out other than in accordance with the approved details and mitigation.
12. Prior to commencement of development, a badger survey shall be completed and submitted to and approved in writing by the Local Planning Authority together with details of any required mitigation measures and timing of implementation of these measures. The development shall not be carried out other than in accordance with the approved details and mitigation.
13. No works or demolition shall take place on site unless and until an Ecological Management Plan has been submitted to and approved in writing by the Local Planning Authority, the implementation of which should be overseen by a suitably experienced ecological clerk of works. The development shall not be carried out other than in accordance with the approved Ecological Management Plan.
14. Reserved matters applications for layout and/or landscaping shall be accompanied by scheme for the retention and removal of trees, hedges and hedgerows on site. The scheme shall include a plan and schedule in accordance with BS 5837: 2012 (or as updated).
15. No development shall take place on site until a scheme for the protection of all trees, hedges and hedgerows to be retained on site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be

in accordance with BS 5837:2012 (or as updated). The development shall not be carried out other than in accordance with the approved details.

16. Prior to commencement of development a foul water drainage strategy shall be submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the approved strategy unless otherwise agreed in writing by the Local Planning Authority.
17. No development shall take place until a surface water drainage scheme for the site, based on the approved Flood Risk Assessment (Flood Risk Assessment, Document 5374R001/B FRA, Revision B dated October 2016, prepared by BCAL Consulting), has been submitted to and approved in writing by the Local Planning Authority. Prior to the occupation of any dwelling the approved scheme shall be implemented and retained in the approved state thereafter unless otherwise agreed in writing by the Local Planning Authority.
18. Prior to first occupation of any dwelling, a drainage scheme shall be implemented, in accordance with details which shall be first submitted to and approved in writing by the Local Planning Authority, to ensure that surface water does not drain into the Public Highway including private access drives. The approved scheme shall thereafter be maintained in the approved state.
19. No development shall take place until a detailed scheme for the maintenance and upkeep of every element of the surface water drainage system proposed on the site has been submitted to and approved in writing by the Local Planning Authority. The approved maintenance scheme shall be carried out in full thereafter prior to the occupation of residential units, unless otherwise agreed in writing by the Local Planning Authority. The scheme shall include details of any drainage elements that will require replacement within the lifetime of the proposed development.
20. No development shall take place within the site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.
21. Reserved matters for layout and/or external appearance shall be accompanied by a scheme for achieving the noise levels outlined in BS8233:2014 with regards to the residential units. The approved scheme shall be implemented before occupation of the residential units and thereafter maintained in the approved state.
22. Prior to the commencement of development a scheme to protect the residential units from road vibration shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before first occupation of residential units hereby approved and thereafter maintained in the approved state.

Members voted on the officers' recommendation to approve the application

(Voting, For 7; Against 0)

(Planning No. 23)

8.11.16

<u>Proposed Development</u>	<u>Decision</u>
<p>*5.7 Full Application: 2 no. dwellings at 17 Durban Road, Kettering for Mr F Woodcock</p> <p>Application No: KET/2016/0618</p> <p><u>Speakers</u></p> <p>None</p>	<p>The committee received a report which sought full planning permission for a pair of semi-detached dwellings, consisting of two and a half storeys to the front street elevation with dormer windows and a rear facing three storey gabled element.</p> <p>The committee heard there had been a recent application of this type on the opposite side of the road. If this application was to be approved any future development of the area would need to be considered closely against the amount of on street parking available.</p> <p>It was agreed that the application be APPROVED subject to the following conditions: -</p>

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 detailed below.
3. No demolition or site clearance shall take place during the bird nesting season, March to August inclusive, unless a suitably qualified ecologist concludes that the development would not contravene protection afforded within the Wildlife and Countryside Act (As Amended). In the event that demolition is to be undertaken during the bird breeding season, no demolition shall take place until a copy of the ecologists' report confirming the acceptability of the demolition program and process has been submitted to and approved by the Local Planning Authority. Demolition/ site clearance shall be carried out in accordance with the approved details.
4. 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.

5. No development shall commence on site until details of the types and colours of the wall and roofing materials to be used, together with samples, and details of the render finish 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.
6. 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 and shall include a wall to the front footway boundary. No dwelling shall be occupied until the approved scheme has been fully implemented in accordance with the approved details.
7. Prior to the commencement of development a scheme for the provision of the surface and waste water drainage 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 scheme.
8. No development shall take place on site until full architectural details of all windows and doors (and their surrounds), verge, eaves, chimney and other brick 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.
9. Prior to first occupation of the dwellings a scheme of landscaping which shall specify species, planting sizes, spacing and numbers of trees and shrubs to be planted and details of hard surfacing 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. 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-E of Part 1 of Schedule 2 of the Order shall be built on the application site.

11. The upper floor dormer windows on the south-east front elevation of the building shall be glazed with obscured glass. The windows shall thereafter be maintained in that form.
12. The upper floor windows in the side elevations shall be glazed with obscured glass 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 windows shall thereafter be maintained in that form.
13. 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 upper floor side elevation or roof plane of the building.

Members voted on the officers' recommendation to approve the application

(Voting, For 7; Against 0)

<u>Proposed Development</u>	<u>Decision</u>
<p>*5.8 Full Application: 3 no. dwellings and garages at Dairy Farm, Butchers Lane, Pytchley for Mr D Brown John Martin Associates</p> <p>Application No: KET/2016/0620</p> <p><u>Speakers</u></p> <p>None</p>	<p>The committee received a report which sought to erect 3 detached 4 bedroom dwellings each with a detached double garage.</p> <p>Since the initial submissions and especially after the refused proposal, the scheme had been further revised at the request of officers to make all three dwellings the same size, to omit one pair of proposed dormers on each building and agreement to determine final finished floor level after staking out on site and discharge of that element by a condition on any approval.</p> <p>Focusing on the very latest plans and comparing these with the refused application, the key changes substantially reduced the form and bulk, an overriding concern of the earlier proposals.</p> <p>It was agreed that the application be APPROVED subject to the following conditions: -</p>

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, [together with samples,] have been submitted to and approved in writing by the Local Planning

(Planning No. 27)

8.11.16

Authority. These shall be traditional and natural materials for all the roofs and elevations. There shall also be submitted details of the external appearance of the proposed bin store. The development shall not be carried out other than in accordance with the approved details.

3. All window and door structures shall be in timber. No development shall take place on site until there has been submitted to and approved by the Local Authority: sections of proposed joinery at a scale of no less than 1:5 with any glazing bar details at 1:2; details of other timber finishes; verge and eaves detailing; rainwater goods which shall be matt black painted metal or aluminium. The development shall not be carried out other than in accordance with the approved details.
4. Prior to the commencement of the development hereby approved details of measures to protect the trees and hedgerow to be retained, reflecting the guidance in BS5837: Trees in relation to design, demolition and construction, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the approved scheme shall be complied with in full during the whole of the construction period.
5. The trees and hedge detailed on approved drawing number SK01 Rev N, as well as those alongside the western and northern boundary shall be retained at all times unless otherwise agreed in writing by the Local Planning Authority. Within a period of 6 years from the first occupation of the dwellings hereby approved any trees or hedging that dies or become seriously diseased or damaged shall be replaced in the next planting season with others of similar species.
6. Prior to the commencement of 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 first occupation of any dwelling, unless these works are carried out earlier. Any trees or plants which, within a period of 6 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.
7. Prior to the commencement of development a Construction Ecological Management Plan, addressing the issues raised in the Phase 1 Habitat and Protected Species Survey shall be submitted to and approved in writing by the Local Planning Authority. The plan should include inspections to be undertaken for bats and other species affected; retention and future management of habitats, and results of a survey of the fruit trees to be lost, to identify the varieties and proposals for their replacement. Thereafter the Plan shall be fully implemented as approved.
8. No dwelling shall be occupied until a scheme for all boundary treatments including any proposed gates and fencing, have been submitted to and approved in writing by the Local Planning Authority. Thereafter only the approved scheme shall be implemented.
9. Prior to the commencement of development a programme of archaeological work shall be carried out in accordance with a written scheme

of investigation that has first been submitted to and approved in writing by the Local Planning Authority.

10. 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.

11. The development hereby approved shall be undertaken wholly in accordance with the measures set out in the approved document 'Sustainability Appraisal & Energy Statement' that remain consistent with the other conditions stated above
12. No development shall commence on site until details of the materials and finish to be used for the access way and hard standing surfacing 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.
13. No development shall take place until on site the proposed ground and finished floor levels have been staked out along with an indication of the proposed height to eaves. The levels shall be subject to approval in accordance with the Note on drawings SK01N and SK 07 I Thereafter development shall not proceed other than in accordance with the final ground and finished floor levels that have been first approved in writing by the Local Planning Authority.
14. 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 Classes A, B,C,D,E, F of Part 1, and Classes A and B of Part 2 of Schedule 2 of the Order shall take place on the application site.

Members voted on the officers' recommendation to approve the application

(Voting, For 7; Against 0)

(Planning No. 30)

8.11.16

16.PC.31

ENFORCEMENT ACTION MONITORING

The committee received a report on enforcement monitoring covering the reporting quarter on 1st July 2016 to 30th September 2016 and updated the position as at 28th October 2016.

Following discussions it was

RESOLVED that the committee noted report, with any feedback to be given to the relevant planning officer

**(The Committee exercised its delegated powers to act in the matters marked *)*

(The meeting started at 6.30 pm and ended at 9.00 pm)

Signed:
Chair

AN