

BOROUGH OF KETTERING

PLANNING COMMITTEE

Meeting held – 17th January 2017

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

16.PC.32 APOLOGIES

Apologies for absence were received from Councillor Cliff Moreton

16.PC.33 DECLARATIONS OF INTEREST

Councillor David Soans declared an interest in item 5.4, 5.5 & 5.9 due to his position on Desborough Town Council.

Councillors Lesley Thurland and Greg Titcombe declared an interest in item 5.3 due to their positions as Ward Councillors for the development.

Councillor Ashley Davies declared an interest in item 5.7 as a resident in the area and indicated he would leave the meeting room during consideration of this application.

***16.PC.34 MINUTES**

RESOLVED that the minutes of the meeting of the Planning Committee held on 13th December 2016 be approved as a correct record and signed by the Chair.

***16.PC.35 ITEMS OF URGENT BUSINESS**

None

***16.PC.36 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. Three 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>*5.3 Full Application: First floor extension to lounge, second floor extension to create 12 no. bedrooms, cladding to exterior walls, green roof system and re-configuration of car park to provide 4 no. additional spaces at Ashley Court Residential Home, Reservoir Road, Kettering for Mr K Rajakanthan</p> <p>Application No: KET/2016/0688</p> <p><u>Speakers:</u></p> <p>Tom Greasley – Third Party (Against) attended the meeting and gave his objections to the development, Mr Greasley was looking to protect the right to privacy and this development would mean that windows from a communal area would be overlooking into his property.</p> <p>Rodney James – Agent for the applicant attended the meeting and extended his views on the additional need for elderly facilities in the Borough. Mr James expressed his options for the tired/dated existing building and stated that this development would be a much needed modernisation for the site.</p>	<p>The Committee received a report which sought full planning permission for an extension to the existing care home to provide an additional floor comprising of 12 residential rooms, a lounge/ diner and a shower room. The extension would increase the height of the existing building by 2m and also provide for a green roof with no access by residents. As part of the proposed development render and timber cladding would replace the existing brick elevations.</p> <p>An update was provided which stated a further six objections had been received as a result of the re-consultation for the amended application. No new issues were raised</p> <p>The new objections related to:</p> <ul style="list-style-type: none"> - Overlooking; - Overbearing scale and design; - Loss of natural light; and - Noise <p>Members agreed that the existing building looked tired/dated but also raised concerns on the additional height to the development which would include two ‘towers’ or ‘chimneys’</p> <p>Members also agreed that there could be issues surrounding the use of certain windows in the development as raised by the third party speaker.</p> <p>Members discussed the fact the current building was the same/similar height to the surrounding area and that an additional floor would be overwhelming compared to the area surrounding the development</p> <p>Members were assured that the surrounding area had a variety of building heights and that conditions could be put in place surrounding the issue with windows and privacy.</p> <p>Members raised concerns around the</p>

	<p>number of parking spaces and lack of cycle racks.</p> <p>The Planning Officer informed members, that the applicant could be asked to revise the plans in the light of the Committee's comments.</p> <p>Members sought clarification on the additional height to the two chimneys on the development and provision of disabled parking.</p> <p>It was agreed that the application be DEFERRED to request revised plans</p>
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Members voted on the officers' recommendation to deter the application

(Voting, For 7; Against 0;)

(Councillor Davies declared an interest in the following item and left the meeting room during consideration)

<u>Proposed Development</u>	<u>Decision</u>
<p>*5.7 Full Application: Two storey rear extension to 19 Blackberry Close, Kettering for Mr D Bruce</p> <p>Application No: KET/2016/0784</p> <p><u>Speakers:</u></p> <p>Melvin Tyers – Third Party (Against) attended the meeting and stated that he owned the adjacent property to the proposed development. Mr Tyers raised his concerns surrounding the close proximity of the development and the detrimental impact it would have due to the loss of light into his garden. Mr Tyers was seeking a review on the recommendation to approve the application.</p>	<p>The committee received a report which sought the removal of an existing ground floor rear bay window to be replaced by a two-storey rear extension. This would provide increased living space to the kitchen and dining room at ground floor level and enlargements to bedrooms 1 and 4 at the first floor level.</p> <p>Members commented on the idea that the boundary for the development could be brought back as to not impede on the adjacent property.</p> <p>Members suggested moving the boundary for development so as not to impact on the adjacent property.</p> <p>Members were advised that loss of light alone could not be considered as a reason for objection.</p> <p>Members heard that loss of light was not a factor on its own that could be considered as a reason for rejection.</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. 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 northwest and southeast elevations or roof planes of the extension hereby approved

Members voted on the officers' recommendation to approve the application

(Voting, For 5; Against 1;)

(Councillor Davies re-joined the meeting)

(Planning No. 4)

17.01.17

<u>Proposed Development</u>	<u>Decision</u>
<p>*5.1 Full Application: Replacement dwelling (Revised Proposal) at 77 Powell Lane, Barton Seagrave for Mr Johnson.</p> <p>Application No. KET/2016/0622</p> <p><u>Speakers:</u></p> <p>None</p>	<p>The Committee received a report which sought full planning permission for a replacement dwelling (Revised Proposal) at 77 Powell Lane, Barton Seagrave.</p> <p>An update was provided which showed the amended site plan and elevations, The update also stated the applicant had confirmed the boundary fences would be a minimum of 1.8m in height which was considered acceptable as this would not result in any overlooking of neighbouring properties.</p> <p>The Committee heard that neighbours had written to planning officers to state that they were happy with the proposed development and that previous issues had been resolved.</p> <p>Members had thanked officers for their work in connection with this application.</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 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 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; Section through Kitchen PL/20 received by the local planning authority on 13/10/2016 and Existing & Proposed Layout & Elevations PL/01B received by the local planning authority on 04/01/2017.
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.

8. No development shall take place on site until a scheme for boundary treatment to the front and rear gardens and to include any infilling / levelling of ground required has been submitted to and approved in writing by the Local Planning Authority. The dwelling shall not be occupied until the approved scheme has been fully implemented in accordance with the approved details.

Members voted on the officers' recommendation to approve the application

(Voting, For 7; Against 0)

<u>Proposed Development</u>	<u>Decision</u>
<p>*5.4 Full Application: 1 no. detached dwelling at 3 Loatland Street (Land adj), Desborough for Mr S Parker.</p> <p>Application No. KET/2016/0704</p> <p><u>Speakers:</u></p>	<p>The Committee received a report which sought full planning permission for 1 no. detached dwelling. The initial proposal was for a four bedroomed dwelling, with on–street parking. Bedrooms 2 and 4 did not meet the ‘Nationally Described Space Standard’ as required by Policy 30 of the North Northamptonshire Joint Core Strategy. The applicant was asked to revise the application and had now submitted a scheme for a two bedroomed detached dwelling, again with on-street parking.</p> <p>An update was given as the initial location plan on page 33b was incorrect. Members were given the correct amended plan. The update also showed an additional condition regarding the removal of a window which was accepted by the applicant.</p> <p>Members raised concerns regarding the additional number of vehicles that would appear on the road. With parking already congested this would cause additional issues for residents,</p> <p>The Committee were assured that the amended plan was smaller than the original and that the current site was not being used as parking by any residents including the owner.</p> <p>The Committee heard that it would be the responsibility of the applicant/owner to pursue and implement and changes to the dropped kerb outside 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. No development shall commence on site until details of the types and colours of all external facing and roofing materials to be used, together with samples, have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

3. The landing window on the south-west elevation shall be non-opening and glazed with obscured glass and the bathroom window on the south-west elevation shall be glazed with obscured glass, and thereafter they shall be permanently retained in that form.

4. All materials obtained from demolition shall be permanently removed from the site within twenty eight days of demolition being commenced.

5. Notwithstanding the submitted plans this consent does not extend to secondary bedroom window in the north-east elevation. This elevation shall be blank and shall not include any openings. 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 openings permitted by Schedule 2, Part 1 Classes A or C shall be made in the north-east elevation or roof plane of the building.

Members voted on the officers' recommendation to approve the application

(Voting, For 6; Against 1)

(Councillor Soans voted against the recommendation)

<u>Proposed Development</u>	<u>Decision</u>
<p>*5.5 Full Application: Demolition of garage. Erection of two bedroom dwelling with garages and associated parking for the new dwelling and 115 Dunkirk Avenue</p> <p>Application No: KET/2016/0712</p>	<p>The Committee received a report which sought planning permission for the subdivision of the plot and erection of a 2 storey 2 bed residential dwelling in place of the existing detached garage. The scheme proposed off-road parking associated with both No. 115 and the new dwelling.</p>
<p><u>Speakers</u></p>	<p>An update was given which stated additional comments had been received from Desborough Parish Council on the revised plans. The Parish Council's objections related to overdevelopment and on street parking hazards caused by the proposed development.</p>
<p>None</p>	<p>Members agreed that the proposed development was acceptable after the revised application had overcome original objections.</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 amended plan numbers S01 received 10/10/16, SK01-D, SK02-C, SK03-E, SK04-C, SK05-C, SK06-C, SK07-C, SK08-C, SK09B received on 15/12/16.

3. 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.

4. No development shall commence on site until details of the types and colours of all external facing and roofing materials to be used, together with samples, have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

5. Prior to the commencement of the development hereby permitted, details of the parking surface material and details of positive means of drainage to ensure that surface water from the vehicular parking area does not discharge onto the highway shall be submitted to and be approved in writing by the local planning authority. Such details as may be approved shall thereafter be implemented prior to first use and maintained at all times.

6. The gradient of the drive shall not exceed 1 in 15 within the first 5m metres of the edge of the carriageway of the adjoining highway.

7. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (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, E of Part 1 of Schedule 2 of the Order shall be made on the application site.

8. The window at first floor level on the south facing elevation shall be obscurely glazed and non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed and thereafter shall be permanently retained in that form.

Members voted on the officers' recommendation to approve the application

(Voting, For 7; Against 0)

<u>Proposed Development</u>	<u>Decision</u>
<p>*5.6 Full Application: Demolish ground floor extension and conservatory, construct two storey rear extension at 12 Bramble Close, Kettering for Mrs K Brace</p> <p>Application No: KET/2016/0777</p> <p><u>Speakers</u></p> <p>None</p>	<p>The committee received a report which sought the removal of an existing single storey ground floor extension and conservatory, to be replaced by a two storey rear extension to provide increased living space at ground floor level and a bathroom and third bedroom to the first floor.</p> <p>The Committee heard that there had been amendments to the proposed development relating to the elevation that impeded over a boundary,</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. 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 north and south elevations or roof planes of the extension hereby approved

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: Single storey annexe to rear at 1 West Avenue, Burton Latimer for Mr N Hearn</p> <p>Application No: KET/2016/0786</p> <p><u>Speakers</u></p> <p>None</p>	<p>The committee received a report which sought full planning permission to construct a single storey detached annexe building, herein referred to as 'the building', with a timber frame, timber cladding and flat roof, which would be located within the rear garden of the property. The building would be sited close to the south-west (rear) boundary to the following maximum dimensions: 6m width, 6m depth, 2.625m lowest to 2.775m highest roof height.</p> <p>An update was given which outlined concerns regarding the continued residential use of the building as an annexe or long term residence, The update also stated that the site plan was inaccurate and would need to be revised.</p> <p>Members raised concerns over the lack of windows and natural light surrounding the development.</p> <p>During discussions the following concerns were raised:</p> <ul style="list-style-type: none"> • The lack of windows and natural light surrounding the development • Delivery of services and amenities to the annexe/building • Over development of the site • Setting a precedence for future developments • Out of character <p>It was agreed that the application be REJECTED for the following reasons: -</p>

Unsustainable
Backland development
Set a precedent
Not in keeping

Members voted on the officers' recommendation to approve the application

(Voting, For 0; Against 7)

The recommendation to approve was therefore overturned and the application
REFUSED.

<u>Proposed Development</u>	<u>Decision</u>
<p>*5.9 Full Application: Two storey and single storey rear extension and steps leading to extended patio. Garage conversion including new pitched roof to existing garage and porch at 18 Foxlands, Desborough</p> <p>Application No: KET/2016/0869</p> <p><u>Speakers</u></p> <p>None</p>	<p>The committee received a report which sought the removal of the existing conservatory and the construction of a gable roofed two-storey and a mono-pitch roofed single storey rear extension which extends across the whole of the rear elevation with steps leading down to an existing patio area, and the conversion of the existing integral single garage to a habitable room changing the roof from flat to pitched and including a roof over the front door.</p> <p>An update was given which included an email from the applicant's agent in response to issues raised in the letter of objection.</p> <p>The Update also stated that there were two parking spaces on the existing driveway and not four as stated on the planning application. There was to be no increase in the number of bedrooms and the previous extension to the existing driveway would accommodate for the loss of the garage space.</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. 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 Class A shall be made at first floor level in the northeast and southwest elevations of the two-storey element of the building.
4. The first floor window at first floor level on the northeast elevation shall be glazed with obscured glass and thereafter shall be permanently retained in that form.

Members voted on the officers' recommendation to approve the application

(Voting, For 7; Against 0)

16.PC.37

ENFORCEMENT ACTION MONITORING

A report was submitted to update members on enforcement monitoring covering the period 29th October 2016 to 31st December 2016.

It was reported that the total number of cases on hand as at 05 January 2017 was 99 with 38 cases closed during the reporting period.

After discussion it was

RESOLVED that the report be noted and members provide any feedback they may have relating to the reporting of this information.

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

(The meeting started at 6.30 pm and ended at 8.13 pm)

Signed:
Chair

CG