

BOROUGH OF KETTERING

PLANNING COMMITTEE

Meeting held – 20th November 2018

Present: Councillor Shirley Stanton (Chair)
Councillors Linda Adams, Ash Davies, Clark Mitchell, Cliff Moreton
Mark Rowley, Lesley Thurland and Greg Titcombe

18.PC.44 **APOLOGIES**

Apologies for absence were received from Councillor David Soans

18.PC.45 **DECLARATIONS OF INTEREST**

None

18.PC.46 **MINUTES**

RESOLVED that the minutes of the meetings of the Planning Committee held on 16th October 2018 be approved as a correct record and signed by the Chair.

***18.PC.47** **ITEMS OF URGENT BUSINESS**

None

***18.PC.48** **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. Eight 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>*5.1 Full Application: Change of use from mixed use retail and single residential unit to mixed use retail and four dwellings at 117 High Street, Burton Latimer for Mr O McLoughlin.</p> <p>Application No: KET/2018/0649</p> <p><u>Speakers:</u></p> <p>Oliver McLaughlin, Applicant for the proposed development attended the meeting and addressed the committee, stating that proposed application was in keeping with the surrounding area and that there would be no changes to the shop front as part of the application process.</p>	<p>Members received a report of a proposal seeking full planning permission for retention of the ground floor retail use and basement for its storage and conversion of the rear ground floor part of the building for a one-bed apartment including a single storey rear extension and conversion of the upper floor and roof space to three studio apartments. Conversion of the roof-space also involved the provision of a rear dormer.</p> <p>The Planning Officer addressed the committee and provided an update which stated that Burton Latimer Town Council had maintained their objections, It was also stated that NCC- Highways had objected to the proposal based on the cycle store and the parking beat survey not being consistent with their standard. In particular they note that the parking available at Sainsbury's car park cannot be considered and that walking distances differ depending on the walker stipulating that parking availability should be based on that available 200m from the proposal.</p> <p>Members heard that this matter was dealt with within the report and takes account of restrictions in using the Sainsbury's car park and considers the parking availability based on distance. This said that between 40 and 48 spaces are available in municipal car parks within 120m of the site at the times specified in Local Highway Standards. As such the parking beat survey provided was considered to be consistent with highway standard with sufficient parking identified in the locality.</p> <p>An additional condition was also proposed in the interests of preserving the character of the traditional shopfront:</p> <p>Members agreed that the proposed development was satisfactory and saw no issue with approving the application as per the officer's recommendation.</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. The materials to be used in the construction of the external surfaces of the development hereby permitted (including the infilling to the front wall and the dormer) shall match, in type, colour and texture, those on the existing building.
4. The rooflights (velux) windows hereby approved shall be conservation grade which shall fit flush with the adjacent roof plane and the new front 'communal entrance' door shall be timber and remain so.
5. The cycle and refuse stores hereby approved shall be available for use prior to first occupation of a residential unit hereby approved and should be provided and maintained thereafter.
6. In the event that unexpected contamination is found at any time when carrying out the development hereby approved, it must be reported immediately to the Local Planning Authority. Development works at the site shall cease and an investigation and risk assessment undertaken to assess the nature and extent of the unexpected contamination. A written report of the findings shall be submitted to and approved by the Local Planning Authority, together with a scheme to remediate, if required, prior to further development on site taking place. Only once written approval from the Local Planning Authority has been given shall development works recommence.
7. The proposed works associated with the shop front door and window and replacement timber frame glazing shall not be carried out other than in accordance with Joinery details (at not less than 1:5) that have been submitted to and approved in writing by the local planning authority prior to those works taking place. The proposal shall be carried out in accordance with the approved details. For the avoidance of doubt the existing stallriser and fascia shall be retained.

(Members voted on the officers' recommendation to approve the application)

(Voting: Unanimous)

The application was therefore

APPROVED

<u>Proposed Development</u>	<u>Decision</u>
<p>*5.3 Full Application: Change of use from Laundrette to A5 (Hot food takeaway) including new shopfront, extraction equipment and single storey rear extension at 18 Churchill Way, Burton Latimer for Domino's Pizza UK And Ireland</p> <p>Application No: KET/2018/0709</p> <p><u>Speakers:</u></p> <p>Cllr Ruth Groome attended the meeting and spoke as Ward Councillor for the proposed development and raised concerns due to parking issues associated with the area outside the front of the proposed development, it was stated that the available parking should be kept for customers with mobility issues and the elderly. Concerns were also raised regarding hygiene and litter.</p> <p>Osian Roberts, attended the meeting and addressed the committee as the applicant for the proposed development, stating that if approved the development would provide a number of economic benefits to the area including a number of jobs and contributions from the developer to local charities and events. It was also stated that as a company, Dominos was excellent in minimising noise and odour impacts.</p>	<p>Members received a report which sought consent for a change of use from laundrette / dry cleaners to an A5 hot food takeaway for Domino's Pizza.</p> <p>The Planning Officer addressed the committee and provided an update which stated that an objection had been received from Burton Latimer Town Council on the following grounds: amenity including noise, odour and opening hours; inadequate parking provision for customers and HGV's and disabled access.</p> <p>Members heard that these matters had been addressed in Part 7 of the main report.</p> <p>The update also stated that a letter had been received from the current tenant of the site and owner of the laundrette business. The owner stated that they wished to respond to the comments regarding the business and their treatment by the landlord.</p> <p>The letter stated that they supported the application and working with the support of the landlord, was in the process of relocating to a nearby unit in Burton Latimer which is more appropriate for their needs.</p> <p>Members agreed that the proposed development was satisfactory and saw no issue with approving the application as per the officer's recommendation.</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 and details listed below.
3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall be as shown on the drawings approved under condition 2.

4. The use hereby permitted shall not be carried out [The premises shall not be open to the public] before 11:00 hours or [remain open] after 23:00 hours on Mondays to Sundays and any recognised public holidays.
5. The noise mitigation measures for the external plant outlined in paragraph chapter 5.2 of the approved report 18/0492/R1 by Cole Jarmen shall be carried out in full prior to the first occupation of the unit. Following completion, no alterations shall be made to the approved structure of the unit or noise barriers and the premises shall be maintained as such.
6. No vehicles making service deliveries to or from the site shall enter or leave the site, except between the hours of 08:00 and 19:00 hours Mondays to Saturdays. There shall be no service deliveries on Sundays or recognised public holidays.
7. Prior to occupation a scheme to control refuse and litter from patrons shall be submitted to and approved in writing by the Local Planning Authority and shall be implemented in accordance with the approved details and retained at all times thereafter.
8. Prior to occupation a scheme for the storage and collection of waste shall be submitted to and approved in writing by the Local Planning Authority and shall be implemented in accordance with the approved details and retained at all times thereafter.

Members voted on the officers' recommendation to approve the application

(Voting: Unanimous)

The application was therefore
APPROVED

<u>Proposed Development</u>	<u>Decision</u>
<p>*5.4 Full Application: Single storey side extension to barn and hardstanding to the front and side at Steeples, 35B Loddington Road, Great Cransley for Mr S Payne</p> <p>Application No: KET/2018/0715</p> <p><u>Speakers:</u></p> <p>Cllr Jim Hakewill attended the meeting and spoke as Ward Councillor for the proposed development and raised a number of concerns which included agricultural use definitions and due to the amount of machinery associated with the development.</p> <p>Stephen Payne, attended the meeting and addressed the committee as the applicant for the proposed development, clarifying that the use of the land was for agricultural use which encompassed other surrounding fields. It was also stated that field numbers had been allocated and that crop of hay or livestock was to be used on the fields.</p>	<p>Members received a report about a proposal seeking planning permission for an extension to the existing barn and alterations on the agricultural area at the site, as follows:</p> <ul style="list-style-type: none"> • A single storey gable roofed side extension at the southeast end of the existing L-shaped barn building on site. • An increase in size of the existing compacted stone turning and manoeuvring area to the northeast of the existing barn building, and a new area of compacted stone to the northwest of the existing barn building. • The construction of a retaining wall for the new turning and manoeuvring area, faced with vertical timber boarding 1.25 metres high to accommodate the change in land levels, and a wooden post and rail fence along the edge of the turning area. <p>The Planning Officer addressed the committee and provided an update which stated that an email had been received from the ward councillor and that issues had been discussed within the officer's report or answered at the meeting.</p> <p>Members raised concerns and sought clarification regarding the condition which as part of KET/2014/0133 required the existing barn to be removed if (as is the case) it were no longer to be used for animals.</p> <p>It was heard that the condition in question would have to be changed either through submission of a new application or by an amendment to the current proposals to include retention of the existing barn in such circumstances.</p> <p>Following discussions it was proposed by Councillor Mark Rowley and Seconded by Councillor Ash Davies that the application be DEFFERED so that the current application could be amended, for a re-consultation to then take place and following that a further recommendation on an amended proposal to be considered.</p> <p>It was agreed that the application be DEFFERED</p>

Members voted on the motion to defer the application

(Voting: For 6; Against 1)

The application was therefore
DEFFERED

<u>Proposed Development</u>	<u>Decision</u>
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<p>*5.6 Full Application: Conversion of first and second floors to 6 no. apartments at Dalkeith House, Dalkeith Place, Kettering for Ms S Duggall</p> <p>Application No: KET/2018/0736</p> <p><u>Speakers:</u></p> <p>Mr Duggal, attended the meeting and addressed the committee as the applicant for the proposed development, and brought to the attention of the committee that no objections had been received and that the conversion would bring new life to the building.</p>	<p>Members received a report about a proposal seeking consent to covert the first and second floor of the building to residential use for 6 flats.</p> <p>Members raised concerns regarding the insufficient floor space that was being proposed within the scheme. It was stated that flats that were not in keeping with national minimum space standards for residential indicated overdevelopment.</p> <p>Concerns were also raised by members regarding the lack of parking provision associated with the proposed development and in regard to the bike store.</p> <p>Following debate it was proposed by Councillor Rowley and seconded by Councillor Mitchell that the application be refused due to overdevelopment of the site relating to the issues identified.</p> <p>It was agreed that the application be REFUSED for the following reason:-</p>
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1. The proposal would result in a density of development that would mean that the space for double occupancy bedrooms does not meet the National Space standards. The proposals do not include any provision for car parking and without evidence of alternative provision for car users. The Highway Authority also advise that the proposed cycle parking is un-useable. These consequences would be to the detriment of occupiers and the local area. The proposal is therefore an overdevelopment and contrary to Policy 8 of the North Northamptonshire Joint Core Strategy.

Members voted on the motion to REFUSE the application

(Voting: For 6; Against 1)

The application was therefore
REFUSED

<u>Proposed Development</u>	<u>Decision</u>
<p>*5.7 Full Application: Change of use of ground floor from nightclub to mixed A1, A2 & A3 at Dalkeith House, Dalkeith Place, Kettering for Mr S Duggal</p> <p>Application No: KET/2018/0738</p> <p><u>Speakers:</u></p> <p>None</p>	<p>Members received a report which sought consent for a change of use to the ground floor to a use of A1, A2 or A3.</p> <p>The Planning Officer addressed the committee and provided an update which stated that Condition 6 had been updated to so the first sentence read "Prior to the commencement of an A3 use on the ground floor hereby permitted a scheme to manage the noise generated by the odour control system, to prevent the emissions of noise affecting noise sensitive premises, shall be submitted to and approved in writing by the Local Planning Authority."</p> <p>Members were in agreement that the proposed development was satisfactory and that no concerns were raised.</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. Prior to the first beneficial use of any of the uses hereby approved a scheme for the storage and collection of waste shall be submitted to and approved in writing by the Local Planning Authority and shall be implemented in accordance with the approved details and retained at all times thereafter..
3. Prior to the first use hereby permitted or its installation (whichever is the first), details of a replacement gate to the rear courtyard shall be submitted for the approval in writing by the Local Planning Authority. It shall be installed in accordance with the approved details prior to the first beneficial use and thereafter maintained.
4. No window(s) or door(s) shall be changed or replaced (including replacement glass or the installation of secondary glazing) unless full details of the relevant window(s) or door(s) have been submitted to and approved in writing by the Local Planning Authority. The works shall not be carried out other than in accordance with the approved details.
5. Prior to the use of the ground floor for a use falling with Class A3 or the installation of any extract or flues, full details of a ventilation system for the extraction and disposal of cooking odours shall be submitted to and approved in writing by the Local Planning Authority. No A3 use shall commence until the approved details have been fully implemented.
6. Prior to the commencement of an A3 use on the ground floor hereby permitted a scheme to manage the noise generated by the odour control system, to prevent

the emissions of noise affecting noise sensitive premises, shall be submitted to and approved in writing by the Local Planning Authority.

7. Notwithstanding the provisions 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 alterations or extensions to the building shall be undertaken without the prior written approval of the Local Planning Authority.
8. Prior to the first use hereby permitted, two bat boxes/bricks/tubes shall be placed high up on the external walls of the building (facing in a south-westerly or south-easterly direction) in accordance with the recommendation of The Astute Ecology Bat Emergence and Re-entry Surveys Ref: AE18.209.

Members voted on the officers' recommendation to approve the application

(Voting: Unanimous)

The application was therefore

APPROVED

<u>Proposed Development</u>	<u>Decision</u>
<p>*5.10 Full Application: Change of use from residential to cattery and residential. Construction of concrete base with UPVC building for 5 no. cats at 7 Tentsmuir Close, Kettering for Miss M Thrower</p> <p>Application No: KET/2018/0766</p> <p><u>Speakers:</u></p> <p>Michele Thrower, attended the meeting and addressed the committee as the applicant for the proposed development, stating that there would not be any detrimental impact on parking in the road and on neighbouring roads due to the location of the cattery. Drop offs and collections would be pre-arranged to minimise parking congestion.</p>	<p>Members received a report which sought consent for a change of use from residential to a mixed use of residential and a cattery and residential and includes the construction of a concrete base with a uPVC building for 5 no. cats.</p> <p>Members noted that there was no formal objections from neighbouring properties to the proposed development.</p> <p>It was agreed that the application be APPROVED subject to the following conditions:-</p>

1. This permission shall be limited to whichever occurs first: The date of 20 May 2020 or the date the applicant ceases to occupy the property as their principal residence. At or before the expiration of planning permission the use of the land and the cattery pens hereby permitted shall be permanently discontinued and the cattery pens shall be removed from the site and the land restored to its former condition.
2. The maximum number of cats that can be accommodated at any one time is 5.

Members voted on the officers' recommendation to approve the application

(Voting: Unanimous)

The application was therefore

APPROVED

<u>Proposed Development</u>	<u>Decision</u>
<p>*5.11 Full Application: Single storey front extension at 13 Brecon Close, Kettering for Mr W Curry.</p> <p>Application No: KET/2018/0766</p> <p><u>Speakers:</u></p> <p>Paula Wallis, Third party objector to the proposed development attended the meeting and raised objections due to the overbearing nature of the development. Mrs Willis stated that the development if approved would lead to a detrimental loss of light at her property.</p>	<p>Members received a report which sought planning permission for the erection of a single storey front extension.</p> <p>Members were in agreement that although there were concerns raised by third parties, there was no planning reason to refuse the 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 3 years from the date of this planning permission.
2. The development hereby permitted shall not be carried out other than in accordance with the approved plans and details listed below.
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 existing building.
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 shall be made in the eastern elevation or roof plane of the building.
5. No demolition, construction, deliveries of plant or materials shall occur outside of the following times: Monday to Friday 08.00 to 18.00 hrs, Saturday 08.30 to 13.30 and at no time whatsoever on Sundays or Public/Bank Holidays. This includes deliveries to the site and any work undertaken by contractors and sub-contractors.

Members voted on the officers' recommendation to approve the application

(Voting: For: 5; Against; 2)

The application was therefore
APPROVED

<u>Proposed Development</u>	<u>Decision</u>
<p>*5.2 Full Application: 1 no. dwelling at 67 Breajkeys Road (land adj), Desborough for Mr L Burley</p> <p>Application No: KET/2018/0698</p> <p><u>Speakers:</u></p> <p>None</p>	<p>Members received a report which sought planning permission a three bedroomed two-storey dwelling, with a single storey element to the rear, plus associated access and car parking.</p> <p>Members agreed that the proposed development was satisfactory and saw no issue with approving the application as per the officer's recommendation.</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. 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.

3. No earthworks or groundworks shall take place until a cross-sectional plan of the site, prepared to a scale of not less than 1:500, showing the existing and intended final ground levels and land contours has been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.
4. No development above building slab level shall commence on site until details of the types and colours of all external facing and roofing materials to be used, [together with samples,] have been submitted to and approved in writing by

the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

5. No development above slab level 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.
6. The access and parking area hereby approved shall be provided prior to the first occupation of the building hereby permitted and shall be permanently retained and kept available for the parking of vehicles.
7. No construction, deliveries of plant or construction materials shall occur outside of the following times: Monday to Friday 08.00 to 18.00 hrs, Saturday 08.30 to 13.30 and at no time whatsoever on Sundays or Public/Bank Holidays. This includes deliveries to the site and any work undertaken by contractors and sub-contractors.
8. The development hereby permitted shall not be carried out other than in accordance with the approved plans and details listed below.

Members voted on the officers' recommendation to approve the application

(Voting: For: Unanimous)

The application was therefore
APPROVED

<u>Proposed Development</u>	<u>Decision</u>
<p>*5.5 Full Application: Two and single storey rear extensions and a front dormer window at 42 Northampton Road, Kettering for Mr D Howes</p> <p>Application No: KET/2018/0728</p> <p><u>Speakers:</u></p> <p>None</p>	<p>Members received a report about proposals which sought full planning permission for a two and single storey rear extension and a front dormer which included the provision of two bedrooms in the roof and involved the demolition of an existing flat-roof rear addition and a timber outbuilding.</p> <p>It was heard that during the course of the application and following Officer advice amended plans had been received which reduced the size of the front dormer, provided a set-in for the two storey rear extension which also reduced its prominence from the front and annotated obscuration and non-opening of upper floor side elevation windows added. The proposal was considered on the basis of these amended plans.</p> <p>Members agreed that the proposed development was satisfactory and saw no issue with approving the application as per the officer's recommendation.</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. The walls and rooves of the extensions, hereby permitted, shall match, in type, colour and texture, those on the existing dwelling.
4. The window and rooflights in the upper floor side elevations of the rear two storey extension hereby permitted shall be non-opening and 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 upper floor side elevations or roof plane of the rear two storey extension hereby permitted.

Members voted on the officers' recommendation to approve the application

(Voting: For: Unanimous)
The application was therefore
APPROVED

(Planning No. 16)
20.11.18

<u>Proposed Development</u>	<u>Decision</u>
<p>*5.8 Full Application: Replacement front door at Trinity House, 36 The Green, Mawsley for Mr W Walton</p> <p>Application No: KET/2018/0750</p> <p><u>Speakers:</u></p> <p>None</p>	<p>The objection raised by the Parish Council detailed in the Committee report had been withdrawn after reviewing the further detail provided. As such, and as no other objections had been received to the proposal, consistent with the Council's scheme of delegation the application was WITHDRAWN from the Planning Committee as an item for consideration by officers and would therefore be determined under delegated powers.</p>

<u>Proposed Development</u>	<u>Decision</u>
<p>*5.9 Outline Application: 1 no. dwelling and detached garage with access off Woodwell Road and vehicular access for 89 and 91 off Federation Avenue at 89-91 Federation Avenue, Desborough for Mr & Mrs Stoner</p> <p>Application No: KET/2018/0757</p> <p><u>Speakers:</u></p> <p>None</p>	<p>Members received a report which sought outline planning permission to create a single (bungalow) dwelling and a chalet style on part of the rear garden areas of the existing dwellings of 89 and 91 Federation Avenue.</p> <p>It was heard that all matters were reserved apart from access which was provided directly onto Woodwell Hill. An existing garage serving 91 Federation Avenue was likely to be demolished and a new one erected for the bungalow, therefore it was also proposed that off street parking for 89 and 91 Federation Avenue at the front of these properties be provided.</p> <p>The Planning Officer addressed the committee and provided an update which stated that an alternative illustrative layout and side elevation had been submitted by the applicant which removed the two front dormer windows within the roof and the first floor bedrooms and bathroom. This proposed layout if submitted was a reserved matters application and would overcome and address the issues of character and design, overlooking of 93 Federation Avenue and the requirements for national space standards as highlighted in the officer report.</p> <p>The proposals would therefore be acceptable in planning terms in relation to the reserved matters and a recommendation for approval is likely to forthcoming if these plans were submitted.</p> <p>The alternative plan does not revise the recommendation in the officer's report or the conditions proposed to any planning permission that might be granted.</p> <p>It was agreed that the application be APPROVED subject to the following conditions:-</p>

1. 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.
2. 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.

3. Any gates provided at the point of access to the site shall be hung so as to open inwards into the site only.
4. No occupation or use of the site shall commence until pedestrian visibility splays of at least 2.0m x 2.0m shall be provided on each side of the vehicular access. These measurements are taken from and along the highway boundary. The splays shall thereafter be permanently retained and kept free of all obstacles to visibility over 0.6m in height above access/footway level.
5. Before the development hereby permitted is first occupied or used, space for the loading, unloading parking and manoeuvring of vehicles shall be provided within the site in accordance with the approved plans and shall thereafter be retained and kept available for such purposes.
6. No demolition, construction, deliveries of plant and materials for construction shall occur outside of the following times: Monday to Friday 08.00 to 18.00 hrs, Saturday 09.00 to 13.00 and at no time whatsoever on Sundays or Public/Bank Holidays. This includes deliveries to the site and any work undertaken by contractors and sub-contractors.
7. 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.

8. The illustrative floor plans for a dwelling with dormers or room in the roof are not approved. The dwelling hereby approved shall only be single storey in height with no habitable rooms in the roof.
9. 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.

10. Prior to the commencement of the development hereby permitted, details of a positive means of drainage to ensure that surface water from the vehicular access, or private land, 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 installed and operational prior to first use and thereafter be maintained.

Members voted on the officers' recommendation to approve the application

(Voting: For: Unanimous)

The application was therefore

APPROVED

***18.PC.49 ENFORCEMENT ACTION MONITORING**

The committee received a report on enforcement monitoring covering the reporting quarter of 1st July 2018 to 30th September 2018

Following discussions it was

RESOLVED that the committee noted the report

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

(The meeting started at 6.30pm and ended at 8.31 pm)

Signed:

Chair

CJG