

BOROUGH OF KETTERING

PLANNING COMMITTEE

Meeting held – 4th June 2019

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

19.PC.01 **APOLOGIES**

Apologies for absence were received from Councillor Paul Marks

19.PC.02 **DECLARATIONS OF INTEREST**

Councillors Clark Mitchell and Lesley Thurland declared an interest in item 5.4 and indicated that they would be leaving the room during discussion.

Councillor Mark Rowley declared an interest in item 5.5 and indicated that he would be leaving the room during discussion.

19.PC.03 **MINUTES**

RESOLVED that the minutes of the meetings of the Planning Committee held on 7th May 2019 be approved as a correct record

***19.PC.04** **ITEMS OF URGENT BUSINESS**

None

***19.PC.05** **APPLICATIONS FOR PLANNING PERMISSION**

The Committee considered the following applications for planning permission, which were set out in the Head of Development Control's Reports and supplemented verbally and in writing at the meeting. Twelve speakers attended the meeting and spoke on applications in accordance with the Right to Speak Policy.

The reports 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: Erection of coffee shop with drive-thru and parking at Cransley Park, Northampton Road, Kettering for Tansor Ziran Projects Ltd</p> <p>Application No: KET/2018/0828</p> <p><u>Speaker:</u></p> <p>Councillor Jim Hakewill attended the committee and spoke as ward councillor for the proposed development and raised concerns regarding the potential detrimental impact the development would have on the highways due to increased traffic flow to the area which would have a detrimental impact on nearby residents.</p> <p>John Liggins attended the meeting and addressed the committee as the agent for the proposed development and stated that the application if approved would be providing a necessary service to workers on the Cransley Park site and that over 90% of the traffic associated with the development would already be on the road network. Mr Liggins also stated that a future planning application would bring forward an access road for nearby residents.</p>	<p>Members received a report which sought consent for the erection of a coffee shop with drive thru, parking and associated works.</p> <p>Members agreed with the Local Highways Authorities suggestion of implementing an additional electric vehicle charging point and stated it was a welcome inclusion with the proposed development</p> <p>Members heard that there was to be a cycle path around the exterior of the site and that no secondary access road would be built without prior consent from the Planning Authority.</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. Notwithstanding the approved plans and details listed below, provision shall be made for 3 electric vehicle charging points within the designated parking area.
3. Prior to the first use of the building hereby permitted, a landscaping scheme showing the hard and soft landscaping areas including materials and planting shall be submitted to and approved in writing by the Local Planning Authority. The landscaping shall be implemented in accordance with the approved details in advance of the opening of the building to visiting members of the public and shall thereafter be retained for the lifetime of the development unless alternative details are approved in writing by the Local Planning Authority.
4. The building shall only be used for the purpose of a coffee shop (consisting of the primary use of sale of coffee and other beverages with associated products) and shall not be used for any other purposes including any use falling within

class A1, A3 or A5 of the Town and Country Planning (Use Classes) Order 1987 (as amended).

5. There shall be no external illumination on the site at any time other than in accordance with a detailed scheme which shall first have been submitted to and approved in writing by the Local Planning Authority.
6. No construction work shall take place on the site outside the hours of 0700 to 1900 Monday to Friday and 0800 to 1700 on Saturday, unless otherwise agreed with the Local Planning Authority.

(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>*5.2 Advertisement Application: 3 no. non-illuminated fascia signs and 1 no. non-illuminated roof lettering at Cransley Park, Northampton Road, Kettering for Tansor Ziran Projects Ltd</p> <p>Application No: KET/2018/0827</p> <p><u>Speaker:</u></p> <p>None</p>	<p>Members received a report which sought advertisement consent for 3 no. non-illuminated fascia signs and 1 no. non-illuminated roof lettering (separate letters – COSTA).</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. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
2. No advertisement shall be sited or displayed so as to -
 - (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
 - (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air, or
 - (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.
3. Any advertisement displayed and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.
4. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.
5. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.
6. No illumination (by methods either internal or external) of the signs hereby permitted is granted by this consent and the signs shall not be specifically illuminated.

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

(Voting: Unanimous)

The application was therefore
APPROVED

(Having declared an interest in the follow item, Councillors Lesley Thurland and Clark Mitchell vacated the committee during consideration)

<u>Proposed Development</u>	<u>Decision</u>
<p>*5.4 Full Application: Re-build of former old weir house and sand washer buildings for use as an education centre and museum with associated parking (Part Retrospective) at Cransley Eco Park CIC, The Old Filter House, Eagle Lane, Cransley</p> <p>Application No: KET/2018/0981</p> <p><u>Speaker:</u></p> <p>Louise Holborow attended the meeting and addressed the committee as a third party objector to the proposed development stating that the application proposed a danger of damaging the ethos of the local area and that the area should be protected from development.</p> <p>Councillor Jim Hakewill attended the committee and addressed the committee as ward councillor for the proposed development stating that there was not a major need for additional facilities of the applications nature and that the road structure associated with the development was not suitable for intensification.</p> <p>Peter Stein addressed the committee as applicant for the proposed development and stated that the facility was set up as a community interest company and that the facility would provide a testimonial to the historic nature of the site.</p>	<p>Members received a report which sought full planning permission to re-build the former old weir house and sand washer buildings for use as an education centre and museum with additional parking (Part Retrospective).</p> <p>The Planning Officer addressed the committee and provided an update, which stated that Thorpe Malsor Parish Council and a third party objector had provided a further letter, which provided objections to the proposed sand washer building, its parking and access arrangements and ecological impacts.</p> <p>Members raised queries and objections as to why no internal layout plans or site plans had been submitted with the application.</p> <p>Members also raised concerns with regards to the objections raised by the Local Highways Authority, stating that there was major concerns associated with the development and that clear plans were required to make a sound judgement.</p> <p>Following debate, it was proposed by Councillor Titcombe and seconded by Councillor Davies that the application be deferred to allow important information and details to be provided from the applicant.</p> <p>It was agreed that the application be DEFERRED for the following reasons; Scaled plans including elevations of the proposed buildings, the layout of the area in which the proposal is located, and travel plan options to be explored and proposals submitted eg mini bus to avoid individual cars needing to go on site for functions at the proposed learning centre.</p>

Members voted on the motion to DEFER the application

(Voting: For Deferral: Unanimous)

The application was therefore
DEFERRED

(Councillors Thurland and Mitchell re-joined the committee)

<u>Proposed Development</u>	<u>Decision</u>
<p>*5.8 Full Application: Demolition of garages and erection of a dwelling at 20 – 24 Underwood Road (Land between), Rothwell for Mr M Short</p> <p>Application No: KET/2019/0175</p> <p><u>Speaker:</u></p> <p>Councillor Cedwien Brown attended the meeting and addressed the committee as ward councillor on behalf of a neighbouring property, which raised concerns with regards to the removal of asbestos and also raised objections due to the overbearing impact on their property.</p>	<p>Members received a report about a proposal for the demolition of a garage block consisting of four single garages and the construction of a part single storey and part two-storey detached dwelling.</p> <p>Members raised concerns regarding the impact on the issue of potential overbearing of the proposal on neighbouring property and stated that the drawings in the application needed to demonstrate this clearly before any formal decision can be made.</p> <p>Following debate, it was proposed by Councillor Thurland and seconded by Councillor Rowley that the application be deferred to so that Committee could be clear as to what was being proposed.</p> <p>It was agreed that the application be DEFERRED for the above reasons;</p>

Members voted on the motion to DEFER the application

(Voting: For Deferral: 5 Against; 2)

The application was therefore
DEFERRED

<u>Proposed Development</u>	<u>Decision</u>
<p>*5.9 Full Application: Single storey rear extension and increase boundary fence to 2m in height and 2no.rooflights to rear roof plane at 36 Pennine Way, Kettering for Mr A Needham</p> <p>Application No: KET/2019/0211</p> <p><u>Speaker:</u></p> <p>Mrs Arch attended the committee and spoke as a third party objector to the proposed development stating that there had been inadequate communication in relation to the planning application and that the proposed development would result in the overdevelopment of the site.</p> <p>Phillip Evans addressed the committee as an agent for the applicant and stated that the development was necessary to accommodate the family's needs and that the original extension was constructed poorly with a low ceiling height.</p>	<p>Members received a report about a proposal for which planning permission was being sought to partially remove the existing rear extension and store and build a single storey rear extension. 2 new roof lights are also proposed within the rear plane of the roof and alteration to some of the boundaries to 2m timber fences.</p> <p>The Planning Officer addressed the committee and provided an update, which stated that an additional condition was recommended to ensure that no windows were added in future without permission on the south facing elevation.</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 match, in type, colour and texture, those on the existing building.
4. The construction of the extension hereby permitted shall not take place on site until the existing store, shown to be demolished on the approved plan, has been so demolished and all resultant materials permanently removed from the site.
5. The window on the south facing elevation shall be obscurely glazed to or equivalent to level 3 within the Pilkinton range of textured glass 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.
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 permitted by Schedule 2, Part 1 Classes A or C shall be made in the south elevation of the building.

(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: Part two storey part single storey side extension at 27 Cranford Road, Grafton Underwood for Mr M Hillery</p> <p>Application No: KET/2019/0225</p> <p><u>Speaker:</u></p> <p>Richard Furze attended the committee and spoke as a third party objector to the proposed development stating that the application had overbearing elements and would be detrimental to neighbouring properties. It was also stated that little consideration had been made for the previous refusal.</p> <p>Councillor David Hinckley attended the meeting and addressed the committee as a representative for Grafton Underwood Parish Council stating that despite there being changes to the original planning application, the current proposals still contained issues relating to the conservation area of the village and the design being not in keeping with the local area.</p> <p>M J Hillery, applicant for the proposed development addressed the committee stating that there had been significant reduction in the proposal including one window to lessen visual impact.</p>	<p>Members received a report which sought planning permission for a part two storey part single storey side extension.</p> <p>Members agreed that the proposed development was satisfactory subject to requiring that all elevations to be in (natural) stone to match and annotations on the plans where indicating red brick to be changed accordingly. .</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. No development above building slab level shall commence on site until details of the types and colours of all external facing, roofing materials and joinery / window details to be used, together with samples, have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed of natural stone to match existing stone. The development shall not be carried out other than in accordance with the approved details.

4. The window in the north roof slope (facing The Laurels) 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 window shall thereafter be maintained 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 north elevation or roof plane of the building.
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 permitted by Schedule 2, Part 1 Classes A or C shall be made in the first floor east elevation or roof plane of the building.

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

(Voting: For: 6 Against:1)

The application was therefore

APPROVED

<u>Proposed Development</u>	<u>Decision</u>
<p>*5.11 Full Application: Single storey rear extension at 30 Reservoir Road, Kettering for Mr L Chymcak</p> <p>Application No: KET/2019/0231</p> <p><u>Speaker:</u></p> <p>Alan Cornock attended the committee and spoke as a third party objector to the proposed development stating that the development was overshadowing and overbearing onto his property. Mr Cornock also stated that the materials used in the development do not match what was approved in the initial application and that the current height of the development was not in keeping with the original plans.</p>	<p>Members received a report which sought planning permission for a single storey rear extension and alterations to No30 Reservoir Road.</p> <p>Members raised concerns regarding retrospective nature of the development and sought clarification that enforcement would be used should the development be found to not be in keeping with the approved specification.</p> <p>It was agreed that the application be APPROVED subject to the following conditions:</p>

- 1 Details of the types and colours of all external facing and roofing materials to be used shall 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.
2. 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 eastern elevation of the extension.
3. The development hereby permitted shall not be carried out other than in accordance with the approved plans and details listed below.
A3-1821 08 Dated 04/04/2019 - Proposed elevations, floor plan and proposed height of extension.

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

(Voting: For: 6 Abstained: 1)

The application was therefore
APPROVED

(Having declared an interest in the follow item, Councillor Rowley vacated the committee during consideration)

<u>Proposed Development</u>	<u>Decision</u>
<p>*5.5 Full Application: Conversion of car park and outbuildings to create external seating area, bin store and bar, change of use to A4 and associated works \t 13-15 Dalkeith Place, Kettering for JD Wetherspoon PLC</p> <p>Application No: KET/2019/0042</p> <p><u>Speaker:</u></p> <p>None</p>	<p>Members received a report which sought permission for the redevelopment and change of use of the site to provide an external seating area to be used in conjunction with the adjacent Earl of Dalkeith Public House (A4 use).</p> <p>Members sought clarification about the direction of opening for the access gates covered by condition. It was agreed that with that clarification the proposed development was satisfactory in line with 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. No development shall commence on site until details of the types and colours of all external materials to be used including facing, roofing, window and doors together with hard and paved surface details 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. 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 scheme shall include full details of the boundary treatment and emergency exit gates to be installed between Dalkeith Place and the external seating area. The gates shall be a minimum of 1.8 metres in height and open away from the highway. The use hereby permitted shall not commence until the approved scheme has been fully implemented in accordance with the approved details.
4. The use of the outdoor terrace, bar, bin and furniture stores hereby permitted and shown on approved plan no. 6845 04 Revision B, received 16 January 2019 by the Local Planning Authority, shall not be carried out before 09:00 hours or after 21:00 hours on Mondays to Thursdays, nor before 09:00 hours or after 22:00 hours on Fridays and Saturdays, nor before 09:00 hours or after 21:00 hours on Sundays or any recognised public holidays.
5. There shall be no external illumination on the site at any time other than in accordance with a detailed scheme which shall first have been submitted to and approved in writing by the Local Planning Authority.

6. Notwithstanding the approved plans, and prior to first use of the external seating area full details of the proposed Pergola area to the north of the site, shall have been submitted to and approved in writing by the Local Planning Authority. The details shall include as a minimum; elevations, means of enclosure, materials and designation of a smoking area. The Pergola area shall be completed in accordance with the approved details.
7. Before the installation of any plant a noise assessment detailing the impact on noise sensitive properties shall be undertaken in accordance with BS41412:1999 (or later amendments) and submitted to the Local Planning Authority for approval, including noise mitigation measures where required to ensure that the noise from the plant is 5dB(A) or more below the existing background noise level. The plant and any required noise mitigation measures shall be installed in accordance with the approved details before first use and maintained in the approved state.
8. There shall be no public address or other sound amplification system installed or used at any time other than in accordance with details which shall first have been submitted to and approved in writing by the Local Planning Authority.
9. 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 and where remediation is necessary a remediation scheme must be prepared 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 and submitted for approval in writing to the Local Planning Authority. Occupation or use of the development will not be permitted until the verification report has been submitted and approved.

10. Prior to the commencement of development, a scheme detailing the security measures/ standards to be incorporated into the development shall have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

(Voting: For: Unanimous)

The application was therefore

APPROVED

(Councillor Rowley re-joined the committee)

<u>Proposed Development</u>	<u>Decision</u>
<p>*5.3 Full Application: Conversion of first and second floors, creation of third floor to provide 33 no. dwellings with associated works including lift shaft to side elevation at 17 Lower Street, Kettering for Cellica Limited</p> <p>Application No: KET/2018/0902</p> <p><u>Speakers:</u></p> <p>None</p>	<p>The meeting having continued until 9.00 pm, in accordance with paragraph 10 of Part 4A (Council Procedure Rules) of the Constitution the meeting was closed without a debate or a decision having been made in respect of items 5.3, 5.6 and 5.7 of the Agenda</p>

<u>Proposed Development</u>	<u>Decision</u>
<p>*5.6 Full Application: Change of use to 8 person HMO at 2 Broadway, Kettering fort Mr J Somal</p> <p>Application No: KET/2019/0130</p> <p><u>Speakers:</u></p> <p>None</p>	<p>The meeting having continued until 9.00 pm, in accordance with paragraph 10 of Part 4A (Council Procedure Rules) of the Constitution the meeting was closed without a debate or a decision having been made in respect of items 5.3, 5.6 and 5.7 of the Agenda</p>

<u>Proposed Development</u>	<u>Decision</u>
<p>*5.7 Full Application: Single storey front, two storey side and two storey and single storey rear extensions at 31 Main Street, Sutton Bassett for Mr& Mrs Ndlovu</p> <p>Application No: KET/2019/0154</p> <p><u>Speakers:</u></p> <p>None</p>	<p>The meeting having continued until 9.00 pm, in accordance with paragraph 10 of Part 4A (Council Procedure Rules) of the Constitution the meeting was closed without a debate or a decision having been made in respect of items 5.3, 5.6 and 5.7 of the Agenda</p>

*(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

CG