

BOROUGH OF KETTERING

PLANNING COMMITTEE

Meeting held – 2nd July 2019

Present: Councillor Shirley Stanton (Chair)
Councillors Ash Davies, Scott Edwards, Paul Marks, Clark Mitchell,
Cliff Moreton, Mark Rowley

19.PC.11 **APOLOGIES**

Apologies for absence were received from Councillors Linda Adams, Greg Titcombe and Lesley Thurland. It was noted that Councillor Scott Edwards was acting as substitute for Councillor Thurland.

19.PC.12 **DECLARATIONS OF INTEREST**

Councillors Scott Edwards and Paul Marks declared an interest in item 5.5. Councillor Edwards indicated that he would be leaving the room during discussion.

Councillor Mark Rowley also declared an item 5.1

19.PC.13 **MINUTES**

RESOLVED that the minutes of the meetings of the Planning Committee held on 2nd July 2019 be approved as a correct record

***19.PC.14** **ITEMS OF URGENT BUSINESS**

None

***19.PC.15** **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. Two 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: Redevelopment of site to create 10 no. dwellings with associated infrastructure. Creation of garden/paddock land and hardstanding for existing farmhouse at Home Farm, 3 Valley Road, Weston By Welland for Mr C L Parker Langton Homes Ltd</p> <p>Application No: KET/2018/0767</p> <p><u>Speaker:</u></p> <p>David Woolman attended the meeting and addressed the committee as a third party objector to the proposed development stating that due to the difference in height of the proposed development and the neighbouring pub there was a major flood risk due to inadequate drainage. Mr Woolman also raised concerns due to the parking restrictions associated with the development.</p> <p>Mark Flood attended the meeting and addressed the committee as the agent for the applicant of the proposed development. Mr Flood stated that there had been an extensive consultation period and that the development had the support of the local parish council. It was also stated that the proposed development was also feature four affordable homes.</p>	<p>Members received a report about a proposal for which full planning permission was being sought for the demolition of the existing range of modern farm buildings and to replace them with 10 dwellings set in a courtyard arrangement;</p> <p>The Planning Officer addressed the committee and provided an update which stated that revised plans had been received and that following new comments from Anglian Water, condition 6 had been updated to prevent environmental and amenity issues arising from flooding in accordance with policy 5 of the North Northamptonshire Joint Core Strategy.</p> <p>Members welcomed the inclusion of affordable homes within the proposed development and 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 a S.106 obligation being entered and the following conditions:</p>

1. Prior to the commencement of development a Demolition and Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period and the approved measures shall be retained for the duration of the demolition and construction works. The submitted Construction and Demolition Plan shall include measures to ensure that the integrity of the boundary with 4 The Lane is maintained and retained throughout the demolition and construction period and cross sectional drawing(s) shall be included to demonstrate this will be the case. The submitted plan shall also include the following;
 - a. Detailed work programme/timetable
 - b. Site HGV delivery/removal hours to be limited to between 09.00 - 16.00
 - c. Detailed routeing for demolition, excavation, construction and abnormal loads

- d. Supply of pre-journey information on routeing and site restrictions to contractors, deliveries and visitors
 - e. Detailed plan showing the location of on-site stores and facilities including the site compound, contractor and visitor parking and turning as well as un/loading point, turning and queueing for HGVs
 - f. Breakdown of number, type, size and weight of vehicles over demolition and construction period.
 - g. Details of debris management including location of wheel wash, programme to control debris spill/tracking onto the highway and also include sheeting/sealing of vehicles and dust management
 - h. Details of site working days and hours.
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 part C below has been complied with.

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.

3. 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.
4. The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.
5. The development hereby permitted shall not be carried out except in complete accordance with the approved plans as listed on the decision notice.
6. No hard-standing areas shall be constructed until the drainage works have been carried out in accordance with the approved surface water strategy.
7. Prior to first occupation of any dwelling a scheme of hard and soft landscaping which shall specify boundary treatment (fencing and hedging), species, planting sizes, spacing and numbers of trees and shrubs to be planted and existing trees and hedgerows (which shall include the hedgerow along the site frontage to Valley Road) to be retained shall be submitted to and approved by the Local Planning Authority. The approved scheme shall be carried out in the first planting and seeding seasons following the occupation of the building, unless

these works are carried out earlier. Any newly approved trees or plants which, within a period of 5 years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. For the boundary bordering No 4 The Lane, the landscape scheme shall be accompanied by cross section drawing(s) to demonstrate how any differences in ground levels shall be dealt with and this element of the landscape scheme/boundary treatment shall be fully completed prior to the first occupation of either dwelling at plot 4 and plot 5. The scheme to be submitted shall also include any boundary screening or landscaping to be erected/planted within the extended curtilage to Home Farmhouse. All approved boundary screening shall be retained as such thereafter.

8. No development or site clearance shall take place until details of root protection measures for the trees identified in the submitted arboricultural assessment as T2 and T3 have been submitted to and approved in writing by the local planning authority. The root protection measures shall adhere to British Standard BS5837. The approved root protection measures shall be retained and adhered to throughout the construction period.
9. The development shall not be carried out except in complete accordance with the Recommendations set out on pages 23 and 24 of the submitted Ecological Appraisal by Curious Ecologists dated 15 June 2017.
10. No development shall take place until a programme of archaeological work, in accordance with a written scheme of investigation, has been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details.
11. Prior to the commencement of any development above slab level, details of all external materials to be used in the construction of all buildings shall have been submitted to and approved in writing by the local planning authority. These details shall include the make, type and colour of all materials and brochure details/photographs and/or samples of bricks, wood cladding, roof tiles, windows, front doors and garage doors. The development shall thereafter only be carried out in accordance with the approved details.
12. Prior to the commencement of the development details of the access, parking and turning construction and all hard surfacing materials (including within plots) shall be submitted to and approved by the local planning authority. The details to be submitted shall include a cross section of the access construction at a scale of no smaller than 1:50 and details to show the recessing of the visitor parking spaces further back to improve pedestrian visibility.
13. No development shall take place until detailed drawings have been submitted to and approved by the local planning authority which show the provision and construction of a two metre wide footpath and any associated works, from the site entrance along the site frontage to where it opposes the existing footpath on the other side of Valley Road. The details shall also include tactile paving to be provided on both sides of Valley Road at this pedestrian crossing point. The development shall not be occupied until the approved footpath and associated works have been completed in full in accordance with the approved plans and details.

14. Each dwelling hereby approved shall be built incorporating measures to limit use of potable water to no more than 105 litres per person per day and external potable water use of no more than 5 litres per person per day.
15. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no building, structure or other alteration permitted by Classes A, B, C, D or E of Part 1 of Schedule 2 of the Order shall be made or constructed to any of the dwellings hereby approved, unless express planning permission has first been obtained from the local planning authority.
16. With regard to that part of the site labelled Garden/paddock land for existing house and access to existing Home Farm House and outbuildings on the approved Site Plan drawing P001 Rev M, notwithstanding the provisions of Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) Order 2015 (as amended or re-enacted) no structures or buildings shall be erected in this area unless express planning permission has first been obtained from the local planning authority.
17. In the event of any of the streets associated with this residential development are not being proposed for adoption as public highway, the following condition applies;
 - a. Details of a site management company and associated management and maintenance methodology of the street within the development, to operate in perpetuity shall be submitted to and agreed in writing prior to the commencement of the development. These details shall include a copy of a legal undertaking by the developer that the street will not be put forward for adoption and will remain private in perpetuity; that the street will be identified as private through the appropriate use of private street name plates at the entrance to the site and that any vehicular access to the site from the public highway shall be implemented as standard vehicle crossovers.

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

(Voting: For: 5, Against 0)

The application was therefore
APPROVED

(Councillor Moreton Joined the committee at 6:53pm)

<u>Proposed Development</u>	<u>Decision</u>
<p>*5.2 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>Speaker:</u></p> <p>None</p>	<p>Members received a report about a proposal for which full planning permission was being sought for conversion of the building's first, and second floors and creation of a third floor to provide 33 flats (18 one bed and 15 two bed) with associated works including an infill extension toward the rear and construction of a lift shaft and stairwell</p> <p>Members thanked the applicant and officers for supplying the additional information that had previously been requested and 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 a S.106 obligation being entered and 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 information detailed below.
3. The development hereby permitted shall not be carried out other than in accordance with the provisions and strategies of the approved Flood Risk Assessment dated November 2018; referenced 1879 Rev: Final 1 compiled by Cellica Limited which shall remain in place in perpetuity.
4. Prior to the commencement of development hereby permitted, a scheme and timetable detailing the provision of fire hydrants, sprinkler systems and their associated infrastructure shall be submitted to and approved in writing by the local planning authority. The fire hydrants, sprinkler system and associated infrastructure shall be installed and fully functional prior to first occupation and shall thereafter be provided in accordance with the approved scheme and timetable.
5. The proposal shall be carried out in accordance with external materials and finish details (including the finishes of the existing building) that shall first be approved in writing by the local planning authority prior to those works being undertaken and shall remain in that form thereafter.
6. Prior to first occupation a scheme shall be submitted to and approved in writing by the Local Planning Authority which specifies the provisions of a scheme to mitigate noise impacts emanating from the adjacent Post Office use. The

development shall not be occupied until the approved scheme has been fully implemented and shall remain in that form in perpetuity.

7. The third floor windows in the west facing elevation above the outside private amenity space shown on the approved drawings shall be fitted with a privacy screen beneath the window in accordance with details that shall first be approved in writing by the local planning authority (including provision of a cross-section plan) and shall be in place prior to occupation of the flats they serve and shall remain in that form thereafter.
8. Prior to first occupation of the development a detailed Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include details regarding the Travel Plan Co-ordinator, an effective means of monitoring and method of reporting to the Local Highway Authority. The development shall be implemented in accordance with the approved details which shall remain in place in perpetuity.
9. The development hereby permitted shall not be occupied until the bin and cycle store and lift detailed in the approved plans and information have been completed and made available for use and shall which remain available in that form thereafter.
10. No works of demolition, construction or deliveries shall occur outside these time: 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.
11. The development hereby permitted shall be used for C3 (dwellinghouses) purposes only and its associated infrastructure and for no other use whatsoever.
12. The existing timber windows in the building shall be retained in perpetuity (re-painting in a white and maintenance permitted) unless otherwise agreed by planning permission.
13. The parts of the windows shown as being inserted or fitted with opaque glaze or film, the opaque screens between outside amenity space and the planting boxes (privacy barriers) shown on the approved drawings shall be in place prior to occupation of the flats they serve and shall remain in place thereafter.
14. Prior to first occupation a scheme of landscaping which shall specify species, planting sizes, spacing and numbers of trees and shrubs to be planted together with details of the hard landscaping shall be submitted to and approved by the Local Planning Authority. The scheme shall explore the feasibility of a 'green' screen to the western edge of the roofs amenity space. The approved scheme shall be carried out in the first planting and seeding seasons following the occupation of the building, unless these works are carried out earlier.
15. Prior to occupation a biodiversity enhancement scheme which takes advantage of the buildings height shall be submitted to and approved in writing by the local planning authority and shall be implemented prior to occupation and remain in that form thereafter. In particular the scheme should explore the feasibility of raptor nesting boxes.

16. The third floor lower panes of the windows in the side north facing elevation above the outside private amenity space shown on the approved drawings shall be fitted with opaque glass and shall remain in that form thereafter.
17. 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.
18. Prior to first occupation the CCTV system, external lighting, the fob entry system, the cycle storage area together with the internal security measures and partitions between the Post Office use and the residential areas shall be in place and available for use and shall remain in that form thereafter.
19. All dwellings shall be constructed to achieve a maximum water use of no more than 105 litres per person per day in accordance with the optional standards 36(2)(b) of the Building Regulations 2010 (as amended) as detailed within the Building Regulations 2010 Approved Document G - Sanitation, hot water safety and water efficiency (2015 edition);
20. All flats shall be constructed to meet M4(2) Accessible and Adaptable Dwellings and at least four of the flats shall meet M4(3) (Wheel-chair accessibility) of schedule 1 part M of the Building Regulations 2010 (as amended).

(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>*5.3 Full Application: Single storey rear and side extension, rear roof dormer to facilitate a loft conversion and 2 no. rooflights to front roof plane at 33 Fuller Street, Kettering for Mr P Mogildea</p> <p>Application No: KET/2019/0253</p> <p><u>Speaker:</u></p> <p>None</p>	<p>This item had been removed from the agenda to be dealt with under the Council's scheme of delegation following the removal of third party objections.</p>

<u>Proposed Development</u>	<u>Decision</u>
<p>*5.4 Full Application: Change of use from care home to residential dwelling at 12 Wales Street, Rothwell for Mr H Say</p> <p>Application No: KET/2019/0261</p> <p><u>Speaker:</u></p> <p>None</p>	<p>Members received a report about a proposal which sought consent for the change of use from residential Care Home (C2) to a single dwelling (C3). It was noted by members of the committee that the proposal had no external alterations.</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. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) and Schedule 2, Part 3, Class L of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), the development hereby approved shall only be occupied as a single dwellinghouse and not as any house in multiple occupation.

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

(Voting: For: Unanimous)

The application was therefore
APPROVED

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

<u>Proposed Development</u>	<u>Decision</u>
<p>*5.5 Application for Listed Building Consent: Installation of security shutter at Alfred East Art Gallery, Sheep Street, Kettering for Kettering Borough Council</p> <p>Application No: KET/2019/0284</p> <p><u>Speaker:</u></p> <p>None</p>	<p>Members received a report about a proposal for which Listed Building Consent was being sought for the installation of an internal security shutter system on the Art Gallery side of an internal doorway between the Library and the Gallery.</p> <p>It was noted that the shutter was required to enable the Gallery to exhibit high value pieces.</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 works to which this consent relate shall be begun before the expiration of 3 years from the date of this consent.
2. The development hereby permitted shall not be carried out other than in accordance with the approved plans and documents detailed below.
3. Prior to work taking place precise details showing the extent of the timber sections of the architrave, frieze and skirt to be removed shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
4. The shutter, its housing box and its railings shall be coloured to match the existing (white/ off-white) wall colour, so far as is practicable and no works whatsoever shall be carried out to the wooden flooring or the double timber doors.

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

(Voting: For: Unanimous)

The application was therefore
APPROVED

(Councillor Edwards re-joined the committee)

<u>Proposed Development</u>	<u>Decision</u>
<p>*5.6 Full Application: Two storey and single storey rear extension with cedar cladding to first floor. Insertion of new window at 19 Garfield Street, Kettering for Mr G West</p> <p>Application No: KET/2019/0378</p> <p><u>Speaker:</u></p> <p>None</p>	<p>Members received a report about a proposal which sought planning consent for a part single storey part two storey rear extension.</p> <p>The Planning Officer addressed the committee and provided an update which stated that an additional comment had been received from 17 Garfield Street maintaining their objection which had been covered by the officers report, and it was also noted that one further objection had been received from 15 Garfield Street. The letter objected on the grounds that the proposal would result in overlooking of the resident's garden.</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 submitted:
Wall - Render colour wash and cedar cladding
Roof - Tiles as existing and flat roof
4. The window in the first floor side elevation facing 17 Garfield Street shall be glazed with obscured glass and thereafter shall be permanently retained in that form.
5. Works audible at the site boundary will not exceed the following times unless with the written permission of the Local Planning Authority or Environmental Health. Monday to Friday 08.00 to 18.00 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: Unanimous)

The application was therefore
APPROVED

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

(The meeting started at 6.30 pm and ended at 9.25 pm)

Signed:

Chair

CG