

**BOROUGH OF KETTERING**

**PLANNING COMMITTEE**

**Meeting held: 4th September 2019**

**Present:** Councillor Shirley Stanton (Chair)  
  
Councillors Ashley Davies (Deputy Chair),  
Clark Mitchell, Cliff Moreton, Mark Rowley and  
Lesley Thurland

**19.PC.16      APOLOGIES**

Apologies for absence were received from Councillors Paul Marks and Greg Titcombe

**19.PC.17      DECLARATIONS OF INTEREST**

Councillor Mark Rowley declared an interest in item 5.8 as a member for the Warkton Parish Council

**19.PC.18      MINUTES OF THE PREVIOUS MEETING TO BE APPROVED AS  
A CORRECT RECORD AND SIGNED BY THE CHAIR**

**RESOLVED** that the minutes of the meetings of the Planning Committee held on 30<sup>th</sup> July 2019 be approved as a correct record

**19.PC.19      ANY ITEMS OF BUSINESS THE CHAIR CONSIDERS TO BE  
URGENT**

None

**19.PC.20      PLANNING APPLICATION REPORTS**

***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. Three 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 Advertisement Application: 5 no. internally illuminated fascia signs, 2 no. non-illuminated fascia signs, 3 no. internally illuminated totem signs, 1 no. internally illuminated roof-mounted sign, non-illuminated lettering and internally illuminated petrol station canopy at Rothwell Truck Stop, Orton Road, Rothwell for Mr C McGarry Applegreen</p> <p>Application No: KET/2019/0288</p> <p><u>Speaker:</u></p> <p>Councillor Jim Hakewill attended the meeting and addressed the committee as council member for Rothwell Town Council. Councillor Hakewill raised concerns with the close proximity of the illuminated sign to nearby dwellings.</p>	<p>Members received a report about a proposal for which advertisement consent was sought for 5 no. internally illuminated fascia signs, 2 no. non-illuminated fascia signs, 3 no. internally illuminated totem signs, 1 no. internally illuminated roof-mounted sign, non-illuminated lettering and internally illuminated petrol station canopy.</p> <p>The Planning Officer addressed the committee and provided an update which stated that an additional condition was to be included relating to the length of planning consent in the interests of amenity.</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 <b>APPROVED</b> subject to the following conditions:</p>

1. No advertisement is to be displayed without the permission of the owner of the site on which they are displayed (this includes the highway authority, if the sign is to be placed on highway land).
2. No advertisement is to be displayed which would obscure, or hinder the interpretation of, official road, rail, waterway or aircraft signs, or otherwise make hazardous the use of these types of transport.
3. Any advertisement must be maintained in a condition that does not impair the visual amenity of the site.
4. Any advertisement hoarding or structure is to be kept in a condition which does not endanger the public.
5. If an advertisement is required to be removed, the site must be left in a condition that does not endanger the public or impair visual amenity.
6. The illumination of the proposed sign shall be of a static non-intermittent type.
7. This consent shall be for a limited period of five years from the date of this notice, on or before which date the display shall be permanently discontinued

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

*(Voting: For: 5, Against 0)*

*The application was therefore*  
**APPROVED**

<u>Proposed Development</u>	<u>Decision</u>
<p>*5.2 Full Application: Conversion and extensions to provide five one-bed flats and associated cycle/bin store with a revised shop layout at 25-27 High Street, Kettering for Mr I Nanuwa</p> <p>Application No: KET/2019/0368</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 conversions of the first floor to residential together. Also proposed was a rear three storey and first floor extension. The extension was to consist of a stock room and cycle/bin store to the ground floor with residential flats to the first and second floor with remodelling of the shops internal layout to provide five one-bed flats. Access was proposed via a rear yard onto Meadow Road with front access also proposed to the front onto High Street.</p> <p>Members raised concerns regarding the bin storage for both the residential and retail elements. Members stated that there would not be adequate provisions for safe and hygienic bin storage.</p> <p>Following debate It was agreed that the application be <b>APPROVED</b> 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 information detailed below.
3. 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 a lighting strategy to illuminate the rear yard area 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 with the lighting strategy made available for use prior to first occupation, which shall remain in that form thereafter.
4. Prior to the first occupation of the development hereby approved, the refuse and cycle storage and the stock room facilities and boundary treatment shown between flats 3 and 4 shown on the approved plans shall be made available for use and retained for those purposes at all times thereafter.
5. All dwellings shall be converted 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);

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.

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

*(Voting: For: 3, Against 2)*

*The application was therefore*  
**APPROVED**

**19.PC.20.3      KET/2019/0385**

<u>Proposed Development</u>	<u>Decision</u>
<p>*5.3 Full Application: Erection of 2 new dwellings and two storey side/rear extension and single storey rear extension to No.41 at 41 Oxford Street, Kettering for Mr S Ash Perfect Assets</p> <p>Application No: KET/2019/0385</p> <p><u>Speaker:</u></p> <p>None</p>	<p>This item had been withdrawn from the Planning Committee agenda in order to resolve concerns relating to bin collection points and associated matters. It was to be presented at a later date.</p>

<u>Proposed Development</u>	<u>Decision</u>
<p>*5.4 s.73A Retrospective Application: Change of use from agricultural buildings to form three dwellings, associated works and garage extension (Retrospective) and sub-division of garden land at New Lodge Farm, Church Lane, Cransley for Mr D Cawthorn C/O Mr A Brown</p> <p>Application No: KET/2019/0418</p> <p><u>Speaker:</u></p> <p>None</p>	<p>Members received a report which originally sought retrospective planning permission for change of use of 'The Annexe' and 'The Barn' however it was noted to members that it became apparent that 'New Lodge Farm' also does not have the benefit of planning permission and that a garage extension had also been constructed at an unknown time and thereby the original description of the application had been amended to reflect those matters.</p> <p>Members were informed that the application also proposed to subdivide the site's inner courtyard by wall to create outside space for each dwelling.</p> <p>Members raised concerns regarding the nature of the application and the time associated with the retrospective application. Members also queried what enforcement powers the local authority in terms of the proposal set before them and the legality of the development.</p> <p>Members heard that the swellings had been in residential use for 4 years without objection therefore no enforcement action could be taken.</p> <p>Following debate It was agreed that the application be <b>APPROVED</b> subject to the following conditions:</p>

1. The development hereby permitted shall not be carried out other than in accordance with the approved plans detailed below.
2. The walls hereby approved in the courtyard shall be completed within one year from the grant of this planning permission to a height of no less than 1.6m and shall be constructed in brick and/or stonework that matches the existing external materials of the buildings on the site.
3. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no building, structure or other

alteration permitted by Class A, B, C, D and E of Part 1 of Schedule 2 of the Order shall be erected, constructed or installed on the application site.

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

*(Voting: For: 4, Against 0, Abstain 1)*

*The application was therefore*

**APPROVED**

<u>Proposed Development</u>	<u>Decision</u>
<p>*5.5 Full Application: Demolition of workshops. Construction of 3 no. houses and 2 no. flats at Units 2 &amp; 3 Hazelwood Lane, Kettering for Mr J Royles</p> <p>Application No: KET/2019/0440</p> <p><u>Speaker:</u></p> <p>Paul Ansell attended the meeting and addressed the committee as a representative for the applicants stating that the proposed development would replace a workshop that was not in keeping with the surrounding area and that the design of the swellings was in context with the neighbouring houses.</p>	<p>Members received a report about a proposal for which full planning permission was being sought for the demolition of the existing commercial units and erection of 3 no. two-storey dwellings and 2 no. flats with associated parking provision;</p> <p>It was heard that the application was a re-submission of previous planning application KET/2018/0568 which was withdrawn as a result of officer concerns raised during the process with respect to design, character &amp; appearance, amenity, parking, bin storage and land ownership issues relating to the proposed vehicular access at the corner with Saunders Close.</p> <p>Members were informed that the application presented a scheme consistent with the withdrawn scheme which is not considered to have addressed the material matters raised.</p> <p>Members agreed that the issues raised within the officers report demonstrated that concerns regarding highway had not been addressed.</p> <p>It was agreed that the application be <b>REFUSED</b> due to the following reasons:</p>

1. By reason of the overall design and appearance of the proposed buildings including, the section projecting towards Hazelwood Lane which is out of character, the arrangement of apertures which is incoherent, the roof ridge lines which are uninteresting and not reflective of the topography of the land, a hipped roof which is inappropriate in the context of gable ended roofs, it is considered that the cumulative impact is such that amounts to development which is inappropriate and therefore detrimentally harmful to the immediate and wider character of the area. As such, the application fails to take the opportunity to improve the character and quality of the area. The proposal is therefore contrary to policy 8 of the North Northamptonshire Joint Core Strategy and is inconsistent with paragraphs 127 and 130 of the NPPF.



2. The level of amenity afforded to future occupier(s) of the dwelling adjacent to the flats is considered to create unacceptable living conditions by virtue of the overly tall and expansive eastern wall of the south-west projecting section which will impose an overbearing and suppressing impact along with severely reduced light resulting in an oppressive and 'hemmed-in' experience to the rear of the living unit and within its private rear garden. The proposal therefore is contrary to Policy 8 of the North Northamptonshire Joint Core Strategy and inconsistent with paragraph 127(f) of the NPPF.
3. The access proposed off Saunders Close is located at an existing junction where two roads meet and which crosses a pedestrian access from Hazelwood Lane to Saunders Close. No details of visibility splays have been provided. In this regard the proposed vehicular access is considered to present a dangerous highway safety situation for both vehicle users and pedestrians. The proposal is thereby contrary to policy 8 of the North Northamptonshire Joint Core Strategy.

*(Members voted on the officers' recommendation to REFUSE the application)*

*(Voting: For: 5, Against 0)*

*The application was therefore*  
**REFUSED**

<u>Proposed Development</u>	<u>Decision</u>
<p>*5.6 Full Application: 2 no. dwellings at Mill Barn, High Street, Cranford for Mrs Davies &amp; Mrs Poole</p> <p>Application No: KET/2019/0446</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 the construction of two detached dwellings with associated access and parking</p> <p>The Planning Officer addressed the committee and provided an update which stated that Highways comments had been received which confirmed that the vehicle and pedestrian visibility splays, access and bin presentations points were acceptable. It was also stated that Highways had requested conditions in relation to gradient requirements and drainage details.</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 <b>APPROVED</b> 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 set out in the approved Material specifications KET/2019/0446/4 received 24/06/19. The development shall not be carried out other than in accordance with the approved details.
4. The windows, doors, timber finishes, verge detailing, rainwater goods and stone finishes to be used in the construction of the development hereby permitted shall be as set out in the approved drawings Proposed eaves and gutters plan SK30A and Proposed floating mullion detail SK31 received 24/06/19. The development shall not be carried out other than in accordance with the approved details.
5. All external walls shall be constructed in natural stone and shall not be laid, coursed or pointed other than in accordance with a sample panel which shall have been

constructed on site and approved in writing by the Local Planning Authority prior to the commencement of construction of any such external walls. As approved, the sample panel shall be retained on site and kept available for re-inspection throughout the construction period.

6. The development shall be carried out in accordance with the approved Woodland Management Plan KET/2019/0446/8. The development shall be implemented in accordance with the approved plans and details and the area shown hatched on the approved drawing SK56B shall be maintained as woodland in perpetuity.
7. The development shall be carried out in accordance with the approved Sustainability appraisal and energy statement KET/2019/0446/7, Water efficiency calculations plot 1 KET/2019/0446/5 and Water efficiency calculations plot 2 KET/2019/0446/6. Thereafter and before first occupation, evidence to demonstrate that this requirement has been incorporated shall be submitted to and approved in writing by the Local Planning Authority.
8. 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 hours, 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.
9. The development shall be carried out in accordance with the approved Soil technics Preliminary Investigation Report STP4091G Parts 1 - 5 dated August 2017.
10. 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.
11. The development hereby permitted shall not be carried out other than in accordance with the approved access and refuse presentation point details shown on drawing number SK11 Rev A received by the Local Planning Authority on 13/08/19, which shall be retained as approved at all times thereafter.
12. The garaging and parking shall not be carried out other than in accordance with the approved plans and details shown on drawing number SK56 Rev B received by the Local Planning Authority on 24/06/19, which shall be retained as approved at all times thereafter.
13. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no additional openings permitted by Schedule 2, Part 1 Classes A or C shall be made in the elevations or roof plane of the building.

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

*(Voting: For: 5, Against 0)*

*The application was therefore*  
**APPROVED**

**19.PC.20.7      KET/2019/0470**

<u>Proposed Development</u>	<u>Decision</u>
<p>*5.7 Full Application: Two storey side extension at 15 Balfour Drive, Rothwell for Mr S Hughes</p> <p>Application No: KET/2019/0470</p> <p><u>Speaker:</u></p> <p>None</p>	<p>Members received a report about a proposal for consent was being for a two storey, side extension to provide a larger kitchen and utility to the ground floor and an additional bedroom with ensuite to the first floor.</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 <b>APPROVED</b> subject to the following conditions:</p>

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.
2. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match, in type, colour and texture, those on the existing building.
3. The window hereby approved on the first floor rear north elevation of the extension, shall be obscure glazed and permanently fixed shut and non-opening below 1.7 metres from finished floor level thereafter shall be permanently retained in that form.

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

*(Voting: For: 5, Against 0)*

*The application was therefore*

**APPROVED**

<u>Proposed Development</u>	<u>Decision</u>
<p>*5.8 Full Application: Demolition of outbuilding and erection of 1 no. dwelling at 40 Warkton (Land adj) for Mr Curwen</p> <p>Application No: KET/2018/0511</p> <p><u>Speaker:</u></p> <p>None</p>	<p>Members heard that the report was not being presented for a determination but for Member’s information and to seek the views of the Planning Committee to forward on to the Planning Inspectorate</p> <p>It was heard that a full planning application for demolition of an outbuilding and a new dwelling had been submitted in July 2018.</p> <p>The applicant had made an appeal against non-determination of this application to the Planning Inspectorate on 17 June 2019.</p> <p>Members wished to raise concerns regarding the nature of the development stating that it was overbearing and not in keeping with the nature of the village.</p> <p>Officers thanked members for the points raised and stated that they would be passed onto the Planning Inspectorate.</p>

*(The meeting started at Time Not Specified and ended at Time Not Specified)*

*Signed.....*

*Chair*