

BOROUGH OF KETTERING

PLANNING COMMITTEE

Meeting held: 19th November 2019

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

19.PC.38 APOLOGIES

Apologies for absence were received from Councillor Jan Smith.

It was noted that Councillor Scott Edwards was acting as a substitute on behalf of Councillor Jan Smith.

19.PC.39 DECLARATIONS OF INTEREST

None.

19.PC.40 ANY ITEMS OF BUSINESS THE CHAIR CONSIDERS TO BE URGENT

None.

19.PC.41 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>*5.4 s.73 Application: Variation of condition 7 of KET/2018/0585 in respect of lighting at Belgrave Retail Park, Northfield Avenue, Kettering for</p> <p>Application No: KET/2019/0557</p> <p><u>Speaker:</u></p> <p>Chris Betteridge attended the meeting and addressed the committee as an agent for the applicant stating that the developer had shown a major commitment to the store investing £1m into the store and creating 32 jobs for the local area. It was also stated that steps had been taken by the developer to address the objections raised by installing blinds to block the internal lighting.</p>	<p>Members received a report about a proposal for which an application had submitted under Section 73 of the Town and Country Planning Act to vary condition 7 of KET/2018/0585. The condition concerns lighting and is as follows;</p> <p>“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. All internal lighting (except for security lights) and external lights shall only be illuminated during hours in which the buildings are open to the public.</p> <p>REASON: In the interests of visual amenity and highway safety in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.”</p> <p>The applicant proposed the variation of the condition to read as follows;</p> <p>“There shall be no external illumination of 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. All external lights shall only be illuminated during hours in which the buildings are open to the public. Outside of these hours, internal lighting (except for security lights) shall only be illuminated where blinds are installed and closed on the upper windows on the Northfield Avenue (front) elevation of the store, as detailed on plan no. ICE383-KETTERING-PLN05.”</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), or any other order invoking or re-enacting that Order, the floorspace hereby approved within the unit identified on drawing reference 15510-104 shall only be used for the sale of convenience goods and an area not exceeding 235 square metres of net retail floorspace may be used for the sale of comparison goods.
3. Unit 3 hereby permitted shall not be used other than for the sale of bulky non-food retail items as follows: DIY/garden goods and furniture, carpets and floor coverings, bulky electrical goods and related goods and for no other purpose in Class A1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) or any Statutory Instrument revoking and re-enacting that Order with or without modification.
4. The premises hereby approved shall not be used for the purposes hereby permitted other than during the hours of 07:00 to 21:00 Mondays to Saturdays, 10:00 to 16:00 on Sundays and 09:00 to 18:00 on publicly recognised Bank Holidays but excluding Christmas Day and Easter Sunday when the premises shall not be open.
5. The hard and soft landscaping of the site shall be in accordance with the approved plan 0908/6: Landscape Proposals received on 29.05.09 by the local planning authority. Any trees or plants which, within a period of ten 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.
6. The maintenance and management of the landscape areas shall not be carried out other than in accordance with the following approved details for a period of 15 years from 15.06.09; attachment to letter dated 05.05.09 from P J Landscapes received 29.05.09 by the local planning authority.
7. 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. All external lights shall only be illuminated during hours in which the buildings are open to the public. All internal lighting (except for security lights) shall only be illuminated during hours in which the buildings are open to the public. Outside of these hours, internal lighting (except for security lights) shall only be illuminated where blinds are installed and closed on the upper windows on the Northfield Avenue (front) elevation of the store, as detailed on plan no. ICE383-KETTERING
8. The total gross internal floorspace area hereby permitted shall not exceed the following: 1,282 square metres plus 180 square metres mezzanine in the unit identified on drawing reference 15510-104 which is created from combining Units 1 and 2; and 929 square metres plus 372 square metres mezzanine in Unit 3. There shall be no internal mezzanines other than those hereby permitted.
9. The site access and cycling and pedestrian facilities shall be retained as approved as shown on Units Plan 090107025 Rev M received by the local planning authority on 26.11.08.

10. The development shall not be carried out other than in accordance with the following approved plans:
Location Plan 15510-99
Proposed Site Plan 15510-101
Proposed Ground Floor GIA 15510-104
Proposed First Floor GIA 15510-105
11. None of the approved retail floorspace within the unit identified on drawing 155100104, shall be occupied at any time by a food retailer who occupies retail floorspace within Kettering town centre. This limitation shall apply for a period of 24 months starting the date of the first occupation of the approved retail floorspace shown on the aforementioned drawing.
12. Notwithstanding the wording of condition 2 of planning permission KET/2018/0585 the reference to drawing number 15510 -104 can be substituted by reference to drawing 15510-104 Rev B. The requirements of condition 2 otherwise remain in full force.
13. Notwithstanding the wording of condition 8 of planning permission KET/2018/0585, this condition is amended as follows;
The total gross internal floor space area hereby created shall not exceed the following 1,282 square metres plus 260 square metres mezzanine in the unit identified on drawing reference 15510-104 Rev B which is created from combining units 1 and 2; this mezzanine shall not be used for retail floorspace but for storage and staff facilities only; and 929 square metres plus 372 square metres mezzanine in Unit 3. There shall be no internal mezzanines other than those hereby permitted. This condition remains in full force.
14. Notwithstanding the wording of condition 10 the reference to the Proposed Ground Floor GIA 15510-104 and Proposed First Floor GIA 15510-105 can be substituted by drawings 15510-104 Rev B and 15510-105 Rev B. The condition remains in full force.
15. Notwithstanding the wording of condition 11 of planning permission KET/2018/0585, reference to drawing 15510-104 can be substituted by reference to drawing 15510-104 Rev B. The condition remains in full force.

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

(Voting: For: Unanimous)

The application was therefore
APPROVED

19.PC.41.2 KET/2019/0652

<u>Proposed Development</u>	<u>Decision</u>
<p>*5.7 Full Application: Erection of agricultural building and associated access at Desborough Road (Land off), Braybrooke for Mr D Howes C/O, Miss H Frampton</p> <p>Application No: KET/2019/0652</p> <p><u>Speaker:</u></p> <p>Daniel Howes attended the meeting and addressed the committee as the applicant for the proposed development stating that the application was being brought for a agricultural building to house cattle and that the proposed development would not have any detrimental impact on any public rights of way or neighbouring properties.</p>	<p>Members received a report about a proposal for which planning permission was being sought for the erection of a beef rearing agricultural building to the following maximum dimensions: 27m width, 48m depth, and 5.5m to the eaves and 9.4m to the ridge of the roof.</p> <p>An update was provided to members which stated that application KET/2019/0646 for an agricultural feed store had been approved under permitted development in the same field during the course of the application.</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 plans detailed in the table below.
3. The building hereby approved shall not be used for any purpose other than solely for the rearing of livestock required in direct connection with the existing farmstead.
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, 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.

(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>*5.6 Full Application: Single storey rear extension with insertion of two windows to side elevation. Car port to driveway at 15 Moorfield Road, Rothwell for Mr & Mrs D Godfrey</p> <p>Application No: KET/2019/0702</p> <p><u>Speaker:</u></p> <p>Samantha Godfrey attended the meeting and addressed the committee as the applicant for the proposed development stating that the application would not have any detrimental impact on neighbouring light or view and that the design was simple and considerate to neighbouring properties.</p>	<p>Members received a report about a proposal for which planning permission was being sought for a car port to the southern side of the main dwelling, a single storey rear extension and the insertion of 2 no. windows to the north 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 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 windows hereby approved on the first floor northwest side elevation of the extension, shall be obscure glazed and permanently fixed shut and non-opening and thereafter shall be permanently retained in that form.

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

(Voting: For: Unanimous)

The application was therefore
APPROVED

19.PC.41.4 KET/2019/0256

<u>Proposed Development</u>	<u>Decision</u>
<p>*5.1 Full Application: Agricultural track at Queens Head Inn (land adj), Main Street, Sutton Bassett for Mr J L Beaty</p> <p>Application No: KET/2019/0256</p> <p><u>Speaker:</u></p> <p>None</p>	<p>Members received a report about a proposal for which planning permission was being sought to create a new access to serve the barn. The vehicles would've transported animal feed to the animals. The existing access to the barns was grassed area off a metal gate. The existing wall, metal fence and adjacent wooden fence post was to be retained. The first 10m of the proposed new field access from the edge of the highway would have a hardbound surface, the remaining length of track to the field boundary would be laid in loose gravel.</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 field access track shall be surfaced with loose gravel, as shown on approved Drawing Number KA32747-002 Rev E received 30 September 2019, and thereafter shall be permanently retained in that form.
3. Notwithstanding the requirements of condition 2, the vehicular accesses should have a hard bound surface for at least the initial 5.0m from the highway boundary and the access to the rear field shall be hard surfaced for no more than 10 metres from the rear edge of the carriageway as shown on approved drawing KA32747-002 Rev E received 30 September 2019.

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

(Voting: For: Unanimous)

The application was therefore
APPROVED

19.PC.41.5 KET/2019/0468

<u>Proposed Development</u>	<u>Decision</u>
<p>*5.2 Full Application: Single storey side extension at 45 St Vincents Avenue, Kettering for Mr D Carroll</p> <p>Application No: KET/2019/0468</p> <p><u>Speaker:</u></p> <p>None</p>	<p>Members received a report about a proposal for which planning permission was being sought for a single storey extension to the north-east 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 materials to be used in the construction of the external surfaces of the development hereby permitted shall match, in type, colour and texture, those on the existing building.
3. The development hereby permitted shall not be carried out other than in accordance with the amended plan numbers No3 received by the Local Planning Authority on 28/06/2019 and No4 received by the Local Planning Authority on 15/10/2019.

(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: Conversion of part of ground, first and second floor with loft to form 3 no. flats including replacement roof and installation of rooflights at 3 Meeting Lane, Kettering for Mrs K Lemon, C/O Mr J McDermott</p> <p>Application No: KET/2019/0527</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 3 no. residential flats on the ground and first floors along with a loft conversion to provide habitable accommodation.</p> <p>Concerns were raised by member in relation to the lack of cycle storage provision and amenity space associated with the 3 no. residential flats within the proposed development.</p> <p>Members also questioned the inadequate bin storage provisions stating that there was not enough bin storage and space for all residential flats and the commercial waste.</p> <p>Following debate it was proposed by Councillor Rowley and seconded by Councillor Thurland that the application be refused to the inadequate cycle and bin storage provisions.</p> <p>It was agreed that the application be REFUSED due to the following reasons:</p>

(Members voted on the motion to REFUSE the application)

(Voting: For: Unanimous)

The application was therefore
REFUSED

<u>Proposed Development</u>	<u>Decision</u>
<p>*5.2 Full Application: 1 no. dwelling at 2 & 8 Nunnery Avenue (land between), Rothwell for Mr L Burley Beechdale Builders</p> <p>Application No: KET/2019/0597</p> <p><u>Speaker:</u></p> <p>None</p>	<p>Members received a report about a proposal for which planning permission was being sought for a 1no. dwelling.</p> <p>It was heard that the proposed dwelling was 2 storey, detached and with 3no. bedrooms. The proposed layout would have accommodated 2 vehicles onsite to the front of the dwelling and a small private garden to the rear.</p> <p>The applicant had revised the proposal during the application to reduce the depth of the rear projecting element at first floor level to address officer concerns. A street scene had also been provided to show how the proposed dwelling will sit next to the neighbouring properties.</p> <p>An update was provided by officers which stated that further comments had been received from Rothwell Town Council on the revised plans reiterating their previous comments that they feel the scheme would be overdevelopment of the proposed location and would have an adverse effect on the neighbouring properties.</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 development hereby permitted shall not be occupied until the vehicle parking area together with visibility splays has been constructed in accordance with the approved plan (82-142-02) and that area shall thereafter be reserved for the parking.

4. 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.
5. 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, 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.
6. Works audible at the site boundary will not exceed the following times unless with the written permission of the Local Planning Authority. 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.
7. In accordance with the approved sustainability statement (received 23/08/19) the dwelling shall be constructed to achieve a maximum water use of no more than 110 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);
8. 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, D and E of Part 2 of Schedule 2 of the Order shall be constructed on the application site.

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

(Voting: For: Unanimous)

The application was therefore

APPROVED

(The meeting started at 6.30 pm and ended at 7.35 pm)

Signed.....

Chair