

## **BOROUGH OF KETTERING**

### **PLANNING COMMITTEE**

**Meeting held: 11<sup>th</sup> February 2020**

**Present:** Councillor Shirley Stanton (Chair)  
Councillors Ash Davies, Scott Edwards, Cliff Moreton, Jan O'Hara, Mark Rowley, Greg Titcombe, Lesley Thurland

#### **19.PC.50 APOLOGIES**

Apologies for absence were received from Councillors Linda Adams and Lesley Thurland. It was noted that Councillor Scott Edwards would be acting as substitutes for the meeting.

#### **19.PC.51 MINUTES**

**RESOLVED** that the minutes of the meetings of the Planning Committee held on 17<sup>th</sup> December 2019 and 14<sup>th</sup> January 2020 be approved as a correct record

#### **19.PC.52 DECLARATIONS OF INTEREST**

Councillor Cliff Moreton declared an interest on item 5.2 & 5.3 as a ward councillor for the proposed development.

#### **19.PC.53 ANY ITEMS OF BUSINESS THE CHAIR CONSIDERS TO BE URGENT**

None.

#### **19.PC.54 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. Four 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>*5.3 s.73A Retrospective Application: Detached garage and office at 13 long Breech, Mawsley for Mr &amp; Mrs J Den Drijver</p> <p>Application No: KET/2019/0759</p> <p><u>Speaker:</u></p> <p>Andy Wykes attended the meeting and addressed the committee as a third party speaker against the proposed development stating that the proposed development was in breach of planning rules and that the current development was imposing, oppressive and blocked light to their property.</p>	<p>Members received a report about a proposal for which consent was being sought for the retention of the 1.5 storey detached building with lean to shed. It was proposed that the building will be used for the purposes of a garage and home office as originally proposed through planning permission KET/2014/0827 which was granted planning permission by Members.</p> <p>The Planning Officer addressed the committee and provided an update about a form of wording to amalgamate and amend conditions 1 and 2, re number and amend wording of the reason of condition 3 in the Officers report.</p> <p>Members raised questions seeking clarification about the size and appearance of the proposed compared to what had previously been approved, and regarding conditions that can be imposed to limit the nature of the development so that it was not for separate residential use and to restrict the business activities within, to an incidental home office protect amenity of neighbouring properties.</p> <p>The Officer explained that elements of the building referred to in the officer report such as a balcony were to be removed</p> <p>It was then clarified to members that the conditions regarding use of the proposed development if approved would be updated to reflect the concerns raised by the members in relation to the use of the development.</p> <p>It was agreed that the application be <b>APPROVED</b> subject to the following conditions:</p>

1. The development hereby approved shall only be used as a home office and garaging for personal domestic vehicles or storage of personal domestic items all of which shall be incidental to residential occupation of the dwelling house known as 13 Long Breech, Mawsley, NN14 1TR by persons whose principal place of residence is at the same address. For the avoidance of doubt, a commercial office is not permitted and the 'office kitchenette' and 'wc' shall remain ancillary to the permitted home office use. At no time whatsoever shall the building be made available or open to visiting members of the public, or customers of a business enterprise, nor shall it be used for the storage or distribution of goods, fixtures, fittings or other consumables associated with any business use.

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 Class E shall be made in the southeast elevation or northeast roof plane of the building.

3. The development hereby permitted shall not be carried out other than in accordance with the approved plans and details listed below.

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

*(Voting: For: 5; Against 1; Abstain 1)*

*The application was therefore*  
**APPROVED**

<u>Proposed Development</u>	<u>Decision</u>
<p>*5.4 Full Application: Change of use of first floor from dwelling house to restaurant and cafe. Single storey side extension with office in roof space. Enclose inset balcony, alterations to first floor windows and addition of external staircase to rear at 1 Kettering Road. Burton Latimer for Mr Palmiero</p> <p>Application No: KET/2019/0786</p> <p><u>Speaker:</u></p> <p>Ralph Charman attended the meeting and addressed the committee on behalf of the applicant stating that as per the officers recommendation the proposed development should be approved.</p>	<p>Members received a report about a proposal for which permission was being sought for a single storey side extension with office in roof space and a change of use of the first floor from residential flat to restaurant and café, this would have involved enclosing an existing inset balcony, the installation of a fire escape staircase and alterations to first floor windows.</p> <p>Members raised questions regarding the Highways Authorities comments regarding their lack of support for the development</p> <p>It was clarified from officers that this matter had been assessed and the proposed development is judged to have no overriding adverse impact on the surrounding area or highways</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 match, in type, colour and texture, those on the existing building.
4. The windows on the rear elevation serving WC's shall be non-opening and glazed with obscured glass and thereafter shall be permanently retained in that form.
5. The external staircase hereby permitted shall only be used for emergency egress and for no other purpose.

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

*(Voting: For: Unanimous)*

*The application was therefore*  
**APPROVED**

<u>Proposed Development</u>	<u>Decision</u>
<p>*5.5 Full Application: Replacement dwelling at 23 Lewis Road, Kettering for Mr &amp; Mrs Boateng</p> <p>Application No: KET/2019/0866</p> <p><u>Speaker:</u></p> <p>Mark Croxen attended the meeting and addressed the committee as a third party objector to the proposed development stating that there had been no formal planning consultation with neighbours and the school and that the development would be an overdevelopment due to the lack of dwellings on that particular side of the road.</p> <p>Peter Mance attended the committee and addressed the committee as the agent for the applicant for the proposed development stating that the development was a high quality and sustainable development that had been carefully designed to ensure visual privacy both for the school and the residents of the property.</p>	<p>Members received a report about a proposal for which full planning permission was being sought for a replacement dwelling, which consists of a contemporary design over two floors under a flat green-roof.</p> <p>The Planning Officer addressed the committee and provided an update which stated the owner of 46 Lewis Road had reaffirmed their belief that 'bylaws' exist that prevent the provision of windows at the development site facing the property in question.</p> <p>Officers stated that although no evidence had been provided to that effect, the concerns raised were not a material planning consideration.</p> <p>Members raised concerns regarding detrimental impact construction traffic would have on neighbouring properties and the school directly next to the proposed development. Members also sought to confirm that the Construction Management Plan be in place before the start of construction to minimise disruption.</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 detailed below.
3. No development shall take place until a plan showing details of existing and intended final ground and finished floor levels has been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.
4. 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.

Construction and demolition deliveries/traffic shall not visit or leave the site except

between the hours of 9:00 and 14:30 on Monday, Tuesday, Thursday and Friday, between the hours of 9:00 and 13:30 on Wednesday during Southfield School term time, between the hours of 08.00 of 18.00 hrs Monday-Friday during Southfield School Holidays and Saturday between the hours of 08.30 to 13.30 and at no time whatsoever on Sundays or Public/Bank Holidays.

5. The development shall not progress above slab level until details of the types and colours of all external facing and roofing materials to be used and details of the hard-surfacing materials 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 and shall remain in that form thereafter.
6. No works shall proceed above slab level until full details of all windows, doors (including their surrounds), verge/eaves detailing and rainwater goods 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 and remain in that form thereafter.
7. The dwelling shall not be occupied until the boundary treatment shown on the hereby approved drawings has been fully implemented in accordance with the approved details, which shall remain in place to the approved heights thereafter.
8. The parking spaces and garage shown on approved plans shall be provided and made available for use prior to first occupation of the dwelling and shall be permanently retained and kept available for that purpose.
9. The landscaping scheme hereby approved 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.
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 dwelling, hereby approved 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).
12. The dwelling shall be constructed to meet M4(2) Accessible and Adaptable Dwellings of schedule 1 part M of the Building Regulations 2010 (as amended) unless otherwise approved in writing by the local planning authority.

13. The roof areas of the dwelling hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific permission from the local planning authority.
14. There shall be no vehicular access gates provided within 5.5m of highway boundary (including footpath) at any time.
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 additional openings permitted by Schedule 2, Part 1 Classes A or C shall be made in any elevations of the building at any time without the grant of planning permission.
16. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (As amended) (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 and E of Part 1 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: 6: Against 1)*

*The application was therefore*

**APPROVED**

**19.PC.54.4      KET/2019/0262**

<u>Proposed Development</u>	<u>Decision</u>
<p>*5.1 Full Application: Change of use from storage to the repair and maintenance of cars (Retrospective) at Unit 3B, Woodside, Stoke Albany Road, Desborough for Mr D Frayne D Frayne Haulage Ltd</p> <p>Application No: KET/2019/0262</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 change of use from storage to allow for the repair and maintenance of cars. It was heard that the proposed development would have provided 80sq.m. of gross internal floorspace.</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 not be carried out other than in accordance with the approved plans and details listed below.
2. The use hereby permitted shall exclude the keeping of or work to HGV's in the Unit 3B or within parking areas numbered 3-8 on Plan Ref. 1105/P/SP/00B.
3. No body work repairs including panel beating and paint spraying shall be carried out at the site.
4. No equipment, materials, products, parts, containers, waste or any other articles shall be stacked or stored on the site at any time except within the building.
5. The parking spaces hereby approved on Plan Ref.1105/P/SP/00B shall be marked on site and made available for parking within 1 month of the date of this permission and shall be permanently retained and kept available for the parking of vehicles.
6. Hours of work shall not occur outside of the times Monday to Friday 08.00 to 18.00 hrs, Saturday 08.00 to 13.00 hrs and at no time whatsoever on Sundays or Public/Bank Holidays. This includes deliveries to the site and any work undertaken.

*(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>*5.2 s.73A Retrospective Application: Garage conversion and rear infill extension connecting to side elevation of existing house to create annexed accommodation, and side extension to house and loft conversion at 13 Long Breech, Mawsley for Mr &amp; Mrs J Den Drijver</p> <p>Application No: KET/2019/0758</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 the conversion of an existing double garage and an extension to join it to the existing dwelling house on the northeast elevation, in order to provide annexed accommodation in the form of a lounge, bedroom, kitchen, shower room and utility room (shared with the existing house).</p> <p>In addition, a side extension was proposed to the create an additional reception room to the main house. Conversion of the existing roof space of the existing dwelling house was also proposed, to create additional living space in the form of two no. bedrooms with associated storage and en-suite and a storage room, enlarging the existing house to a 7-bedroom property with annexed accommodation.</p> <p>Members sought clarification as to whether the conditions ensured that the proposed development was not to be separated or rented out as a separate dwelling.</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>

- The converted garage and attached side extension [annexe accommodation] comprising lounge, kitchen, shower room and bedroom which connects [the annexe accommodation] to the existing dwellinghouse via the shared utility room hereby permitted shall not be occupied other than as part of a single residential use known as 13 Long Breech, Mawsley, NN14 1TR. In addition, the annexe accommodation shall not be occupied unless and until the access doorway between the kitchen of the existing house and the proposed shared utility room, and the doorway between the proposed shower room and proposed utility room have been created and made available for use. The doorways serving those rooms shall thereafter be made permanently available to connect the proposed annexe with the existing dwellinghouse and vice versa.

2. The materials to be used in the construction of the external surfaces of the annexe extension linking the main house with the converted garage hereby permitted shall match, in type, colour, texture and size, those used on the converted garage [former garage located adjacent to no. 15 Long Breech, Mawsley].
3. The annexe accommodation (comprising lounge, kitchen, shower room, and bedroom) hereby by approved shall not be occupied until the existing window serving the lounge (southeast elevation) of the annex has been removed, the opening enlarged and the approved window installed as shown on drawing no.13LB-P02A received by the Local Planning Authority on 8th January 2020. The lounge window shall thereafter be retained in that form.
4. The development hereby permitted shall not be carried out other than in accordance with the approved plans and details listed below.

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

*(Voting: For: 5; Against 1; Abstain 1)*

*The application was therefore*  
**APPROVED**

*(The meeting started at 6.30 pm and ended at 7.36 pm)*

*Signed.....*

*Chair*