

## **BOROUGH OF KETTERING**

### **PLANNING COMMITTEE**

**Meeting held: 22<sup>nd</sup> September 2020**

**Present:** Councillor Ash Davies (Chair)  
Councillors Linda Adams, Scott Edwards, Clark Mitchell,  
Cliff Moreton, Jan O'Hara, Mark Rowley, Lesley Thurland  
and Greg Titcombe,

#### **21.PC.01 APOLOGIES**

Apologies for absence were received from Councillor Shirley Stanton.  
It was noted that Councillors Scott Edwards was acting as a substitute.

#### **21.PC.02 MINUTES**

**RESOLVED** that the minutes of the meetings of the Planning  
Committee held on 11<sup>th</sup> August 2020 be approved as a  
correct record.

#### **21.PC.03 DECLARATIONS OF INTEREST**

None

#### **21.PC.04 ANY ITEMS OF BUSINESS THE CHAIR CONSIDERS TO BE URGENT**

None.

#### **21.PC.05 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>*5.1 Full Application (EIA): Construction of solar farm to include installation of solar photovoltaic panels with substations, inverters, perimeter fencing, access tracks, CCTV, landscaping and associated works at Brigstock Road (land to the North West of), Grafton Underwood for Mr D Meehan, Elgin Energy EsCo Limited</p> <p>Application No: KET/2019/0369</p> <p><u>Speaker:</u></p> <p>Brian Skittrall attended the meeting and addressed the committee as a third party objector to the proposed development stating that the application went against both the national local policies in reducing available land for food production.</p> <p>Cllr Alistair Wildgoose attended the meeting and addressed the committee as a representative for Grafton Underwood Parish Council. Cllr Wildgoose stated that the proposed development would have an adverse affect on the surrounding conservation area and that noise pollution would have a detrimental effect on neighbouring residential properties.</p> <p>Owen Horrell attended the meeting and addressed the committee as the agent on behalf of the applicant. Mr Horrell stated that the application represented an opportunity for members to act to reduce the carbon emissions as per the climate change act.</p>	<p>Members received a report which sought planning permission for the construction of a Solar Park for a temporary period of 30 years from the date of the first exportation of electricity from the site.</p> <p>Members raised concerns regarding the significant loss of agricultural land that was previously used for the production of food. Members also raised concerns regarding the route of construction traffic to the proposed site stating that it would have a detrimental effect on residential properties within the route itself.</p> <p>Questions were also raised by members in relation to the use of cleaning chemicals on the site and to ensure that any chemicals or materials were environmentally friendly. Questions were also asked regarding noise pollution and the need to protect nearby residential properties.</p> <p>Following debate it was proposed by Councillor Edwards and seconded by Councillor Titcombe that the application be approved in line with the officers recommendation</p> <p>.</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 three years from the date of this 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 carried out other than in accordance with the approved Ecology information laid out in chapter 5 of the approved Environmental Statement (ES) and chapter 5 of the approved Supplementary Environmental Information (SEI).
4. The development hereby permitted shall not be carried out other than in accordance with the Flood Risk Assessment at chapter 9 of the approved ES and the drainage information approved in chapter 9 of the SEI.
5. This grant of planning permission shall expire no later than 30 years from the date when electricity is first exported from any of the solar panels to the electricity grid ('First Export Date'). Written notification of the First Export Date shall be given to the local planning authority within 14 days of its occurrence.
6. No construction works shall take place outside of the following times: 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. No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.  
This written scheme will include the following components, completion of each of which will trigger the phased discharging of the condition:
  - (i) fieldwork in accordance with the agreed written scheme of investigation;
  - (ii) post-excavation assessment (to be submitted within six months of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority);
  - (iii) completion of post-excavation analysis, preparation of site archive ready for deposition at a store (Northamptonshire ARC) approved by the Planning Authority, completion of an archive report, and submission of a publication report to be completed within two years of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority.
8. No development shall take place until a Construction Traffic Management Plan (including routing, timings and details of banksman) have been submitted to and approved in writing by the Local Planning Authority. The proposal shall be carried out in accordance with the approved details for the duration of construction.
9. No development shall commence until full details of all the built infrastructure of the proposal, including details of the precise inverter units proposed have been provided to and approved in writing by the local planning authority.
10. No development shall take place until a Biodiversity and Habitat Enhancement Management Plan, consistent with the details approved in Appendix 5.5 to the ES

'Biodiversity Management Plan compiled by Avian Ecology and dated 09/04/19 (to include: pre-commencement badger survey, confirmation that the great crested newt license has been obtained or otherwise not required and provision of Reasonable Avoidance Measures for both dormice and reptiles) together with a Construction Environmental Management Plan, has been submitted to and approved in writing by the local planning authority. The approved details are to remain in place for the duration of the development.

11. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme for landscaping the site which shall include:-
  - (a) details of the proposed tree and shrub planting including their species, number, sizes and positions, together with grass seeded/turfed areas and written specifications (including cultivation and other operations associated with plant and grass establishment i.e. depth of topsoil, mulch etc),
  - (b) details of the existing trees and hedgerows to be retained as well as those to be felled, including existing and proposed soil levels at the base of each tree/hedgerow and the minimum distance between the base of the tree and the nearest edge of any excavation,
  - (c) details of hardsurfacing areas
  - (d) to include the provision of a new native species hedgerow and additions to the existing tree-belt to the southern boundary of the site as shown on the approved drawing P18-0328-04-G.All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following commencement of the development or in accordance with any other program of landscaping works previously approved in writing by the Local Planning Authority and shall be maintained for a period of 5 years from the completion of the development. Any trees and/or shrubs which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent for any variation.
12. Prior to the commencement of development a noise assessment that outlines the likely impact on any noise sensitive property, and the measures necessary to ensure that the noise does not affect the local amenity of residents shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall be determined by measurement or prediction in accordance with the guidance and methodology set out in BS4142: 2014. Once approved the use hereby permitted shall be operated in accordance with the approved details and thereafter maintained in this approved state at all times.
13. Prior to first operation of the development a Verification Report for the installed surface water drainage system for the site based on the approved Environmental Statement Land to the north and west of Grafton Underwood ref P18-0328 Appendix F Drainage Drawing and Explanatory Note dated March 2020 prepared by Pegasus Group, has been submitted in writing by a suitably qualified independent drainage engineer and approved in writing by the Local Planning Authority The details shall include:
  - a) Any departure from the agreed design is keeping with the approved principles
  - b) Any As-Built Drawings and accompanying photos

14. The area of existing tree-belt coloured purple and within the 'red-line' on the approved 'Land Lease Plan' P18-0328\_15 shall be retained for the duration of the development.
15. No later than 12 months before the expiry of this permission, a decommissioning method statement shall be submitted for the written approval of the local planning authority. The statement shall include details of the timing and management of the decommissioning works; the removal of all equipment including the solar panels, mounting frames, foundations, inverter and transformer modules, fencing, and all other associated structures; and the reinstatement of the land to its former agricultural use and condition. The works shall be carried out in accordance with the approved details, within 3 months from the date of expiry of this permission.
16. 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.
17. Other than temporary lighting during the construction and decommissioning periods, there shall be no external lighting of any kind erected on the site without the prior written approval of the local planning authority.
18. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order), no CCTV cameras, fencing, outbuildings or other structures shall be erected (aside from those shown on the approved plans), without the specific grant of planning permission from the Local Planning Authority.

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

*(Voting: For: Unanimous)*

*The application was therefore*  
**APPROVED**

**21.PC.6.2**    **KET/2019/0817**

<u>Proposed Development</u>	<u>Decision</u>
<p>*5.3 Approval of Reserved Matters (EIA): All details in respect of KET/2015/0967 for 71 dwellings at Hanwood Park (Parcel R24), Barton Road (land off), Barton Seagrave for Mr R Evans, Avant Homes Midlands</p> <p>Application No: KET/2019/0817</p> <p><u>Speaker:</u></p> <p>Amy Gilliver attended the meeting and addressed the committee as the agent on behalf of the applicant stating that the application represented a high quality development which put emphasis on quality and layout of houses. It was also stated that houses meet national space standards and included 14 affordable homes.</p>	<p>Members received a report which sought reserved matters approval for 71 dwellings, It was noted that 20% (14 units) were affordable in accordance with the outline planning permission.</p> <p>Planning officers addressed the committee and provided an update which stated that a further letter from No. 2 Acorn Close had been received which maintained their objection. The concerns related to hedgerows, boundary treatment and amenity issues.</p> <p>Members raised questions with regards to the perimeter fencing at Acorn Close and regarding the layout of affordable housing</p> <p>Following debate it was proposed by Councillor Rowley and seconded by Councillor Thurland that the application be approved in line with the officers 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 first floor window on the side elevation of Plots 27 and 35 shall be non-opening and glazed with obscured glass and thereafter shall be permanently retained in that form.
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 additional openings permitted by Schedule 2, Part 1 Classes A or C shall be made in the side elevation or roof plane of plots 27 and 35.
4. Prior to occupation of the dwellings to which the boundary treatment relates, the higher boundary treatment shall be erected in the locations indicated on Figure 4 of the Cass Allen Noise Assessment Report reference: RP01-20123 Rev 3 dated 4 September 2020 and retained in perpetuity.
5. No development of dwellings above building slab level shall commence on site until a specification for the enhanced acoustic glazing and ventilation of road facing

habitable rooms, to achieve at least 32 dB, has been submitted to and approved in writing by the Local Planning Authority. The dwellings shall be constructed and completed in accordance with the approved specification.

6. On completion of a dwelling(s) there shall be an on-site check by an acoustically qualified person to ensure the mitigation as set out in the Cass Allen Noise Assessment Report reference: RP01-20123 Rev 3 dated 4 September 2020 and the specification approved pursuant to condition 5 has been carried out as specified. Prior to occupation of a dwelling a completion report to confirm the mitigation has been carried out correctly shall be submitted to and approved in writing by the Local Planning Authority.
7. Prior to the commencement of any works in relation to the link adjacent to plot 6 (which connects the site and the adjacent Persimmon Homes development to the north) or the commencement of any construction works in relation to any of the following plots 6-9 (inclusive), full details of the proposed link including any tree/hedgerow protection measures, precise path alignment and any construction details, shall be submitted to and approved in writing by the Local Planning Authority. The works shall be completed in accordance with the approved details prior to the first occupation of any of the aforementioned plots.
8. Prior to the commencement of any works comprising tree felling, tree pruning, demolition works, soil moving, temporary access construction/widening, or any operations involving the use of motorised vehicles or construction machinery on the site, the tree and hedgerow protection fencing shall be erected in the accordance with the positions shown within the Tree Retention Plan contained within the fpcr Arboricultural Assessment Rev I dated September 2020 and thereafter maintained and retained until the completion of the development parcels. No activities including the storage of materials, shall be undertaken in these areas at any time.
9. Prior to development above slab level of the first dwelling, a scheme for the photovoltaic panels including their location on site, positioning on dwellings and their design shall be 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 scheme.
10. Notwithstanding the approved External Materials Plan (HAN-EX-01 Rev B), no development on a dwelling above slab level shall take place until a scheme for boundary treatment has been submitted to and approved in writing by the Local Planning Authority. The scheme shall detail the treatment for all plots but specifically should also include lockable gates to communal alleyways, treatment for the boundaries shared with No's 1-4 Acorn Close (inclusive) and between Plots 1 and 2. There shall be no occupation of any dwelling until the boundary treatment to the relevant plot has been fully implemented in accordance with the approved details. The approved treatment for the boundary with Acorn Close shall be implemented in accordance with the approved details prior to the occupation of plots 27-37 (inclusive).

*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 6.00 pm and ended at 8.02 pm)*

*Signed.....*

*Chair*

CG