

BOROUGH OF KETTERING

PLANNING COMMITTEE

Meeting held: 15th December 2020

Present: Councillor Mark Rowley (Chair)
Councillors Linda Adams, Scott Edwards, David Howes,
Clark Mitchell, Jan O'Hara, Mark Rowley, Lesley Thurland
and Greg Titcombe,

20.PC.77 **APOLOGIES**

None

20.PC.78 **MINUTES**

RESOLVED that the minutes of the meetings of the Planning Committee held on 8th September 2020 be approved as a correct record.

20.PC.79 **DECLARATIONS OF INTEREST**

Councillor David Howes declared a personal interest in 5.6 and stated that he would leave the meeting during discussion of this item.

20.PC.80 **ANY ITEMS OF BUSINESS THE CHAIR CONSIDERS TO BE URGENT**

None.

20.PC.81 **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. One Speaker attended the meeting and spoke on applications in accordance with the Right to Speak Policy, two written statements were also submitted.

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:-.

21.PC.81.1 KET/2019/0644

<u>Proposed Development</u>	<u>Decision</u>
<p>*5.2 Full Application: Re-development of site to create 39 no. dwellings with access, parking and associated works at Manor House, Gold Street (land rear of), Desborough for Mr Lee</p> <p>Application No: KET/2019/0644</p> <p><u>Speaker:</u></p> <p>Councillor Mark Dearing attended the meeting and addressed the committee as the ward councillor for the proposed development. Cllr Dearing raised several objections to the application including the detrimental effect the development would have on local road capacity and safety concern regarding access. It was also stated that the application had a unacceptable impact on highway safety and the culminative impact on local highways was severe.</p>	<p>Members received a report which sought planning permission for the re-development of the site to provide 39 dwellings comprising 18 x 2no bedroom dwellings, 17 x 3no bedroom dwellings and 4 x 4no bedroom dwellings utilising the existing access from Gold Street and parking for 80 vehicles (2 spaces per unit) and a children's play area (unequipped). The scheme is 100% affordable tenure, split 50% affordable rental properties and 50% shared ownership.</p> <p>Planning Officers addressed the meeting and provided an updated which stated that the applicant had advised that the change in the split of the tenure of affordable housing which was now : 64% Affordable Rent and 36% Intermediate. the Housing Manager had agreed that this is acceptable.</p> <p>Members raised concerns regarding the unsafe access point for the proposed development, stating that the access would have a detrimental impact on highway safety. Members also raised concerns and questioned the lack of S106 monies contributed as part of the proposed development stating that local amenities such as heath and education facilities were already over subscribed and that the application would only worsen the current situation.</p> <p>Following debate it was proposed by Councillor O'Hara and seconded by Councillor Thurland that the application be refused in contrary to the officers recommendation due the proposed development being unsustainable without the element and contribution of S106 monies.</p> <p>It was agreed that the application be REFUSED for the following reasons:-</p>

1. Quantum of development resulting in traffic movements bringing congestion on surrounding road network, especially nearby junction with B576 which information from 018 concluded was over capacity;
2. Lack of SI06 contribution for infrastructure means unsustainable development in terms of JCS policy 10

(Members voted on the motion to REFUSE the application)

(Voting: For: Unanimous)

The application was therefore
REFUSED

20.PC.81.2

<u>Proposed Development</u>	<u>Decision</u>
<p>*5.1 Variation of s106 agreement pursuant to outline planning permission KET/2011/0235 and as varied by planning permission KET/2017/0169 granted under s73 - Phase II Desborough North</p> <p><u>Speaker:</u></p> <p>None</p>	<p>Members received a report which to update members on the progress with proposals at the Desborough North Phase II and for them to note changes to the s106 agreement, pursuant to outline planning permission KET/2011/0235 and as varied by planning permission KET/2017/0169, which were as follows:</p> <ul style="list-style-type: none">•To allow Bellway to make a financial contribution of £1.7m for the purpose of providing a footbridge over the railway line. These funds to be retained in an Escrow account where they would be released to the LPA, after a defined time period, in the event that Bellway were unable to deliver and build the footbridge.•To allow Bellway to make a financial contribution for the full cost of the delivery of the Leisure Centre extension which would be verified independently.•To make an additional new clause relating to open space maintenance and also any terms of the transfer of this open space.•To reduce the site area of the two-form entry primary school site from 2.2 hectares to 1.9 hectares in order to accommodate a two-form entry satellite school due to the current increase in the capacity of existing schools in the area.

(Members noted the officers report)

20.PC.81.3 KET/2020/0305

<u>Proposed Development</u>	<u>Decision</u>
<p>*5.3 Outline Application: Outline application with all matters reserved except access for 1 no. two storey detached dwelling with parking and access at 76 St Botolphs Road (land adjoining), Barton Seagrave for Mr O Wicksteed, Wicksteed Trust</p> <p>Application No: KET/2020/0305</p> <p><u>Speaker:</u></p> <p>None</p>	<p>Members received a report which sought outline planning permission with all matters reserved except access for 1 no. dwelling.</p> <p>Members questioned whether further development could take place to the rear of the development site and questioned whether or not the removal of permitted development rights could be conditioned. To protect the visual amenity.</p> <p>Following debate it was proposed by Councillor Mitchell and seconded by Councillor Thurland that the application be approved in line with the officers recommendation with the additional condition.</p> <p>It was agreed that the application be APPROVED subject to the following conditions:-</p>

1. Approval of the details of the appearance, landscaping, layout and scale (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.
2. Plans and particulars of the reserved matters referred to in condition 1 above, relating to the appearance, layout and scale of any buildings to be erected and the landscaping of the site, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.
3. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this planning permission.
4. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission or before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
5. The dwellinghouse hereby approved shall be a maximum of two storeys in height.
6. 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.

7. Prior to the commencement of development, a 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.
8. 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.
9. No earthworks or groundworks shall take place until a plan prepared to a scale of not less than 1:500 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.
10. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of ecological enhancements and landscaping which shall be in accordance with the recommendations set out in the approved Preliminary Ecological Assessment by Skilled Ecology Consultancy Ltd Updated October 2020. The scheme shall include bird and bat boxes, native and wildlife attractive planting and native trees and shrubs; the scheme shall specify species, planting sizes, spacing and numbers of trees and shrubs to be planted. The approved scheme shall be carried out in the first planting and seeding seasons following the occupation of the building. Any 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.
11. No development or site clearance works shall take place on the site until a scheme for the protection of all trees to be retained produced in accordance with BS5837 (Trees in Relation to design, demolition and construction 2012: Recommendations) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the method of excavation, method of construction and protective fencing. The development shall not be carried out other than in accordance with the approved details and the protection measures shall be maintained throughout the development.
12. No development above slab level shall take place on site until a scheme demonstrating how the development will incorporate techniques of sustainable construction and energy efficiency, provision for waste reduction and recycling and

provision for water efficiency and recycling shall 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.

13. No development shall take place until a surface water drainage scheme for the site, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details prior to first occupation.
14. No other development shall commence until visibility splays of 2 metres by 2 metres have been provided within the site at the junction of the access road with the public highway, and these splays shall thereafter be permanently kept free of all obstacles to visibility over 0.9 metres in height above carriageway level.
15. The gradient of the drive shall not exceed 1 in 15 within 5 metres of the edge of the carriageway of the adjoining highway.
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. 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 samples, 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.
18. No development above slab level shall take place on site until a scheme for boundary treatment has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until the approved scheme has been fully implemented in accordance with the approved details.
19. No development above slab level shall commence on site until details of the materials to be used for hard and paved surfacing have been submitted to and approved in writing by the Local Planning Authority. The approved surfacing shall be completed before the first occupation of the dwellinghouse hereby approved.
20. No development above slab level shall take place on site until full details of proposed parking spaces have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be provided prior to the first occupation of the dwelling and retained as approved thereafter.
21. No development above slab level shall take place on site until full details of proposed refuse storage and a refuse collection point have been submitted to and approved in

writing by the Local Planning Authority. The approved details shall be provided prior to the first occupation of the dwelling and retained as approved thereafter.

22. No demolition or site clearance works shall occur during the bird nesting season which would result in disturbance or loss of habitat of nesting birds; the bird nesting season runs between the months of March and August.

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

(Voting: For: Unanimous)

The application was therefore
APPROVED

20.PC.81.4 KET/2020/0320

<u>Proposed Development</u>	<u>Decision</u>
<p>*5.4 Outline Application: Outline application with all matters reserved except access for 1 no. dwelling at 2 Polwell Lane (land adj), Barton Seagrave for Mr O Wicksteed, Wicksteed Trust.</p> <p>Application No: KET/2020/0320</p> <p><u>Speaker:</u></p> <p>None</p>	<p>Members received a report which sought outline planning permission with all matters reserved except access for 1 no. dwelling.</p> <p>Members questioned whether further development could take place to the rear of the development site and questioned whether or not the removal of permitted development rights could be conditioned. To protect the visual amenity.</p> <p>Following debate it was proposed by Councillor Edwards and seconded by Councillor Howes that the application be approved in line with the officers recommendation</p> <p>It was agreed that the application be APPROVED subject to the following conditions:-</p>

1. Approval of the details of the appearance, landscaping, layout and scale (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.
2. Plans and particulars of the reserved matters referred to in condition 1 above, relating to the appearance, layout and scale of any buildings to be erected and the landscaping of the site, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.
3. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this planning permission.
4. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission or before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
5. The dwellinghouse hereby approved shall be a maximum of two storeys in height.
6. 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.
7. Prior to the commencement of development, a 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.

8. 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.

9. No earthworks or groundworks shall take place until a plan prepared to a scale of not less than 1:500 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.

10. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of ecological enhancements and landscaping which shall be in accordance with the recommendations set out in the approved Preliminary Ecological Assessment by Skilled Ecology Consultancy Ltd Updated October 2020. The scheme shall include bird and bat boxes, native and wildlife attractive planting and native trees and shrubs; the scheme shall specify species, planting sizes, spacing and numbers of trees and shrubs to be planted. The approved scheme shall be carried out in the first planting and seeding seasons following the occupation of the building. Any 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.

11. No development or site clearance works shall take place on the site until a scheme for the protection of all trees to be retained produced in accordance with BS5837 (Trees in Relation to design, demolition and construction 2012: Recommendations) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the method of excavation, method of construction and protective fencing. The development shall not be carried out other than in accordance with the approved details and the protection measures shall be maintained throughout the development.

12. No development above slab level shall take place on site until a scheme demonstrating how the development will incorporate techniques of sustainable

construction and energy efficiency, provision for waste reduction and recycling and provision for water efficiency and recycling shall 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.

13. No development shall take place until a surface water drainage scheme for the site, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details prior to first occupation.
14. No other development shall commence until visibility splays of 2 metres by 2 metres have been provided within the site at the junction of the access road with the public highway, and these splays shall thereafter be permanently kept free of all obstacles to visibility over 0.9 metres in height above carriageway level.
15. The gradient of the drive shall not exceed 1 in 15 within 5 metres of the edge of the carriageway of the adjoining highway.
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. 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 samples, 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.
18. No development above slab level shall take place on site until a scheme for boundary treatment has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until the approved scheme has been fully implemented in accordance with the approved details.
19. No development above slab level shall commence on site until details of the materials to be used for hard and paved surfacing have been submitted to and approved in writing by the Local Planning Authority. The approved surfacing shall be completed before the first occupation of the dwellinghouse hereby approved.
20. No development above slab level shall take place on site until full details of proposed parking spaces have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be provided prior to the first occupation of the dwelling and retained as approved thereafter.
21. No development above slab level shall take place on site until full details of proposed refuse storage and a refuse collection point have been submitted to and approved in

writing by the Local Planning Authority. The approved details shall be provided prior to the first occupation of the dwelling and retained as approved thereafter.

22. No demolition or site clearance works shall occur during the bird nesting season which would result in disturbance or loss of habitat of nesting birds; the bird nesting season runs between the months of March and August.

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

(Voting: For: Unanimous)

The application was therefore
APPROVED

20.PC.81.5 KET/2020/0567

<u>Proposed Development</u>	<u>Decision</u>
<p>*5.5 Full Application: New shopfront, flue and roller shutter to approved scheme (KET/2019/0820) for change of use to the ground floor from C3 to Sui Generis (previously A5). First floor to be used as a one bedroom apartment at 57 Stamford Road, Kettering for Mrs S Begum</p> <p>Application No: KET/2020/0567</p> <p><u>Speaker:</u></p> <p>Mrs S Begum submitted a written statement as the applicant for the proposed development which stated that the business had recently moved premises and that the proposed shop front represents a significant improvement then the previous and that measures had been put in place to reduce the visual impact to neighbouring properties.</p>	<p>Members received a report which sought Planning permission for the change of use from a dwelling to a sui generis (formally A5) hot food take-away. This application related to an alteration to the shopfront, the installation of a flue and the installation of roller shutters. The works had been completed and the application was retrospective.</p> <p>Members raised questions regarding the access to the residential apartment above the business and whether this was conditioned regarding its occupancy. It was confirmed to members that a rear access allowed access to the apartment and that a condition was included which ensured that a business employee needed to take residency.</p> <p>Following debate it was proposed by Councillor Mitchell and seconded by Councillor Titcombe that the application be approved in line with the officers recommendation</p> <p>It was agreed that the application be APPROVED subject to the following conditions:-</p>

1. This permission shall take effect from the date of this decision
2. The development hereby permitted shall not be carried out other than in accordance with the approved plans and details listed below.
Location and Block plan, Dwg no: A112
Proposed Elevations and Floor plans, Dwg no: A111.A
Both received on 4 September 2020
shutter details, Dwg no KHW.001
Received on 15 June 2020
3. The premises shall not be open to the public before 09.00 or remain open after 23:00 hours on Mondays to Saturdays, nor open before 10:00 hours or remain open after 23:00 hours on Sundays or Bank Holidays.
4. The external flue and extraction system as approved shall be retained and maintained for the use of the premises as a hot food takeaway and remain in situ for this use unless otherwise agreed in writing by the Local Planning Authority.

5. The area for the storage of waste as shown on the approved plan no A.111 A shall be maintained in accordance with the drawing and retained at all times.
6. The occupation of the first floor flat shall be limited to the owner of the ground floor premises hereby approved as a takeaway or an employee working within the said takeaway and the spouse of the owner/employee only.

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

(Voting: For: Unanimous)

The application was therefore
APPROVED

(Having declared an interest Cllr Howes was removed from the meeting)

20.PC.81.6 KET/2020/0442

<u>Proposed Development</u>	<u>Decision</u>
<p>*5.6 Full Application: First floor front extension at 14 Wold Road, Burton Latimer for Mr & Mrs Hobbs</p> <p>Application No: KET/2020/0442</p> <p><u>Speaker:</u></p> <p>Chris Fitzjohn submitted a written statement acting as the agent on behalf of the applicants which stated that the proposed development was necessary in order to create a home office space for a local business owner. The application was similar in design to previously approved application.</p>	<p>Members received a report which sought full planning permission for the development of a first floor extension over the existing garage.</p> <p>Members agreed that the proposed development was satisfactory in contravention to the officers recommendation and that the application was not detrimental to the surrounding area.</p> <p>it was proposed by Councillor Titcombe and seconded by Councillor Adams that the application be refused in line with the officers 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 number P002B received by the Local Planning Authority on 09/09/2020
4. 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, alterations or extensions permitted by Schedule 2, Part 1 Classes A, B and C shall be made in the west elevation or roof plane of the building of the building hereby permitted.

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

(Voting: For: 2, Against: 5)

The application was therefore
APPROVED

20.PC.81.7 KET/2020/0681

<u>Proposed Development</u>	<u>Decision</u>
<p>*5.7 Full Application: Single storey side extension at 11 Valley Walk, Kettering for Mr B Baker Kettering Borough Council.</p> <p>Application No: KET/2020/0681</p> <p><u>Speaker:</u></p> <p>None</p>	<p>Members received a report which sought Planning permission for the erection of a single storey side extension.</p> <p>Members agreed that the proposed development was satisfactory and represented a best practise in order to bring the dwelling back in line for bigger families.</p> <p>Following debate it was proposed by Councillor Edwards and seconded by Councillor Howes that the application be approved in line with the officers 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 match, in type, colour and texture, those on the existing building.

(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 8.32 pm)

Signed.....

Chair

CG