



**Meeting:** Area Planning Committee Kettering

**Date:** Thursday 27th January, 2022

**Time:** 7.00 pm


**Venue:** Council Chamber, Municipal Offices, Bowling Green Road, Kettering,  
NN15 7QX

To members of the Area Planning Committee Kettering

Councillors Mark Rowley (Chair), Cedwien Brown (Vice-Chair), Carter, Dell, Jelley, Marks,  
Prentice, Smyth and Thurland

Substitute Members : Councillors Henson, Tebbutt, Hakewill and Tubbs

<b>Agenda</b>			
<b>Item</b>	<b>Subject</b>	<b>Officer Presenting Report</b>	<b>Page No</b>
01	Apologies for non-attendance		-
02	Members' Declarations of Interests		-
03	Minutes of the meeting held on 13 <sup>th</sup> December 2021		5 - 17
<b>Items requiring a decision</b>			
04	Applications for planning permission, listed building consent and appeal information*  I) <b>NK/2021/0460:</b> Full Planning Permission: Erection of 8 no. dwellings  II) <b>NK/2021/0831:</b> s.73A Retrospective Application: Detached single garage and car port to front of property  III) <b>NK/2021/0924:</b> Full Planning Permission: 2 no. dwellings  IV) <b>NK/2021/0930:</b> Full Planning Permission: Change of use of amenity land to property curtilage	Planning Officer  Planning Officer  Planning Officer  Planning Officer	21 - 31  33 - 41  43 - 54  55 - 62

Items to note			
04	Delegated officers report		
	None		
Exempt Items			
05	None Notified		
06	Close of Meeting		
	Adele Wylie, Monitoring Officer North Northamptonshire Council		
			
	<b>Proper Officer</b> <b>19<sup>th</sup> January 2022</b>		

\*The reports on this agenda include summaries of representations that have been received in response to consultation under the Planning Acts and in accordance with the provisions in the Town and Country Planning (Development Management Procedure) Order 2015.

This agenda has been published by Democratic Services.

Committee Administrator: Callum Galluzzo

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### Meetings at the Council Offices

Due to the Covid-19 pandemic seating in the Council Chamber will be limited. If you are intending to attend the meeting as a spectator, please contact the committee administrator

Where there is a need for the Council to discuss exempt or confidential business, the press and public will be excluded from those parts of the meeting only and will have to vacate the room for the duration of that business.

### Public Participation

The Council has approved procedures for you to request to address meetings of the Council.

ITEM	NARRATIVE	DEADLINE
Members of the Public Agenda Statements	Requests to address the committee must be received by 12 Noon on the day before the meeting. Speakers will be limited to speak for 3 minutes.	12 Noon 26 <sup>th</sup> January 2022
Member Agenda Statements	A request from a Ward Councillor must be received by 12 Noon on the day before the meeting. The Member will be limited to speak for 5 minutes.	12 Noon 26 <sup>th</sup> January 2022

Please see the [procedures for speaking at the Planning Committee](#) before registering to speak.

If you wish to register to speak, please contact the committee administrator

## **Members' Declarations of Interest**

Members are reminded of their duty to ensure they abide by the approved Member Code of Conduct whilst undertaking their role as a Councillor. Where a matter arises at a meeting which **relates to** a Disclosable Pecuniary Interest, you must declare the interest, not participate in any discussion or vote on the matter and must not remain in the room unless granted a dispensation.

Where a matter arises at a meeting which **relates to** other Registerable Interests, you must declare the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but must not take part in any vote on the matter unless you have been granted a dispensation.

Where a matter arises at a meeting which **relates to** your own financial interest (and is not a Disclosable Pecuniary Interest) or **relates to** a financial interest of a relative, friend or close associate, you must disclose the interest and not vote on the matter unless granted a dispensation. You may speak on the matter only if members of the public are also allowed to speak at the meeting.

Members are reminded that they should continue to adhere to the Council's approved rules and protocols during the conduct of meetings. These are contained in the Council's approved Constitution.

If Members have any queries as to whether a Declaration of Interest should be made please contact the Monitoring Officer at – [monitoringofficer@northnorthants.gov.uk](mailto:monitoringofficer@northnorthants.gov.uk)

## **Press & Media Enquiries**

Any press or media enquiries should be directed through the Council's Communications Team to [NNU-Comms-Team@northnorthants.gov.uk](mailto:NNU-Comms-Team@northnorthants.gov.uk)

## **Public Enquiries**

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## Minutes of a meeting of the Area Planning Committee Kettering

At 7.00 pm on Monday 13th December, 2021 in the  
Council Chamber, Municipal Offices, Bowling Green Road, Kettering, NN15 7QX

### Present:-

#### Members

Councillor Mark Rowley (Chair)  
Councillor Robin Carter  
Councillor Dez Dell  
Councillor Ian Jelley  
Councillor Paul Marks

Councillor Cedwien Brown  
Councillor Elliot Keith Prentice  
Councillor Joseph John Smyth  
Councillor Kevin Thurland

#### Officers

Martyn Swann  
Louise Holland  
Richard Marlow  
Mark Coleman  
Nigel Bell  
Callum Galluzzo

Development Services  
Development Services  
Development Services  
Development Services  
Legal Representative  
Democratic Services

### 63 Apologies for non-attendance

None

### 64 Members' Declarations of Interests

Councillor Kevin Thurland declared an interest in item 4.2 (KET/2020/0815) and indicated that he would leave the room during deliberation of this item.

### 65 Minutes of the meeting held on 18th November 2021

**RESOLVED** that the minutes of the meetings of the Area Planning Committee held on 18<sup>th</sup> November 2021 be approved as a correct record.

### 66 Applications for planning permission, listed building consent and appeal information\*

The Committee considered the following applications for planning permission, which were set out in the Development Control's Reports and supplemented verbally and in writing at the meeting. Seven 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>*4.1 s.73A Retrospective Application: Concrete batching plant and silos, office, welfare facilities and separate access at Blackbridge Farm, Cranford Road, Burton Latimer for Mr J Gough, Mick George Ltd</p> <p>Application No: KET/2020/0449</p> <p><u>Speaker:</u></p> <p>Murray Calder-Scott attended the meeting and addressed the committee as a third party objector to the proposed development raising concerns regarding the access road not being fit for purpose in its current condition. Mr Calder-Scott stated that the road was not wide enough to support the industrial use and that there was a major risk/danger to pedestrians</p> <p>Councillor Jenny Davies attended the meeting and addressed the committee as a representative for Burton Latimer Town Council. Councillor Davies raised concerns regarding the hours of business prior to 7:00am which would have a detrimental impact on residential properties. Cllr Davies also stated that any conditions would need to be strictly enforced.</p> <p>John Gough attended the meeting and addressed the committee as the agent on behalf of the applicant stating that the proposed development had received no objections from statutory consultees and that the development was compliant with local and national policy.</p>	<p>Members received a report about a proposal for which retrospective planning permission was being sought for a ready-mix concrete batching plant. The installation consisted of a batch control cabin, aggregate reception hopper bays, 2 x cementitious silos, batch conveyors, mixing unit and loading chute, aggregate storage bays, unit for mess room and office and access track.</p> <p>The Planning officer addressed the committee and provided an update which stated that wording of condition 12 had been updated.</p> <p>Members raised concerns regarding the condition and state of the access road and questioned whether or not North Northants Highways should investigate the roads condition.</p> <p>It was confirmed to members that no comments had been submitted from the Highways department and member comments would be passed to the relevant Highways officers in order to raise concerns regarding the condition of the road.</p> <p>Following debate it was proposed by Councillor Smyth and seconded by Councillor Prentice that the application be approved in line with 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 use hereby permitted shall permanently cease on the date that is 6 months from the date of this decision notice UNLESS before that date an air quality assessment to assess the impact of the development on local air quality and the community against the National Air Quality Standards and Objectives shall be submitted to and approved in writing by the Local Planning Authority. The submitted assessment shall identify the impact of the existing and proposed development and any exceedance of the air quality objectives, including any proposed mitigation measures. Once approved, the mitigation measures shall be implemented in full within 12 months of the date of the decision notice and retained where appropriate at all times thereafter.
4. The use hereby permitted shall permanently cease on the date that is 6 months from the date of this decision notice UNLESS before that date 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.
5. The concrete batching activities associated with the use hereby permitted shall permanently cease on or before the date that is 6 months from the date of this decision notice UNLESS a written remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. Thereafter the development shall take place strictly in accordance with the approved remediation strategy. This strategy will include the following components:
  1. A preliminary risk assessment which has identified:
    - all previous uses
    - potential contaminants associated with those uses
    - a conceptual model of the site indicating sources, pathways and receptors
    - potentially unacceptable risks arising from contamination at the site
  2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
  3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
  4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The remediation strategy shall be implemented strictly as approved. No changes shall be made to components (1) to (4) above without the written consent of the local planning authority.

6. The use hereby permitted shall permanently cease on or before the date that is 6 months from the date of this decision notice UNLESS before that date a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation has been submitted to and approved in writing by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan (see condition 5) to demonstrate that the site remediation criteria have been met.
7. The use hereby permitted shall permanently cease on or before the date that is 6 months from the date of this decision notice UNLESS before that date a comprehensive scheme for the regulated discharge of surface water run-off (including a detailed assessment of the risks to controlled waters) has been submitted to and approved in writing by the local planning authority. Thereafter, surface water drainage shall be dealt with strictly in accordance with the approved scheme.
8. The use hereby permitted shall not be carried out before 07:00 hours or after 19:00 hours on Mondays to Fridays, nor before 08:00 hours or after 16:00 hours on Saturdays, nor open or operate at any time on Sundays or any recognised public holidays.
9. The pedestrian safe route and parking layout shown on approved block plan (Drawing no. B14/1/20/04 Rev B) received by the Local Planning Authority on 30th November 2020 shall be marked out and implemented in accordance with the approved plan within 1 month of the date of this decision notice and retained in that form thereafter.
10. The concrete batching activities associated with the use hereby permitted shall permanently cease on the date that is 6 months from the date of this decision notice UNLESS the existing access route (outlined in red) shown on the proposed site plan (drawing number B14/1/20//03B) received by the Local Planning Authority on 30th November 2020 has been implemented in full and permanently retained free from obstruction and all other routes of access have been permanently closed up (unless granted by separate planning approval).
11. Prior to the commencement of any part of the operational development (e.g. creation of the northern access route, etc) hereby permitted, a Construction and Traffic Management Plan must be submitted to and approved by the Local Planning Authority. The Construction and Traffic Management Plan must include and specify the provision to be made for the following:
  - " Directional signage (on and off site).
  - " A map, suitably scaled, to be printed and given to drivers detailing the routes to be used to access the site from the wider highway network.
  - " Details of measures to prevent mud and other such material migrating onto the highway from construction vehicles.
  - " The location and type of wheel washing facilities.



The Construction and Traffic Management Plan shall be adhered to throughout the construction period and the approved measures shall be retained for the duration of the construction works.

12. The use hereby permitted shall permanently cease on the date that is 4 months from the date of this decision notice UNLESS, the developer has submitted to and approved in writing by the local planning authority a written scheme for the control of odour, dust and spillage on the highway of materials arising from operational vehicles entering and leaving the site. The submitted scheme shall include measures for operational vehicles arriving or leaving the site to be appropriately sealed or covered, to prevent any material spillage, wind blow and odour nuisance and be cleansed of debris prior to leaving the site. The scheme will also need to specify the methodology the removal and cleaning of any debris deposited on the adopted highway (maintainable at public expense) during construction of the development or operation of the use hereby approved. The use shall thereafter operate in full accordance with the approved written scheme for control of odour, dust and spillage.
13. No illumination of the site shall occur other than that shown on approved plan B14/1/20/07 received by the Local Planning Authority on 30th November 2020 which shall not be illuminated outside of the operational hours permitted by condition 8 of this planning permission, unless otherwise expressly agreed in writing by the Local Planning Authority.
14. Notwithstanding the requirements of conditions 2 and 9 of this planning permission, the disabled parking bay to be implemented shall measure no less than 3.6 metres wide by 6.2 metres long and shall be marked out as such and retained in that form thereafter.

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

*(Voting: Unanimous)*

*The application was therefore*

**APPROVED**

68 KET/2020/0815

<u>Proposed Development</u>	<u>Decision</u>
<p>*4.2 Full Planning Permission: 14 no. dwellings with access road and associated works at Maplefields School, Beatrice Road, Kettering for Castlegate 772 Ltd.</p> <p>Application No: KET/2020/0815</p> <p><u>Speaker:</u></p> <p>Lesley Thurland attended the meeting and addressed the committee as a third party speaking in favour of the proposed development. It was stated that the proposed development was ideal for the local area and that the design was in keeping with neighbouring character.</p> <p>Rhys Bradshaw attended the meeting and addressed the committee as the agent on behalf of the applicant stating that the main aim of the development was to maintain the front character of surrounding streets and that the house types reflect that of local styles.</p>	<p>Members received a report about a proposal for which full planning permission was being sought for 14 no. dwellings with access road and associated works. Five dwellings were proposed to front Beatrice Road comprising one bungalow and four x two storey detached houses. Five dwellings (two bungalows and three houses) fronting Britannia Road together with the vehicular access into the centre of the site where are a further four bungalows were proposed served off a private drive.</p> <p>Members agreed that the application was satisfactory and raised no objection in contrary to the officers recommendation to approve the application</p> <p>Following debate it was proposed by Councillor Jelley and seconded by Councillor Marks that the application be approved in line with 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. 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 Classes A to E of Part 1 of Schedule 2 of the Order shall be constructed on or within the curtilage of any of the houses hereby permitted.
4. Prior to first occupation of the dwellings a scheme of landscaping which shall specify species, planting sizes, spacing and numbers of trees and shrubs to be planted and any existing trees to be retained shall be submitted to and approved by the Local Planning Authority. The approved scheme 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.

5. The development hereby permitted shall be carried out in accordance with the Tree Report prepared by RGS Arboicultural Consultants dated July 2021 with regard to the protection of the group of trees in G1 during the construction of the car port for plot 6.
6. 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.
7. 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.
8. 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.
9. Prior to the commencement of development a Demolition and Construction Method Statement 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.
10. 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 occupied until the approved scheme has been fully implemented in accordance with the approved details.
11. 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) the car port serving plot shall remain was a car port with no enclosure of sides in accordance with the approved plans.
12. The dwellings hereby permitted shall not be occupied until a scheme for biodiversity enhancement has been submitted and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details.

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

*(Voting: For 7, Against 0)*

*The application was therefore*  
**APPROVED**

*(Councillor Kevin Thurland re-joined the committee)*

<u>Proposed Development</u>	<u>Decision</u>
<p>*4.3 Full Planning Permission: Single storey rear extension to replace conservatory at 99 Braybrooke Road, Desborough for Mr &amp; Mrs D Mitchell</p> <p>Application No: NK/2021/0810</p> <p><u>Speaker:</u></p> <p>Adrian Smith attended the meeting and addressed the committee as a third party objector to the proposed development raising concerns with regards to associated and shared utilities that run under the development. Concerns were also raised regarding the close proximity of the proposed development and the possible negative impact it may have on neighbouring vegetation.</p>	<p>Members received a report about a proposal for which full planning permission was being sought for a single storey rear extension to replace conservatory, measuring 7.1m in width and a maximum of 7.3m in depth with a pitched roof and bifold doors..</p> <p>Members agreed that the application was satisfactory and raised no objection in contrary to the officers recommendation to approve the application</p> <p>Following debate it was proposed by Councillor Carter and seconded by Councillor Jelley that the application be approved in line with 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 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 approved plans and details listed below.

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

*(Voting: Unanimous)*

*The application was therefore*  
**APPROVED**

<u>Proposed Development</u>	<u>Decision</u>
<p>*4.4 Full Planning Permission: Change of Use from residential dwelling (C3) to 9 bed HMO (Sui Generis) at 1 Lindsay Street, Kettering for O.B Regency Property Management Ltd</p> <p>Application No: NK/2021/0814</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 change of Use from residential dwelling (C3) to 9 bed HMO (Sui Generis)</p> <p>Members raised questions regarding the number of waste facilities for the proposed development as well questions with regards to the landscaping associated with the proposed development</p> <p>Members agreed that the application was satisfactory and raised no objection in contrary to the officer’s recommendation to approve the application</p> <p>Following debate it was proposed by Councillor Jelley and seconded by Councillor Dell that the application be approved in line with 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 window 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 parking spaces hereby approved shall be provided prior to the first occupation of the building hereby permitted and shall be permanently retained and kept available for the parking of vehicles.
5. Prior to first occupation of the development, details for the bicycle storage shall be submitted to and approved in writing by the Local Planning Authority and shall be retained as approved thereafter.
6. Prior to first occupation of the development, details for the storage of refuse shall be submitted to and approved in writing by the Local Planning Authority. The use

of the building shall not commence until the approved scheme has been fully implemented and shall be retained as approved thereafter.

7. Prior to first occupation of the development a scheme of hard and soft landscaping works which shall specify species, planting sizes, spacing and numbers of trees and shrubs to be planted, any existing trees to be retained, the layout, contouring and surfacing of all open space areas shall be submitted to and approved by the Local Planning Authority. The works 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.
8. Prior to the commencement of development a scheme for achieving the noise levels outlined in BS8233:2014 with regards to the residential units shall be submitted and approved in writing by the Local Planning Authority. Once approved the scheme shall be implemented before first occupation of the residential units and therefore maintained in the approved state at all times. No alterations shall be made to the approved structure including roof, doors, windows and external facades, layout of the units or noise barriers.
9. No more than one resident per HMO flat shall live at the property at any one time.

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

*(Voting: For 7; Against 1)*

*The application was therefore*

**APPROVED**

<u>Proposed Development</u>	<u>Decision</u>
<p>*4.5 Full Planning Permission: Change of use from open countryside to residential garden and erection of mobile home ancillary to the main dwelling at Suffolk Villa, Rushton Road, Rothwell for Mr M Harrison</p> <p>Application No: NK/2021/0829</p> <p><u>Speaker:</u></p> <p>Alex Jelley attended the meeting and addressed the committee as the agent on behalf of the applicant stating that the proposed development was not visible from the public domain and that the applicant had planted hedgerow on the southern boundary.</p>	<p>Members received a report about a proposal for which full planning permission was being sought for the change of use from open countryside to residential garden and erection of mobile home ancillary to the main dwelling.</p> <p>Members initially sought clarification regarding the proposed development stating that with conditions the proposed development could be considered not excessive in contradiction to the officers recommendation.</p> <p>It was proposed by Councillor Marks that the application be approved contrary to the officer’s recommendation however as there was no seconder, the motion fell</p> <p>Following debate it was then proposed by Councillor Jelley and seconded by Councillor Carter that the application be refused in line with the officer’s recommendation.</p> <p>It was agreed that the application be <b>REFUSED</b> for the following reasons:</p>

1. The proposed development is located outside the settlement boundary of Rothwell in the open countryside. It is an unjustified form of development outside of the town boundary, contrary to both local and national planning policy. The proposal would have a detrimental impact upon the character of the area, creating an uncharacteristic development. The proposal does not seek to enhance the intrinsic quality of the countryside and as such the proposal conflicts with paragraph 80 of the National Planning Policy Framework, Policies 11 and 13 of the North Northamptonshire Joint Core Strategy and Policy RS4 of the Site Specific Part 2 Local Plan.
2. The loss of the open countryside for residential land would alter the appearance and the character of this open land as there may be residential hard landscaping and large garden furniture which would be visible from the adjacent open space. The siting and form of the proposed mobile home would result in an unacceptable incongruous and alien feature which would be visible from the adjacent open space within Rothwell and would be out of character with the locality. The proposed development would erode the open character as viewed from the



adjacent open space by encroaching into the open countryside. Thereby the proposal would have a harmful impact to the character of the locality contrary to Policy 8(d) (i) of the North Northamptonshire Joint Core Strategy (2016).

3. The proposed development would represent overdevelopment of the site and would provide insufficient and unsafe levels of residential amenity for the future occupants of the site given the conflicting uses within the site. There is no provision for refuse nor parking provision within the site, which would add conflicting pressure for amenity land in the proposed small rear garden for the mobile home. Therefore, the proposal would be likely to have a detrimental impact upon the amenity levels of the future occupants of the site which would be contrary to Policies 8 (b) (ii) and 8 (e) (i) of the North Northamptonshire Joint Core Strategy.

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

*(Voting: For 6 : Against 2)*

*The application was therefore*  
**REFUSED**

**72 Planning appeal decision letters**

None

**Exempt Items**

None

**74 Close of Meeting**

The meeting closed at 8.25 pm

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Chair

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Date

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## North Northamptonshire Area Planning Committee (Kettering)

Thursday, 27 January, 2022 at 7.00pm  
Council Chamber, Municipal Office

### INDEX

<b>Application</b>	<b>Location</b>
4.1 NK/2021/0460	12 Beatrice Road, Kettering
4.2 NK/2021/0831	1 Oringbury Road, Pytchley
4.3 NK/2021/0924	37 Hall Close (land adj), Kettering
4.4 NK/2021/0930	Queens Head Inn, Main Street, Sutton Bassett

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## North Northamptonshire Area Planning (Kettering) Committee 27/01/2022

<b>Application Reference</b>	<b>NK/2021/0460</b>
<b>Case Officer</b>	<b>Nicola Wheatcroft</b>
<b>Location</b>	<b>12 Beatrice Road, Kettering</b>
<b>Development</b>	<b>Full Planning Permission: Erection of 8 no. dwellings</b>
<b>Applicant</b>	<b>Mr Miller, David Miller Homes Ltd</b>
<b>Agent</b>	<b>Mr A Jelley Alpine Planning Ltd</b>
<b>Ward</b>	<b>All Saints</b>
<b>Overall Expiry Date</b>	<b>19/07/2021</b>
<b>Agreed Extension of Time</b>	<b>31/01/2022</b>

All plans and documents can be viewed using the application reference number at <https://www.kettering.gov.uk/planningApplication/search>

### **Scheme of Delegation**

This application is brought to committee because the agent is a consultant working for NNC on a scheme outside of the geographical remit of both the NN Area Planning Team (Kettering) and the NN Area Planning Committee (Kettering) and there are unresolved, material objections to the proposal.

#### **1. Recommendation**

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- 1.1 That planning permission be granted subject to conditions.

#### **2. The Proposal**

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- 2.1 Full Planning Permission is sought for the erection of 8 no. dwellings following the demolition of the existing industrial/storage unit. Four x 3 bedroom detached dwellings are proposed facing Beatrice Road with 2 tandem parking spaces for three of the dwellings and 2 spaces for unit 4 served from Cowper Street and rear gardens approximately 9m in depth.

- 2.2 A terrace of 4 dwellings is proposed along Cowper Street with linear rear gardens (35m depth approx.) and 1 parking spaces per dwelling to the front. The dwellings are annotated as 1 bedroom dwellings with a first floor study, however when the application was originally submitted they were shown as 2 bedroom dwellings.
- 2.3 The application has been amended since submission with following changes:
- Reduction of 9 to 8 dwellings;
  - Removal of dwellings at the rear of the site and access into site, so all houses front Cowper Street or Beatrice Road.
  - Parking for plots 1-3 and 8 are located to the front of the houses. Parking for plot 4 is located to the side of plot4.

### **3. Site Description**

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- 3.1 The existing building is a detached former industrial/storage unit which has been vacant for approximately 4 years. It is a part single storey part two storey large building constructed from brick with the roof having been recently removed.
- 3.2 To the east are detached and semi-detached houses which front Beatrice Road located within linear plots, predominantly from the inter and post war period. To the south are small terraces are similar properties in a range of garden lengths with no on plot parking.
- 3.3 Opposite the site to the west of Cowper Street is a large rectangular vacant site which formerly housed Kettering Town Football Club. Planning permission was granted in 2020 for the redevelopment to allow the erection of 49 dwellings, the site has been cleared and hoardings installed (Ref: KET/2020/0101).

### **4. Relevant Planning History**

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- 4.1 NK/2021/0362 Demolition of warehouse, approved

### **5. Consultation Responses**

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A full copy of all comments received can be found on the Council's website at:  
<https://www.kettering.gov.uk/planningApplication/search>

- 5.1 Kettering Town Council  
KTC has concerns with regards to the parking in a high density area. A proper investigation into the bat roost survey should be carried out ref the ecological survey as it's a recommendation. Entrance way to be considered further down Cowper Street to give residents visibility. Plots 8 and 9 are overlooking existing properties and concerns it will overlook the rear window and conservatory of an existing property. Subject to the above terms and conditions being met then KTC have no objection.

## 5.2 Neighbours / Responses to Publicity

9 number of letters have been received. The issues raised are summarised below:

- Too close to neighbouring house, would lead to a loss of light;
- Security of property;
- Maintenance concerns
- Loss of privacy from rear two storey houses;
- Incorrect applicant details on forms and reports;
- Concern about potential boundary treatment;
- Style and design of houses are consistent with adjacent houses;
- Disturbance during construction;
- Concern about possible parking problems;
- Lack/no visitor parking
- Highway safety problems;
- Site too small for 9 houses;
- Plans are in sympathy with the area;

## 5.3 Local Highway Authority (LHA)

Originally objected to the scheme on the lack of parking for plots 1-3 and 8, which are 2 bedroomed houses and require 2 parking spaces each rather than 1 and the lack of visitor parking. Also had concerns about the size of the parking bays for the dwellings facing Cowper Street and the gradient of the accesses.

The scheme has been amended to address the gradient and space size issues. A parking beat survey has been submitted which demonstrates that there is adequate on street parking within the vicinity.

## 5.4 Environmental Protection

No objection, subject to conditions on working hours and contaminated land and an informative on radon.

## 5.5 Northamptonshire Ecology

The building has 'low' bat roost potential. Normally this would require a single activity survey to be done, however the ecologist has referred to the latest survey guidance which states that 'if the structure has been classified as having low suitability for bats an ecologist should make a professional judgement on how to proceed based on all of the evidence available', and has recommended instead a pre-demolition check instead. Therefore I would recommend that any permission includes a condition that a suitably licensed ecologist inspects the potential roost features immediately (i.e. on the same day) prior to demolition, and provides ecological supervision during the demolition of Features A and B as identified in Preliminary Roost Assessment.

## 5.6 Broadband and Fire and Rescue

Fire hydrant and sprinkler condition required plus new developments should be served by high quality full fibre network to help NNC be at the leading edge of the digital economy.

## **6. Relevant Planning Policies and Considerations**

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### **6.1 Statutory Duty**

Planning law requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

### **6.2 National Policy**

National Planning Policy Framework (NPPF) (2021)  
National Planning Practice Guidance (NPPG)  
National Design Guide (NDG) (2019)

### **6.3 North Northamptonshire Joint Core Strategy (JCS) (2016)**

Policy 1: Presumption in Favour of Sustainable Development  
Policy 6: Development on Brownfield Land and Land Affected by Contamination  
Policy 7: Community Services and Facilities  
Policy 8: North Northamptonshire Place Shaping Principles  
Policy 9: Sustainable Buildings  
Policy 10: Provision of Infrastructure  
Policy 11: The Network of Urban and Rural Areas  
Policy 15: Well-Connected Towns, Villages and Neighbourhoods  
Policy 29: Distribution of New Homes

### **6.4 Site Specific Part 2 Local Plan (SSLP) (2021)**

LOC1: Settlement Boundaries  
HOU1: Windfall and Infill Development

## **7. Evaluation**

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The key issues for consideration are:

- Principle of Development
- Visual Impact
- Impact on Neighbouring Amenity
- Highway Matters

### **7.1 Principle of Development**

7.1.1 The Council's adopted development strategy is to direct development in a hierarchal order such that development sites are within the growth towns, market towns, villages and then the open countryside.

7.1.2 Policy LOC1 of the Site Specific Part 2 Local Plan incorporates the site within the settlement boundary for Kettering where development is supported subject to compliance with Policy 11 of the North Northamptonshire Joint Core Strategy. Policy HOU1 states that infill development within settlement boundaries will generally be accepted provided that there is no erosion to the character and appearance of the area and no detrimental effects to the environmental quality, amenity and privacy enjoyed by existing residents and they meet the requirements of policy set out in the JCS. These matters are considered further below.



- 7.1.3 Policy 11 of the North Northamptonshire Joint Core Strategy directs development towards the Growth Town of Kettering and market towns. Growth towns are the focus for infrastructure investment and higher order facilities to support major employment, housing, retail and leisure development. The site is located within the urban area of Kettering and is a brownfield site which will provide additional housing. This is in line with Policy 11 of the JCS.
- 7.1.4 Policy 8 of the North Northamptonshire Joint Core Strategy is supportive of new residential development provided that it complies with the place shaping principles outlined within the policy. For example, there should be no adverse impact on character and appearance, residential amenity of existing or future occupiers and the highway network.
- 7.1.5 The principle of the proposal therefore is in conformity with the SSP2 and the JCS. Therefore, the residential development of the site is acceptable in principle subject to the resolution of all other issues.

## 7.2 **Visual Impact**

- 7.2.1 Policy 8 (d) of the JCS, which is consistent with chapter 12 of the NPPF seeks development to create a distinctive local character by responding to wider character and local context.
- 7.2.2 The proposed housing will replace a relatively large employment building in the middle of an established residential area. The amended layout will follow the form of the surrounding housing with two storey dwellings fronting Cowper Street and Beatrice Road. The amendments to the scheme removing the dwellings at the rear of the site together with the access road are a significant improvement and the proposed layout is now in character with the surrounding housing.
- 7.2.3 Beatrice Road is characterised by a mix of detached housing types including 2 storey dwellings and bungalows. The proposal includes detached houses along the Beatrice Road frontage which is in character with the form of housing in the area. The design of the proposed houses with gable projections and ground floor bay windows reflects the broad character of housing in the vicinity albeit with a more contemporary 'estate' character. This part of Cowper Street has a different character with smaller terraced houses located within linear plots. The proposal reflects the character with smaller terraced housing with a simple gable form and a walkway between plots 1 and 2. Overall it is considered that the proposed housing will appear in character with the appearance of the surrounding residential development in line with Policy 8 of the JCS and the NPPF.
- 7.2.4 The use of materials and details of boundary treatment will have a significant impact on the overall appearance of the infill development and these matters will be dealt with through conditions. The size of the site means that opportunities for landscaping are very limited although a grassed area of verge will be located adjacent to plot.
- 7.2.5 As such the proposal is in accordance with Policy 8 (d) of the JCS which requires development to reflect surrounding residential character and density. The proposal is therefore acceptable in this regard.

### **7.3 Impact on Neighbouring Amenity**

7.3.1 Policy 8 of the JCS seeks development to prevent harm to residential amenities of neighbouring properties, by reason of overbearing, loss of light or overlooking.

7.3.2 The proposed dwellings will be sited in line with the neighbouring houses in Beatrice Road and Cowper Street. The reduction in size of the scheme and the removal of the 2 dwellings at the rear of the site addresses a number of concerns raised by local residents with regard to overlooking and loss of privacy. It is considered that the proposal now will not give rise to overlooking and loss of privacy. In terms of loss of light and overbearing impact again this is minimised by the location of the proposed houses next to existing housing. However, the proposed dwellings are larger than the existing houses and there some concerns about the relationship of plot 8 and 30 Cowper Street. The dwelling on plot 8 is sited back behind the front elevation of no.30 Cowper Street, this means that the rear elevation of the proposed dwelling will be sited behind the rear elevation of no.30 potentially leading to a loss of light to no.30. The existing house has a ground floor rear extension so there will be no undue impact on the ground floor windows and at first floor there may be some loss of light and feeling of enclosure as a result of the siting of the proposed house at first floor, however, the impact will not be significant enough to justify refusing the whole scheme.

7.3.3 It is therefore considered that the proposed development is in accordance with Policy 8(e) (i) of the North Northamptonshire Joint Core Strategy in that the new development does not result in an unacceptable impact upon the amenities of neighbouring properties.

### **7.4 Highway Matters**

7.4.1 Policy 8(b) (ii) of the JCS requires development to make safe and pleasant streets by ensuring a satisfactory means of access and provision for parking, servicing and manoeuvring.

7.4.2 The Councils Highway Engineers have raised concerns about the lack of parking associated with the proposed development. The four houses facing Cowper Street, which are 2 bedroomed houses, should have 2 parking spaces each but the current scheme only includes 1 space per house. Furthermore the development should provide 2 visitor spaces overall which is currently missing. The application is accompanied by a Parking Beat Survey (PBS) which was carried out in early December. The Engineers have raised concerns about the survey as it was carried out in survey 'downtime'. The applicants have stated that a survey downtime of the whole months of November and December is unreasonable. They state that they have followed the Lambeth methodology which states that parking surveys should not be undertaken:

- In weeks that include Public Holidays and school holidays and it is advised that weeks preceding and following holidays should also be avoided
- On or close to a date when a local event is taking place locally since this may impact the results of the survey

- 7.4.3 The applicant has confirmed that the survey dates meet the above but not the requirements of the Councils Highway Engineers. The Highway Engineers have reconsidered and despite the survey not strictly aligning with their requirements, given the wider factors i.e. covid-19/working from home etc together that the survey time is considered acceptable.
- 7.4.4 The survey results demonstrate that there is capacity within the local road network to accommodate the visitor parking and the shortfall of housing for the dwellings in Cowper Street. This contrasts with the comments from local residents and the Town Council who state that there is a lack of on street parking in the area. This is likely to be exacerbated when the former football ground site opposite is developed for housing in the future. However, it should be noted that the authorised use of the site for employment purposes would potentially have generated vehicular movements associated with the storage use of the site with deliveries, staff traffic and parking. The shortfall of parking is 6 spaces and as the PBS demonstrated that the average occupancy rate for the area surveyed is 62.9% then there is capacity for additional on street parking in the area.
- 7.4.5 Overall, when the lack of parking (6 spaces) for the proposed housing is balanced against the traffic/parking requirements for the previous use and the availability of on street parking. It could be concluded that there would be a relatively marginal increase in on street parking which could be accommodated within the surrounding roads. Therefore, whilst the parking situation is not ideal it is within acceptable margins and would not form a robust reason for refusing the scheme.
- 7.4.6 On balance, the scheme would not prejudice highway safety and there would be adequate parking within the site and local road network so the proposed development would be in accordance with Policy 8 of the JCS.

## **8. Other Matters**

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- 8.1 Concern has been raised by a local resident about the wrong address of the applicant on the application form. This is an administrative error within the submitted information, however the application site and the details for the appointed agent for the scheme are correctly stated. The application has therefore been correctly advertised.

## **9. Conclusion / Planning Balance**

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- 9.1 The proposal involves the redevelopment of a former employment site. The scheme involves the provision of 8 dwellings within the centre of Kettering which is in line with Policy 11 of the JCS and Policy HOU1 of the SSLP2. The proposal doesn't provide sufficient off street parking, but in view of the previous use of the building and the availability of on street parking the shortfall of 6 spaces would not have a significant impact on highway safety. The proposal respects the character and appearance of the site's surrounding and the residential amenities of the area in compliance with Development Plan policies and guidance contained within the National Planning Policy Framework.

## **10. Recommendation**

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10.1 That planning permission be GRANTED subject to conditions

## **11. Conditions**

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1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended) and to prevent an accumulation of unimplemented planning permissions.

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

REASON: In the interest of securing an appropriate form of development in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

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 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.

REASON: Details of materials are necessary in the interests of the visual amenities of the area in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

4. In accordance with the preliminary roof assessment (submitted by Ecology Resources Ltd) immediately prior to demolition, a suitably licenced Ecologist shall inspect Features A and D and shall provide ecological supervision during the demolition of Features A and B. If any bats or fresh evidence of bats is found during pre-work checks, work must stop immediately, further surveys for bats should then be completed. If a confirmed bat roost is identified from these surveys a European Protected Species Mitigation licence will be required along with appropriate mitigation measures before work to the building can recommence.

REASON: In the interest of safeguarding biodiversity (bats) in line with the Conservation of Habitats and Species Regulations 2017, the Wildlife and Countryside Act 1981 (as amended) and Section 9 of the NPPF.

5. 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.

REASON: In the interests of safeguarding biodiversity in compliance with the requirements of Policies 4 and 8 of the Joint Core Strategy and with the guidance contained within the National Planning Policy Framework.

6. 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.

REASON: Finished Floor Levels are necessary to protect the privacy of the occupiers of adjoining properties and character of the area in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

7. 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.

REASON: In the interests of safeguarding residential amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

8. 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 occupied until the approved scheme has been fully implemented in accordance with the approved details.

REASON: In the interests of the amenity and protecting the privacy of the neighbouring property in the interests of amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

9. 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.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised in accordance with Policies 6 and 8 of the North Northamptonshire Joint Core Strategy.

10. Notwithstanding the submitted plans, the gradient of the accesses shall not exceed 1 in 15 for the first 5 metres.

REASON: In the interests of highway safety in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

## **12. Informatives**

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Positive/Proactive - amendments

Radon - Protection of Dwellings Informative

## List of plans

The plans and documents, some of which may have been subsequently referenced by the LPA, are set out below and form the basis for this decision:

<b>Title</b>	<b>NK Ref.</b>	<b>Agent's Ref</b>	<b>Received Date</b>
Site & location plan		3633-09	17.05.21
Proposed elevations, ground/first floor plans, plot 4		3633-04A	24.05.21
Proposed elevations, ground/first floor plans, plot 5		3633-05A	24.05.21
Proposed elevations, ground/first floor plans, plot 6		3633-06A	24.05.21
Proposed elevations, ground/first floor plans, plot 7		3633-07A	24.05.21
Proposed elevations, ground/first floor plans, plots 1-4		3633-03 E	24.12.21
Proposed Street Scene		3633-11 A	07.01.22
Proposed site plan		3633-01K	07.01.22
Topographical survey		S3129_01	17.05.21
Design & Access Statement	NK/2021/0460/1		17.05.21
Preliminary roost assessment		21054	17.05.21
Existing elevation photo	NK/2021/0460/2		24.05.21
Existing elevation photo	NK/2021/0460/3		24.05.21
Existing elevation photo	NK/2021/0460/4		24.05.21
Existing elevation photo	NK/2021/0460/5		24.05.21
Existing elevation photo	NK/2021/0460/6		24.05.21



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## North Northamptonshire Area Planning (Kettering) Committee 27/01/2022

<b>Application Reference</b>	<b>NK/2021/0831</b>
<b>Case Officer</b>	<b>Alison Riches</b>
<b>Location</b>	<b>1 Orlingbury Road, Pytchley</b>
<b>Development</b>	<b>s.73A Retrospective Application: Detached single garage and car port to front of property</b>
<b>Applicant</b>	<b>Mr G Moffatt</b>
<b>Agent</b>	<b>Mr G Moffatt</b>
<b>Ward</b>	<b>Slade</b>
<b>Overall Expiry Date</b>	<b>29/12/2021</b>
<b>Agreed Extension of Time</b>	<b>28/01/2022</b>

All plans and documents can be viewed using the application reference number at <https://www.kettering.gov.uk/planningApplication/search>

### **Scheme of Delegation**

This application is brought to committee because it falls outside of the Council's Scheme of Delegation because the relevant town /parish council has a material written objection.

#### **1. Recommendation**

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1.1 That planning permission be GRANTED.

#### **2. The Proposal**

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2.1 This application has been invited as the result of an enforcement complaint.

2.2 Without planning permission a detached single garage with car port attached has been built within the curtilage of the dwellinghouse.

2.3 The structure does not benefit from a planning permission granted by Class E of Part 1, Schedule 2, Article 3 of the Town and Country Planning (General Permitted

Development) (England) Order 2015, as amended, due to it being situated on land forward of a wall forming the principal elevation of the original dwellinghouse, and the height exceeding 2.5 metres, within 2 metres of the boundary of the curtilage of the dwellinghouse.

- 2.4 The application therefore seeks retrospective planning permission under Section 73A of the Town and Country Planning Act 1990 for the garage and attached car port.
- 2.5 During the application process, amended plans were provided to revise the submitted hipped roof on the garage to a gable roof to reflect the structure as erected on site.
- 2.6 A 7 day reconsultation was carried out on the amendments.

### **3. Site Description**

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- 3.1 The application site is located in an established residential area at the south end of Pytchley village, within the settlement boundary but outside the Conservation Area.
- 3.2 The application site comprises a roughly triangular plot at the end of a row of similarly designed properties and is a two-storey render covered semi-detached dwellinghouse with a grey concrete tile gable roof. All windows and doors are replacement PVCu. A single storey flat roofed pebbledash render extension was added to the side following planning permission granted in 2016, and a single detached grey render covered gable roofed garage with an attached lean-to carport (the subject of this application) sits in the northwest corner of the site, forward of the front elevation of the dwellinghouse.
- 3.3 The dwellinghouse steps down from the adjoining semi-detached property to the south at No.3 Orlingbury Road, and the land level falls away from the back of the footpath edge towards the rear boundary. To the front of the site is a block paved and slate chipped front garden with parking for at least 2 no. vehicles clear of the highway. Boundary treatment is provided by low level planting and hedging.
- 3.4 The rear of the site was not inspected.
- 3.5 The application site forms part of a small estate of similarly designed semi-detached two-storey former Local Authority dwellinghouses built in the mid 20<sup>th</sup> Century, located at the south end of Pytchley village. To the north of the site is the Overstone Arms public house and car park with residential development in the Conservation Area to the west and open countryside to the rear (east).

#### **4. Relevant Planning History**

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4.1 KET/2016/0720. Single storey side extension and 2 no. new dormers to rear. Approved 19/12/2016.

KET/2015/0266. Balcony to rear and replacement of window on first floor with door. Approved 09/06/2015.

#### **5. Consultation Responses**

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A full copy of all comments received can be found on the Council's website at:  
<https://www.kettering.gov.uk/planningApplication/search>

##### 5.1 Pytchley Parish Council

- **Objection.**
- Building forward of the principal elevation of the house.
- Rendering does not match the house render.
- Roof tiles do not match the house roof tiles.
- It is not a full size garage.

Reconsultation

- No comments on the amended plans.

##### 5.2 Neighbours / Responses to Publicity

- No comments received at the time of writing this report.

Reconsultation

- No comments received at the time of writing this report.

#### **6. Relevant Planning Policies and Considerations**

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##### 6.1 Statutory Duty

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

##### 6.2 National Policy

National Planning Policy Framework (NPPF) (2021)

Policy 5. Delivering a sufficient supply of homes

Policy 9. Promoting sustainable transport

Policy 12. Achieving well-designed places

##### 6.3 North Northamptonshire Joint Core Strategy (JCS) (2016)

Policy 8. North Northamptonshire Place Shaping Principles

Policy 11. The Network of Urban and Rural Areas

Policy 29. Distribution of New Homes

- 6.4 Emerging Policies in the Kettering Site Specific Part 2 Local Plan (2021)  
Policy LOC1. Settlement Boundaries  
Policy PYT1. Pytchley Development Principles  
Policy RS1. Category A villages  
Policy RS5. General Development Principles in the Rural Area

## **7. Evaluation**

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Section 73A of the Town and Country Planning Act 1990 allows for an application to be made to a Local Planning Authority to seek planning permission on development already carried out.

The key issues for consideration are:

- Principle of Development
- Visual Impact
- Impact on Neighbouring Amenity
- Highway Matters

### **7.1 Principle of Development**

- 7.1.1 The application site is in an established residential area to the south of Pytchley village, within the village boundary. Pytchley is defined as a Category A village by Policy RS1 of the Kettering Site Specific Part 2 Local Plan which is supportive of proposals for residential development in principle.
- 7.1.2 Policy RS5 of the Kettering Site Specific Part 2 Local Plan requires development in the Rural Area to retain a village's open and rural character, maintaining views into the open countryside where it is on the edge of the settlement.
- 7.1.3 Policy PYT1 of the Kettering Site Specific Part 2 Local Plan is supportive of new development subject to it reflecting the historic core, and its hierarchy.
- 7.1.4 Policies 11 and 29 of the North Northamptonshire Joint Core Strategy direct development to existing urban areas and indicate that Pytchley as part of Kettering rural is a tertiary focal point for limited development, such as extensions, after the growth town of Kettering and the smaller towns of Burton Latimer, Desborough and Rothwell.
- 7.1.5 Policy 8 of the North Northamptonshire Joint Core Strategy is supportive of extensions to residential properties provided there is no adverse impact on character and appearance, residential amenity and the highway network.
- 7.1.6 The principle of development for this proposal is therefore established subject to the satisfaction of the development plan criteria.

## 7.2 Visual Impact

- 7.2.1 Policy 8(d)(i) of the North Northamptonshire Joint Core Strategy requires new development to respond to the site's immediate and wider context and local character.
- 7.2.2 The proposal is for an existing detached single gable roofed garage with an attached car port which has been built on land forward of the principal elevation the original dwellinghouse in the northeast corner of the plot.
- 7.2.3 The garage is 4 metres deep and 3 metres wide with an eaves height of approximately 2.2 metres and a maximum height of approximately 3.10 metres. It has been finished in smooth grey render to match the render colour on the main dwellinghouse, and plain grey roof tiles of similar colour to those on the main dwellinghouse roof, with an electric roller door in grey to match the front door of the dwellinghouse. The car port roof is a 'catslide' from the eastern roof plane of the garage and is supported on grey painted posts.
- 7.2.4 The garage is set away from the front boundary by 1.3 metres with its blank flank elevation facing the highway in Orlingbury Road. The carport is located behind the garage (east) and is only partially visible from the public realm .
- 7.2.5 Pytchley Parish Council have objected that the building is forward of the principal elevation of the house and the render and roof tiles do not match those on the existing dwellinghouse.
- 7.2.6 The application site is a roughly triangular plot with a wide frontage. The garage is small in size and has been designed to be subordinate to, and reflective of, the main dwellinghouse in terms of its design, materials and colours, with the carport, subordinate to the garage. Although the structure has been built forward of the principal elevation of the dwellinghouse, the width of the front of the plot means it is located to the northwest of the dwellinghouse and not directly in front of it, therefore not obscuring views of the dwellinghouse, or the hierarchy of development at the site.
- 7.2.7 As such, it is considered that the small size of the garage and carport, their location away from the dwellinghouse and the use of similar materials and design, and matching colours, do not adversely impact on the character and appearance of the dwellinghouse, surrounding development and the wider street scene.
- 7.2.8 This is in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

## 7.3 Impact on Neighbouring Amenity

- 7.3.1 The National Planning Policy Framework in Policy 12, paragraph 130(f) seeks to ensure that development creates places with high standards of amenity for existing and future users. (overbearing/sense of enclosure).

- 7.3.2 Policy 8(e)(i) of the North Northamptonshire Joint Core Strategy seeks to protect amenity by new development not resulting in an unacceptable impact on the amenities of future occupiers, neighbouring properties or the wider area.
- 7.3.3 The garage and carport are subordinate structures located in the northwest corner of the application site.
- 7.3.4 To the north of the application site, immediately adjacent to the application site, is an area of open countryside with the car park for the Overstone Arms public house beyond. Opposite the site, across the highway in Orlingbury Road, is the outside space for Pytchley Endowed C of E Primary School.
- 7.3.5 The nearest residential neighbour is the adjoining semi-detached property at No.3 Orlingbury Road which is to the southeast of the proposal – a distance of approximately 15 metres from the front elevation of the garage to the shared boundary with No.3. As the proposal is at the front of the dwellinghouse and not in the private amenity area of the application site, it will not adversely impact on the enjoyment of the occupiers of No.3 of the private amenity areas of their property.
- 7.3.6 It is considered that as the garage and carport is located at the front of the property in the northwest corner and is small in scale, the separation distance from surrounding residential properties means there is no adverse impact on the amenities of the neighbouring occupiers.
- 7.3.7 This is in accordance with Policy 12 of the National Planning Policy Framework and Policy 8 of the North Northamptonshire Joint Core Strategy.

#### 7.4 **Highway Matters**

- 7.4.1 Policy 8(b)(ii) of the North Northamptonshire Joint Core Strategy seeks to ensure a satisfactory means of access and provision for parking, servicing and manoeuvring in accordance with adopted standards.
- 7.4.2 The parking provision at the site is on the existing front garden which provides space for at least 2 no. cars clear of the highway. The proposal is located to the northwest of this existing parking area and does not increase the footprint of the living accommodation at the site. As such, no additional parking for cars is required to be provided at the site.
- 7.4.3 Pytchley Parish Council have objected to the scheme stating that the garage is not full size.
- 7.4.4 The proposed garage, although not of adequate size for a car, provides space for the parking of other vehicles, i.e. motorbikes, bicycles, as well as providing an area for storage. The carport does provide cover for an additional car and it is considered that the location of the garage and carport does not impact on the existing parking at the site, which it is considered remains in accordance with the standards provided in the Local Highway Authority Parking Standards (September 2016) and the Local Highway Authority Standing Advice (June 2016).

7.4.5 This is in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

## **8. Other Matters**

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8.1 The fact that the application is retrospective is not a reason in itself to refuse it as Section 73A of the Town and Country Planning Act 1990 allows for an application to be made for development already carried out in order to regularise that development.

8.2 As the proposal is retrospective, should the application be refused, the Local Planning Authority would be obliged to consider whether it resulted in harm and if it was expedient to take enforcement action against that harm.

8.3 The expedience of whether or not to take enforcement action is a material planning consideration and if it is considered that it would not be expedient to take enforcement action then this would amount to weight that should be applied in favour of the proposal.

8.4 In this particular case, it is considered that the level of harm identified by the size, appearance and siting of the garage and carport to the northwest of the site, is insignificant in terms of the impact on the character and appearance of the dwellinghouse, surrounding development and the wider street scene, such that it would not be expedient to consider taking enforcement action.

8.5 The Parish Council comments are noted but are not considered sufficient to change this view.

8.6 As such, whilst the carrying out of unlawful operations is not condoned, the applicant has sought to regularise the situation and the retrospective nature of the proposal cannot count against them, with the application only to be considered on its planning merits.

## **9. Conclusion / Planning Balance**

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9.1 The proposal is considered to be in accordance with policies in the Development Plan, with no material planning considerations indicating against it. As the proposal is retrospective, there are no conditions required to be applied as, should the garage subsequently be removed, planning permission will be required for the construction of an alternative proposal in the same location which will be subject to relevant material planning considerations.

## **10. Recommendation**

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10.1 The proposal is recommended for approval.

## **11. Conditions**

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None

## 12. Informatives

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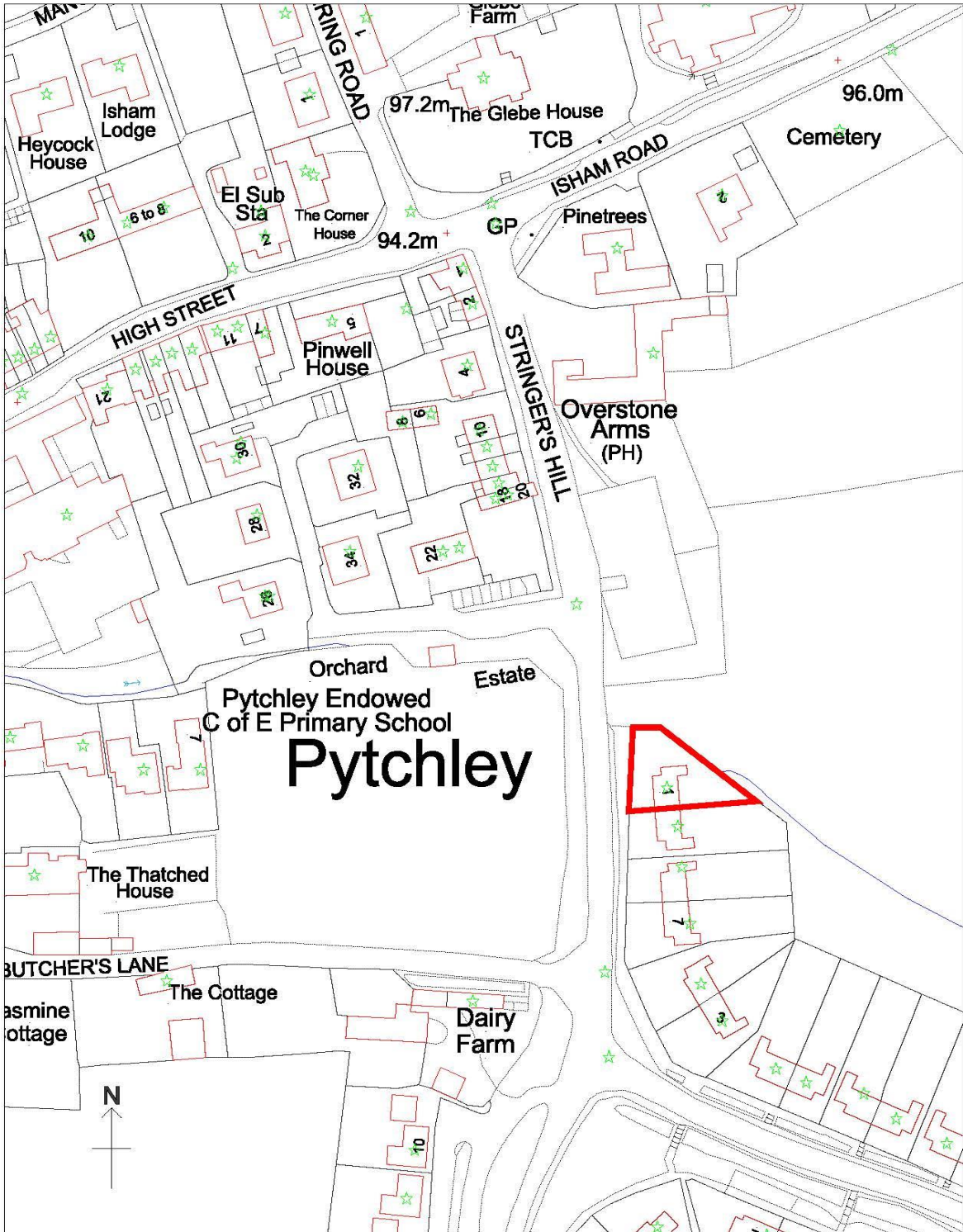
Positive/Proactive - amendments

List of plans

The plans and documents, some of which may have been subsequently referenced by the LPA, are set out below and form the basis for this decision:

<b>Title</b>	<b>NK Ref.</b>	<b>Agent's Ref</b>	<b>Received Date</b>
Proposed floor plans		KET-PLAN-001A	14/12/2021
Proposed elevations		KET-PLAN-002	14/12/2021
Location plan	NK/2021/0831/1		03.11.21
Site plan	NK/2021/0831/2		05.10.21
Garage photos	NK/2021/0831/3		22.10.21





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## North Northamptonshire Area Planning (Kettering) Committee 27/01/2022

Application Reference	NK/2021/0924
Case Officer	Louisa Johnson
Location	37 Hall Close (land adj), Kettering
Development	Full Planning Permission: 2 no. dwellings
Applicant	Mr C Jablonski
Agent	Mr A Jelley Alpine Planning Ltd
Ward	St. Peters
Overall Expiry Date	12/01/2022
Agreed Extension of Time	

All plans and documents can be viewed using the application reference number at <https://www.kettering.gov.uk/planningApplication/search>

### Scheme of Delegation

This application is brought to committee because the agent is a consultant working for NNC on a scheme outside of the geographical remit of both the NN Area Planning Team (Kettering) and the NN Area Planning Committee (Kettering) and there are unresolved, material objections to the proposal.

#### **1. Recommendation**

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1.1 That planning permission be GRANTED subject to conditions.

#### **2. The Proposal**

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2.1 Full Planning Permission: 2 no. dwellings

### **3. Site Description**

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- 3.1 The application site comprises one strip of land and part of the garden of 37 Hall Close located in an established residential area to the southwest of Kettering. No.37 Hall Close occupies a triangular plot at the southwest end of Hall Close which is bounded by the two strips of what appear to be amenity land to the west and south of the plot. No.37 is accessed from a private drive off Hall Close which also currently serves Nos.33 and 35 Hall Close.
- 3.2 There is a strip of landscaping along the rear boundaries of the properties in Hall Close which separates it from the later Lake Avenue residential development and public footpath, VD/027, runs parallel to the south boundary of the site, providing access from Lake Avenue to Hall Lane. The site is within the Nene Valley Nature Improvement Area (NIA) Boundary.
- 3.3 Surrounding residential development in Hall Close was built out in the 1960s/1970s and is characterised by substantial detached two-storey properties fronting the highway, with open plan front gardens, and within reasonably generous plots of land.

### **4. Relevant Planning History**

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- 4.1 List all previous planning applications as follows:

KET/2000/0369 - Application for extension of time period for the submission of Reserved Matters on KE.94.0117: Outline for balancing reservoir, leisure complex, residential development, ancillary shops to include site boundary amendment to accommodate access (roundabout) – Approved 04/07/2000

KE/1994/0117 – Renewal of KE/89/0704: Outline for Balancing Reservoir Leisure Complex Residential Development Ancillary Shops to Include Site Boundary Amendment to Accommodate Access (Roundabout) – Approved 16/09/1994

KET/1989/0704 – Outline for Balancing Reservoir Leisure Complex Residential Development & Ancillary Shops – Approved 19/03/1991

KET/1981/0272 – Extension of gardens - change of use from agriculture to domestic use – Approved 01/04/1981

### **5. Consultation Responses**

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A full copy of all comments received can be found on the Council's website at: <https://www.kettering.gov.uk/planningApplication/search>

5.1 Parish / Town Council

No objection but the application would benefit from:

Electric vehicle charging provision

Cycle storage provision

The use of on-site renewables such as insulation, and passivhaus Standards

An on-site planting scheme

## 5.2 Neighbours / Responses to Publicity

Three letters have been received. The issues raised are summarised below:

- The development is out of character with the street scene of Hall Close and the "mass" of the development is also not in keeping with the rest of the development.
- There may be an Anglian Water trunk water main within the proposed developable area.
- As the immediate neighbour, the valuation of 35 Hall Close might be affected.
- Heavy vehicles should not use the part of the private drive belonging to 35 Hall Close. There is a high probability access to no. 35 will be impacted and emergency vehicle may not be able gain access. The drive is narrow, vehicles cannot pass and its surface is likely to be damaged such that the developer should resurface it on completion, should the plan be approved.
- The turning bay of the drive belongs to 39 Hall Close. We would not allow development on our land.
- Access to the proposed building site would be along the shared drive. The garden of 39 Hall Close borders it. We are concerned that the drive is single track and thus our garden, particularly the kerb stones, may be damaged by larger vehicles straying or vehicles being parked on our land. The drive is not constructed to road standards and is likely to disintegrate beneath heavy plant – which in turn could damage our garden.
- There are concerns as to where a developer and contractors would place building materials and vehicles for such a project. Developers, builders, contractors would need to park vehicles nearby.
- This corner of Hall Close is already constricted by its shape. Parked vehicles of any number would cause constriction and probably make access for emergency vehicles extremely difficult.
- In the past, the sewerage has had difficulty coping with the existing load.

## 5.3 Local Highway Authority (LHA)

Presently the LHA cannot accept the application and require further information to support the proposals.

Observations:

1. The site is accessed via a shared private drive off Hall Close. 3 dwellings are understood to already be accessed via the shared private drive. The proposals would result in 5 dwellings accessed off the shared private drive. This is the maximum permissible.
2. Shared private drives require a multiple-dwelling bin and recyclable bin presentation point for collection. It must be within the curtilage of the development in a location that does not obstruct the highway (including footway and verge), visibility splays, the effective width of the private drive or pedestrian access. Vehicular accesses over 45m in length can also have refuse collection implications. Part H of the Building Regulations limits carry distances for residents to no more than 30.0m from their building and that of operatives collecting waste to no more than 25.0m. There are also gradient restrictions. The LPA will need to satisfy itself with this.
3. As the two dwellings would be over 45m from the boundary to the highway, the LPA are advised to seek the views of the local fire chief. Vehicular accesses over

45m in length from highway boundary to the face of a building should be referred to a Building Regulation Approved Inspector. In such circumstances, access (min. 3.7m wide and constructed to carry a 15T axle weight, over its entire length) and turning for emergency vehicles may be required.

4. Two 4-bed dwellings are proposed. Each requires at least 3 car parking spaces and 4 secure, covered cycle parking spaces as per Northamptonshire Parking Standards (2016). It is thought the drives associated with each property would be accommodative of the car parking requirements. It would be advisable for each dwelling to incorporate electric vehicle charging facilities.

5. No cycle parking is detailed. Cycle parking should be covered, secure, overlooked and easy to use, with a minimum 1.2m clear access including gate widths. No lifting of cycles should be required. For dwellings, cycle parking should not involve having to go through a dwelling to access it.

#### *Public Rights of Way*

Please ensure that the applicant is made fully aware of their responsibilities in respect of Public Footpath No VD27 which is adjacent to the southern boundary of the proposed development site as follows:

With respect to construction works to be carried out in close proximity to and using Public Rights of Way as access, please note standard requirements.

#### 5.4 Environmental Health

No objection subject to conditions / informatives:

EV Charging

Low Nox Heating

### **6. Relevant Planning Policies and Considerations**

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#### 6.1 Statutory Duty

Planning law requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

#### 6.2 National Policy

National Planning Policy Framework (NPPF) (2021)

Policy 2. Achieving sustainable development

Policy 5. Delivering a sufficient supply of homes

Policy 9. Promoting sustainable transport

Policy 11. Making effective use of land

Policy 12. Achieving well-designed places

Policy 15. Conserving and enhancing the natural environment

#### 6.3 North Northamptonshire Joint Core Strategy (JCS) (2016)

1. Presumption in favour of sustainable development

4. Biodiversity and Geodiversity

6. Land affected by contamination

8. Place shaping

9. Sustainable buildings

11. The network of urban and rural areas

28. Housing requirements

- 29. Distribution of new homes
- 30. Housing mix and tenure

6.4 Site Specific Part 2 Local Plan  
LOC1 – Settlement Boundaries

## 7. Evaluation

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The key issues for consideration are:

- Principle of Development
- Visual Impact
- Amenity of Future Occupiers
- Impact on Neighbouring Amenity
- Highway Matters

### 7.1 Principle of Development

7.1.1 The application site comprises one strip of land and part of the garden of 37 Hall Close located in an established residential area to the southwest of Kettering

7.1.2 Paragraph 49 of the National Planning Policy Framework states that applications for housing should be considered in the context of the presumption in favour of sustainable development. The application site is within the town boundary of Kettering, as defined by Policy 35 of the Local Plan, in an established residential area where Policy 35 is supportive of proposals for residential development in principle.

7.1.3 Policy 29 of the NNJCS states that 'New housing will be accommodated in line with the Spatial Strategy with a strong focus at the Growth Towns as the most sustainable locations for development, followed by the Market Towns. The re-use of suitable previously developed land and buildings in the Growth Towns and the Market Towns will be encouraged.'

7.1.4 The site is located within the boundary of Kettering, in an established residential area where generally the principle of residential development is considered acceptable. Therefore it is considered that the principle of development is acceptable in accordance with the relevant policies of the NNJCS.

### 7.2 Visual Impact

7.2.1 The site is located on Hall Close, in a predominately residential area in Kettering which is characterised by detached dwellings.

7.2.2 The proposal is for two detached two storey dwellings, the dwelling on plot 1 would measure approximately 6.8m wide, 14.2m deep and 7.2m in height and the dwelling on plot 2 would measure approximately 6.8m wide, 14.2m deep and 7.2m in height.

- 7.2.3 An objection has been received on the grounds that the 'development is out of character with the street scene of Hall Close and the "mass" of the development is also not in keeping with the rest of the development.'
- 7.2.4 It is considered that the proposed detached dwellings are in keeping with the character of the area which is predominately made up of detached dwellings, in addition the scale of the dwellings is similar to the size of dwellings in the area.
- 7.2.5 The proposed dwellings are set further back in the plot and sit behind the existing building line, however as they are at the end of the close and would not be visible in views of the street, it is considered that this is not unduly harmful. The proposed plots are smaller than the surrounding plots, however it is considered that this is not so significant as to be harmful, particularly given the site's location at the end of the close. As such it is considered that the proposed dwellings would be acceptable in the local context and street pattern.
- 7.2.6 It is considered that the proposed dwellings would be in keeping with the pattern of development and prevailing dwelling types in accordance with the relevant parts of Policy 12 (NPPF) and Policy 8 (NNJCS).

### **7.3 Amenity of future occupiers**

- 7.3.1 The proposed dwellings provide a total floorspace of approximately 156sqm with two bedrooms which meet the standard for a double room, one bedroom which meets the standard for a single room and fourth study room; the proposed dwellings comply with the requirements of the Technical Housing Standards – nationally described space standards, March 2015.
- 7.3.2 The proposal would provide amenity space of approximately 160sqm for Plot 1 and 204sqm for Plot 2. This is considered to be adequate for dwellings of the proposed size.
- 7.3.3 The proposal provides adequate amenity space for the proposed dwellings; and meets the required floorspace standards and so would be acceptable in terms of the amenity of future occupiers and in accordance with policy 8 e(i) of the NNJCS.

### **7.4 Impact on Neighbouring Amenity**

- 7.4.1 The site shares a side boundary with 37 Hall Close, the dwelling on plot 2 would be approximately 0.8m off the boundary with no. 37. The proposed first floor side elevation facing no. 37 would be blank and the side elevation of no. 37 facing the site is blank. The proposed dwellings would cast some shadow over the garden of no. 37 in the late evenings, however it considered that this would not be so harmful as to be unacceptable. It is considered that the proposal would not have a detrimental impact on 37 Hall Close.
- 7.4.2 The site would be opposite 39 Hall Close, the proposed dwellings would be at least 28m from the boundary of no. 39 and would be accessed via the shared drive that runs past no. 39.
- 7.4.3 It is considered that the proposed dwellings themselves would not have a detrimental impact on 39 Hall Close. An objection has been received on the grounds that the proposal would use the shared drive, which borders the garden of



no. 39 and raised concerns that the drive is single track and thus the garden of no. 39, particularly the kerb stones, may be damaged by larger vehicles straying or vehicles being parked on no. 39's land. In addition, that the drive may be damaged by heavy plant using it. However, there would be a clear boundary between the garden and the drive and the drive is of adequate size to accommodate most vehicles, the standard of the drive is dealt with in the Highways section below. It is considered that the proposal would not have a detrimental impact on 39 Hall Close.

- 7.4.4 Objections have been received on the grounds that construction including construction traffic, heavy vehicles, storage of materials, and parking for contractors would block the drive, damage the drive, cause problems for neighbours and prevent access for emergency vehicles. Construction issues are not a reason to refuse a development and damage to the road would be a civil matter between the developer and the owner of the road. However, a condition can be attached requiring a Construction and Demolition Management Statement to be submitted to ensure that the site is appropriately managed and a condition controlling hours of work, this should ensure that any issues are minimised.
- 7.4.5 It is considered that the proposal is acceptable in terms its impact on neighbouring property subject to conditions and in accordance with policy 8 of the NNJCS.

## **7.5 Highways**

- 7.5.1 Policy 8 b) ii) of the NNJCS requires new development to have a satisfactory means of access, provide for parking, servicing and manoeuvring to adopted standards, and not to have an adverse impact on the highway network nor prejudice highway safety.
- 7.5.2 The Local Highway Authority have raised any objections regarding the shared access itself subject to the access being to the appropriate standard. The proposal is accessed via a shared private drive which would serve five dwellings, including the proposed dwellings. The shared drive is approximately 3.3m wide at the narrowest point widening at both ends, the first 10m of the drive is 4.5m wide.
- 7.5.3 This complies with the requirements of the Northamptonshire County Council Local Highway Authority Standing Advice which states that accesses serving two to five dwellings, (up to but not exceeding a maximum length of 45m from the highway boundary), should have a minimum width of 4.5m for the first 10.0m from the highway boundary. This enables two opposing vehicles to pass each other at the point of access.
- 7.5.4 It is recommended that appropriate conditions for the access regarding surfacing, gradient and meeting the public highway at right angles, securing pedestrian and vehicular visibility splays and appropriate drainage are attached. Subject to these conditions and comments from the Local Highways Authority, it is considered that the proposal is acceptable in terms of the standard of the access.
- 7.5.5 As the proposed dwellings are more than 45m from the Highway and the shared drive is too narrow for a fire appliance, it is recommended that a condition requiring a fire suppression system is attached.

- 7.5.6 The proposed dwellings have adequate space for three parking spaces on their drives and this is considered to be adequate for properties of this size, it is recommended that a condition is attached requiring parking to be provided and retained. The LHA recommends that each dwelling is fitted with Electric Vehicle charging facilities.
- 7.5.7 The proposal does not show any cycle parking, however it is considered there is adequate space for cycle storage, therefore it is considered that a condition requiring the provision of cycle storage would be appropriate.
- 7.5.8 The proposal does not include a refuse presentation point; shared private drives require a multiple-dwelling bin and recyclable bin presentation point for collection. It is considered that a condition requiring a bin presentation point should be attached to ensure that the development does not have a detrimental impact on highway safety.
- 7.5.9 Therefore, subject to conditions securing the provision of the access, parking, cycle parking, bin presentation point and fire suppression system it is considered that the application is acceptable in terms of access and parking in accordance with policy 8 of the NNJCS.

## **8. Other Matters**

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- 8.1 None

## **9. Conclusion / Planning Balance**

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- 9.1 In light of the above the application is considered to be in accordance with the Development Plan with no other material considerations that would justify coming to an alternative view.

## **10. Recommendation**

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- 10.1 That planning permission be GRANTED.

## 11. Conditions

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1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.  
REASON: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended) and to prevent an accumulation of unimplemented planning permissions.
2. The development hereby permitted shall not be carried out other than in accordance with the approved plans and details listed below.  
REASON: In the interest of securing an appropriate form of development in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.
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, 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.  
REASON: Details of materials are necessary in the interests of the visual amenities of the area in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.
4. 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.  
REASON: In the interests of safeguarding residential amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.
5. Prior to the commencement of development a Demolition and 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.  
REASON: Details are required prior to the commencement of development because demolition and construction management occurs early in the construction process and in the interests of safeguarding highway safety and residential amenity in accordance with Policy 8 of the Northamptonshire Joint Core Strategy
6. No development shall take place on site until details of the method of construction of the means of access have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented before the use hereby permitted is commenced, or the building is occupied, whichever is the sooner.  
REASON: Access details are necessary prior to the commencement of development as access layout and design is essential to the early construction process and to ensure a satisfactory means of access to the highway in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

7. A minimum of 3 car parking spaces shall be provided per dwelling within the site and thereafter retained and kept available for such purposes.

REASON: To ensure adequate car parking provision within the site in accordance with the adopted standards of the Local Planning Authority in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

8. No development above building slab level shall commence on site until a detailed plan showing a cycle store with space for at least one cycle per bedroom has been submitted to and approved in writing by the Local Planning Authority. The cycle store shall be provided prior to occupation of any of the dwellings hereby approved. The development shall not be carried out other than in accordance with the approved details and such provision shall be retained thereafter and kept available for such purposes.

REASON: In the interests of highway safety in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

9. 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 first floor side elevations or roof planes of the buildings.

REASON: To protect the amenity and privacy of the occupiers of adjoining properties in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

10. 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, AA, B and E of Part 1 of Schedule 2 of the Order shall be constructed on the application site.

REASON: To protect the amenity and privacy of the occupiers of adjoining properties in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

11. No development above slab level shall take place until a scheme and timetable detailing the provision of fire suppression / sprinkler systems and their associated infrastructure has been submitted to and approved in writing by the Local Planning Authority. The fire suppression / sprinkler systems and associated infrastructure shall thereafter be provided in accordance with the approved scheme and timetable.

REASON: To ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

12. No development above building slab level shall commence on site until details of a refuse collection point has been submitted to and approved in writing by the Local Planning Authority. The approved refuse collection point shall be provided before the occupation of any of the dwellings affected and retained as approved thereafter.

REASON: Refuse details are necessary prior to the commencement of development in the interests of highway safety in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

## 12. Informatives

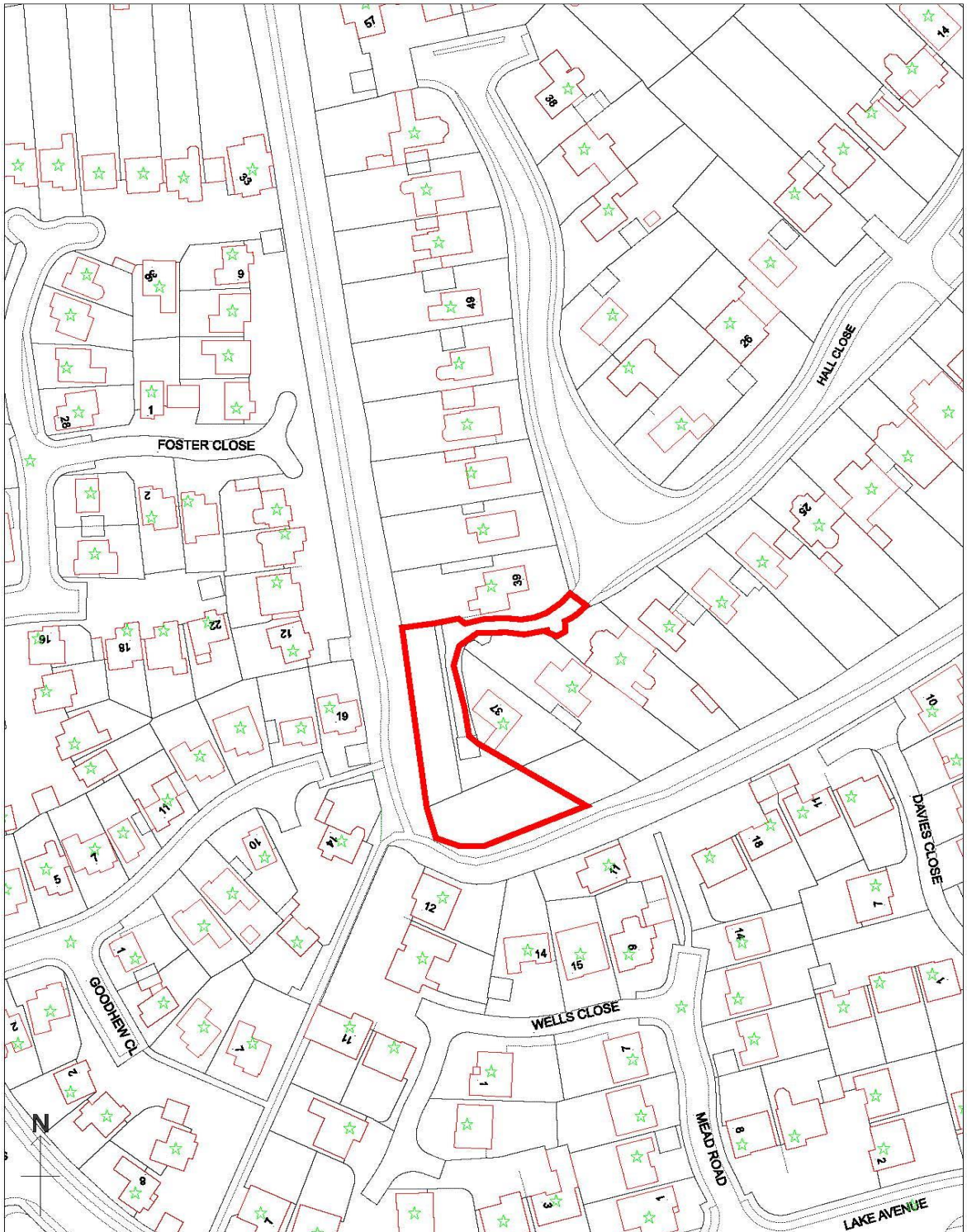
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Positive/Proactive - pre-application advice  
Building Regulations consent required

List of plans

The plans and documents, some of which may have been subsequently referenced by the LPA, are set out below and form the basis for this decision:

<b>Title</b>	<b>NK Ref.</b>	<b>Agent's Ref</b>	<b>Received Date</b>
Location plan		(00)101	16/11/2021
Proposed block plan		(00)103	16/11/2021
Existing site plan		(00)03	16/11/2021
Proposed elevations		(00)08	16/11/2021
Proposed elevations site		(00)09	16/11/2021
Proposed ground floor plan		(00)05	16/11/2021
Proposed first floor plan		(00)06	16/11/2021
Proposed roof plan		(00)07	16/11/2021
Proposed site plan		(00)04	16/11/2021
Design & Access Statement	NK/2021/0924/1		16/11/2021



Title: 37 Hall Close

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## North Northamptonshire Area Planning (Kettering) Committee 27/01/2022

<b>Application Reference</b>	<b>NK/2021/0930</b>
<b>Case Officer</b>	<b>Natalie Westgate</b>
<b>Location</b>	<b>Queens Head Inn, Main Street, Sutton Bassett</b>
<b>Development</b>	<b>Full Planning Permission: Change of use of amenity land to property curtilage</b>
<b>Applicant</b>	<b>Mr M Grimes, Exodus Financial Services Limited</b>
<b>Agent</b>	<b>Mr M Jones Martyn Jones &amp; Associates Limited</b>
<b>Ward</b>	<b>Welland</b>
<b>Overall Expiry Date</b>	<b>13/01/2022</b>
<b>Agreed Extension of Time</b>	<b>31/01/2022</b>

All plans and documents can be viewed using the application reference number at <https://www.kettering.gov.uk/planningApplication/search>

### **Scheme of Delegation**

This application is brought to committee because the relevant parish council has a material written objection, and the application has been the subject of three written material planning objections.

#### **1. Recommendation**

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- 1.1 That planning permission be GRANTED subject to conditions.

#### **2. The Proposal**

---

- 2.1 Change of use of grassed amenity land to property curtilage

### **3. Site Description**

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3.1 The application site lies on the western side of the Main Street; adjacent to the main road in Sutton Bassett and in front of the former Queen's Head Inn premises which benefits from planning permission for a change of use to residential. The site is currently tarmac. Adjacent to the site is a bus stop serving the village to surrounding villages, Market Harborough, Rockingham and Gretton.

#### **3.2 Site Constraints**

3.2.1 Adjacent B Road.

### **4. Relevant Planning History**

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4.1 NK/2021/0717 – Change of use of amenity land to property curtilage - Withdrawn - 15/11/2021

4.2 KET/2019/0610 - Conversion of public house and car park to 1 no. dwelling and garden – Approved – 24/11/2020

4.3 KET/2018/0063 - Demolition of public house. Construction of 3 no. dwellings and conversion of adjacent barn to 1 no. dwelling - Withdrawn - 16/04/2018

4.4 KET/2018/0095 - Conversion of adjacent barn to 1 no. dwelling - Withdrawn - 16/04/2018

4.5 KET/2017/0473 - Conversion of public house to 1 no. dwelling with demolition of single storey rear extension, conversion of barn to 1 no. dwelling and erection of 2 no. semi-detached dwellings – Withdrawn - 09/10/2017

4.6 KE/00/0554 - Change of Use from public house to private dwelling house - Refused - 01/05/2001. For the following reasons: *(1) It is considered that the change of use of the public house to a dwelling would result in a loss to the village of Sutton Bassett in terms of social life, vitality and the character of the village. The proposal is therefore considered to be contrary to Central Government advice and Policy 30(vi) of the Kettering Borough Local Plan.*

### **5. Consultation Responses**

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A full copy of all comments received can be found on the Council's website at:  
<https://www.kettering.gov.uk/planningApplication/search>

#### **5.1 Parish Council**

Sutton Bassett Parish Council object to the application. This application would remove a long-standing piece of amenity land which is in constant use as Amenity Land and it should remain as such.



## 5.2 Neighbours / Responses to Publicity

4 number of letters of objections have been received. The issues raised are summarised below:

- The area proposed to be grassed over is a public amenity area. The grassed area shown intrudes into the tarmac area currently used as a bus stop. This must be retained for the safety of bus passengers and other road users.
- The area is general parking for residents and visitors to Sutton Bassett for 4 vehicles. People park there to visit the church, walk the bridle path or village. Anglian Water park there to maintain the nearby sewerage pumping station.
- The planning application form states no materials to be used, but the application states it will be a grassed area.
- It could affect
- other properties in the area.
- If the planning dept supports the change of use, it must ensure that there is no linking to the Queens Head as this could affect the area and also impact on access to Queens Cottage.

## 5.3 Local Highway Authority (LHA)

Whilst the LHA do not object in principle to the stopping of the land outlined in red on the site plan (19/014.3b, MJA Architects), the applicant is to be made aware of the need to undergo the formal extinguishment process as per s247 of the TCPA. For further information/advice on this, please contact the council's Land Searches team (landsearches.ncc@westnorthants.gov.uk)

## 5.4 Environmental Protection Officer

No comments.

## **6. Relevant Planning Policies and Considerations**

---

### 6.1 Statutory Duty

Planning law requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

### 6.2 National Policy

National Planning Policy Framework (NPPF) (2021)  
National Planning Practice Guidance (NPPG)  
National Design Guide (NDG) (2019)

### 6.3 North Northamptonshire Joint Core Strategy (JCS) (2016)

Policy 8. North Northamptonshire Place Shaping Principles

Policy 11. The Network of Urban and Rural Areas

### Plan

Policy LOC1. Settlement Boundaries

Policy RS1. Category A villages

Policy RS5. General Development Principles in the Rural Area

Policy SUT1. Sutton Bassett Development Principles

## **7. Evaluation**

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The key issues for consideration are:

- Principle of Development
- Visual Impact

- Impact on Neighbouring Amenity
- Highway Matters

## 7.1 Principle of Development

- 7.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires local planning authorities to determine planning applications in accordance with the Development Plan unless material planning considerations indicate otherwise.
- 7.1.2 The application site is located within the village confines of Sutton Bassett. Sutton Bassett is designated as a “Category A Village” in the Site Specific Part 2 Local Plan. Policy RS1 states that *“Development in these villages will need to:*
- Be in accordance with Policy 11 of the JCS;*
  - Take into account the level of existing infrastructure and services in the individual villages, as well as the proximity of these to larger settlements;*
  - Be within the defined settlement boundary and classed an infill development, unless it can be demonstrated that it can meet the criteria under Policy 13 (Rural Exceptions) or Policy 25 (Rural Economic Development and Diversification) of the Joint Core Strategy or unless allocated in this Plan or a Neighbourhood Plan;*
  - Show consideration and be sympathetic to the existing size, form, character and setting in the village; and*
  - Be compatible with other relevant policies in both the Parts 1 and 2 Local Plans or Neighbourhood Plans.”*
- 7.1.3 Within the Site Specific Part 2 Local Plan Policy RS5 General Development Principles in the Rural Area states that *“Development in the Rural Area will:*
- Reflect the height, scale and mass of neighbouring properties.*
  - Involve the protection and enhancement of the character of all settlements, especially those with designated Conservation Areas.*
  - Link to the centre of the village in several places and not result in a series of cul-de-sacs in any potential moderate village expansion.*
  - Allow greater permeability with the open countryside through the inclusion of spaces in between properties to allow views and accessibility for development on the edge of settlements.*
  - Allow connections to be made for further development in the future for development on the edge of settlements.*
  - Be well-spaced to retain the villages open and rural character, and views to the open countryside should be maintained through the use of low or soft boundary treatment on new development on the edge of the settlement. The use of high close-boarded fencing and brick walls should be avoided.”*

- 7.1.4 Policy SUT1 of the Site Specific Part 2 Local Plan specifically considers the principles for the village and states *“Development in Sutton Bassett:*
- a. Follow the linear, ribbon development form of the village with buildings almost exclusively fronting onto or facing Main Street. Any infill development will continue this 153 Site Specific Part 2 Local Plan - Submission Plan Site Specific Part 2 Local Plan - Submission Plan Rural Area General Policies character with buildings orientated towards Main Street and new dwellings in rear gardens will not be permitted.*
  - b. Be set behind stone or red brick boundary walls where present and not involve the removal of parts of walls or the creation of new opening within existing boundary walls*
  - c. Be constructed of traditional red brick or stone with slate roofs, dependent on the individual site and its specific setting within the village*
  - d. Respect the historic character of the village and the setting of the Church and other listed buildings*
  - e. Contribute, where appropriate, towards the identified new footpath link to Dingley Lane*
  - f. Maintain open spaces and the wide tree lined grass verges in the village.”*
- 7.1.5 Policy 8 of the North Northamptonshire Joint Core Strategy considers development provided there is no adverse impact on character and appearance, residential amenity and the highway network. It also seeks a high standard of design.
- 7.1.6 Subject to detailed consideration being given to the impact of the proposed works and ensuring it complies with national and local policies, detailed above, the principle of development is considered acceptable.
- 7.2 Visual Impact**
- 7.2.1 Policy 8(d) of the North Northamptonshire Joint Core Strategy requires new development to respond to the site’s immediate and wider context and local character.
- 7.2.2 The proposed grassed area would be in keeping with the character of the adjacent neighbouring property Queen’s Cottage which also has a grassed area between the dwelling and the highway. There is a lay-by on the opposite side of the street.
- 7.2.3 The proposal would be visually appropriate for the locality. Therefore, the proposal is not considered to impact adversely upon the character of the local area to any significant extent and therefore is in accordance with Policy 8(d) of the North Northamptonshire Joint Core Strategy and Policies RS1, RS5 and SUT1 of the Site Specific Part 2 Local Plan.
- 7.3 Impact on Neighbouring Amenity**
- 7.3.1 Policy 8(e) of the North Northamptonshire Joint Core Strategy seeks to ensure that development prevents harm to residential amenity.
- 7.3.2 The proposal seeks a change of use from tarmac to grassed area on a small piece of land adjacent to the highway and the Queen’s Head Inn which benefits from planning permission for residential use. Given the location, distances from neighbouring properties and nature of the proposal, the proposed development

would not have a detrimental impact to any amenity of the neighbouring residential properties or potential future occupants of residential properties.

- 7.3.3 It is therefore considered that the proposed development is in accordance with Policy 8(e)(i) of the North Northamptonshire Joint Core Strategy in that the new development does not result in an unacceptable impact upon the amenities of neighbouring properties nor future occupants.

#### **7.4 Highway Matters**

- 7.4.1 Policy 8(b) of the North Northamptonshire Joint Core Strategy seeks to ensure a satisfactory means of access and provision for parking, servicing and manoeuvring in accordance with adopted standards.
- 7.4.2 The site is situated in a village and is adjacent to a bus stop with nearby bus links connecting the village to Market Harborough and Rockingham/Gretton. There are no proposed changes to the bus stop which is outside the application site.
- 7.4.3 The surrounding locality is a mixture of off-street parking and a lay-by on the opposite side of the street. The Queen's Head Inn and Queens Cottage benefit from an existing access with parking to the rear and this proposed development does not alter that access or parking arrangement. Although the area has previously been used for parking, there has been no formal planning permission for that use on the application site.
- 7.4.4 There are no objections from the Highways Officer. The recommended informative by the Local Highways Authority is attached.
- 7.4.5 It is considered that the proposed development is in accordance with Policy 8(b) of the North Northamptonshire Joint Core Strategy.

#### **8. Other Matters**

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- 8.1 Neighbour comments:

There has been 4 number of letters of objections from neighbouring properties received. Some of the issues raised have been considered above in the report. The effect on other properties value in the area is not a material planning consideration. The Council would not control that there is no linking to the Queens Head but given the site within the red line is situated away from the access to Queens Cottage then it would not affect the access of the Queens Cottage.

## **9. Conclusion / Planning Balance**

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- 9.1 For the reasons given above the proposal would be acceptable in terms of character, appearance and highway matters.

## **10. Recommendation**

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- 10.1 Subject to conditions for commencement of development, and in accordance with approved plans, the proposal is recommended for approval.

## **11. Conditions**

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1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended) and to prevent an accumulation of unimplemented planning permissions.

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

REASON: In the interest of securing an appropriate form of development in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

## **12. Informatives**

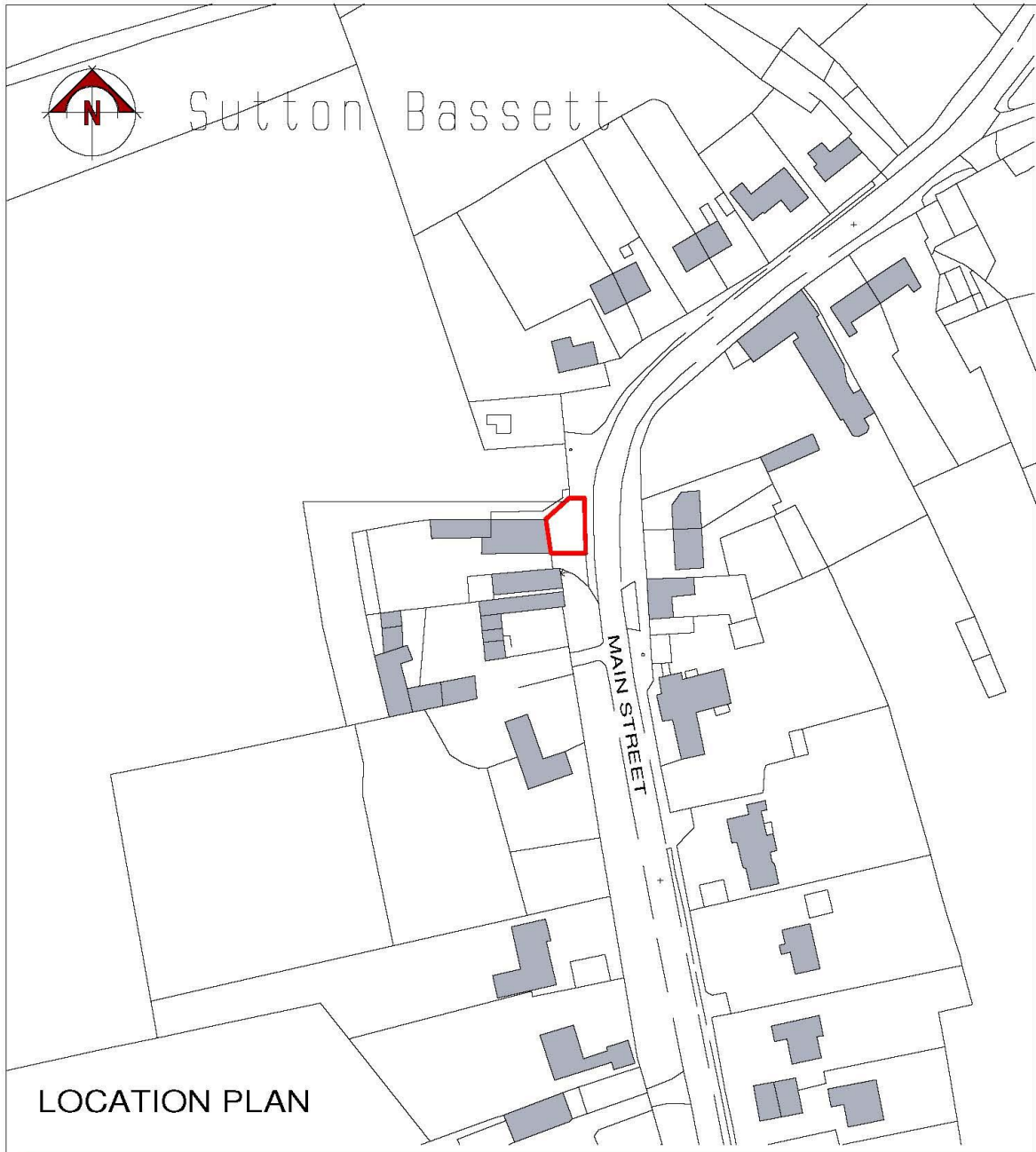
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Positive/Proactive - amendments  
Highways

List of plans

The plans and documents, some of which may have been subsequently referenced by the LPA, are set out below and form the basis for this decision:

<b>Title</b>	<b>NK Ref.</b>	<b>Agent's Ref</b>	<b>Received Date</b>
Location plan		17_001.1a	18/11/2021
Site plan		19_014.3b	18/11/2021



LOCATION PLAN

THE QUEENS HEAD AND  
MAIN STREET, SUTTON BASSETT



1:1250 @ A4  
4 May 2017

Martyn Jones  
17/001.1a

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