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Bowling Green Road
Kettering
Northamptonshire
NN15 7QX


Meeting: North Northamptonshire Area Planning Committee (Kettering)
Date: Wednesday 10th August, 2022
Time: 7.00 pm
Venue: Council Chamber, Municipal Offices, Bowling Green Road, Kettering, NN15 7QX

To members of the North Northamptonshire Area Planning Committee (Kettering)

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

Substitute Members : Councillors Henson, Marks, Hakewill and Tubbs

Agenda			
Item	Subject	Officer Presenting Report	Page No
01	Apologies for non-attendance		-
02	Members' Declarations of Interests		-
03	Minutes of the meeting held on 19 th July 2022		5 - 8
Items requiring a decision			
04	Applications for planning permission, listed building consent and appeal information* I) NK/2021/0989: Full Planning Permission: Conversion of 2 no. flats to create 2 no. additional flats with fenestration amendments to rear and side ground floor	Planning Officer	9 - 16
Items to note			
05	Delegated officers report <hr/> None		
Exempt Items			

06	None Notified		
07	Close of Meeting		
	<p>Adele Wylie, Monitoring Officer North Northamptonshire Council</p>  <p>Proper Officer 2nd August 2022</p>		

*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.

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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 Tuesday 9 th August 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 Tuesday 9 th August 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

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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.

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Minutes of a meeting of the Area Planning Committee Kettering

At 7.00 pm on Tuesday 19th July, 2022 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 Emily Fedorowycz

Councillor Cedwien Brown
Councillor Joseph John Smyth
Councillor Kevin Thurland

Officers

Louise Holland Development Services
Richard Marlow Development Services
Simon Aley Legal Representative
Callum Galluzzo Democratic Services

11 Apologies for non-attendance

Apologies for absence were received from Councillors Elliot Prentice and Ian Jelley.

It was noted that Councillor Paul Marks was acting as a substitute for Councillor Elliot Prentice.

12 Members' Declarations of Interests

Councillor Mark Rowley declared an interest on item 4.1 as Geddington and also as a member of the Geddington Parish Council.

13 Minutes of the meeting held on 15th June 2022

RESOLVED that the minutes of the meeting of the Area Planning Committee (Kettering) held on 15th June 2022 be approved as a correct record.

14 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. Four speakers attended the meeting and spoke on applications in accordance with the Right to Speak Policy.

The reports included details of applications and, where applicable, results of statutory consultations and representations which had been received from interested bodies and individuals, and the Committee reached the following decisions:-.

<u>Proposed Development</u>	<u>Decision</u>
<p>*4.1 Full Planning Permission: 20 dwellings and all other associated infrastructure including access, drainage and public open space at Stamford Road (land off), Geddington for Ms H Guy Larkfleet Homes</p> <p>Application No: KET/2020/0369</p> <p><u>Speaker:</u></p> <p>John Temple attended the meeting and addressed the committee as a third party objector to the proposed development stating that the application would have a detrimental impact on the water/flood drainage and would lead to extensive flood issues as demonstrated by local flooding in 2020. Mr Temple also raised concerns regarding pedestrian safety, local businesses that back onto the application site and ecological concerns.</p> <p>Cllr Nick Batchelor attended the meeting and addressed the committee as a representative for Geddington Parish Council. Cllr Batchelor stated that there was a severe lack of amenities within the village and that local schools were already at capacity. Flood concerns were also raised due to the nature of the application site.</p> <p>Cllr Lloyd Bunday attended the meeting and addressed the committee as the ward councillor for the proposed development stating that there were several reasons contained within the report as to why the application should be refused due to serious flood concerns, road safety and due to the application site being outside the settlement boundary.</p> <p>Alasdair Thorne attended the meeting and addressed the committee as the agent on behalf of the application stating</p>	<p>Members received a report about a proposal for which full planning permission was being sought for the construction of 20 dwellings and all other associated infrastructure including access, drainage and public open space.</p> <p>The Planning Officer addressed the committee and provided an update which stated the Agent had submitted an email regarding Minerals Safeguarding site. "The site is located within a Mineral Safeguarding Area covered by Policy 28 of the adopted Northamptonshire Minerals and Waste Local Plan. However, the site is located adjacent to existing residential uses and covers an area of 0.7ha. The extraction of minerals at the site is not considered economically viable or practicable given the limited size of the area and the adjacent residential uses near to the site boundary.</p> <p>It was noted by members that the Minerals and Waste Officer were happy the policy was complied with.</p> <p>Members raised questions regarding local amenities within the areas and noted that the closest shopping amenity was located in a neighbouring town. Questions were also raised regarding flooding concerns and the mitigation of further risk to neighbouring properties.</p> <p>Members also raised concerns regarding the lack of ecological mitigation within the application and also raised concerns regarding the lack of sustainable education to the oversubscription of local schools which would result in further onwards travel to amenities.</p> <p>It was noted by members that the proposed</p>

that there was a widely recognised need for affordable housing and that it was important to recognise housing needs in rural areas. It was stated that there was no objections from the Local Highways Authority and that the principal of development was acceptable.

development would result in a 62% loss in biodiversity which raised several concerns by members of the committee and the sustainability of the application.

Following debate it was proposed by Councillor Marks and seconded by Councillor Fedorowycz that the application be refused contrary to the officer's recommendation due to the loss of biodiversity, lack of local amenity for sustainable development

It was agreed that the application be **REFUSED** for the following reasons:

- 1) The application, as evidenced through the applicants own Biodiversity Net Gain Assessment, would lead to a net loss in Biodiversity across the site. This loss would be contrary to policy 4 of the North Northamptonshire Joint Core Strategy and Section 15 of the National Planning Policy Framework which seek to minimise impacts on and provide net gain in biodiversity from all new developments.
- 2) The location of development fails to provide sustainable development, limits the ability of the adjacent settlement to absorb planned growth and is set within an area of notable and historic surface water runoff. Geddington, while identified as a Category A village within the Part 2 Local Plan, has limited ability to absorb further development beyond that identified within the Development Plan with an oversubscribed school, recent closure of the village shop and the imminent withdrawal of bus services. This picture has altered since the Rural Settlement Facilities Background Paper update (April 2018) was produced which sought to audit the facilities in each settlement to determine their sustainability and inform decisions on employment and housing allocations within the Part 2 Local Plan. The proposal fails to meet the day to day needs of resident, has limited opportunities for access to local services and facilities by foot, cycle and public transport and does not minimise impacts on the environment. The scheme therefore fails to satisfy all criteria and is contrary to Policy 13 of the North Northamptonshire Joint Core Strategy
- 3) By reason of the small gardens and relationship to no.22 Newton Road with its matures trees, plots 15-20 would experience an unacceptable level of amenity for future occupiers, including through overshadowing impacts and therefore would be contrary to policy 8 of the North Northamptonshire Joint Core Strategy and paragraph 130 of the NPPF which seeks to secure residential amenity for existing and future users.

(Members voted on the motion to REFUSE the application)

(Voting: Unanimous)

The application was therefore
REFUSED

16 Delegated Officers Report

None

17 Exempt Items

None

18 Close of Meeting

The meeting closed at 7.58 pm

Chair

Date

North Northamptonshire Area Planning (Kettering) Committee

10th August 2022

Application Reference	NK/2021/0989
Case Officer	Nicola Wheatcroft
Location	119 Rockingham Road, Kettering
Development	Full Planning Permission: Conversion of 2 no. flats to create 2 no. additional flats with fenestration amendments to rear and side ground floor
Applicant	Mr M Babad Ryan Estates Ltd
Agent	Mrs A Luksza
Ward	Northfield
Overall Expiry Date	07/02/2022
Agreed Extension of Time	

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

This application is brought to committee because the relevant town council has a material written objection.

1. Recommendation

1.1 That planning permission be GRANTED subject to conditions.

2. The Proposal

2.1 Full planning permission is sought to convert the of 2 no. flats to create 2 no. additional flats with fenestration amendments to rear and side ground floor, creating a total of 4 x 1 bedroom flats at the property.

2.2 The application has been amended since submission with the following changes:

- Relocating the bedrooms from the front of the building to the rear;
- Alterations to the upper staircase;

- Introduction of bins to front.

2.3 Following comments from Consultees the application is now accompanied by a Noise Assessment and a parking beat survey.

3. Site Description

3.1 The property is a semi-detached 3 storey brick built Victorian house located on the western side of Rockingham Road. The property is currently separated into 2 flats with an external staircase and a garden to the rear. There is no off-street parking and there are double yellow lines in Rockingham Road to the front.

4. Relevant Planning History

4.1 KB59/555 Conversion to 2 flats, approved 1959.

5. Consultation Responses

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

Objection on the following grounds;

- Over development of the building leading to flats which are too small, with very constrained access to the second floor
- Inadequate bin storage
- Failure to comply with policies in the core spatial strategy in respect of the traffic and noise impact on the residents from the surrounding area.

5.2 Neighbours / Responses to Publicity

2 objections from 1 neighbouring property have been received making the following points:

- There have been a number of serious accidents outside the property in question due to people parking too near the keep left.
- Increasing the number of households in the property from the current 2 to the proposed 4 would increase the number of cars needing spaces and this would exacerbate the current issues.
- We have off road parking but struggle to get into our drive way due to people parking too tightly. This is an issue for us as we have a guide dog and need to get onto the drive.

Local Highway Authority (LHA)

No objection.

Environmental Protection

The noise assessment demonstrates that an acceptable noise environment for residential use can be achieved subject to the provision of suitable mitigation measures. Specifications for suitable glazing and background ventilators have been recommended. However, there is a risk that the proposed noise mitigation strategy will result in overheating of the dwellings occurring or that the internal

noise levels may present a significant risk to health or quality of life if windows need to be opened to provide cooling ventilation for a prolonged period of time.

There is insufficient information to determine if the proposed noise mitigation strategy can be implemented without creating an overheating risk to the health of the occupants.

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 1 Presumption in Favour of Sustainable Development
Policy 8 North Northamptonshire Place Shaping Principles
Policy 11 The Network of Urban and Rural Areas

6.4 Site Specific Part 2 Local Plan

LOC1 Settlement Boundaries

6.5 Technical Housing Standards, nationally described space standard DCLG 2015.

7. Evaluation

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 hierarchical order such that development sites are in growth towns, market towns, villages and then countryside. Kettering is a growth town in Policy 11 of the JCS directs development towards the Kettering and market towns. Which provide a strong service role for their local community with growth in housing at a scale appropriate to the character of the town. 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. These matters are considered further below.

7.1.2 Thus the principle of development is acceptable subject to the satisfaction of the development plan criteria.

7.2 **Visual Impact**

7.2.1 Policy 8 of the adopted JCS (July 2016) seeks a high standard of design which respects and enhances the character and visual appearance of the surrounding area. Policy 12 of the National Planning Policy Framework (2019) also recognises that good design is a key aspect of sustainable development and supports development which establishes a strong sense of place and response to the local character, reflecting the identity of local surroundings and materials.

7.2.2 The proposal will result in minimal change to the built environment as the majority of the changes are inside the building. There are some minor alterations to the fenestration at ground floor on the rear elevation to alter a window to doors and provide larger windows to provide more light. These changes will not affect the external appearance of the building nor the character of the area. Additional bins will be provided at the front of the site as well as under the external staircase. The front garden is a hard surfaced enclosed area which can accommodate additional bins without unduly affecting the character of the area.

7.2.3 As a result, in terms of visual amenity the proposal is in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

7.3. **Impact on Neighbouring Amenity**

7.3.1 Policy 12 (Paragraph 127) of the NPPF states that development must secure a good standard of amenity for all existing and future occupants of land and buildings. Policy 8 (e) of the JCS is clear that development must not result in an unacceptable impact on the amenities of neighbouring properties or the wider area, by reason of noise, vibration, smell, light or other pollution, loss of light, overbearing or overlooking.

7.3.2 The proposed subdivision of the flats to create a further two apartments as discussed above will not result in significant external alterations and therefore will not unduly affect the amenities of the neighbouring properties. There will be some limited additional activities in terms of comings and goings from the creation of a two additional households. However, the site is located within an established residential area where such activities are to be expected. The creation of four no. 1 bedroom flats will not be significantly different to 2 x 2 bedroom flats.

7.3.3 The proposal lends itself well to the provision of 1 bedroom flats on the 1st and 2nd floors with alterations made to the internal staircase and the resulting flats with floor areas of 47m² and 53m². The subdivision of the ground floor into 2 flats is a little more contrived with the two flats being small in size with internal floor areas of 37m² and 39m² and the rear flat having no road frontage. However, the size of the ground floor flats meets the minimum sizes in the National Space Standards.

Furthermore, the site as a whole does accommodate 4 flats with amenity space, bin and cycle storage.

- 7.3.4 Concern has been raised by the Environmental Health Officer about possible noise levels in the flats from road noise. The internal layout has been changed so that the bedrooms are now located at the rear of the flats. As a result the noise issue has been addressed in principle. However, the noise levels will only be reduced to an acceptable level if mitigation measures are introduced, which include possible additional glazing and/or ventilators. The Environmental Health Officer is concerned that these measures may result in overheating of the flats and the windows being opened leading to further noise problems. The noise and heating concerns are acknowledged but the site is located within an established residential area and is already used as 2 dwellings so refusing the application on these grounds alone could not be justified. In order to reduce the noise and associated problems a condition is proposed requiring the submission and implementation of a noise mitigation strategy prior to occupation of the flats.
- 7.3.5 As such, it is considered that there are no significant adverse impacts on the amenities of neighbours or future residents and, therefore with the amended plans, the scheme complies with Policy 8 (e) of the North Northamptonshire Joint Core Strategy which requires new development not to result in an unacceptable impact on the amenities of neighbouring properties.

7.4 Highway Matters

- 7.4.1 Policy 9 of the NPPF and Policy 8 of the North Northamptonshire Joint Core Strategy 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. The proposal for 4 x 1-bed flats would generate a parking requirement for 4 off street parking spaces when using the parking guidance set out by the Local Highway Authority, which has not been adopted by the Planning Authority. The existing development would be expected to generate a parking requirement for 3 off streets spacing when using the same methodology. As a consequence, the proposal generates a requirement for one additional parking space.
- 7.4.2 However, the proposed development does not provide any off-street parking. Rockingham Road is a principal road and has double yellow lines outside of the site and residents have to park further along Rockingham Road or one of the surrounding roads. A parking beat survey has been carried out and the Councils Highway Engineer is satisfied that there is capacity for additional on street parking for 1 extra space within the vicinity. Consequently, no objection is raised from the Highways Authority on the parking provision for the development.
- 7.4.3 Concern has been raised by the neighbouring property about access to their drive compromised by people parking too close to their drive. However, this is an existing problem and not a material planning consideration.
- 7.4.4 The proposal is therefore considered to be acceptable with regard to its impact the highway and in accordance with section 9 of the NPPF and Policy 8 of the JCS.

8. Other Matters

8.1 None.

9. Conclusion / Planning Balance

9.1 The proposal involves the subdivision of 2 flats into 4 within the centre of Kettering which is line with Policy 11 of the JCS and Policy HOU1 of the SSLP2. The proposal respects the character and appearance of the site's surrounding, the residential amenities of the area and highway safety in compliance with Development Plan policies and guidance contained within the National Planning Policy Framework.

10. Recommendation

Approved subject to conditions.

11. Conditions

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

3. No development shall commence until a noise mitigation strategy to limit traffic noise on potential residents has been submitted to and approved by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved scheme and the scheme shall be completed before any of the units of accommodation are occupied.
REASON: Measures to limit the transition of noise are necessary prior to the commencement of development to protect the amenity of occupants of the proposed flats and adjacent residential properties and because the noise measures may need to be incorporated early in the construction in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

12. Informatives

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:

Title	NK Ref.	Agent's Ref	Received Date
Location plan		RR119-05	13.12.21
Block plan		RR119-06	13.12.21
Existing elevations		RR119-02	13.12.21
Existing floor plans, roof plan		RR119-01	13.12.21
Proposed elevations		RR119-04	13.12.21
Proposed floor plans, roofplan		RR119-03A	28.01.22
Parking survey			01.03.22
Noise survey		17485	14.04.22



Title: 119 Rockingham Road, Kettering - NK/2021/0989

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