

North Northamptonshire Area Planning (Kettering) Committee 24/06/2021

Application Reference	NK/2021/0034
Case Officer	Alison Riches
Location	4 Richardsons Lane, Loddington
Development	Full Planning Permission: Retention of mail order business from home workshop, including use of the workshop for light engineering operations associated with the sale of bird related equipment. (KET/2018/0937)
Applicant	Mr J Westwood
Agent	Mr J Westwood
Ward	Slade
Overall Expiry Date	29/03/2021
Agreed Extension of Time	30/06/2021

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 there are unresolved, material objections to the proposal and an objection from the Parish Council.

1. Recommendation

- 1.1 That planning permission be GRANTED subject to conditions.

2. The Proposal

- 2.1 The proposal is for the retention of the current use of a the site as a home workshop for a mail order business, including use of the workshop for light engineering operations associated with the sale of bird related equipment.

- 2.2 The current use at the site has been granted a temporary two-year conditional planning approval under reference KET/2018/0937, to see if there would be any impacts on residential amenity, and this application seeks to replace this with a permanent planning permission.

3. Site Description

- 3.1 The application site is located at the northeast end of Loddington village, outside of the Conservation Area but opposite its northeast edge. Also opposite the site, on the southwest side of Richardsons Lane, are the Grade II listed properties at Home Farm and its adjoining neighbour Lime Grove at No.1 Main Street.
- 3.2 The application site consists of side garden land associated with an end of terrace property and comprises a timber workshop building which is sought to be retained through this application together with its mail order business use which includes some light engineering operations. To the front is an area of hard surfacing for vehicular parking and toward the rear are two rows of aviaries which are associated with the applicant's hobby.

4. Relevant Planning History

- 4.1 The relevant planning history for the site is as follows:

KET/2018/0937. Change of use to run a mail order business from home workshop which includes using the workshop for light engineering operations associated with the sale of bird related equipment. Approved 13/03/2019.

KET/2018/0572. S73A Retrospective Application. Change of use to falconry business including workshop and aviaries. Refused 24/10/2018.

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 Loddington Parish Council (LPC)

- Objection - if conditions for KET/2018/0937 have not been met.
- No objection – if conditions for KET/2018/0937 have been met - subject to retention of conditions 5, 6, 7, 8 and 9 of KET/2018/0937.
- LPC notified of residents concerns that conditions from KET/2018/0937 have not been met. These allegations have not been substantiated so cannot be used as material considerations by LPC.

Reconsultation

- No change to previous comments.

5.2 Environmental Health (EH)

- No objection.
- I am concerned that there is not much information here in terms of the proposed hours of operation, or sound proofing measures to protect neighbours from disturbance. It is not clear for example whether the activity would include the use of power tools. I have concerns about the suitability of operating a business engineering workshop in the garden of a residential property and this, coupled with the lack of supporting information, means that I would recommend that this application is refused in order to protect the amenity of neighbours.
- However, if you are minded to grant the application, I would recommend restricting the hours of operation to 09:00 – 17:00 hours, with no working on the weekends or public holidays. I would also recommend a condition that powered tools are not to be used outside of the enclosed workshop structure.
- It would appear that we do not have any noise complaints on file relating to this use or activity.

Reconsultation

- Nothing to add to previous comments.
- I understand there is a condition restricting the hours of operation and this should be sufficient.
- To the best of my knowledge we have not received a request to investigate for noise nuisance recently (i.e. since 2019).

5.3 Local Highway Authority (LHA)

- No objection.
- Please note that the applicant will be required to obtain a Section 184 licence from Northamptonshire Highways Regulations on receipt of a planning Consent in order to carry out works to the site access within public highway land.
- Please note also that the works necessary to be undertaken within publicly maintained highway land must be undertaken only by a Northamptonshire Highways Approved Contactor; who has the required and necessary public liability insurance in place.
- No Objections subject to the following condition(s):

Conditions:

- The LPA are requested to satisfy themselves as regards parking and servicing of the site.
- An accurate and scaled up-to-date plan detailing the following:
- Pedestrian visibility splays of at least 2.4m x 2.4m shall be provided on each side of the vehicular access. These measurements are taken from and along the highway boundary. The splays shall thereafter be permanently retained and kept free of all obstacles to visibility over 0.9m in height above access/footway level. The land should be contained entirely within land in the control of the developer.
- A means of drainage across the back of the highway boundary (linear drain), across the proposed site access draining to soakaways contained within the

applicant's own land is required. It is unlawful for surface water to drain from private property onto the public highway.

- For the first 10m from the highway boundary, the access gradient must not exceed 1:15 and the access must have a hard bound surface in the interest of highway safety.

Reconsultation

- The additional information does not address the requirements of the Condition 4 of KET/2019/0827.
- An accurate and scaled technical plan detailing the visibility splays along with the drainage system along the boundary with the public highway is required. This is reflected in condition ii of the LHA's previous response to this application. If this cannot be sufficiently met, the LHA would object to the proposals. If it can, then the LHA would request condition 4 above is included as part of any prospective approval for this application, to be enforced over the lifetime of the development.

5.4 Neighbours / Responses to Publicity

2 no. letters of objection have been received from Nos.2 and 3 Richardsons Lane. The material planning considerations are summarised below:

- Objection.
- 3rd application made regarding the use of a workshop at the site.
- The most recent application granted temporary planning for a period of 2 years, with conditions which have not been complied with:
 - Within 5 months cladding was to be added and completed. This was done but white Upvc windows remain. It is an oversized wooden shed and does not blend in with the area.
 - Within 5 months an aviary in the rear garden was to be dismantled – don't know if this was done.
 - Within 2 months a landscaping scheme should have been submitted for approval and carried out within 5 months – there is no record of this being submitted or approved.
 - An amended plan was submitted before the Planning Committee. Unsure if this was authorised but some, not all, work has been carried out.
 - 14ft x 7ft (14.27 x 2.14 metres) gated to be fitted to screen the workshop – not carried out.
 - The wall separating the house from the workshop area was to be painted - not completed.
 - Fence panels over 0.9 metres high within visibility splay areas. Bins also stored in this area since block paving carried out and vehicles, including a large caravan, parked on the edge of the drive and partly on the pavement making it dangerous for pedestrians and other vehicles. This is not part of the agreed plans.
 - Drainage does not seem to be connected to a soakaway drain.
 - There are restrictions on the workshop to be used for the purpose of the mail order company and nor for breeding and the upkeep of the birds of prey, restrictions on the operation of plant and machinery and materials and waste to be stored within the workshop building. The

applicant is constantly in and out of the workshop building all hours of the day and night and waste is often stacked in plastic bin liners with the domestic bins for several weeks – contrary to conditions.

- Believe the garden and house are used for work associated with the business which causes further noise and disturbance.
- In the summer months the doors and windows of the workshop are open and there is no soundproofing. There is shouting and foul language.
- I note that there is an increase in the types of machinery being used in the workshop.
- Electricity appears to be running via a domestic cable from the house across the right of access path and into the workshop. A water hosepipe often runs along next to this.
- The application is totally inappropriate for the location of the site. It has a significant impact on the nature of the street and is out of keeping with the small rural village setting. There are no other businesses nearby or business use land. In addition to the look of the buildings and the negative impact this has. The development has a significant detrimental impact on nearby households and their quality of life, as a result from the noise pollution working hours.
- The application is not materialistically different from the previous ones, the council was made aware on a number of occasions that the conditions were not being met. I believe this application should finally be subject to point number 1 in the “trial run” decision from reference KET/2018/0937.

Reconsultation

- Objection.

- In response to information about compliance with the conditions of KET/2018/0937, we would provide the following comments:
 - Condition 2 – the cladding wasn’t complete in 2018. The application didn’t go to committee until March 2019 and at that time some work was not complete.
 - Condition 3 – a plan was received by KBC stamped 03/05/2019 but document NK/2021/0034/3 Landscaping Plan was received 22/03/2021 – which is correct? The majority of the landscaping was completed several months after the time frame required.
 - Condition 4 – Fencing with trellis on top hampers views and also bins are permanently in front of the fencing which are more than 0.9 metres in height. Also, a large vehicle is parked on the drive blocking the splay.
 - Condition 5 – The applicants wife also works for the business.
 - Condition 6 – At Planning Committee in March 2019 , it was stated the workshop building should only be for business purposes associated with the mail order sale and manufacture of falconry equipment and for no other purpose whatsoever. This is not adhered to. No mention of the workshop being used for household storage.
 - Condition 7 – Windows and doors are open in warmer weather at times when the workshop should not be in use.
 - Condition 8 – On many occasions rubbish is piled up and not kept inside the workshop.

- Condition 9 – There always seems to be activity in the workshop at all times of the day and in the evening and during times when it should not be in use. Deliveries of leather materials are also received despite the applicant stating none are.

6. Relevant Planning Policies and Considerations

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) (2019)

Policy 2. Achieving sustainable development

Policy 6. Building a strong, competitive economy

Policy 8. Promoting healthy and safe communities

Policy 9. Promoting sustainable transport

Policy 12. Achieving well-designed places

Policy 15. Conserving and enhancing the natural environment

Policy 16. Conserving and enhancing the historic environment

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

Policy 2. Historic Environment

Policy 8. North Northamptonshire Place Shaping Principles

Policy 11. The Network of Urban and Rural Areas

Policy 22. Delivering Economic Prosperity

6.4 Saved Policies from the Local Plan for Kettering Borough

RA3. Rural Area: Restricted Infill Villages

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 application site is in an established residential area to the northeast of Loddington village.

7.1.2 Loddington is defined as a restricted infill village by saved policy RA3 of the Local Plan for Kettering Borough. The site is in an established residential area where policy RA3 is supportive of proposals for residential development in principle.

- 7.1.4 Policies 11 and 29 of the North Northamptonshire Joint Core Strategy direct development to existing urban areas and indicate that Loddington 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 In addition to the policy provision, the planning history of a site is also a material planning consideration. A temporary planning permission has been granted for the current proposal, under reference KET/2018/0937, in 2019. The two year approval was granted in the interests of the amenities of neighbouring residential occupiers.
- 7.1.7 As such, 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 Policy 2 of the North Northamptonshire Joint Core Strategy requires new development to complement the surrounding historic environment through form, scale, design and materials.
- 7.2.3 The application site consists of side garden land associated with an end of terrace property and contains a timber workshop building which is sought to be retained through this application together with its mail order business use which includes some light engineering operations. To the front is an area of hard surfacing for vehicular parking.
- 7.2.4 A temporary two year planning permission has already been granted for the proposal by KET/2018/0937. The temporary provision was granted in order that any adverse impacts on the residential amenity of surrounding neighbouring occupiers could be assessed. The following conditions were added to KET/2018/0937 in the interests of visual amenity:

- Condition 2
Within five months from the date of this permission the feather-board horizontal timber cladding attached to the front/south facing elevation of the workshop/store/garden shed building hereby approved shall be completely replicated and installed to its rear and side elevations. In addition within 5 months from the date of this permission the single aviary building currently in the position where the 'bench' is shown on the approved drawings shall be removed from the outlined red and blue site shown on the approved plans.

- Condition 3
Within two months from the date of this approval a detailed scheme of landscaping and boundary treatment including species, planting sizes, spacing and numbers of trees and shrubs to be planted and the precise heights, locations and external appearance of any boundary treatment shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out within 5 months from the date of this permission. Any newly approved trees or plants which, within a period of 3 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. The approved boundary treatment scheme shall be completed with 5 months of the granting of this permission and shall remain in that form thereafter.

- Condition 8
No equipment, materials, products, parts, containers, waste or any other articles associated with the business shall be stacked or stored on the site at any time except within the workshop building.

7.2.5 Neighbour comments have been received in terms of the appearance of the approved workshop building, objecting to the workshop location being inappropriate for the site, significantly impacting on the nature of the street and out of keeping with the small rural village setting, and that there is waste often being stacked outside the workshop in plastic bin liners with the domestic bins for several weeks.

7.2.6 The visual impact of the proposal, and the impact of the use on the character of the dwellinghouse and surrounding area, was considered during the application process for KET/2018/0937 and was judged to be generally acceptable, with the above conditions added to address any concerns with the use and the character and appearance of the building within its context.

7.2.7 The objectors have commented that the applicant is in non-compliance with the above conditions, however, following a site visit, the cladding and aviary removal required by Condition 2 is complete. The landscaping scheme required by Condition 3 was submitted and approved on 31st May 2019, with the planting scheme and boundary treatments mostly complete, and the outside of the workshop area was significantly clear of articles associated with the business use, as required by Condition 8. The approved landscaping scheme for KET/2018/0937 has been resubmitted for this application.

7.2.8 With respect to the storage of waste at the site, it is considered that it is reasonable to expect waste items to be put out for collection with the standard refuse or recycling collections carried out by the Local Authority, and that provided the waste is not stored for an unreasonable amount of time then the condition will have been complied with.

7.2.9 It is therefore considered that existing workshop retains its appearance as an ancillary structure within the street scene. As Conditions 2, 3 and 8 attached to KET/2018/0937 have been largely complied with, it is considered that updated versions of these conditions be applied to the current proposal to secure a scheme for gates and boundary treatment to the front of the workshop, secure compliance

with the approved landscaping scheme and for articles related to the business to be stored within the workshop building only. As such, subject to the imposition of conditions, it is considered the proposal is consistent with Policies 2 and 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 127(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 proposal seeks a permanent planning permission for a use granted a temporary 2 year conditional approval by KET/2018/0937. The temporary permission was granted in order to see if in there would be any impacts on residential amenity. In addition to the temporary approval, other conditions were applied in the interests of residential amenity, as follows:

- Condition 5
The mail order business use and its associated light industrial operations hereby approved taking place at the site shall enure for the benefit of the Applicant (Mr J Westwood) only and shall not enure for the benefit of the land and the use hereby permitted shall be discontinued on the date when Mr J Westwood ceases to occupy the premises where at which point the workshop building and the site as a whole shall have residential use only.
- Condition 6
The workshop building, hereby approved shall only be used for business purposes associated with the mail order sale and manufacture of 'Falconry' equipment and for no other purpose whatsoever. For clarification this does not include the sale of birds.
- Condition 7
The operation of any machinery associated with the business shall not take place anywhere on the application site except within the workshop building shown on the approved plans.
- Condition 9
No plant or machinery shall be operated at the site (including within the workshop), except between the hours of 10:00-16:00 Mondays to Fridays and between the months of October and February (inclusive) only. There shall be no operation of plant or machinery at the site, on Saturdays, Sundays or recognised public holidays or between the months of March to September (inclusive). No customers shall be permitted to visit the site.

- 7.3.4 Neighbour comments have been received in terms of the amenity impacts of the approved workshop use, objecting to noise polluting working hours affecting their quality of life, the applicant constantly being in and out of the workshop building, the use exceeding the mail order company use, use of the garden and house for work associated with the business, windows and doors of the workshop being left open in the summer months, the applicant not solely carrying out the use, and an increase in the types of machinery being used, all of which is in non-compliance with the conditions applied to KET/2018/0937.
- 7.3.5 Environmental Health initially provided comments recommending operating hours between 09:00 and 17:00 hours Monday to Friday with no working on the weekends or public holidays, and that powered tools are not to be used outside of the enclosed workshop structure. Environmental Health subsequently revised their comments to agree with the operating hours condition, Condition 9, of KET/2018/0937. Environmental Health has also checked their records back to 2019 and confirmed no requests to investigate for noise nuisance at the site have been received. Records prior to 2019 were not checked.
- 7.3.6 The impacts of the nature and scale of the use was considered during the application process for KET/2018/0937 and were judged to be generally acceptable, and not altogether uncommon in a domestic situation, with the above conditions added to control the level of activity and to address any concerns in relation to the amenities of surrounding neighbouring occupiers. On approving the proposal at the Planning Committee of 12th March 2019, the Committee Members required an additional two year temporary approval condition to be imposed, in the interests of residential amenity, should any subsequent amenity issues be identified.
- 7.3.7 With respect to the objections received, Condition 9 of KET/2019/0837 only limits the operation of plant and machinery in relation to the use to between 10.00 and 16.00 Monday to Fridays only, between October and February. The condition does not prevent the applicant using the workshop for other parts of the business use outside of these hours, nor does it prevent opening of the windows and doors in the summer months to also carry out the business use, provided no plant or machinery is in operation. This and other conditions do not prevent the garden and house being used for work associated with the business use, provided no plant or machinery is used.
- 7.3.8 With respect to objections to the applicant not solely carrying out the business use, Condition 5 was applied to KET/2018/0937 to limit the level of activity at the site. Condition 9 of KET/2019/0837 also limits the level of activity by preventing customers visiting the site. The application of both these conditions was to ensure the business use at the site was limited by its association to the occupiers of the property only, and it is not considered that some business activity by the partner of the applicant significantly adversely impacts on the amenities of surrounding occupiers given the time limiting condition also applied.
- 7.3.9 With respect to the alleged increase in the types of machinery being used, the conditions of KET/2018/0937 do not prevent this. Condition 9 of KET/2018/0937 limiting the hours, days and months of operation of the plant and machinery is considered to adequately limit the impact on the amenities of surrounding occupiers.

7.3.10 With no objections received from Environmental Health and there having been no noise nuisance issues recorded, it is considered that Conditions 5, 6, 7 and 9 of KET/2018/0937 be applied to the current proposal to restrict the business activities at the site and that a non-time limited approval is recommended, consistent with 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 front garden of the dwellinghouse and the land in front of the workshop, both of which are in the ownership of the applicant, have been converted to an area of hard standing for the parking of vehicles clear of the highway in association with both the dwellinghouse and business use. A wooden panel fence, approximately 1.2 metres high, with wavy trellis above has been erected along both side boundaries with adjacent neighbours. This was done prior to the approval being granted under reference KET/2018/0937.

7.4.3 Condition 4 of the approval granted by KET/2018/0937 required the provision of 2.4 metre by 2.4 metres visibility splays and for them to be kept free of all obstacles above 0.9 metres in height. The parking provision was considered to be acceptable in terms of the dwellinghouse and business use.

7.4.4 Objections have been received from neighbouring occupiers that bins are constantly stored in the visibility splay areas and the drainage provided does not appear to be connected to a soakaway drain. The Local Highway Authority requires the Local Planning Authority to satisfy parking and servicing at the site in line with their published guidance – Local Highway Authority Standing Advice (June 2016) and Local Highway Authority Parking Standards (September 2016).

7.4.5 In order to comply with the highway requirements, the applicant has removed a section of the boundary fence between the site and the adjacent neighbour to the southwest at No.5 Richardsons Lane and replaced it with a piece of triangular trellis to ensure visibility. This area is immediately adjacent to the block paved driveway of No.5 and is therefore considered adequate to satisfy these visibility requirements for both properties.

7.4.6 The boundary fence between the site and the adjoining terraced property to the northeast at No.3 Richardsons Lane remains unaltered. It is considered that this will not give rise to issues in relation to visibility or highway safety as the trellised area allows some visibility through it and No.3 does not have a vehicular access or parking area in front of their dwellinghouse. In addition, Richardsons Lane is a narrow unrestricted highway with on-street parking along this part of the highway, and it is considered that the current parking arrangements will lead to no adverse highway impacts.

7.4.7 With respect to bin storage, a standard issue Local Authority bin is 1.04 metres high. Under permitted development rights granted by Class A of Part 2, Schedule 2, Article 3 of the Town and Country Planning (General Permitted Development)

(England) Order 2015, as amended (the GPDO), boundary treatments constructed adjacent to a highway used by vehicular traffic are permitted to be 1 metre in height when measured from ground level. As such, it is considered that the 4cm difference in height between what would be permitted development means that the storage of bins in this area will not give rise to an issue with highway safety in terms of a loss of visibility.

- 7.4.8 With respect to the comments received regarding drainage, in accordance with Condition F.2 of Class F of Part 1, Schedule 2, Article 3 of the GPDO, the requirement is that where an impermeable surface is constructed of more than 5 square metres in area, a positive means of drainage must be provided within the site to prevent surface water run-off onto the highway. The applicants have provided an 'Arco' channel drain along the extent of the front edge of the driveway and provided that this prevents surface water run-off onto the highway, it is considered there are no adverse impacts on the highway network.
- 7.4.9 As such, it is considered that, subject to a condition to retain obstacle free visibility splays, the parking provision at the site remains acceptable for the dwellinghouse and business use and has been provided in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

8. Other Matters

- 8.1 Neighbour comments:
As a result of the consultation exercise for this application, responses to the previous application under reference KET/2018/0937 were included. This information was used to inform KET/2018/0937 and has therefore already been considered in reaching the recommendation and subsequent approval of KET/2018/0937.

9. Conclusion / Planning Balance

- 9.1 This application has been submitted to obtain a permanent planning permission for the activities being carried out at the site, following a temporary two year grant of planning permission under reference KET/2018/0937 on 13th March 2019.
- 9.2 During the planning process, the applicant submitted additional information in line with the conditions of the approval already granted by KET/2018/0937. The landscaping scheme approved for KET/2018/0937 on 31st May 2019 was submitted to be considered as part of this application and, following objections received from neighbouring occupiers, information was provided in respect to compliance with the conditions applied to KET/2018/0937.
- 9.3 The requirement for this application is to assess the level of activity on site against the approval already granted by KET/2018/0937 and to allow for the regularisation of any conditions or activities considered appropriate in terms of compliance with policies in the Development Plan. This is required by Section 38(6) of the Planning and Compulsory Purchase Act 2004, unless material planning considerations indicate otherwise.

9.4 The activities at the site as approved by KET/2018/0937 have been carried out in general compliance with KET/2018/0937. The temporary permission was imposed in order to assess if there were any residential amenity issues in relation to the permitted use. Without there being any nuisance complaints made to the Local Planning Authority for investigation since that approval, it is therefore considered that subject to the re-imposition of relevant conditions applied to KET/2018/0937, with minor alterations as discussed above, the proposal is not materially different to that approved by KET/2018/0937 and has not given rise to any significant adverse impacts on residential amenity. A recommendation for a permanent permission is made, as there are no material planning considerations which would indicate against the proposal.

10. Recommendation

10.1 Subject to the re-imposition of the conditions applied to KET/2018/0937 with amendment, the recommendation is for a permanent conditional approval.

11. Conditions

1. Within six months from the date of this approval a detailed scheme for gates and boundary treatments in front of the workshop building, located as shown on previously approved plan KET/2018/0937/2A on 13th March 2019 shall be submitted to the Local Planning Authority and approved in writing. The approved gates and boundary treatment are to be installed within two months of their approval and once installed shall be retained in that form thereafter.

REASON: To improve the appearance of the site in the interests of visual amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

2. The landscaping scheme shown on approved plan NK/2021/0034/2, received by the Local Planning Authority on 22nd March 2021 (as previously approved under reference KET/2019/0837 on 31st May 2019), shall be completed within six months from the date of this permission. Any newly approved trees or plants which, within a period of 3 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.

REASON: To improve the appearance of the site in the interests of visual amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

3. Visibility splays of 2.4 metres by 2.4 metres are to be retained either side of the access with the public highway, and these splays shall thereafter be permanently kept free of all obstacles to visibility over 1 metre in height above carriageway level.

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

4. The mail order business use and its associated light industrial operations hereby approved taking place at the site shall enure for the benefit of the Applicant (Mr J Westwood) only and shall not enure for the benefit of the land and the use hereby permitted shall be discontinued on the date when Mr J Westwood ceases

to occupy the premises where at which point the workshop building and the site as a whole shall have residential use only.

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

5. The workshop building, hereby approved shall only be used for business purposes associated with the mail order sale and manufacture of 'Falconry' equipment and for no other purpose whatsoever. For clarification this does not include the sale of birds.

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

6. The operation of any machinery associated with the business shall not take place anywhere on the application site except within the workshop building shown on the approved plans.

REASON: To protect the amenities of neighbouring residential occupiers in the interests of amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

7. No equipment, materials, products, parts, containers, waste or any other articles associated with the business shall be stacked or stored on the site at any time except within the workshop building.

REASON: In the interests of the appearance of the site and the visual amenities of the surrounding area in the interests of amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

8. No plant or machinery shall be operated at the site (including within the workshop), except between the hours of 10:00-16:00 Mondays to Fridays and between the months of October and February (inclusive) only. There shall be no operation of plant or machinery at the site, on Saturdays, Sundays or recognised public holidays or between the months of March to September (inclusive). No customers shall be permitted to visit the site.

REASON: To minimise noise disturbance to neighbouring residents in the interests of amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

12. Informatives

Positive/Proactive - amendments

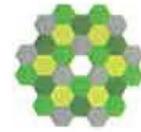
List of plans

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:

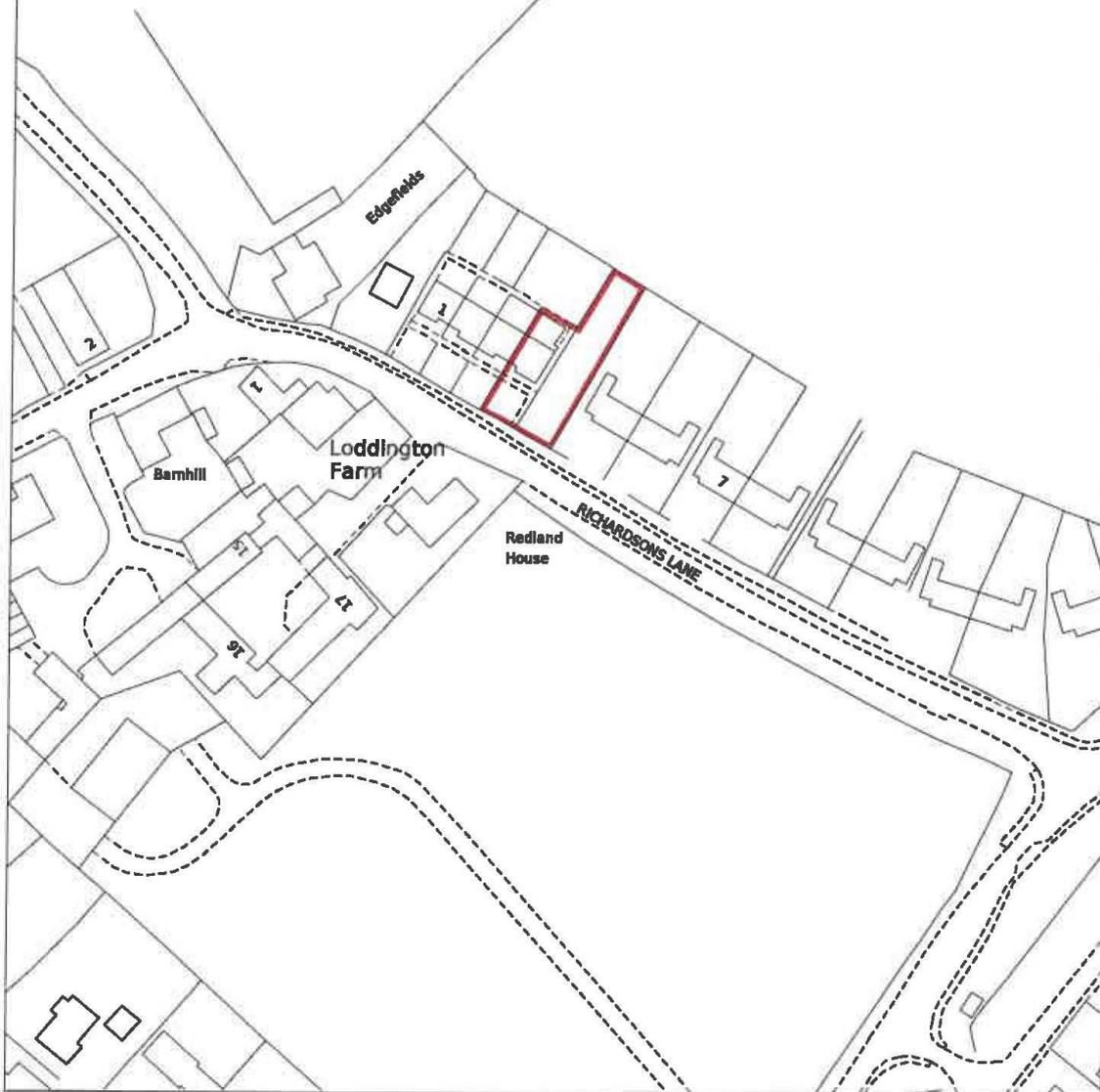
Title	KET Ref.	Agent's Ref	Received Date
Location plan	NK/2021/0034/1		01/02/21
Landscaping	NK/2021/0034/2		22/03/2021
Conditions Information (KET/2018/0937)	NK/2021/0034/3		22/03/2021

HM Land Registry
Official copy of
title plan

Title number **NN362975**
Ordnance Survey map reference **SP8178NE**
Scale **1:1250 enlarged from 1:2500**
Administrative area **Northamptonshire :**
Kettering



© Crown copyright and database rights 2019 Ordnance Survey 100026316. You are not permitted to copy, sub-license, distribute or sell any of this data to third parties in any form.



This official copy is incomplete without the preceding notes page.