

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

At 7.00 pm on Wednesday 30th November, 2022 in the  
Council Chamber, Municipal Offices, Bowling Green Road, Kettering, NN15 7QX

### Present:-

#### Members

Councillor Mark Rowley (Chair)  
Councillor Dez Dell  
Councillor Jim Hakewill

Councillor Cedwien Brown  
Councillor Ian Jelley  
Councillor Paul Marks

#### Officers

Louise Holland	Development Services
Louisa Johnson	Development Services
Alan Chapman	Development Services
Nigel Bell	Legal
Callum Galluzzo	Democratic Services

### 9 Apologies for non-attendance

Apologies for absence were received from Councillors Joseph Smyth, Robin Carter, Elliot Prentice and Emily Fedorowycz.

It was noted that Councillors Jim Hakewill and Paul Marks were present as substitutes for Councillors Emily Fedorowycz and Joseph Smyth respectfully.

### 10 Members' Declarations of Interests

Councillors Paul Marks and Dez Dell declared an interest in item 4.2 as members of the Friends of Kettering Art Gallery & Museum.

### 11 Minutes of the meeting held on 2nd November 2022

#### **RESOLVED**

that the minutes of the meetings of the Area Planning Committee held on 2<sup>nd</sup> November 2022 be approved as a correct record.

### 12 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. Five 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: Erection of a drive through cafe/restaurant with car parking, landscaping, external seating and associated works at Stanier Retail Park (land at), Stanier Close, Northfield Avenue, Kettering for HB Pearce Contractors Ltd</p> <p>Application No: NK/2022/0333</p> <p><u>Speaker:</u></p> <p>Councillor Clark Mitchell attended the meeting and addressed the committee as a representative for Kettering Town Council raising concerns with existing traffic issues associated with the development site. It was stated that there were major traffic issues that needed to be addressed.</p> <p>Neil Goldsmith attended the meeting and addressed the committee as the agent on behalf of the applicant stating that the road in question was unadopted and remained a private road and that the local highways authority did not object to the application. It was also stated that the development would be an energy efficient one and would create around 13 jobs.</p>	<p>Members received a report about a proposal for which full planning permission was being sought for the erection of a drive through cafe/restaurant with car parking, landscaping, external seating, and associated works.</p> <p>Members raised concerns regarding the congestion issues associated on Stanier Close . Members recommended that a traffic management solution be installed to alleviate any congestion at the junction.</p> <p>Members were reminded that through the consultation process the Local Highways Authority raised no objection with the proposed development.</p> <p>Following debate it was proposed by Councillor Hakewill and seconded by Councillor Dell that the application be refused in contrary to the officers recommendation due significant harm traffic conditions would pose on Stanier Close.</p> <p>Members voted as follows: For Refusal 2, Against Refusal 3</p> <p>The motion therefore fell.</p> <p>Following debate it was proposed by Councillor Jelley and seconded by Councillor Brown that the application be approved in line with the officers recommendation.</p> <p>It was agreed that the application be <b>APPROVED</b> subject to the following conditions:</p>

1. The development hereby permitted shall 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 hereby approved Drawing Number: 0466-A12-P02-D (Drive-Thru Ground Floor Plan as Proposed) the electric vehicle charging points shall be installed and made available for use before the drive through restaurant is opened for trade with the public.
4. 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.
5. Prior to the commencement of development a Site Clearance 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 site clearance and construction works.
6. Construction works at the site shall not exceed the following times unless with the written permission of the Local Planning Authority or Environmental Health. Monday to Friday 08.00 to 18.00 hrs, Saturday 08.30 to 13.30 and at no time whatsoever on Sundays or Public/Bank Holidays. This includes deliveries to the site and any work undertaken by contractors and sub contractors.
7. The premises shall not be open for trading to the public between midnight and 06:00 hours on any day.
8. No external lighting of the car park or buildings shall be constructed or affixed to the buildings or erected on the site unless it accords with a scheme submitted to and approved in writing by the Local Planning Authority. There shall be no external illumination outside the hours of 05:30 and 00:30.
9. The building hereby permitted shall not be occupied until the refuse storage facilities have been provided in accordance with the approved Drawings. These refuse storage facilities shall thereafter be retained as approved in perpetuity.
10. Prior to first occupation of the development a scheme of soft 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.
11. Prior to the first occupation of the development hereby approved, a tree management plan shall be submitted to, and approved in writing by, the Local Planning Authority. The management plan should be prepared by a qualified and

experienced forestry or arboricultural consultant and should include the following elements:

- a) Type and frequency of management operations to achieve and sustain canopy, to achieve at least 'moderate' condition as set out in the Biodiversity Metric 3.1, and to provide reinstatement including planting where tree loss or vandalism occurs.
  - b) Frequency of safety inspections
  - c) Confirmation that the tree pruning work is carried out by suitably qualified and insured tree contractors to British Standard 3998 (2010).
  - d) Special measures relating to Protected Species or habitats, e.g., intensive operations to avoid March to June nesting season or flowering period.
  - e) Inspection for pests, vermin and diseases and proposed remedial measures.
  - f) Confirmation of cyclical management plan assessments and revisions to evaluate the plan's success and identification of any proposed actions.
- The approved plan will be implemented in accordance with the approved details.

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

*(Voting: For 3, Against 2)*

*The application was therefore*

**APPROVED**

<u>Proposed Development</u>	<u>Decision</u>
<p>*4.2 Advertisement Consent: 1 no. internally illuminated wall mounted sign at Art Gallery, Sheep Street, Kettering for K Purnell, North Northamptonshire Council</p> <p>Application No: NK/2021/0531</p> <p><u>Speaker:</u></p> <p>Monica Ozdemir attended the meeting and addressed the committee as a third party against the application stating that the proposed signage does not suit or is in keeping with the local heritage quarter</p> <p>Councillor Clark Mitchell attended the meeting and addressed the committee as a representative of Kettering Town Council stating that the proposed signage was incorrect for the area and a non-illuminated sign would be preferable and more in keeping with the area.</p> <p>Kerry Purnell attended the meeting and addressed the committee as the applicant for the proposal stating that the sign would be above the east elevation and only to be visible from the Car park. The sign would only be lit when in operation and was to be fitted with dimmable LED lights designed to glow and not beacon out.</p>	<p>Members received a report about a proposal for which advertisement consent was being sought for 1 no. internally illuminated wall mounted sign.</p> <p>Members initially raised concerns regarding the proposed signage stating that it did not seem to be in keeping with the local heritage quarter. Members also questioned the need for the sign to be lit or even the possibly to be front lit.</p> <p>Members requested that an additional condition be included so that the sign is not lit or used when the building is not open or in use.</p> <p>Following debate Councillor Hakewill proposed that the application be refused as the application failed to preserve and enhance character or appearance of the conservation area however without a seconder the motion fell.</p> <p>Following debate it was then proposed by Councillor Brown and seconded by Councillor Jelley that the application be approved in line with the officer's recommendation with the additional condition.</p> <p>It was agreed that the application be <b>APPROVED</b> subject to the following conditions:</p>

1. No advertisement is to be displayed without the permission of the owner of the site on which they are displayed (this includes the highway authority, if the sign is to be placed on highway land).
2. No advertisement shall be sited or displayed so as to -
  - (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
  - (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air, or
  - (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

3. Any advertisement displayed and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.
4. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.
5. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.
6. The luminance of the advertisement shall not exceed 400 candela per square metre.
7. The illumination of the proposed sign shall be of a static non-intermittent type.
8. The illuminated sign hereby consented shall not be illuminated when the building is closed.

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

*(Voting: For 4, Against 1)*

*The application was therefore*

**APPROVED**

**15 Delegated Officers Report**

None

**16 Urgent Items**

None

**17 Close of Meeting**

The meeting closed at 8.10 pm

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Chair

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Date