

Minutes of a meeting of the Area Planning Committee Kettering

At 7.00 pm on Wednesday 8th March, 2023 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 Ian Jelley

Councillor Cedwien Brown
Councillor Elliot Prentice
Councillor Joseph John Smyth
Councillor Paul Marks

Officers

Richard Marlow	Development Services
Mark Coleman	Development Services
Jasbir Sandhu	Development Services
Nigel Bell	Legal Representative
Callum Galluzzo	Democratic Services

28 Apologies for non-attendance

No apologies for non-attendance were received.

29 Members' Declarations of Interests

Councillors Paul Marks and Robin Carter declared an interest in item 4.1 as Ward Councillors for the proposed development.

30 Minutes of the meeting held on 17th January 2023

RESOLVED

that the minutes of the meetings of the Area Planning Committee held on 17th January 2023 be approved as a correct record.

31 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. Three 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: Demolition of Methodist Church building and erection of 8 new dwellings at Grange Methodist Church, Stamford Road, Kettering for Mrs L Hunt, Kettering Borough Council.</p> <p>Application No: KET/2020/0292</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 demolition of Methodist Church building and erection of 8 new dwellings</p> <p>Members raised satisfaction with a derelict site and a site of previous anti-social behaviour being brought back into use.</p> <p>Members raised questions regarding the minimum space requirements of the proposed dwellings as well as raising concerns regarding noise pollution and biodiversity net loss on site.</p> <p>It was heard that all dwelling proposed met the required floor place standards and that biodiversity net loss was being accommodation off site.</p> <p>Following debate it was proposed by Councillor Marks and seconded by Councillor Carter that the application be approved in line with the officer's recommendation.</p> <p>It was agreed that the application be APPROVED subject to the following conditions:</p>

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.
2. The development hereby permitted shall not be carried out other than in accordance with the approved plans and details listed below.
3. 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.
4. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no additional openings

- permitted by Schedule 2, Part 1 Classes A or C shall be made in the first floor side elevation or roof plane facing 146 Stamford Road of the building on Plot 1.
5. 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 elevation or roof plane facing 160 Stamford Road of the building on Plot 8.
 6. 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, AA, B and E of Part 1 of Schedule 2 of the Order shall be made on the application site.
 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. Prior to the commencement of any demolition works or 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.
 9. No development above slab level shall take place on site until details of the vehicular and pedestrian visibility splays have been submitted to and approved in writing by the Local Planning Authority. The agreed details shall be fully implemented before the buildings hereby approved are occupied and
 10. Prior to occupation of each dwelling the access for that dwelling shall be provided in accordance with the approved drawings and shall be maintained as such.
 11. Prior to commencement of construction (not including demolition) the developer shall:
 - a) Remove all made ground from the site for disposal at an appropriate licensed facility, or
 - b) Assess the extent and depth of any made ground and take samples of it for laboratory analysis to determine if there are substances in it that could lead to the site being considered as contaminated land (as defined in Part IIA of the Environmental Protection Act 1990) on completion of the development. If any such harmful substances are present in the ground then the developer shall submit their proposals for remediation of the site to the LPA for approval prior to construction commencing.
 - c) On completion of either a) or b) above to submit a verification report to the LPA for approval prior to occupation of the new dwellings.

12. The parking spaces hereby approved shall be provided prior to the first occupation of the buildings hereby permitted and shall be permanently retained and kept available for the parking of vehicles.
13. Works to and/or demolition of the building identified as Grange Methodist Church on 'Existing Site Plan - Topographical Survey' drawing 4720/GM/19/002 shall not in any circumstances commence until the local planning authority has been provided with either:
 - a) A licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2019 authorising the specified activity/development to go ahead; or
 - b) Written confirmation from Natural England that the application site has been registered with the Bat Low Impact Class Licence scheme; or
 - c) A statement in writing from a suitably qualified ecologist to the effect that they do not consider that the specified activity/development will require a licence.
14. No works other than demolition shall take place until a Bat mitigation scheme and timing of implementation of these measures 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 details.
15. No works other than demolition shall take place until a wildlife mitigation scheme and timing of implementation of these measures 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 details.
16. The hard and soft landscaping shall be carried out as set out in the approved drawings. The works approved shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development whichever is the sooner. Any trees or plants which, within a period of 5 years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
17. The boundary treatment shall be carried out as set out in the approved drawings. The buildings shall not be occupied until the approved scheme has been fully implemented in accordance with the approved details.
18. The approved refuse presentation points shall be provided before the occupation of any of the dwellings affected and retained as approved thereafter.
19. Prior to the commencement of development above slab level, 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. If closed windows are required to mitigate the noise then consideration shall also be given to the control of overheating and the provision of sufficient ventilation. Once approved the scheme shall be implemented before first occupation of the residential units and thereafter 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.

20. All dwellings shall be constructed to achieve a maximum water use of no more than 105 litres per person per day in accordance with the optional standards 36(2)(b) of the building Regulations 2010 (as amended) as detailed within the Building Regulations 2010 Approved Document G - Sanitation, hot water safety and water efficiency (2015 edition).

(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>*4.2 Full Planning Permission: Change of use from agricultural to 17 no. allotments with access, parking, fencing and sheds at Broughton Road (land off), Mawsley for Mawsley Parish Council</p> <p>Application No: NK/2022/0274</p> <p><u>Speaker:</u></p> <p>Councillor Jim Hakewill attended the meeting and addressed the committee as the ward councillor for the proposed development presenting support for the application that had been a lengthy process to find the right site and would be a beneficial addition to the village</p>	<p>Members received a report about a proposal for which full planning permission was being sought for the change of use from agricultural to 17 no. allotments with access, parking, fencing and sheds</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 Marks 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 APPROVED subject to the following conditions:</p>

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.
2. The access 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>*4.3 Full Planning Permission: Installation of new air source heat pump and associated works at Loddington C of E Primary School, Main Street, Loddington for L Hughes, Peterborough Diocese Education Trust</p> <p>Application No: NK/2022/0423</p> <p><u>Speaker:</u></p> <p>Councillor Alan Durn attended the meeting and addressed the committee as a representative of Loddington Parish Council. Councillor Durn addressed inaccuracies within the officers report and requested that the wording be updated accordingly.</p> <p>Councillor Jim Hakewill attended the meeting and addressed the committee as the ward councillor for the proposed development stating that residents had complained regarding excessive noise pollution and that noise mitigation needed to be enforced for the comfort of resident.</p>	<p>Members received a report about a proposal for which full planning permission was being sought for the Installation of new air source heat pump and associated works</p> <p>Members raised concerns due to the works having already taken place and raised questions regarding the acoustic barrier associated with the proposal.</p> <p>Members questioned whether adding conditions to the planning permission in order to ensure that the acoustic fencing was installed to mitigate noise pollution to surrounding residents.</p> <p>Following debate it was proposed by Councillor Fedorowycz and seconded by Councillor Prentice that the application be deferred.</p> <p>The motion to defer was defeated following a vote : 5 votes for deferral, 5 against.</p> <p>Following debate it was proposed by Councillor Smyth and seconded by Councillor Brown that the application be approved in line with the officers recommendation and with an amendment to condition 3 to amend the proposed time limit to 6 weeks.</p> <p>It was agreed that the application be APPROVED subject to the following conditions:</p>

1. The development hereby permitted shall not be carried out other than in accordance with the approved plans and details listed below.
2. The air source heat pump hereby approved shall permanently cease operation and together with all associated works (including timber acoustic and visual screen) shall be permanently removed from the site within 6 months from the date of this decision unless a verification report has been submitted to and approved in writing by the Local Planning Authority which demonstrates that the development has been implemented in full accordance with the approved

details and that the sound rating level of the air source heat pump, when operating normally, does not and shall not increase the typical background sound level (LA90,T) in any 1-hour period between 07:00hrs and 23:00hrs or in any 15-minute period between 23:00hrs and 07:00hrs on any day. For the avoidance of doubt, the verification report shall also demonstrate that the following criteria is complied with:

- a. The sound emitted from the air source heat pump shall be assessed at premises used for residential purposes where people maybe inside or outside the building, which shall first be agreed with the Local Planning Authority prior to the operation of the air source heat pump hereby approved. [BS4142:2014, Section 1, Scope];
- b. Any assessment of the sound from the operation of the air source heat pump shall be carried out in accordance with British Standard BS4142:2014;
- c. The air source heat pump installation shall be maintained to always comply with this condition;
- d. The method for determining the typical background sound level (LA90,T) shall be agreed with the Local Planning Authority prior to the operation of the air source heat pump hereby approved.

The air source heat pump hereby approved shall thereafter, only be operated in full accordance with the approved details including the approved verification report required by this planning condition as part of this planning permission.

3. The air source heat pump hereby approved shall permanently cease operation and together with all associated works shall be permanently removed from the site within 6 weeks from the date of this decision unless the timber acoustic and visual screen as shown on drawing no. PA21824- A300 Rev A received by the Local Planning Authority on 30th June 2022 has been implemented in full. The timber acoustic and visual screen shall not be painted a colour other than natural wood stain and shall be retained in that form and as per the approved plans thereafter or until the approved air source heat pump plant equipment and slab is permanently removed. The rubber kick board which forms part of the approved acoustic and visual screen shall be black and retained in that form thereafter.

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

(Voting: For 5, Against 2, Abstention 1)

The application was therefore
APPROVED

<u>Proposed Development</u>	<u>Decision</u>
<p>*4.4 Full Planning Permission: Single storey rear extension at Thornton House, 1 Goode Court, Kettering for Mr P Norwell, North Northamptonshire Council</p> <p>Application No: NK/2022/0799</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 a single storey rear extension to provide an additional bedroom and en-suite for a 2 bedroom Children’s Centre to allow a carer/member of staff to sleep overnight.</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 Smyth 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 APPROVED subject to the following conditions:</p>

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.
2. The development hereby permitted shall not be carried out other than in accordance with the approved plans and details listed below.
3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match, in type, colour and texture, those on the existing building.

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

(Voting: Unanimous)

The application was therefore
APPROVED

36 Delegated Officers Report

None

37 Exempt/ Urgent Items

None

38 Close of Meeting

The meeting closed at 8.00 pm

Chair

Date