

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

At 7.00 pm on Thursday 28th October, 2021 in the  
Council Chamber, Municipal Offices, Bowling Green Road, Kettering, NN15 7QX

### Present:-

#### Members

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

Councillor Joseph John Smyth  
Councillor Kevin Thurland  
Councillor Larry Henson

#### Officers

Martyn Swann (Principal Planning Manager)  
Sean Bennet (Senior Development Office)  
Nigel Bell (Legal Representative)  
Callum Galluzzo (Committee Administrator)

### 43 Apologies for non-attendance

Apologies for absence were received from Councillors Elliott Prentice, Cedwien Brown and Ian Jelley.

It was noted that Councillor Larry Henson was acting as a substitute for Councillor Elliott Prentice.

### 44 Members' Declarations of Interests

None

### 45 Minutes of the meeting held on 30th September 2021

**RESOLVED** that the minutes of the meetings of the Area Planning Committee held on 30th September 2021 be approved as a correct record.

### 46 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. Two 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: 18 no. dwellings to include gardens, parking, access, infiltration basin and open space to include semi-natural woodland planting and associated works at Harborough Road (land South of), Stoke Albany for Mr J Breese Rosconn Strategic Land</p> <p>Application No: KET/2020/0907</p> <p><u>Speaker:</u></p> <p>Nick Carr attended the meeting and addressed the committee as the applicant for other proposed development stating that through the planning process a constructive and consultative approach had been undertaken in order to fully consult with local residents and Parish Council. Through clarification, Mr Carr stated that the proposed development would include 6 electric vehicle points and that other properties would include fittings where charging points could be installed.</p>	<p>Members received a report about a proposal for which full planning permission was being sought for eighteen dwellings which included gardens, parking, access, infiltration basin and open space which included semi-natural woodland planting and associated works.</p> <p>Members raised questions regarding the lack of pedestrian crossing associated with the development which could have posed a safety concern. It was heard that a transport assessment had deemed the proposal safe. Discussions were due to take place between the planning authority and applicant with regards to members concerns but this safety review fell outside of the committee decision.</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 <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 information detailed below.
3. The development shall be carried out in accordance with the recommendations laid out in the approved Arboricultural Impact Assessment dated 21st April 2021 referenced 201215 0809 AIA V1b compiled by 'Wharton' and the recommendations laid out in the Preliminary Ecological Appraisal dated 9th November 2018 referenced 181109 0809 PEAR V1 as compiled by Wharton.
4. No construction or site clearance works shall take place outside of the following hours. 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.

5. Prior to commencement of development a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved Plan shall be adhered to throughout the construction period and the approved measures shall be retained for the duration of the construction.
6. No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.  
This written scheme will include the following components, completion of each of which will trigger the phased discharging of the condition:
  - (i) fieldwork in accordance with the agreed written scheme of investigation;
  - (ii) post-excavation assessment (to be submitted within six months of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority);
  - (iii) completion of post-excavation analysis, preparation of site archive ready for deposition at a store (Northamptonshire ARC) approved by the Planning Authority, completion of an archive report, and submission of a publication report to be completed within two years of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority.
7. Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until parts A to D have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition D has been complied with in relation to that contamination.

#### A. Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
  - human health,
  - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
  - adjoining land,
  - groundwaters and surface waters,
  - ecological systems,
  - archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11 (or any model procedures revoking and replacing those model procedures with or without modification)'.

#### B. Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

#### C. Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

#### D. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition A, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition B, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition C.

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

9. No development shall take place until full details of the surface water drainage scheme for the site, based on the approved Flood Risk Assessment and Drainage Strategy ref 18172 rev E dated 23.09.21 prepared by Travis Baker, have been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details. These shall include:
  - a) Details (i.e. designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets and attenuation basins.
  - b) Details of the drainage system are to be accompanied by full and appropriately cross-referenced supporting calculations. The critical storm duration for each element of the drainage network should be determined by considering a full range of summer and winter storm durations from 15 minutes up to the 10080 minute (7 day) duration.
  - c) In keeping with sustainable development principles, the detailed drainage design should consider the four pillars of a sustainable drainage system, water quality, water quantity, amenity, and biodiversity.
  
10. No development shall take place until a detailed scheme for the ownership and whole life maintenance for every element of the surface water drainage system proposed on the site has been submitted to and approved in writing by the Local Planning Authority and the whole life maintenance plan shall be carried out in full thereafter.

Details are required of which organisation or body will be the main maintaining body where the area is multifunctional (e.g. open space play areas containing SuDS) with evidence that the organisation/body has agreed to such adoption. The scheme shall include, a maintenance schedule setting out which assets need to be maintained, at what intervals and what method is to be used. A site plan including access points, maintenance access easements and outfalls. Maintenance operational areas to be identified and shown on the plans, to ensure there is room to gain access to the asset, maintain it with appropriate plant and then handle any arisings generated from the site. Details of expected design life of all assets with a schedule of when replacement assets may be required.
  
11. No development above slab level shall take place on site until a scheme for boundary treatment has been submitted to and approved in writing by the Local Planning Authority. The property shall not be occupied until the part of the approved scheme that the boundary treatment relates to has been fully implemented in accordance with the approved details.
  
12. Prior to first occupation of the development a scheme of hard and soft landscaping works which shall specify species, planting sizes, spacing and numbers of trees and shrubs to be planted, any existing trees to be retained, the layout, contouring and surfacing of all open space areas shall be submitted to and approved by the Local Planning Authority. A scheme including hedgehog holes in the fencing between gardens, integral and tree-mounted bat and bird boxes and external lighting consistent with the 2018 guidance from the Bat Conservation Trust and Institute of lighting professionals shall also be submitted to and approved in writing by the local planning authority prior to occupation. The works approved shall be carried out in the first planting and seeding seasons following the occupation, 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.

13. The development shall not progress above slab level until details of the types and colours of all external facing and roofing materials to be used have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.
14. All external walls (including boundary walls) shown as being constructed in natural stone and on the approved drawings shall not be laid, coursed or pointed other than in accordance with a sample panel which shall have been constructed on site and approved in writing by the Local Planning Authority prior to the commencement of construction of any such external walls. As approved, the sample panel shall be retained on site and kept available for re-inspection throughout the construction period.
15. No works shall proceed above slab level until full details of all windows, doors (including their surrounds), porch, rooflights, chimney, verge detailing and rainwater goods 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.
16. Prior to first occupation if any of the streets (including private driveways) associated with the residential development hereby approved are not proposed for adoption as public highway details of a site management company and associated management and maintenance methodology of the streets within the development, to operate in perpetuity, shall be submitted to the planning authority and agreed in writing prior to last occupation. The streets (excluding the private driveways) shall be constructed to adoptable standards, identified as being private and any vehicular access to the site from public highway shall be implemented as standard vehicle crossover prior to last occupation. The development shall be carried out in accordance with approved details.  
REASON: In the interest of highway safety and in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

17. No Occupation shall take place until the Verification Report for the installed surface water drainage system for the site based on the Flood Risk Assessment and Drainage Strategy ref 18172 rev E dated 23.09.21 prepared by Travis Baker has been submitted in writing by a suitably qualified drainage engineer and approved by the Local Planning Authority The report shall include:
  - a) Any departure from the agreed design is keeping with the approved principles
  - b) Any As-Built Drawings and accompanying photos
  - c) Results of any Performance testing undertaken as a part of the application process (if required / necessary)
  - d) Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges etc.
  - e) CCTV confirmation that the system is free from defects, damage and foreign objects.
18. The noise mitigation measures outlined in the approved report A Noise Assessment For Land South of Harborough Road, Stoke Albany dated

December 2020 by Resound Acoustics shall be carried out in full prior to the first occupation of the residential units hereby approved. Rather than the acoustic trickle vents recommended in the report, the dwellings shall be fitted with whole house mechanical ventilation systems, with heat recovery and 'boost' function unless otherwise agreed in writing by discharging this condition whereby the proposal shall be carried out in accordance with the approved details. Where the development is phased any residential units identified as providing a noise barrier for other units shall be completed first. Following completion, no alterations shall be made to the approved structure of the units including roof, doors, windows and external facades, layout of the units or noise barriers.

19. The proposed visibility splays contained in the approved Transport Statement (ADC1940-RP-A-v5, ADC) as per the Proposed Access Junction Layout Plan (ADC1940-DR-004 P8), the six Electric Vehicle Charging points (with infrastructure in place to retrofit the remaining spaces) and the Bin Collection points shall be made available prior to last occupation of the development and remain in that state thereafter.
20. All of the 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);
21. With regard to Plot 1 and 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 upper floor side elevation of the building at any time without the grant of planning permission. The approved upper floor opening shall be fitted with obscure glaze and non-opening below and internal floor height of 1.7m and remain in that form thereafter.

*(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: 2 no. French doors with sidelights to replace some windows and doors to front elevation, repairs and reconstruction of some external walls, replace front entrance door and windows, external timber enclosure around heating system, replace timber fence with a brick wall and entrance gates at Chestnut Cottage, Warkton for Ms C Merrington</p> <p>Application No: NK/2021/0649</p> <p><u>Speaker:</u></p> <p>Christina Merrington attended the meeting and addressed the committee as the applicant for the proposed development reinforcing her intention to respect the properties heritage.</p>	<p>Members received a report about a proposal for which full planning permission was being sought for the installation of 2 no. French doors with sidelights to replace some windows and doors to front elevation, repairs and reconstruction of some external walls, replace front entrance door and windows, external timber enclosure around heating system, replace timber fence with a brick wall and entrance gates</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 Dell that the application be approved in line with the officer's recommendation.</p> <p>It was agreed that the application be <b>APPROVED</b> subject to the following conditions:</p>

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.
2. The development hereby permitted shall not be carried out other than in accordance with the approved plans and the diamond brickwork feature and the brick 'soldier course' with alternating light/dark (blue) bricks features as shown on Drawing Number RCAL/2102-06E and thereafter permanently retained.
3. No external works shall take place on site until full details of all windows and doors have been submitted to and approved in writing by the Local Planning Authority. The window details shall include glazing bar details at 1:2. The development shall not be carried out other than in accordance with the approved details and thereafter permanently retained.
4. No external development shall commence on site until details (together with samples) of the types and colours of all materials to be used for the construction of the boundary wall (as shown on Drawing Number RCAL/2101-200) 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 and thereafter permanently retained.

5. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no building, structure or other alteration permitted by Classes A, B, C, D, E, F, G and H of Part 1 of Schedule 2 of the Order shall be erected, constructed, or made on the application site.
  
14. The following works including the demolition or conversion of the barns as shown on the approved drawings shall not in any circumstances commence unless 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.

*(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 Application for Listed Building Consent: 2 no. French doors with sidelights to replace some windows and doors to front elevation, repairs and reconstruction of some external walls, replace front entrance door and windows, erect external timber enclosure for heating system, replace timber fence with a brick wall and entrance gates. Internal alterations to bathrooms, kitchen, staircase, ceilings and heating provision at Chestnut Cottage, Warkton for Ms C Merrington</p> <p>Application No: NK/2021/0650</p> <p><u>Speaker:</u></p> <p>Christina Merrington attended the meeting and addressed the committee as the applicant for the proposed development reinforcing her intention to respect the properties heritage.</p>	<p>Members received a report about a proposal for which listed building consent was being sought for 2 no. French doors with sidelights to replace some windows and doors to front elevation, repairs and reconstruction of some external walls, replace front entrance door and windows, erect external timber enclosure for heating system.</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 Dell that the application be approved in line with the officer's recommendation.</p> <p>It was agreed that the application be <b>APPROVED</b> subject to the following conditions:</p>

1. The works to which this consent relate shall be begun before the expiration of 3 years from the date of this consent.
2. The development hereby permitted shall not be carried out other than in accordance with the approved plans and the diamond brickwork feature and the brick 'solider course' with alternating light/dark (blue) bricks features as shown on Drawing Number RCAL/2102-06E and thereafter permanently retained.
3. No external works shall take place on site until full details of all windows and doors have been submitted to and approved in writing by the Local Planning Authority. The window details shall include glazing bar details at 1:2. The development shall not be carried out other than in accordance with the approved details and thereafter permanently retained.
4. No external development shall commence on site until details (together with samples) of the types and colours of all materials to be used for the construction of the boundary wall (as shown on Drawing Number RCAL/2101-200) 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 and thereafter permanently retained.

14. The following works including the demolition or conversion of the barns as shown on the approved drawings shall not in any circumstances commence unless 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.

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

*(Voting: Unanimous)*

*The application was therefore*

**APPROVED**

**50 Delegated Officers Report**

None

**51 Close of Meeting**

The meeting closed at 7.28 pm

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Chair

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Date