

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

At 7.00 pm on Thursday 18th November, 2021 in the Council Chamber, Municipal Offices, Bowling Green Road, Kettering, NN15 7QX

### **Present:-**

#### Members

Councillor Mark Rowley (Chair)	Councillor Cedwien Brown
Councillor Robin Carter	Councillor Elliot Keith Prentice
Councillor Dez Dell	Councillor Joseph John Smyth
Councillor Paul Marks	

#### Officers

Martyn Swann	(Development Services)
Louise Holland	(Development Services)
Richard Marlow	(Development Services)
Louisa Johnson	(Development Services)
Alan Chapman	(Development Services)
Nigel Bell	(Legal Representative)
Callum Galluzzo	(Democratic Services)

### **52 Apologies for non-attendance**

Apologies for absence were received from Councillors Ian Jelley and Kevin Thurland

### **53 Members' Declarations of Interests**

None

### **54 Minutes of the meeting held on 28th October 2021**

**RESOLVED** that the minutes of the meetings of the Area Planning Committee held on 28<sup>th</sup> October 2021 be approved as a correct record.

### **55 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. One Written Statement was provided and read aloud to the committee.

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 existing agricultural building and erection of new grain store building at Agricultural Yard, Kettering Road (land off), Thorpe Malsor for Thorpe Malsor Farms</p> <p>Application No: NK/2021/0043</p> <p><u>Speaker:</u></p> <p>Lauren May attended the meeting and addressed the committee as the agent for the applicant stating that the proposed development was to bring a facility in poor state of repair to a usable state and would have limited impact on neighbouring amenity.</p>	<p>Members received a report about a proposal for which full planning permission was being sought for the demolition of existing agricultural building and erection of new grain store building.</p> <p>The planning officer addressed the committee and provided an update which stated that one additional letter of objection had been received regarding the visual impact of the proposed development.</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 Smyth 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 details listed below.
3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall be as submitted.
4. Prior to the commencement of 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.
5. Prior to the commencement of construction an assessment of the impact of dust from the operation of the development on the quality of life, safety and health of the community shall be submitted to and approved in writing by the Local Planning Authority. The submitted assessment shall identify the impact of the proposed

development with respect to operational dust emissions and any proposed mitigation measures. Once approved the mitigation measures shall be implemented in full prior to the first occupation of the development and retained at all times thereafter unless otherwise agreed by the Local Planning Authority.

6. No development above slab level shall take place on site until details of the access surfacing (for a minimum of the first 10m from the highway boundary) and means of drainage across the back of highway boundary (linear drain) have been submitted to and approved in writing by the Local Planning Authority. The agreed details shall be fully implemented before the use hereby permitted is commenced, or the building is occupied, whichever is the sooner.
7. The development shall be carried out in accordance with the Noise Impact Assessment Report P4774-R1-V1 dated 23/06/2021.
8. The development shall be carried out in accordance with the Dust Assessment P4773-R1-V2 dated 21/09/2021.
9. There shall be no external illumination on the site at any time other than in accordance with a detailed scheme which shall first have been submitted to and approved in writing by the Local Planning Authority.
10. Prior to the commencement of development a scheme for the provision of the surface water drainage shall be 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 scheme.

*(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 roof from hip to gable to both sides with conversion of roof space to a habitable room and insertion of windows to both sides and rooflights to front and rear at 49 Greening Road, Rothwell for Mr G Singh Bhamra</p> <p>Application No: NK/2021/0507</p> <p><u>Speaker:</u></p> <p>Tony Gallagher attended the meeting and addressed the committee as a third party objector to the proposed development. Mr Gallagher raised objections in relation to overshadowing, loss of privacy, visual amenity impact and the proposed development not being in keeping with the local area character.</p> <p>Gudeep Bhrama submitted a written statement as the applicant for the proposed development which stated that the development was essential due to the inadequate number of bedrooms for his family. Mr Bhrama also highlighted similar large rear extensions to other properties within the area.</p>	<p>Members received a report about a proposal for which full planning permission was being sought for a change of roof from hip to gable to both sides with conversion of roof space to a habitable room. Insertion of windows to both sides and rooflights to front and rear elevations.</p> <p>Members initially raised concerns regarding the loss of privacy and amenity for neighbouring properties. Concerns were also raised by members with regards to the overbearing elements of the proposed development.</p> <p>Following debate it was proposed by Councillor Smyth and seconded by Councillor Carter that the application be refused contrary to the officer's recommendation due to the proposed development being overdevelopment of the site, , loss of light and overbearing to neighbouring properties.</p> <p>It was agreed that the application be <b>REFUSED</b> for the following reasons:-</p>

1. By reason of the size, massing and bulk of the proposal the application is considered to result in overdevelopment and an adverse impact on residential amenity of neighbouring residents as a result of loss of light and being overbearing. As such the proposal results in detrimental harm to the residential amenity of neighbouring properties contrary to Policy 8 of the North Northamptonshire Joint Core Strategy.

*(Members voted on the motion to REFUSE the application)*

*(Voting: For: 5, Against 0, Abstain 1)*

*The application was therefore*  
**REFUSED**

<u>Proposed Development</u>	<u>Decision</u>
<p>*4.3 Full Planning Permission: Demolition of garage and erection of 3 no. one bedroom houses at Former mechanic garage, Crown Street, Kettering for Mr Patel, Affable Properties Ltd</p> <p>Application No: NK/2021/0555</p> <p><u>Speaker:</u></p> <p>Councillor Martyn York attended the meeting and addressed the committee as a representative of Kettering Town Council. Councillor York raised concerns regarding additional pressures on existing parking provisions and highlighted the importance of having a good housing mix in order to avoid concentrating large number numbers into small areas.</p>	<p>Members received a report about a proposal for which full planning permission was being sought for the demolition of garage and erection of 3 no. one bedroom houses.</p> <p>Members sought clarification regarding electric vehicle (EV) charging points as well as bike storage associated with the proposed development. It was confirmed to members that these provisions had been included within the application.</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 Dell and seconded by Councillor Prentice 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 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. The parking spaces hereby approved shall be provided prior to the first occupation of the development hereby permitted and shall be permanently retained and kept available for the parking of vehicles.
5. Prior to first occupation of the development the boundary treatment scheme within plan CS: PA01revC/02 shall be fully implemented in accordance with the approved details.

6. Notwithstanding the approved plan CS: PA01revC/02, prior to first occupation of the development a scheme of 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.
7. Prior to first occupation of development, details for the cycle storage shall be submitted to and approved in writing by the Local Planning Authority.
8. Prior to first occupation of development, details for the storage of refuse shall be submitted to and approved in writing by the Local Planning Authority. The use of the building shall not commence until the approved scheme has been fully implemented and shall be retained as approved thereafter.
9. Prior to the commencement of 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.
10. No demolition, construction, deliveries of plant and materials for construction shall occur outside of the following times. 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.
11. 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.

12. The dwellings hereby approved shall have been designed to achieve a maximum water use of no more than 105 litres per person per day.
13. The dormer window on the rear elevation of Plot 1 shall be non-opening and glazed with obscured glass and thereafter shall be permanently retained in that form.
14. 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 at first floor in the side elevations of Plots 1 and 3.

*(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>*4.4 s.73A Retrospective Application: Outbuilding in rear garden at 49 Greening Road, Rothwell for Mr G Bhamra</p> <p>Application No: KET/2021/0777</p> <p><u>Speaker:</u></p> <p>Tony Gallagher attended the meeting and addressed the committee as a third-party objector to the proposed development raising concerns regarding the use of the associated outbuilding. Mr Gallagher stated that the building was being used for residential use.</p>	<p>Members received a report about a proposal for which Retrospective Planning Permission was being sought for an outbuilding in rear garden.</p> <p>Members raised concerns regarding the use of the outbuilding especially as bathroom and kitchen facilities were present. Members enquired regarding the removal of these facilities but were in agreement that it was satisfactory to see the removal of the kitchen facilities as part of the application conditions.</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 outbuilding shall only be used for purposes incidental to the enjoyment of the main dwellinghouse (No. 49 Greening Road).
2. Within 3 months of the date of this planning permission the existing kitchen shall be removed from within the outbuilding.
3. 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 Class E of Part 1 of Schedule 2 of the Order shall be erected on the application site.
4. The development 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>*4.5 Full Planning Permission: Conversion of dwelling to 2 no. flats at 98 Lower Street, Kettering for Mr A Thakrar</p> <p>Application No: KET/2021/0789</p> <p><u>Speaker:</u></p> <p>Councillor Martyn York attended the meeting and addressed the committee as a representative of Kettering Town Council. Councillor York raised questions regarding the change of use from a large family home into flats.</p>	<p>Members received a report about a proposal for which full planning permission was being sought to convert the 3-bedroom dwellinghouse into two (no.2) 1-bedroom flats.</p> <p>It was noted that each proposed flat was to have a single bedroom for a single bed. No external alterations were proposed. The submitted plans show that both proposed flats would've had access to the shared rear garden, with a shared access into the garden from the passageway to the property's side.</p> <p>Members sought to clarify conditions in order to include the provision of cycle storage.</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 Carter 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 details listed below.
3. No demolition, construction, deliveries of plant and materials for construction shall occur outside of the following times. 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.

4. Prior to the commencement of development a scheme for achieving the noise attenuation outlined in British Standard BS8233:2014 with regards to the insulation between residential units shall be submitted and approved in writing by the Local Planning Authority. 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.
5. Prior to the first occupation of the development hereby approved, refuse storage and collection facilities shall be made available for use. The refuse storage area shall be in a separate room not connected to any habitable area. These facilities shall be retained at all times thereafter.

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

*(Voting: Unanimous)*

*The application was therefore*  
**APPROVED**

## **62 Close of Meeting**

The meeting closed at 8.12 pm

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Chair

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Date