

Minutes of a meeting of the Area Planning Committee Kettering

At 7.00 pm on Monday 13th December, 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 Ian Jelley
Councillor Paul Marks

Councillor Cedwien Brown
Councillor Elliot Keith Prentice
Councillor Joseph John Smyth
Councillor Kevin Thurland

Officers

Martyn Swann
Louise Holland
Richard Marlow
Mark Coleman
Nigel Bell
Callum Galluzzo

Development Services
Development Services
Development Services
Development Services
Legal Representative
Democratic Services

63 Apologies for non-attendance

None

64 Members' Declarations of Interests

Councillor Kevin Thurland declared an interest in item 4.2 (KET/2020/0815) and indicated that he would leave the room during deliberation of this item.

65 Minutes of the meeting held on 18th November 2021

RESOLVED that the minutes of the meetings of the Area Planning Committee held on 18th November 2021 be approved as a correct record.

66 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. Seven 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 s.73A Retrospective Application: Concrete batching plant and silos, office, welfare facilities and separate access at Blackbridge Farm, Cranford Road, Burton Latimer for Mr J Gough, Mick George Ltd</p> <p>Application No: KET/2020/0449</p> <p><u>Speaker:</u></p> <p>Murray Calder-Scott attended the meeting and addressed the committee as a third party objector to the proposed development raising concerns regarding the access road not being fit for purpose in its current condition. Mr Calder-Scott stated that the road was not wide enough to support the industrial use and that there was a major risk/danger to pedestrians</p> <p>Councillor Jenny Davies attended the meeting and addressed the committee as a representative for Burton Latimer Town Council. Councillor Davies raised concerns regarding the hours of business prior to 7:00am which would have a detrimental impact on residential properties. Cllr Davies also stated that any conditions would need to be strictly enforced.</p> <p>John Gough attended the meeting and addressed the committee as the agent on behalf of the applicant stating that the proposed development had received no objections from statutory consultees and that the development was compliant with local and national policy.</p>	<p>Members received a report about a proposal for which retrospective planning permission was being sought for a ready-mix concrete batching plant. The installation consisted of a batch control cabin, aggregate reception hopper bays, 2 x cementitious silos, batch conveyors, mixing unit and loading chute, aggregate storage bays, unit for mess room and office and access track.</p> <p>The Planning officer addressed the committee and provided an update which stated that wording of condition 12 had been updated.</p> <p>Members raised concerns regarding the condition and state of the access road and questioned whether or not North Northants Highways should investigate the roads condition.</p> <p>It was confirmed to members that no comments had been submitted from the Highways department and member comments would be passed to the relevant Highways officers in order to raise concerns regarding the condition of the road.</p> <p>Following debate it was proposed by Councillor Smyth 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 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 use hereby permitted shall permanently cease on the date that is 6 months from the date of this decision notice UNLESS before that date an air quality assessment to assess the impact of the development on local air quality and the community against the National Air Quality Standards and Objectives shall be submitted to and approved in writing by the Local Planning Authority. The submitted assessment shall identify the impact of the existing and proposed development and any exceedance of the air quality objectives, including any proposed mitigation measures. Once approved, the mitigation measures shall be implemented in full within 12 months of the date of the decision notice and retained where appropriate at all times thereafter.
4. The use hereby permitted shall permanently cease on the date that is 6 months from the date of this decision notice UNLESS before that date a noise assessment that outlines the likely impact on any noise sensitive property, and the measures necessary to ensure that the noise does not affect the local amenity of residents shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall be determined by measurement or prediction in accordance with the guidance and methodology set out in BS4142: 2014. Once approved the use hereby permitted shall be operated in accordance with the approved details and thereafter maintained in this approved state at all times.
5. The concrete batching activities associated with the use hereby permitted shall permanently cease on or before the date that is 6 months from the date of this decision notice UNLESS a written remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. Thereafter the development shall take place strictly in accordance with the approved remediation strategy. This strategy will include the following components:
 1. A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site
 2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
 3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The remediation strategy shall be implemented strictly as approved. No changes shall be made to components (1) to (4) above without the written consent of the local planning authority.

6. The use hereby permitted shall permanently cease on or before the date that is 6 months from the date of this decision notice UNLESS before that date a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation has been submitted to and approved in writing by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan (see condition 5) to demonstrate that the site remediation criteria have been met.
7. The use hereby permitted shall permanently cease on or before the date that is 6 months from the date of this decision notice UNLESS before that date a comprehensive scheme for the regulated discharge of surface water run-off (including a detailed assessment of the risks to controlled waters) has been submitted to and approved in writing by the local planning authority. Thereafter, surface water drainage shall be dealt with strictly in accordance with the approved scheme.
8. The use hereby permitted shall not be carried out before 07:00 hours or after 19:00 hours on Mondays to Fridays, nor before 08:00 hours or after 16:00 hours on Saturdays, nor open or operate at any time on Sundays or any recognised public holidays.
9. The pedestrian safe route and parking layout shown on approved block plan (Drawing no. B14/1/20/04 Rev B) received by the Local Planning Authority on 30th November 2020 shall be marked out and implemented in accordance with the approved plan within 1 month of the date of this decision notice and retained in that form thereafter.
10. The concrete batching activities associated with the use hereby permitted shall permanently cease on the date that is 6 months from the date of this decision notice UNLESS the existing access route (outlined in red) shown on the proposed site plan (drawing number B14/1/20//03B) received by the Local Planning Authority on 30th November 2020 has been implemented in full and permanently retained free from obstruction and all other routes of access have been permanently closed up (unless granted by separate planning approval).
11. Prior to the commencement of any part of the operational development (e.g. creation of the northern access route, etc) hereby permitted, a Construction and Traffic Management Plan must be submitted to and approved by the Local Planning Authority. The Construction and Traffic Management Plan must include and specify the provision to be made for the following:
 - " Directional signage (on and off site).
 - " A map, suitably scaled, to be printed and given to drivers detailing the routes to be used to access the site from the wider highway network.
 - " Details of measures to prevent mud and other such material migrating onto the highway from construction vehicles.
 - " The location and type of wheel washing facilities.

The Construction and Traffic Management Plan shall be adhered to throughout the construction period and the approved measures shall be retained for the duration of the construction works.

12. The use hereby permitted shall permanently cease on the date that is 4 months from the date of this decision notice UNLESS, the developer has submitted to and approved in writing by the local planning authority a written scheme for the control of odour, dust and spillage on the highway of materials arising from operational vehicles entering and leaving the site. The submitted scheme shall include measures for operational vehicles arriving or leaving the site to be appropriately sealed or covered, to prevent any material spillage, wind blow and odour nuisance and be cleansed of debris prior to leaving the site. The scheme will also need to specify the methodology the removal and cleaning of any debris deposited on the adopted highway (maintainable at public expense) during construction of the development or operation of the use hereby approved. The use shall thereafter operate in full accordance with the approved written scheme for control of odour, dust and spillage.
13. No illumination of the site shall occur other than that shown on approved plan B14/1/20/07 received by the Local Planning Authority on 30th November 2020 which shall not be illuminated outside of the operational hours permitted by condition 8 of this planning permission, unless otherwise expressly agreed in writing by the Local Planning Authority.
14. Notwithstanding the requirements of conditions 2 and 9 of this planning permission, the disabled parking bay to be implemented shall measure no less than 3.6 metres wide by 6.2 metres long and shall be marked out as such and retained 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: 14 no. dwellings with access road and associated works at Maplefields School, Beatrice Road, Kettering for Castlegate 772 Ltd.</p> <p>Application No: KET/2020/0815</p> <p><u>Speaker:</u></p> <p>Lesley Thurland attended the meeting and addressed the committee as a third party speaking in favour of the proposed development. It was stated that the proposed development was ideal for the local area and that the design was in keeping with neighbouring character.</p> <p>Rhys Bradshaw attended the meeting and addressed the committee as the agent on behalf of the applicant stating that the main aim of the development was to maintain the front character of surrounding streets and that the house types reflect that of local styles.</p>	<p>Members received a report about a proposal for which full planning permission was being sought for 14 no. dwellings with access road and associated works. Five dwellings were proposed to front Beatrice Road comprising one bungalow and four x two storey detached houses. Five dwellings (two bungalows and three houses) fronting Britannia Road together with the vehicular access into the centre of the site where are a further four bungalows were proposed served off a private drive.</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 Jelley and seconded by Councillor Marks 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. 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 to E of Part 1 of Schedule 2 of the Order shall be constructed on or within the curtilage of any of the houses hereby permitted.
4. Prior to first occupation of the dwellings 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.

5. The development hereby permitted shall be carried out in accordance with the Tree Report prepared by RGS Arboicultural Consultants dated July 2021 with regard to the protection of the group of trees in G1 during the construction of the car port for plot 6.
6. 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.
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. No demolition or site clearance works shall occur during the bird nesting season which would result in disturbance or loss of habitat of nesting birds; the bird nesting season runs between the months of March and August.
9. Prior to the commencement of development a Demolition and Construction Method Statement 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 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 development shall not be occupied until the approved scheme has been fully implemented in accordance with the approved details.
11. 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) the car port serving plot shall remain was a car port with no enclosure of sides in accordance with the approved plans.
12. The dwellings hereby permitted shall not be occupied until a scheme for biodiversity enhancement has been submitted and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details.

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

(Voting: For 7, Against 0)

The application was therefore
APPROVED

(Councillor Kevin Thurland re-joined the committee)

<u>Proposed Development</u>	<u>Decision</u>
<p>*4.3 Full Planning Permission: Single storey rear extension to replace conservatory at 99 Braybrooke Road, Desborough for Mr & Mrs D Mitchell</p> <p>Application No: NK/2021/0810</p> <p><u>Speaker:</u></p> <p>Adrian Smith attended the meeting and addressed the committee as a third party objector to the proposed development raising concerns with regards to associated and shared utilities that run under the development. Concerns were also raised regarding the close proximity of the proposed development and the possible negative impact it may have on neighbouring vegetation.</p>	<p>Members received a report about a proposal for which full planning permission was being sought for a single storey rear extension to replace conservatory, measuring 7.1m in width and a maximum of 7.3m in depth with a pitched roof and bifold doors..</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 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 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.
3. 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>*4.4 Full Planning Permission: Change of Use from residential dwelling (C3) to 9 bed HMO (Sui Generis) at 1 Lindsay Street, Kettering for O.B Regency Property Management Ltd</p> <p>Application No: NK/2021/0814</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 change of Use from residential dwelling (C3) to 9 bed HMO (Sui Generis)</p> <p>Members raised questions regarding the number of waste facilities for the proposed development as well questions with regards to the landscaping associated with the proposed development</p> <p>Members agreed that the application was satisfactory and raised no objection in contrary to the officer’s recommendation to approve the application</p> <p>Following debate it was proposed by Councillor Jelley 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 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 window 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.
4. The parking spaces hereby approved shall be provided prior to the first occupation of the building hereby permitted and shall be permanently retained and kept available for the parking of vehicles.
5. Prior to first occupation of the development, details for the bicycle storage shall be submitted to and approved in writing by the Local Planning Authority and shall be retained as approved thereafter.
6. Prior to first occupation of the 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.

7. 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. The works approved 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.
8. Prior to the commencement of development 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. Once approved the scheme shall be implemented before first occupation of the residential units and therefore 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.
9. No more than one resident per HMO flat shall live at the property at any one time.

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

(Voting: For 7; Against 1)

The application was therefore

APPROVED

<u>Proposed Development</u>	<u>Decision</u>
<p>*4.5 Full Planning Permission: Change of use from open countryside to residential garden and erection of mobile home ancillary to the main dwelling at Suffolk Villa, Rushton Road, Rothwell for Mr M Harrison</p> <p>Application No: NK/2021/0829</p> <p><u>Speaker:</u></p> <p>Alex Jelley attended the meeting and addressed the committee as the agent on behalf of the applicant stating that the proposed development was not visible from the public domain and that the applicant had planted hedgerow on the southern boundary.</p>	<p>Members received a report about a proposal for which full planning permission was being sought for the change of use from open countryside to residential garden and erection of mobile home ancillary to the main dwelling.</p> <p>Members initially sought clarification regarding the proposed development stating that with conditions the proposed development could be considered not excessive in contradiction to the officers recommendation.</p> <p>It was proposed by Councillor Marks that the application be approved contrary to the officer’s recommendation however as there was no seconder, the motion fell</p> <p>Following debate it was then proposed by Councillor Jelley and seconded by Councillor Carter that the application be refused in line with the officer’s recommendation.</p> <p>It was agreed that the application be REFUSED for the following reasons:</p>

1. The proposed development is located outside the settlement boundary of Rothwell in the open countryside. It is an unjustified form of development outside of the town boundary, contrary to both local and national planning policy. The proposal would have a detrimental impact upon the character of the area, creating an uncharacteristic development. The proposal does not seek to enhance the intrinsic quality of the countryside and as such the proposal conflicts with paragraph 80 of the National Planning Policy Framework, Policies 11 and 13 of the North Northamptonshire Joint Core Strategy and Policy RS4 of the Site Specific Part 2 Local Plan.
2. The loss of the open countryside for residential land would alter the appearance and the character of this open land as there may be residential hard landscaping and large garden furniture which would be visible from the adjacent open space. The siting and form of the proposed mobile home would result in an unacceptable incongruous and alien feature which would be visible from the adjacent open space within Rothwell and would be out of character with the locality. The proposed development would erode the open character as viewed from the

adjacent open space by encroaching into the open countryside. Thereby the proposal would have a harmful impact to the character of the locality contrary to Policy 8(d) (i) of the North Northamptonshire Joint Core Strategy (2016).

3. The proposed development would represent overdevelopment of the site and would provide insufficient and unsafe levels of residential amenity for the future occupants of the site given the conflicting uses within the site. There is no provision for refuse nor parking provision within the site, which would add conflicting pressure for amenity land in the proposed small rear garden for the mobile home. Therefore, the proposal would be likely to have a detrimental impact upon the amenity levels of the future occupants of the site which would be contrary to Policies 8 (b) (ii) and 8 (e) (i) of the North Northamptonshire Joint Core Strategy.

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

(Voting: For 6 : Against 2)

The application was therefore
REFUSED

72 Planning appeal decision letters

None

Exempt Items

None

74 Close of Meeting

The meeting closed at 8.25 pm

Chair

Date