B O R O U G H O F K E T T E R I N G

**PLANNING COMMITTEE**

# Meeting held – 15th December 2015

 **Present:** Councillor Shirley Lynch (Chair)

Councillors Linda Adams, Ash Davies, Cliff Moreton, Mark Rowley, David Soans, Lesley Thurland and Keli Watts

**15.PC.52 APOLOGIES**

 Apologies for absence were received from Councillor Terry Freer

**15.PC.53 DECLARATIONS OF INTEREST**

 Councillor David Soans declared an interest in item 5.6 as a member of Desborough Town Council

 Councillor Linda Adams declared an interest in Item 5.1 as Ward Councillor

**\*15.PC.54 MINUTES**

 **RESOLVED** that the minutes of the meetings of the Planning Committee held on 17th November 2015 be approved as a correct record and signed by the Chair.

\***15.PC.55 ITEMS OF URGENT BUSINESS**

None.

**\*15.PC.56 APPLICATIONS FOR PLANNING PERMISSION**

 The Committee considered the following applications for planning permission which were set out in the Head of Development Control’s Report and which were 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 report 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:-

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| Proposed Development5.6\* Full Application: Siting of 2 no. static and 2 no. touring caravans and shed with associated hard-standing. 2 no. lights on high poles and septic tank at Plot & Greenfields, Braybrooke for Mr P Doran Application No. KET/2015/0910Speakers:Mrs Karen Stanley attended the meeting and spoke as third party objector noting that Plot 7 had evolved through unauthorised development, contradicted all planning policies and was fiercely opposed by local residents.Cllr Marie Jessop attended the meeting and spoke as a member of Braybrooke Parish Council and noted that the site was discordant, intrusive and harmful to the local area.Cllr David Howes attended the meeting and spoke as Ward Councillor noting that the site was impractical and unsustainable.Mr Patrick Doran had registered to speak on the application as the applicant, but did not attend the meeting.  |  | DecisionThe committee received a report which sought permission for the siting of two static and two touring caravans and shed with associated hard-standing with two lights on high poles and a septic tank.An update was supplied to the meeting who noted additional consultation responses/objections from:* Braybrooke Parish Council
* Great Oxenden Parish Council
* Cllr David Howes
* Ramblers Association
* North Northamptonshire Residents Against Inappropriate Development (NNRAID)
* 37 third party objections

The existing Greenfields site was noted as being an extensive and distinctive feature on the landscape going back a number of years. Recently a number of other planning applications in relation to Greenfield plots had been considered and refused. Plot 7 had previously had a temporary consent granted in 2013 that expired in April 2015. The Council had discussed the matter with the applicant and allowed them time to present a planning application. The meeting was shown the layout and photos of Plot 7. The site was located in a fairly elevated position within the landscape and so constituted a visible impact of urban form on the landscape, a factor which had to be considered by the Committee. The character of the surrounding countryside was isolated buildings surrounded by fields with no continuity of built form.The relationship of the site to the nearest settlement (Braybrooke) meant access along country roads without footpaths. Braybrooke provided extremely limited services and facilities, the school closing in 2013 and the site being redeveloped with no prospect of re-opening. The nearest main settlement was Desborough, over 2.5miles away with no public transport link and connection on foot being impractical. Accordingly it was difficult to regard the site as sustainable. The NPPF discussed a presumption in favour of sustainable development. Travellers required sites where they could put caravans and the Council and policy makers took that into consideration in seeking sustainable sites even if they were located on the edge of settlements. The site in question was significantly removed from the nearest settlements; therefore the NPPF by definition was not supportive of this proposal. Planning Policy for Traveller sites had been updated in August requiring consideration to be given to the availability of alternative accommodation and other personal circumstances of the applicant. This significant policy document had been taken into consideration in regard to this proposal. In addition, KBC had a five year rolling supply of pitches across the Borough. KBC was seeking to provide options for Traveller sites, with work ongoing and further information on progress due in 2016. In relation to the applicant’s personal circumstances and human rights it was noted that he and his family had resided on Plot 7 for a number of years, originally settling in the area to bring up their children. The applicant required regular medical health checks and the children attended local schools. Issues of human rights were considered by the Planning Inspector in relation to the 2013 appeal regarding Plot 7. These personal circumstances could, in the view of the inspector, be given substantial weight but did not outweigh the harm caused by the site. Human rights were a primary consideration and it was important to weigh these factors when making the decision. The Committee heard that means of access could be provided to satisfy the Highway Authority, so this was not a consideration. In summation, the Committee noted that all the above factors had been considered as part of the officer recommendation and members could either approve the application, refuse it for the reasons presented or could consider a temporary consent. The Committee considered that the Human Rights aspects of the proposal had been fully considered and weighed against all the other circumstances outlined above; however they did not outweigh the harm that would be caused as part of the development.It was agreed that the application be **REFUSED** for the following reasons: - |

Core principles of the National Planning Policy Framework (NPPF) apply to this proposal. The Development Plan: North Northamptonshire Core Spatial Strategy (NNCSS) contains policies 1, 9, 13 and 17 which require development to be focused in accordance with a network of settlements; to strictly control new development in the open countryside outside sustainable urban extensions, give preference to locations that are accessible by a choice of means of travel, comply with sustainable development criteria, and otherwise closely link sites to existing settlements with an adequate range of services and facilities in order to maximise the possibilities for social inclusion and sustainable patterns of living.

1. The application site as part of the land known as 'Greenfields' is located well beyond any settlement, and on relatively exposed higher ground within attractive, open, gently rolling countryside. The landscape context is also characterised by dispersed isolated farms and few settlements.

Core principles of the National Planning Policy Framework include recognising the intrinsic character and beauty of the countryside and supporting thriving communities within it; and to contribute to conserving and enhancing the natural environment. Policies 1 and 13 of the North Northamptonshire Core Spatial Strategy put strict controls over new development in the open countryside and require the landscape character to be conserved and enhanced. Saved Local Plan Policies 7 and RA5 have a similar intent. The Planning Policy for Traveller Sites 2015 (PPTS) states that Local Planning Authorities should very strictly limit new traveller sites in the open countryside.

The proposal which is piecemeal and urban in character results in a sporadic form of development that is visible, highly discordant and intrusive in the landscape and would result in considerable harm to the special character and appearance of the countryside. It is therefore contrary to the above Development Plan and National Planning Policies.

2. The site is not closely linked to an existing settlement with a range of services and facilities and the development would result in a significant reliance on private vehicles. Given the site's isolated location away from existing settlements possibilities for social inclusion and sustainable patterns of living would not be established or built upon. The site is unsustainable with regard to its location and relationship to facilities and services. The proposed development is contrary to Development Plan policies, specifically Policies 9, 13 and 17 of the North Northamptonshire Core Spatial Strategy and the Core Principles and Policies of the National Planning Policy Framework.

*Members voted on the officers’ recommendation to* ***refuse*** *the application*

*(Voting For 7; Against: 0)*

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| Proposed Development\*5.1 Approval of Reserved Matters: Appearance, layout and scale in relation to KET/2014/0432 for 72 no. dwellings at Laburnum Crescent for Westleigh Partnerships LimitedApplication No: KET/2015/0599Speakers:Cllr Clark Mitchell attended the meeting and spoke as Ward Councillor. He queried a pond as part of site drainage and the possibility of parking provision for the residents of Maple Drive during development.Mr John Roberts attended the meeting and spoke as agent for the applicant and stated that as many original trees as possible had been retained and bungalows introduced to reduce the impact on surrounding residents.  |  | DecisionThe Committee received a report that sought approval for the appearance layout and scale of 72 dwellings on Laburnum Crescent.An update was supplied to the meeting detailing amended plans received introducing additional windows in side elevations of properties to create dual frontages at access points and open spaces and a reduction in rows of terrace properties and an increased number of semi-detached properties to provide better rear access for bins. These changes were considered to be minor and required no further public consultation. Members heard that works were ongoing to demolish two old schools that occupied the site. A multi-use games area had been created that would be accessible from the Community Centre with the site being under KBC management. The scheme before the Committee had been through number of alterations with planners requesting that dwellings be set back from the highway for additional frontage and the retention of more original trees on site. All houses on the site would have at least 2 parking spaces. The Committee noted that four bungalows would be constructed on site, with the exact mix of housing being dictated by KBC Housing Department to allow for the scheme to potentially be 100% affordable to best meet the housing needs of Kettering. Highway width had been reduced so shared spaces and home zones were created to avoid highway domination. The S106 set out the management strategy for the site. In relation to the two objections received, separation distances were acceptable and with 1.8m boundary fences, overlooking would not have a detrimental impact.In relation to the points raised by Cllr Mitchell, a design would be received for the Sustainable Drainage System. In relation to resident parking for Maple Drive residents, it would not be possible to implement a specific scheme. The Committee asked questions regarding surveillance on the site and affordable housing. Members appreciated the design aspects of the applicationIt was agreed that the application be **APPROVED** subject to the following conditions: - |

1. No development shall commence on site until details of the materials to be used for hard and paved surfacing have been submitted to and approved in writing by the Local Planning Authority. The approved surfacing shall be completed before the adjoining buildings are first occupied.

2. 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 northern side elevation or roof plane of plot 47 or the south-eastern side elevations or roof planes of plots 21 and 37.

3. Notwithstanding the approved plans, the exact siting, design and details of bin storage shall be submitted to and approved in writing by the Local Planning Authority, prior to the occupation of any of the dwellings which they would serve.

4. Prior to first use or occupation of the development hereby permitted, vehicular visibility splays of 2.0m from the carriageway edge along the centre of the vehicular access by a distance of 43m measured from the centre of the vehicular access along the carriageway edge. The splays shall thereafter be permanently retained and kept free of all obstacles to visibility over 0.9m in height above carriageway level.

5. Prior to first use or occupation of the development hereby permitted, pedestrian visibility splays of at least 2.4m x 2.4m (2m x 2m where there is turning space within the site) shall be provided on each side of the vehicular access. These measurements are taken from and along the highway boundary. The splays shall thereafter be permanently retained and kept free of all obstacles to visibility over 0.6m in height above access / footway level.

6. The vehicular access gradient from the Highway Boundary shall not exceed 1 in 15 for the first 5m from the highway boundary.

7. Prior to the commencement of the development hereby permitted, details of a positive means of drainage to ensure that surface water from the vehicular access or private land does not discharge onto the highway shall be submitted to and be approved in writing by the local planning authority. Such details as may be approved shall thereafter be installed and operational prior to first occupation of any of the dwellings hereby approved and thereafter be maintained.

8. Prior to the commencement of the development hereby permitted, details of measures to ensure that mud and other such loose material do not migrate onto the highway shall be submitted to and shall be approved in writing by the local planning authority. The approved measures shall thereafter be implemented and maintained for the duration of the construction period.

9. No development shall take place until a detailed design of surface water drainage scheme for the site based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

10. No development shall take place until a detailed scheme for the ownership and maintenance of each 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 maintenance plan shall be carried out in accordance with the approved details.

*Members voted on the officers’ recommendation to approve the application*

*(Voting, For 7 ; Against 0)*

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| Proposed Development\*5.2 s.73A Retrospective Application: Canopy to rear elevation at 13 Woodland Avenue, Barton Seagrave for Mr A BaileyApplication No: KET/2015/0822Speakers:Mr Anthony Bailey attended the meeting and spoke as the applicant. He apologised for not realising he required planning permission for the canopy and would have constructed it to meet permitted development rights.  |  | DecisionThe committee received a report which sought retrospective permission for the erection of a fixed canopy to the rear elevation of the dwelling.An update was provided to the meeting noting an amendment to the condition regarding which elevation was concerned.The Committee noted that there was no issue of negative impact to the character of the area as the structure was not visible from the public highway.It was agreed that the application be **APPROVED** subject to the following conditions: - |

1. Within 4 weeks of the date of this permission, details of the types and colours of materials to be used in the construction of the side (eastern) elevation should be submitted to and approved in writing by the Local Planning Authority. The approved materials shall be fixed to the western elevation within 3 months of receipt of confirmation from the Local Planning Authority that the proposed materials are acceptable. The acceptable materials shall permanently be maintained in that form.

*Members voted on the officers’ recommendation to approve the application*

*(Voting, For 7; Against 0)*

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| Proposed Development\*5.4 Full Application: two storey side extension at 30 Old Gorse Way, Mawsley for Mrs J Sayers Application No: KET/2015/0862Speakers:Mr Mark Willis attended the meeting and spoke on the application as a third party objector. He outlined how the development, if approved would impact negatively on his amenity by overshadowing and overbearing his property |  | DecisionThe Committee received a report which sought permission for the erection of a two storey side extension.The Committee heard that the principle of extending properties in the residential area was accepted. Whether the proposal was out of character was a matter for the Committee to decide. In relation to neighbouring amenity, separation distances were sufficient to obviate any harm to surrounding residents. The Committee sympathised with the objector but noted there were no planning grounds on which to refuse the application. It was agreed that the application be **APPROVED** subject to the following conditions: - |

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. 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 west elevation or roof plane of the building.

4. The development hereby permitted shall not be carried out other than in accordance with the amended plan number 15/10/1A.

*Members voted on the officers’ recommendation to approve the application*

*(Voting, For 7; Against 0)*

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| Proposed Development\*5.3 Full Application : Two storey front and side extension and single storey rear extension at 38 Stubbs Lane, Kettering for Mr S Mann. Application No: KET/2015/0828Speakers:None |  | DecisionThe committee received a report which sought permission to erect a two storey front and side extension and a single storey rear extension.An update was supplied to reiterate objections from a neighbouring propertyThe Committee heard that the principle of extension in the area was acceptable and would not impact the character of the area. Neighbouring amenity had also been considered. It was agreed that the application be **APPROVED** subject to the following conditions: - |

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. 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 west elevation or roof plane of the building.

4. The development hereby permitted shall not be carried out other than in accordance with the amended plan number 15/10/1A.

*Members voted on the officers’ recommendation to approve the application*

 *(Voting, For 7; Against 0)*

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| Proposed Development5.5\* Full Application: Single storey rear extension at 16 High Street, Cranford for Mr J Wills Application No. KET/2015/0866Speakers:None |  | DecisionThe committee received a report which sought permission for a single storey rear extension. The Committee were advised that the application was before them as the applicant was related to a member of KBC staff. No objections had been received. It was agreed that the application be **APPROVED** subject to the following conditions: - |

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 shown on drawing number 15/10/1.

*Members voted on the officers’ recommendation to approve the application*

*(Voting, For 7; Against 0)*

*\*(The Committee exercised its delegated powers to*

*act in the matters marked \*)*

*(The meeting started at 7.00pm and ended at 8.40pm)*

Signed: ..........................................................

Chair

DJP