<u>BOROUGH OF KETTERING</u>

PLANNING COMMITTEE

Meeting held – 3rd July 2018

<u>Present</u>: Councillor Shirley Stanton (Chair) Councillors Adams, Davies, Howes, Marks, Mitchell, Titcombe and Soans.

18.PC.17 <u>APOLOGIES</u>

Apologies for absence were received from Councillors Rowley, and Thurland. It was noted that Councillors Howes and Marks were acting as substitutes.

18.PC.18 DECLARATIONS OF INTEREST

Councillor Howes declared a Disclosable Pecuniary Interest in item 5.2 on the agenda (Braybrooke Road and A6 (land between), Desborough), as members of his family owned land connected to the application, and indicated that he would leave the meeting room during discussion on and determination of the application.

*18.PC.19 <u>MINUTES</u>

RESOLVED that the minutes of the meetings of the Planning Committee held on 5th June 2018 be approved as a correct record and signed by the Chair.

*18.PC.20 ITEMS OF URGENT BUSINESS

None

*18.PC.21 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. Three 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:-

(Planning No. 1) 03.07.18 (Having declared a disclosable pecuniary interest, Councillor Howes left the meeting room during discussion on and determination of the following application)

Proposed Development	Decision
 *5.2 Full Application: Change of use from redundant roadway to site for 5 no. traveller caravans at Braybrooke Road and A6 (land between), Desborough for Mr Holland Application No: KET/2018/0309 	Members received a report which sought consent for the site to be used to accommodate up to 5 no. traveller caravans on one large family pitch. The application was retrospective in the sense that the site was already occupied by some traveller caravans but the proposed changes were not yet in place
<u>Speakers</u> :	However it was heard by members that the
Jennifer Hill, third party objector to the proposed development, attended the meeting and raised objections on the grounds of access in relation to land in her ownership other issues relating to the proposed use of the land John Mead spoke in support of the application, explaining that the land was given to the applicanf by Northamptonshire County Council but could not be registered to the applicant for 12 years, with three years still to run. He added that no objections had been raised in writing with the applicant.	proposal included a new indicative layout with a turning area and recreation area. At the time of the officer's site visit there were 2no. static and 2no. touring caravans positioned on site. The application proposed to amend the position and extent of hardstanding within the site boundary, to install a new fit-for-purpose below ground septic tank and the erection of new dog kennelling to the rear of the site. The Planning Officer addressed the Committee and outlined the policy background, including the GTAA requirement to demonstrate a five year supply of sites. He added that the site was located in a relatively sustainable location with easy access to the road. Issues raised by the Highway Authority were outlined, but it was noted that the site layout provided room for vehicle manoeuvring on the site and therefore it was considered to be an acceptable layout.
	In discussion members noted that issues raised by the third party objector were not material planning considerations and were considered to be civil matters. In debating issues of parking and the temporary kennels, was felt that the planning officer should ask for a programme of works on site from the applicant to address these issues and give a measure of site resolution.
	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 months 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 site shall not be occupied by any persons other than gypsies and travellers as defined in Annex 1 to the Planning Policy for Travellers Sites, August 2015 (or its equivalent in replacement national policy)
- 4. There shall be no more than 1 family pitch on the site and no more than 5 traveller caravans (static or touring), as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 (as amended), shall be stationed at any time.
- 5. The single family pitch hereby approved shall only be for occupation by the applicant, Mr. Andrew Holland, and his dependents and immediate family.
- 6. The site shall not be used for any trade, industrial or business activity, including vehicle hire and there shall be no storage of commercial waste or materials
- 7. No boundary treatments shall be erected or installed at the site until a scheme for boundary treatment has been submitted to and approved in writing by the Local Planning Authority. No boundary treatment shall be erected or installed at the site other than in full accordance with any approved scheme for boundary treatment, which shall subsequently be completed before the expiry of three months following the date of approval of such boundary treatment and retained as approved at all times thereafter.
- 8. No hard surfacing shall be constructed on site until full details of the materials to be used and the final extent of surfacing (to be in compliance with the extent and position of hardstanding set out on approved Indicative Site Layout S01) have been submitted to and approved in writing by the Local Planning Authority. No hard surfacing shall be carried out on site other that in full accordance with the approved details, which shall subsequently be completed before the expiry of three months following the date of such approval and retained as approved at all times thereafter.
- 9. Prior to the erection of any new or replacement dog kennels on site, full details of their proposed design, materials and intended siting (to be in compliance with the position set out upon approved Indicative Site Layout S01) shall be submitted to and approved in writing by the Local Planning Authority. Any approved dog kennelling shall be erected before the expiry of three months following the date of such approval.
- 10. Any gates provided at the point of access to the site shall be hung so as to open inwards into the site only.
- 11. 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.
- 12. Within six months of the date of this permission the recreation area and vehicle parking and manoeuvring area shown on the Indicative Site Layout shall have been laid out on site in accordance with details (including ground preparation

for receiving new soil and turf on the recreation area) that have been first submitted to and approved by the Local Planning Authority.

13. Within 4 weeks of the date of this permission there shall have been submitted to the Local Planning Authority a proposed timetable for implementation of this proposal to include:

- Dates by when the applicant will submit to the LPA the required details identified in conditions 7; 8; 9 and 12;

- A time line (consistent with conditions of this permission) for implementation (following approval) of the details referred to above.

Thereafter, development shall proceed in accordance with an approved timescale

Following the debate at Committee, an additional note was to be added to the decision Notice:

The applicant is advised that representations from third parties about rights of access across the site were received by the LPA during the course of considering this application. It is advised that the applicant seeks to resolve these matters with the parties concerned.

Members voted on the officers' recommendation to approve the application

(Voting, For recommendation 5; Against 1)

The application was therefore APPROVED

(Councillor Howes rejoined the meeting)

(Planning No. 4) 03.07.18

Proposed Development	Decision
*5.3 Full Application: Porch to front and single storey rear extension with balcony at 25A Kettering Road, Broughton for Mr B Davison. Application No: KET/2018/0311 <u>Speakers:</u> Patricia White, third party objector to the proposed development attended the meeting. She stated that the only objection to the application was in relation to the proposed first floor balcony which would overlook her property and allow views inside her house. She suggested that restricting glass panelling to within 1m of the end of the wall would help in this respect.	 Members received a report which sought consent for the following: The removal of the existing canopy above the front door and the construction of a single storey brick extension with a mono-pitched roof to the front elevation to create a porch. The construction of a ground floor rear extension with a balcony above with side walls. As the ground slopes away from the rear elevation of the existing property, the extension is elevated such that it shares the same floor levels at both ground and first floor levels as the original dwellinghouse In addressing the Committee's concerns regarding overlooking of the neighbour's property, the Planning Officer pointed out although the proposal was considered acceptable, there may be other scenarios that would give certainty and assurances going forward. And decrease the propensity for overlooking from the proposed balcony. In this respect the Committee felt that discussions should be held with the applicant and planning officers. It was agreed that the application be APPROVED subject to discussions between the Planning Officer and the applicant to agree a satisfactory design of the neighbouring property, (which was addressed in revised condition 2 below and amended plans ref 003b, 004a, 004b) and 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 development hereby permitted shall not be carried out other than in accordance with the approved plans and details listed below. The southwest wall to the balcony hereby permitted, once built shall be thereafter retained in that form, and the glass balustrade hereby permitted shall be stepped in from the balcony edge by 300mm and once installed shall thereafter be retained in that location.

3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match, in type, colour and texture, those on the existing building.

4. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no additional openings permitted by Schedule 2, Part 1 Class A shall be made in the southwest elevation of the building.

Members voted on the officers' recommendation to approve the application

(Voting: Unanimous)

The application was therefore APPROVED

roposed Deve	lopment	Decision
and single storey	for the Applicant and addressed	Members received a report which sought planning approval for the removal of an existing lean-to conservatory to the rear of the dwellinghouse and the construction of a two-storey gable roofed rear extension and single storey flat roofed side extension. An amended block plan had been received to show the single storey side extension which had been omitted from the original submission. 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 development hereby permitted shall not be carried out other than in accordance with the approved plans and details listed below.
- 3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match, in type, colour and texture, those on the existing building.
- 4. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no additional openings permitted by Schedule 2, Part 1 Classes A or C shall be made in the southwest elevation or roof plane of the building.

Members voted on the officers' recommendation to approve the application

(Voting: Unanimous)

The application was therefore APPROVED (Councillor Howes declared a personal interest in the following application as he owned property opposite the application site)

Proposed Development	Decision
 *5.1 Full Application: Demolition of existing buildings and erection of 5 no. one bedroom bungalows with modified vehicle accessat 298 Havelock Street for Ms S Elliott D N Spencer & Son Ltd Application No: KET/2018/0293 <u>Speakers</u>: None 	Members received a report which sought planning approval for the demolition of the existing commercial buildings and the construction of 5 No. 1 bedroom single storey dwellings suitable for single or elderly occupiers. The dwellings were arranged in a courtyard style with 3 being detached and 2 semi-detached. Each dwelling had a small patio court and private amenity area with bin storage. A bin collection area was located to the front of the site along the shared drive of 4.5m width adjacent to the western elevation of 196 Havelock Street. The proposals provided for 1 car parking space per dwelling and 1 visitor space providing 6 in total. The Planning Officer in introducing the report, gave an update in respect of the bin collection area location. In discussion, members commented that the proposed development made good use of the available space and provided well- needed bungalows in the area. Although concerns were raised regarding access and parking to the proposed development, it was felt that vehicle movements would be no worse than those experienced for the previous use of the site. 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 development hereby permitted shall not be carried out other than in accordance with the approved plans and details listed below.
- 3. No development 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. In the event that unexpected contamination is found at any time when carrying out the development hereby approved, it must be reported immediately to the Local Planning Authority. Development works at the site shall cease and an investigation and risk assessment undertaken to assess the nature and extent of the unexpected contamination. A written report of the findings shall be submitted to and approved by the Local Planning Authority, together with a scheme to remediate, if required, prior to further development on site taking place. Only once written approval from the Local Planning Authority has been given shall development works recommence.
- 5. 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.
- 6. Prior to the first use of development the vehicular access into the site shall be laid out in accordance with approved plan 8332112A to include a 2m x 2m visibility splay to its eastern side and 2m yellow hatched area adjacent to the shared drive, (to be kept free of all storage items at all times) and shall be retained, as approved, at all times thereafter.
- 7. No development shall commence on site until details of the materials and plants to be used for hard and soft landscaping 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 and soft landscaping shall be replaced/retained for a period of five years.
- 8. Any gates provided shall be set back a distance of 5.5 metres from the edge of the vehicular carriageway of the adjoining highway and shall be hung so as to open inwards into the site only.
- 9. 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 use and thereafter be maintained.
- 10. 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 A to E of Part 1 of Schedule 2 of the Order shall be constructed on the application site.

Members voted on the officers' recommendation to approve the application

(Voting: Unanimous)

The application was therefore APPROVED

(Planning No. 10) 03.07.18

Proposed Development	Decision
 *5.5 Full Application: Construction of seven bungalows ar 23 Regent Road, Burton Latimer for Mrs C Brown. Application No: KET/2018/0362 	Members received a report which sought full planning permission for the construction of seven 2 and 3-bed bungalows with three fronting Regent Road and the remaining four toward the rear served off a shared drive.
Speakers:	It was agreed that the application be APPROVED subject to the following
None	conditions:-

- 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 detailed below.
- 3. No development shall commence on site until details of the types and colours of all external facing and roofing materials to be used, details of the hardsurfacing materials and details of a bin presentation point close to the Highway 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. The bin presentation point shall remain available for that use hereafter.
- 4. No development shall commence on site until 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. No development shall commence on site until details of the maintenance/ownership arrangements for the access road and any non-private areas together with a plan showing the extent of the private areas have been submitted to and approved in writing by the local planning authority. The proposal shall be carried out in accordance with the approved details.
- 6. No development 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 dwelling which the boundary treatment relates shall not be occupied until that element of the scheme has been fully implemented in accordance with the approved details. Closed board fences to boundaries within the public realm shall be avoided and wall should be provided along the shared boundary with 14 Victoria Street.

- 7. No development shall take place until a plan showing details of existing and intended final ground and finished floor levels has 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.
- 8. No works shall take place on site until full details of all windows, doors (including their surrounds), 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.
- 9. Prior to the commencement of development a scheme for the provision of the surface and waste 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.
- 10. Prior to the commencement of the development and notwithstanding approved plans revised drawings in relation to the single garage associated with plot 3 shall be submitted to and approved in writing by the local planning authority. The revised drawings shall include a minimum opening of 2.5m and a reorientated roof so that the gable runs front-to-back. The proposal shall be carried out in accordance with the approved details.
- 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. No development shall take place on site until the applicant, or their agents or successors in title, 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 in writing by the Local Planning Authority.
- 13. Prior to the commencement of any part of the development hereby permitted, a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall include and specify the provision to be made for the following:

i. Overall strategy for managing environmental impacts which arise during the demolition and construction;

ii. Measures to control the emission of dust and dirt during demolition and construction;

iii. Control of noise emanating from the site during the demolition and construction period;

iv. Hours of construction work for the development

v. Contractors' compounds, materials storage and other storage arrangements, cranes and plant, equipment and related temporary infrastructure within the site;

vi. Designation, layout and design of construction access and egress points;

vii. Details of measures to prevent mud and other such material migrating onto the highway from construction or demolition vehicles;

viii. The erection and maintenance of security hoardings;

ix. A scheme for recycling/disposing of waste resulting from demolition and construction works.

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

- 14. Prior to the first occupation of the development hereby permitted, the new vehicular access and private drive, shown on the approved drawings shall be provided and thereafter permanently retained. There shall be no obstruction to visibility within the area identified as 'visibility splays'.
- 15. The parking spaces and garages hereby approved shall be provided prior to the first occupation of the bungalows hereby permitted and shall be permanently retained and kept available for the parking of vehicles. A positive means of drainage to ensure that surface water from the vehicular access [or private land] does not discharge onto the highway should be provided and maintained hereafter.
- 16. All dwellings shall be constructed to achieve a maximum water use of no more than 110 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).
- 17. All new dwellinghouses shall be constructed to meet M4(2) Accessible and Adaptable Dwellings of schedule 1 part M of the Building Regulations 2010 (as amended).
- 18. 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 B (additions to the roof) of Part 1 of Schedule 2 of the Order shall be constructed on the application site.

19. Prior clearance of the site, a reptile method statement shall be submitted and approved in writing by the local planning authority and shall include the method of dismantling any rubble piles and progressive grass strimming. The development shall be carried out in accordance with the approved details.

20 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.

Members voted on the officers' recommendation to approve the application

(Voting: Unanimous)

The application was therefore APPROVED

Decision
Members received a report which sought planning approval for a two storey front and side extension and single storey rear extension
It was agreed that the application be APPROVED subject to the following conditions:-
In discussion it was falt that Darmittad
In discussion, it was felt that Permitted Development rights should be removed for any other proposals other than those submitted.

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.

2. The development hereby permitted shall not be carried out other than in accordance with the approved plans and details listed below.

3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match, in type, colour and texture, those on the existing building.

4. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no additional openings permitted by Schedule 2, Part 1 Classes A or C shall be made in the south east elevation or south east roof plane of the building.

5. The window at first floor level on the south east elevation shall be non-opening and glazed with obscured glass and thereafter shall be permanently retained in that form.

6. The roof lights / windows within the south east roof slope elevation shall be glazed with obscured glass and any portion of the window that is within 1.7m of the

floor of the room where the window is installed shall be non-openable. The window shall thereafter be maintained in that form.

Members voted on the officers' recommendation to approve the application

(Voting: Unanimous))

The application was therefore APPROVED

18.PC.22. <u>SEATS ON STREETS: PROPOSED LOCAL DEVELOPMENT ORDER</u> (LDO)

A report was submitted which sought members' endorsement and recommendation that a new Local Development Order (LDO) be prepared, that it go through a consultation period/be advertised and in due course is presented to Full Council for adoption.

It was noted that a LDO was granted five years ago and had now expired. It was proposed to submit a recommendation for a new Order to Council at the end of the summer 2018.

A revised plan was submitted as an update to the report.

RESOLVED that the recommendation for the Council to prepare for consultation a new draft LDO 'Seats on Streets' applicable within the area defined on the plan submitted at the meeting be endorsed and a similar process seeking adoption to that of the temporary order of 2013 be approved.

*(The Committee exercised its delegated powers to act in the matters marked *)

(The meeting started at 6.30pm and ended at 7.55 pm)

Signed:

Chair

AI

(Planning No. 17) 03.07.18