BOROUGH OF KETTERING

PLANNING COMMITTEE

Meeting held: 24th September 2019

Present:Councillor Shirley Stanton (Chair)
Councillor Ash Davies (Deputy Chair)
Councillors Linda Adams, Anne Lee, Paul Marks, Cliff
Moreton, Mark Rowley, Lesley Thurland and Greg
Titcombe.

19.PC.21 <u>APOLOGIES</u>

Apologies for absence were received from Councillor Clark Mitchell. Councillor Anne Lee was acting as a substitute.

19.PC.22 DECLARATIONS OF INTEREST

Councillor Greg Titcombe declared a personal interest in Item 5.1 and indicated that he would not vote on the application.

19.PC.23 ANY ITEMS OF BUSINESS THE CHAIR CONSIDERS TO BE URGENT

None.

19.PC.24 PLANNING APPLICATION REPORTS

The Committee considered the following applications for planning permission, which were set out in the Head of 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.

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:-.

19.PC.24.1 <u>KET/2019/0385</u>

Proposed Development	Decision
*5.4 Full Application: Erection of 2 new dwellings and two storey side/rear extension and single storey rear extension to No.41 at 41 Oxford Street, Kettering for Mr S Ash Perfecta Assets	Members received a report about a proposal for which full planning permission was being sought to construct 2 No. semi-detached dwellings and to extend the existing dwelling on the site.
Application No: KET/2019/0385 Speaker:	During debate, members of the Committee agreed that the some of the concerns raised by the speaker were not material planning considerations.
Mr Martin Hall attended the meeting and addressed the committee on behalf of a relative whose property was adjacent to the application site.	
Mr Hall raised concerns about the proximity of the proposed building; the effect of foundation works on neighbouring properties; ground conditions; overshadowing; health and safety issues in relation to the placing of ladders and access and egress difficulties to 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. The materials to be used in the construction of the external surfaces of the development on No.41 hereby permitted shall match, in type, colour and texture, those on the existing building.
- 4. No development above building slab level shall commence on the new dwellings until details of the types and colours of all external facing and roofing materials to be used on the new dwellings, 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.
- 5. No development above building slab level shall commence on the new dwellings until the completion of the extension on No.41.
- 6. The first floor window on the side elevation on No.41 serving a hall 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.

- 7. No earthworks or groundworks shall take place until a cross-sectional plan of the site, prepared to a scale of not less than 1:500, showing the existing and intended final ground levels and land contours 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 development above slab level shall take place on the new dwellings until a scheme for boundary treatment has been submitted to and approved in writing by the Local Planning Authority. The new buildings shall not be occupied until the approved scheme has been fully implemented in accordance with the approved details.
- 9. No development above slab level shall take place on the new dwellings until a scheme for the removal of the brick piers at the driveway access and full details of the new access arrangements including any new piers and gates if proposed has been submitted to and approved in writing by the Local Planning Authority. The new buildings shall not be occupied until the approved scheme has been fully implemented in accordance with the approved details.
- 10. Prior to first occupation of the new dwellings, the parking areas should be provided on site in accordance with plan 19-002-20 and shall thereafter be set aside and retained for those purposes.
- 11. Demolition or construction works shall not occur outside of the times Monday to Friday 08.00 to 17.00 hrs and at no time whatsoever on Saturdays, Sundays or Public/Bank Holidays. This includes deliveries to the site and any work undertaken by contractors and sub contractors.
- 12. 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.
- 13. Prior to the commencement of development, a method statement for the removal of any Asbestos from site by a contractor licenced to undertake asbestos removal shall be submitted to and approved by the Local Planning Authority. The works shall thereafter be undertaken in strict accordance with the approved details.
- 14. Notwithstanding Plan 19-002-19G, no development shall take place above slab level until full details of refuse storage area(s) and collection point has been submitted to and approved in writing by the Local Planning Authority. The approved refuse storage area(s) and collection point shall be provided before the occupation of either of the new dwellings and retained as approved thereafter.
- 15. Prior to the occupation of either of the new dwellings, evidence of how the dwellings

hereby approved have been designed to achieve a maximum water use of no more than 105 litres per person per day shall be submitted to and approved in writing by the Local Planning Authority.

- 16. 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 side elevations or roof plane of the existing building or new buildings.
- 17. 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 extension or alteration to the roof permitted by Classes A, B or C of Part 1 of Schedule 2 of the Order shall be constructed on the existing building or the new buildings.

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

(Voting: For 7; Against 0; Abstain1)

The application was therefore APPROVED

19.PC.24.2 <u>KET/2019/0452</u>

Proposed Development	Decision
*5.5 Full Application: Demolition of bungalow and erection of 2 No. semi-detached dwellings at Adelaide, 28 Orchard Estate, Pytchley for Mr T Lousada Glanmoor Investments Ltd.	Members received a report about a proposal for which planning permission was sought for demolition of the existing bungalow and erection of a pair of semi-detached two-bed dwellings.
Application No: KET/2019/0452	The Planning Officer addressed the committee and provided an update which advised the committee of an additional
Speaker: Mr Tom Lousada attended the meeting and addressed the Committee on behalf of Glanmoor Investments Ltd,	comment that had been received from Pytchley Parish Council
commenting that the bungalow to be demolished had been built in the 1960s and was now uninhabitable and dilapidated. The applicant had worked with planners to design a suitable	Members agreed that the proposed development was satisfactory and saw no issue with approving the application as per the officer's recommendation.
alternative property that would be in keeping with the area and nearby environment.	It was agreed that the application be <u>APPROVED</u> 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 detailed below.
- 3. 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.
- 4. Prior to demolition a Demolition and Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved Plan shall be adhered to throughout the construction period and the approved measures shall be retained for the duration of the demolition and construction works.
- 5. Works audible at the site boundary will not exceed the following times unless with the written permission of the Local Planning Authority. 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. The development shall not proceed above slab level until a detailed scheme of the trees shown on approved Location Plan KET/2019/0452/3B along the western boundary, which shall specify species, planting sizes, spacing and numbers of trees to be planted has been submitted to and approved in writing by the by the Local Planning Authority. The submitted scheme shall involve the provision of trees at a planting height of at least 2m and capable of growing to at least 4m in height. The approved scheme shall be carried out prior to first occupation. The approved trees 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. The trees shall be allowed to grow to a height of no less than 4m and retained at least at that height thereafter.
- 7. The development shall not progress above slab level until details of the types and colours of all external facing and roofing materials to be used (including the extent of the render) and details of the hard-surfacing materials 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.
- 8. No works shall proceed above slab level until full details of all windows, doors (including their surrounds), porch, rooflights, chimney, verge detailing and rainwater goods have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.
- 9. The development shall not proceed above slab level until a scheme for boundary treatment has been submitted to and approved in writing by the Local Planning Authority. The dwellings shall not be occupied until the approved scheme has been fully implemented in accordance with the approved details, which shall remain in place thereafter.
- 10. The development shall not be occupied 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 has been 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.

- 11. The parking spaces shown on approved block plan drawing KET/2019/0452/3B shall be provided and made available for use prior to first occupation of the dwelling to which it relates and shall be permanently retained and kept available for that purpose.
- 12. 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.
- 13. All dwellings shall be constructed to achieve a maximum water use of no more than 105 litres per person per day in accordance with the optional standards 36(2)(b) of the Building Regulations 2010 (as amended) as detailed within the Building Regulations 2010 Approved Document G - Sanitation, hot water safety and water efficiency (2015 edition).
- 14. 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) unless otherwise approved in writing by the local planning authority.
- 15. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no additional openings permitted by Schedule 2, Part 1 Classes A or C shall be made in the upper floor side elevation of the building at any time without the grant of planning permission.

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

(Voting:Unanimous)

The application was therefore APPROVED

19.PC.24.3 <u>KET/2019/0556</u>

Proposed Development	Decision
*5.8 Full Application: Change of use of detached rear garage to therapy room with alterations to doors at 30 Greenfield Avenue, Kettering for Mrs R Misciali.	Members received a report about a proposal for which full planning permission was being sought for a change of use of the existing garage into a therapy room.
Application No: KET/2019/0556	The Committee noted that the garage could not be used as separate dwelling; any use of the garage as a family room would be
<u>Speaker</u> :	ancillary to the use of the house. Control of future variation of hours was outside the
Mrs R Misciali attended the meeting and addressed the Committee in support of the proposal, which was to be used as a therapy/family room. Off-road parking was available within the boundary of the site.	application process. A planning application would be needed to change the hours.Should an application be submitted and complaints received from neighbours, this would be looked at again.
	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. The number of staff working within the use hereby permitted shall be limited to the applicant only.
- 5. The use hereby permitted shall not be carried out outside the hours of:

Monday 11:00am - 2:30pm Tuesday 9:30am - 2:30pm Wednesday 11:00am - 2:30pm Thursday 9:30am -14:30pm and 6:00pm - 8:00pm Friday 12:00pm - 3:00pm Saturday 9:00am - 5:00pm

The premises shall not be open at any time on Sundays or any recognised public holidays.

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

(Voting:Unanimous)

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The application was therefore APPROVED

19.PC.24.4 <u>KET/2018/0661</u>

Proposed Development	Decision
 *5.1 Approval of Reserved Matters: Appearance, layout and scale in respect of KET/2015/0244 (residential development – conversation of former factory fronting Durban Road to 9 apartments and demolition of rear parts to factory and construction of 5 dwellings for Mr T Hooper Corium Leather Retirement Benefits Scheme. Application No: KET/2018/0661 <u>Speaker</u>: None. 	Members received a report seeking reserved matter approval in association with the outline permission seeking approval of Appearance, Layout and Scale. Members welcomed the application as it preserved the heritage of the area. It was agreed that the application be APPROVED subject to the following conditions:
None.	

- 1. The development hereby permitted shall not be carried out other than in accordance with the approved plans detailed below.
- 2. No works to plots 10-14 shall proceed above slab level until full details of all windows, doors (including their surrounds), chimney, eaves and verge detailing have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details and shall remain in that state thereafter.
- 3. Prior to first occupation of the development a scheme of landscaping (including hard-surfacing) 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.
- 4. Prior to occupation details of the ownership and maintenance strategy associated with the non-private areas of the buildings and land shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and shall remain in that form thereafter.

- 5. Prior to first occupation the car parking area shall have in place a lighting scheme compliant to BS 5489-1:2013 and shall include cowls to prevent light spill onto windows and neighbouring property and shall be maintained thereafter.
- 6. Prior to first occupation the bin and cycle store and parking area shall be in place and available for use and shall remain in that form thereafter.
- 7. The vehicular gate shall be provided and made available for use prior to first occupation and be hung to open inward within the site only. The ground floor side window serving plot 12 shall be hung to open inward within the house only and a positive means of drainage shall be provided at the highway threshold to prevent private surface water flowing on to the highway. These arrangements shall remain in place in perpetuity.
- 8. The upper floor windows in the side elevation of units 10, 12, 13 and 14 shall be inserted with obscure glaze and shall remain in that form thereafter.
- 9. The two first floor windows closest to the boundary with 33 Durban Road and the closest window in the first floor window closest to the boundary with 23 Durban Road in the rear north-facing elevation of the converted building shall be inserted with obscure glaze and shall remain in that form thereafter.
- 10. Dwellinghouses on plots 10-14 shall be constructed to meet M4(2) Accessible and Adaptable Dwellings of schedule 1 part M of the Building Regulations 2010 (as amended) unless otherwise approved in writing by the local planning authority.
- 11. All dwellings shall be constructed to achieve a maximum water use of no more than 105 litres per person per day in accordance with the optional standards 36(2)(b) of the Building Regulations 2010 (as amended) as detailed within the Building Regulations 2010 Approved Document G - Sanitation, hot water safety and water efficiency (2015 edition).
- 12. 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-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: For: 7; Not Voting 1)

The application was therefore APPROVED

19.PC.24.5 <u>KET/2019/0247</u>

Proposed Development	Decision
*5.2 Full Application: Replacement detached garage at 11 Thames Court, Burton Latimer for Mr & Mrs T Hanney.	Members received a report seeking permission for a replacement single storey detached garage.
Application No: KET/2019/0247	It was agreed that the application be APPROVED subject to the following conditions:
<u>Speaker</u> :	
None.	

- 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.

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

(Voting:Unanimous)

The application was therefore APPROVED

19.PC.24.6 <u>KET/2019/0334</u>

Proposed Development	Decision
*5.3 Full Application: Two storey side extension with conversion of outbuilding at 10 Green Lane, Stoke Albany for Mr G Middleton Kirkham Middleton Architects	Members received a report about a proposal for which full planning permission was being sought for a two-storey side extension and alterations to the existing single storey outbuildings to partially convert them to internal accommodation.
Application No: KET/2019/0334	
<u>Speaker</u> :	It was agreed that the application be APPROVED subject to the following conditions:
	internal accommodation. It was agreed that th APPROVED subject t

- 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 external walls shall be constructed in natural stone and shall be laid, coursed or pointed in a pattern to match the attached dwelling.
- 4. In accordance with the approved plans the roof shall be covered in slate to match the main building.
- 5. The proposed windows (except from the rooflights and patio doors) are to be made of timber and painted in a colour to match the windows of the main dwelling.
- 6. The rooflights hereby permitted shall be conservation rooflights. No part of any of the rooflights shall sit above the plane of the roof.
- 7. The window at ground floor level on the north elevation shall be obscurely glazed equivalent to level 4 within the Pilkington range of textured glass and non-opening. The window shall be permanently retained in that form.
- 8. 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 north or west elevation or roof plane of the building.

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

(Voting: Unanimous)

The application was therefore APPROVED

19.PC.24.7 <u>KET/2019/0475</u>

Proposed Development	Decision
*5.6 Full Application: 1 No. dwelling with associated landscaping at 135B Barton Road (land adj), Barton Seagrave for Mr M Telford.	Members received a report about a proposal for which full planning permission was being sought for 1 No. dwelling with associated landscaping.
Application No: KET/2019/0475 <u>Speaker</u> : None.	Members welcomed the proposal, commenting on the high quality and environmental sustainability of the building. A request was made to the applicant for members to visit the property once it was built.
	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 in the table below.
- 3. No development above building slab level shall commence on site until details of the types and colours of all external facing, roofing, hard surfacing and permeable surfacing 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. 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 or E of Part 1 of Schedule 2 of the Order shall be constructed on the application site.
- 5. 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 building hereby approved shall not be occupied until the approved scheme has been fully implemented in accordance with the approved details.
- 6. Prior to first occupation of the dwelling 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. No development shall take place until a plan prepared to a scale of not less than 1:500 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. Prior to the first occupation of the development hereby approved, details of refuse storage and collection facilities shall be submitted to and approved in writing by the Local Planning Authority and shall remain in that form in perpetuity.
- 9. 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.

- 10. 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.
- 11. The dwelling 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).
- 12. Before the development hereby permitted is first occupied or used, space for the parking and manoeuvring of vehicles, including the garage, shall be provided within the site in accordance with plan no. 1764/P2/05A received by the Local Planning Authority on 11/07/2019 and shall thereafter be retained in that form for such purpose in perpetuity.
- 13. Any gates provided at the point of access to the site shall be hung so as to open inwards into the site only.
- 14. Existing visibility splays at the junction of the access road with the public highway shall be permanently kept free of all obstacles to visibility over 0.6 metres in height above carriageway level.

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

(Voting: For: Unanimous)

The application was therefore APPROVED

19.PC.24.8 <u>KET/2019/0550</u>

Proposed Development	Decision
*5.7 Full Application: Single storey rear extension at 37 Kettering Road, Rothwell for Mr J McGillan.	Members received a report about a proposal for which full planning permission was being sought .
Application No: KET/2019/0550 Speaker: None.	The Planning Officer addressed the Committee and provided an update in respect of a comment from Cadent (gas). The applicant had been advised and an informative would be added to the decision. 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 window hereby approved on the rear east elevation of the extension serving the w.c., shall be glazed with obscured glass and thereafter shall be permanently retained in that form.

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

(Voting:Unanimous)

The application was therefore APPROVED

(The meeting started at 6.30 pm and ended at 7.30 pm

Signed.....

Chair

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