

BOROUGH OF KETTERING

PLANNING COMMITTEE

Meeting held: 25th August 2020

Present: Councillor Ash Davies (Chair)
Councillors Linda Adams, Scott Edwards, Jan O'hara, Mark Rowley, Greg Titcombe, Lesley Thurland, Jonathan West

20.PC.35 APOLOGIES

Apologies for absence were received from Councillors Shirley Stanton, Clark Mitchell and Cliff Moreton.

It was noted that Councillors Scott Edwards was acting as substitute for Councillor Shirley Stanton and Councillor Jonathan West was acting as a substitute for Councillor Clark Mitchell

20.PC.36 MINUTES

RESOLVED that the minutes of the meetings of the Planning Committee held on 15th July 2020 be approved as a correct record

20.PC.37 DECLARATIONS OF INTEREST

None

20.PC.38 ANY ITEMS OF BUSINESS THE CHAIR CONSIDERS TO BE URGENT

None.

20.PC.39 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:-.

20.PC.39.1 KET/2020/0101

<u>Proposed Development</u>	<u>Decision</u>
<p>*5.1 Full Application: Erection of 49 no. dwellings including associated access and public open space at Cowper Street (land odd), Kettering for Mr Harmon. Harpur Developments Ltd</p> <p>Application No: KET/2020/0101</p> <p><u>Speaker:</u></p> <p>Richard Colson attended the meeting and addressed the committee on behalf of the applicant for the proposed development bringing members attention to a previous appeal process which was dismissed due to highways concerns. Mr Colson also stated that any details regarding the S106 agreement should be delegated to the head of Development services.</p>	<p>Members received a report which sought planning permission for 49 no. dwellings with associated access and public open space. It was heard that the proposed development comprised a mix of 2 and 3 bed semi-detached and detached houses and 4 bed detached dwellings, 10 of these houses were affordable units equating to 20%.</p> <p>Planning officers addressed the committee and provided an update which stated that further comments had been received from Sport England for which officers replied that The Playing Pitch Strategy had been recognised as a material consideration and accounted for, as explained in the Officer Report and that the application KET/2020/0101 for development on land that was formerly a private football stadium has been considered against JCS policy 7 as a whole, including 7d."</p> <p>Members raised concerns regarding the contribution to highways and the widening of nearby unadopted roads, concerns were also raised regarding road crossing points that were associated with the proposed development. Concerns were also raised regarding the management company that could impose additional charges to residents regarding highway maintenance. Clarification was also sought by members regarding any contributions to the maintenance of highways and clarification regarding pedestrian access to the central areas of the development and open recreational spaces.</p> <p>It was confirmed to members that there was sufficient pedestrian access to the central parts of the proposed development. It was also confirmed that neighbouring business properties would not be effected due to lengthy land leases.</p> <p>It was agreed that additional conditions would be included to ensure the maintenance of the highways and adequate play ground equipment in the open green space.</p>

	<p>Following debate it was proposed by Councillor Rowley and seconded by Councillor Thurland that the application be approved in line with the officers recommendation and subject to the agreed conditions.</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 except in complete accordance with the detailed shown on the submitted plans, nos
BR-2018-PLNG-02-G - Elevations;
BR-2018-PLNG-05-D - Landscaping Plan 01;
BR-2018-PLNG-06-F - Landscaping Plan 02;
BR-2018-PLNG-07-F - Landscaping Plan 03;
BR-2018-PLNG-08-C - Landscaping Plan 04;
BR-2018-PLNG-04-G - Street Scenes;
BR-2018-PLNG-16- D Public Open Space Scheme 3
BR-2018-PLNG-09-Z - Site Layout Plan (subject to vehicular access to the land in front of the bowling alley remaining suitable without crossing kerb upstandings etc;
BR-2018-PLNG-03-H - Floor Plans;
TA05 A - Vehicle Tracking Turn left in and out;
TA06 A - Vehicle Tracking Turn right in and out;
TA07 A - Vehicle Tracking Turn in the Road.
3. No earthworks or groundworks 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.
4. Prior to the occupation of any dwelling all garden and landscaped areas shown on the approved plans shall have a capping layer of soil (top and/or sub soils) as outlined in report ref. STQ4344-G01 dated May 2018 (to a minimum depth of 600mm in private residential gardens and 300mm in general landscaped areas). A verification report to demonstrate that the required depth of cover has been achieved, to include a topographic survey or a visual inspection at numerous points across the site supported by photographic evidence, shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the first dwelling. Details of the supplier and confirmation of the source(s) and total quantity of imported soil material shall be stated in the verification report. The soil should be free from asbestos, metals, plastic, wood, glass, tarmac, paper and odours associated with contaminated soils and otherwise comply with the requirements of BS 3882:2007 - Specification for topsoil and requirements for use. Occupation of the development shall only be permitted on approval of the verification report.

5. Prior to the commencement of development a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved CMP shall be adhered to throughout the construction period and the approved measures shall be retained for the duration of the construction.
6. 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.
7. Prior to the construction of any buildings above slab level 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. No dwelling shall be occupied until the approved scheme has been implemented in full in the dwellings to be occupied. The scheme shall be retained in full thereafter and no alterations shall be made to the approved structure including roof, doors, windows and external facades, layout of the units or noise barriers.
8. No development shall take place until a scheme and timetable detailing the provision of fire hydrants and their associated infrastructure has been submitted to and approved in writing by the Local Planning Authority. The fire hydrants and associated infrastructure shall thereafter be provided in accordance with the approved scheme and timetable.
9. No above ground work shall take place until full details of the surface water drainage scheme for the site, based on the approved Flood Risk Assessment ref R-FRA-9842M-01-H, rev. H, dated November 2018, prepared by JPP Consulting Ltd, have 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. The scheme shall include details (i.e. designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets and attenuation structures (if required). Details of the drainage system are to be accompanied by full and appropriately cross-referenced supporting calculations.
10. No above ground work shall take place until a detailed scheme for the ownership and maintenance for every 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 full thereafter. Details are required of the organisation or body responsible for vesting and maintenance of individual aspects of the drainage system. The maintenance and/or adoption proposal for every element of the surface water drainage system proposed on the site should be considered for the lifetime of the development and a maintenance schedule setting out which assets need to be maintained, at what intervals and what method is to be used including details of expected design life of

all assets with a schedule of when replacement assets may be required, should be submitted.

A maintenance schedule should be accompanied by a site plan to include access points, maintenance access easements and outfalls. Maintenance operational areas to be identified and shown on the plans, to ensure there is room to gain access to the asset, maintain it with appropriate plant and then handle any arising's generated from the site.

11. No Occupation shall take place until the Verification Report for the installed surface water drainage system for the site to be submitted in writing by a suitably qualified independent drainage engineer and approved by the Local Planning Authority prior to occupation of the site based on the approved Flood Risk Assessment ref R-FRA-9842M-01-H, rev. H, dated November 2018, prepared by JPP Consulting Ltd. These shall include:
 - a) Any departure from the agreed design is keeping with the approved principles
 - b) Any As-Built Drawings and accompanying photos
 - c) Results of any Performance Testing undertaken as a part of the application process (if required / necessary)
 - d) Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges etc.
12. No development shall commence on site until full details of a scheme including phasing, for the provision of mains foul sewage infrastructure on and off site has been submitted to and approved in writing by the Local Planning Authority. No building shall be occupied until the works have been carried out in accordance with the approved scheme.
13. No development above slab level shall take place until details of the types and colours of all external facing and roofing materials, windows and rainwater goods 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.
14. The public open space hereby approved shall be laid out in accordance with plan BR-2018-PLNG-16-D received on 15/07/2020. The works approved shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development whichever is the sooner. Any 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.
15. No development above slab level shall take place 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 dwellinghouses are first occupied, in accordance with the approved details.
16. 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.

17. 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);
18. Notwithstanding the approved details no boundary treatment shall be constructed until a revised scheme for boundary treatment has been submitted to and approved in writing by the Local Planning Authority which seeks to replace closed board fencing visible within the public realm with an acceptable alternative. The dwelling, which the boundary treatment relates shall not be occupied until the relevant part of the approved scheme has been fully implemented in accordance with the approved details and retained as such thereafter.
19. In the event that the approved layout of streets and sewers are not adopted by the Highway Authority, the development shall not be carried out other than in accordance with an approved 'Legal setup of a Management Company' document and maintained to standards that have been set out and approved by the LPA prior to and in regard to the laying out of any roads, sewers and other common facilities.
20. Prior to completion of the development a signing strategy shall be submitted to the local planning authority in writing for approval. The Signing Strategy shall include such details, drawings, specifications, schedules and programme including but not limited to the following:-
 - Plans identifying all existing signs and way marking that direct highway users (which for the avoidance of doubt shall include motorists, cyclists, pedestrians and equestrians) to the redundant football ground including repeater or graphic signage;
 - A strategy setting out which existing signs and way marking are proposed to be removed, replaced, amended or modified so as to remove reference to the redundant football ground as a legend or destination;
 - Full sign design details of replacement signs, modifications to existing signs and reinstatements for removed signs, such details shall include appropriate detailed location plans including, sign face design, post design and associated foundation design;
21. No development shall take place on site until full details (in accordance with the specification of the Highway Authority) for a Toucan Crossing across Rockingham Road has been submitted to and approved in writing by the Local Planning Authority. First occupation of the site shall not occur unless provision to implement such a crossing has been first secured.
22. No development above 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 by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

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

(Voting: For: Unanimous)

The application was therefore
APPROVED

20.PC.34.2 **KET/2020/0106**

<u>Proposed Development</u>	<u>Decision</u>
<p>*5.2 Full Application: Change of use from woodland to leisure use with two pods and four bell tents and associated parking area at Crabtree Farm, Hermitage Road, Brampton Ash for Mr J & S White</p> <p>Application No: KET/2020/0106</p> <p><u>Speaker:</u></p> <p>None</p>	<p>This application had been withdrawn from the agenda as previous objections had been removed by the neighbour which allowed the proposed development to be delegated to officers.</p>

20.PC.34.4 **KET/2020/0147**

Proposed Development

*5.3 Approval of Reserved Matters (EIA): Erection of B8 distribution facility with ancillary offices, gatehouse, car parking and landscaping at Plot 4b, SEGRO Park, Kettering Gateway, Land off A14 Junction 10 for SERGO (Kettering) Ltd

Application No: KET/2020/0147

Speaker:

Murray Calder Scott attended the meeting and addressed the committee as a third party objector to the proposed development stating that the application would have a major detrimental visual impact to neighbouring properties in the vicinity. Mr Scott also raised concerns regarding the increased volume of traffic in association with the other distribution centres on the site. Objections were also raised due to the negative climate impact associated with the proposed development.

David Green attended the meeting and addressed the committee on behalf of the applicant and stated that the proposed development represented a major economic investment into the local area.

Decision

Members received a report about a proposal for which planning permission was being sought for a total of 62,448sqm gross internal floor area including 59,166sqm of B8 Warehouse and Storage floor space. In addition, the unit was to be served by 2,322sqm of associated ancillary 2-storey B1(a) 'semi-detached' offices as well as 2x 2-storey pod offices, each offering an internal floor area of 465sqm.

It was heard that the maximum permitted floorspace limit on zone 4 under the outline permission equates to 83,945sqm. 21,497sqm of floor space was permitted for construction on Plot 4a, therefore this proposal utilizes the available residual balance of 62,448sqm and is therefore within the maximum permitted floorspace parameters.

The proposed height to underside of eaves stood at 15.72m above finished floor level with a ridge height of 17.8m.

The B8 unit proposes comprised:

- 100 no. Loading dock doors
- 8 no. Level access doors
- 271 no. HGV parking spaces
- 601 no. Car parking spaces (inc 60 accessible, 60 electric vehicle charging)
- 23 no. Power Two Wheeler (PTW) spaces.

Members raised questions if additional landscaping could be carried out to elevate the visual impact of the proposed development.

Concerns were also raised by members regarding the climate impact of the proposed development and related light pollution from the development.

Following debate it was proposed by Councillor Rowley and seconded by Councillor Adams that the application be approved in line with the officers recommendation and subject to the agreed conditions.

	<p>It was agreed that the application be APPROVED subject to the following conditions:</p>
--	---

1. The development hereby permitted shall not be carried out other than in accordance with the approved plans and details listed below.
2. This consent is for a B8 storage and distribution building with associated office space and shall only be operated as a single unit. No subdivision of the unit or change of use of the building shall be undertaken without the prior written approval of the Local Planning Authority.
3. Prior to the first beneficial use of the building hereby permitted, details of a CCTV system covering the site in particular the staff/visitor carpark shall be submitted to and approved in writing by the Local Planning Authority. The approved CCTV system shall be installed in accordance with the approved details in advance of the first beneficial use and the system shall thereafter be maintained in accordance with the approved details.
4. Prior to the first beneficial use of the building hereby permitted the bird, bat and insect nests set out in paragraphs 3.9 - 3.14 of the approved Biodiversity Enhancement Management Plan shall be installed in accordance with the approved details.

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

(Voting: For Unanimous)

The application was therefore
APPROVED

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

(The meeting started at 6.00 pm and ended at 8.00 pm)

Signed.....

Chair