

## COUNCIL MEETING – 15 OCTOBER 2013

### REPORT OF THE STANDARDS HEARINGS SUB-COMMITTEE

27 March 2013

**Present:** Councillor Morrall (Chairman) and Councillors Blackwell and B Patel.

**Officers present:** Mr C Pittman (Monitoring Officer) and Ms P Lawton (Principal Democratic Services Manager).

**Also present:** Councillor Bass and Mrs L Martin-Bennison.

The sub-committee appointed Councillor Morrall as Chairman.

#### 1. APOLOGIES FOR ABSENCE

**RESOLVED** to note that there were no apologies for absence.

#### 2. DECLARATIONS OF INTEREST

**RESOLVED** to note that in accordance with the Localism Act 2011, the council's code of conduct and the council's constitution, no interests were declared.

#### 3. ANY OTHER ITEMS THAT THE CHAIRMAN DECIDES IS URGENT

**RESOLVED** to note that there were no urgent items for consideration.

#### 4. EXCLUSION OF THE PUBLIC

The sub-committee considered whether the public interest in maintaining the exemption outweighed the public interest in disclosing the information. After careful consideration of the various opposing factors set out in the report, the sub-committee **RESOLVED** not to exclude the public from the meeting for the business specified in item number 5 because the public interest in disclosing the information outweighed the public interest in withholding the information.

#### 5. CONSIDERATION OF THE INVESTIGATING OFFICER'S REPORT INTO AN ALLEGED BREACH OF THE CODE OF CONDUCT BY A MEMBER OF THE COUNCIL (REF: WB1)

The sub-committee heard from the Monitoring Officer and Councillor Bass in relation to the findings of fact in the investigator's report.

The Monitoring Officer presented his report in relation to the investigation report and findings in respect of the allegation of misconduct against Councillor Bass.

Councillor Bass stated that he did not agree with the findings and conclusions in the investigators report, and that he believed the investigation had not been carried out properly.

The Sub-committee **RESOLVED** to note that the findings of fact in the Investigating Officer's report were disputed by Councillor Bass and invited submissions.

Councillor Bass outlined the sequence of events relating to the planning application in respect of Sywell Aerodrome, the resulting public inquiry, and the setting up of the Sywell Aerodrome JCC specifically in relation to concerns about the impartiality of the Chairman. He also expressed concern about James Wilson's handling of matters relating to Sywell, and referred to the resulting exchange of correspondence between Mrs Martin-Bennison, Mr Wilson and himself.

The Monitoring Officer reminded the Sub-Committee of their remit in determining the allegation, which was specifically in relation to the email exchanges between Councillor Bass and Mr Wilson, and general issues relating to Sywell Aerodrome.

Councillor Bass asked that it be noted that Mr Wilson's handling of the issues relating to Sywell had a significant bearing on the content and tone of the exchange of emails between himself and Mr Wilson. He also stated that he believed that the vast majority of the evidence that Mr Wilson had given in his interview with the Investigating Officer was fabrication.

Mrs Martin-Bennison was called to give evidence, and was questioned by Councillor Bass relating to her interview with the Investigating Officer (JHB4).

The sub-committee questioned Councillor Bass and the Monitoring Officer on a number of issues relating to and arising out of the investigator's report to determine if the member had failed to comply with the Code of Conduct and, if so, to apply any sanction if appropriate.

The Sub-committee then retired to consider the evidence presented to them, and to reach a decision.

**RESOLVED** that:

- (i) there had been a breach of paragraph 3.1 of the Members' Code of Conduct (failure to treat others with respect) in relation to Councillor Bass' dealings with Mr Wilson; and
- (ii) sanctions be imposed that the Sub-committee:
  - (a) publish its findings in respect of the subject member's conduct,
  - (b) report its findings to Council for information,
  - (c) instruct the Monitoring Officer to arrange appropriate training for the subject member.

**6. ANY OTHER CONFIDENTIAL OR EXEMPT ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT**

**RESOLVED** to note that there were no other confidential or exempt items for consideration.

Chairman

The meeting closed at 1.50 pm.

## COUNCIL MEETING – 15 OCTOBER 2013

### REPORT OF THE STANDARDS HEARINGS SUB-COMMITTEE

28 March 2013

**Present:** Councillor Harrington (Chairman) and Councillors Blackwell and B Patel.

**Officers present:** Mr C Pittman (Monitoring Officer) and Ms P Lawton (Principal Democratic Services Manager).

**Also present:** Councillor Bass and Mr M Bletsoe-Brown.

The sub-committee appointed Councillor Harrington as Chairman.

#### 1. APOLOGIES FOR ABSENCE

**RESOLVED** to note that there were no apologies for absence.

#### 2. DECLARATIONS OF INTEREST

**RESOLVED** to note that in accordance with the Localism Act 2011, the council's code of conduct and the council's constitution, no interests were declared.

#### 3. ANY OTHER ITEMS THAT THE CHAIRMAN DECIDES IS URGENT

**RESOLVED** to note that there were no urgent items for consideration.

#### 4. EXCLUSION OF THE PUBLIC

The sub-committee considered whether the public interest in maintaining the exemption outweighed the public interest in disclosing the information. After careful consideration of the various opposing factors set out in the report, the sub-committee **RESOLVED** not to exclude the public from the meeting for the business specified in item number 5 because the public interest in disclosing the information outweighed the public interest in withholding the information.

#### 5. CONSIDERATION OF THE INVESTIGATING OFFICER'S REPORT INTO AN ALLEGED BREACH OF THE CODE OF CONDUCT BY A MEMBER OF THE COUNCIL (REF: WB2)

The sub-committee heard from the Monitoring Officer and Councillor Bass in relation to the findings of fact in the investigator's report.

The Monitoring Officer presented his report in relation to the investigation report and findings in respect of the allegation of misconduct against Councillor Bass. It was reported that Councillor Bass had expressed grave misgivings about the evidence presented to the Investigating Officer and in relation to the persons interviewed. It was noted that the Investigating Officer had listened to recordings of the meetings of 24 November 2009 and 20 April 2010 and therefore had not needed to interview those present at the meetings in question.

Councillor Bass stated that he did not agree with the findings and conclusions in the investigators report, and that he believed the investigation had not been carried out properly, and had taken a biased view.

The Sub-committee **RESOLVED** to note that the findings of fact in the report were disputed by Councillor Bass and invited submissions.

Councillor Bass outlined the sequence of events relating to the setting up of the Sywell Aerodrome JCC, specifically in relation to his concerns about the impartiality of the Chairman.

(Mr Bletsoe-Brown joined the meeting at 10.40am.)

The Monitoring Officer reminded the Sub-Committee of their remit in determining the allegation, which related specifically to Councillor Bass' conduct at the meetings of the Sywell Aerodrome JCC on 24 November 2009 and 20 April 2010, and not general issues relating to Sywell Aerodrome.

The Sub-committee heard a recording of the meeting of the Sywell Aerodrome JCC held on 24 November 2009.

(The Sub-committee was adjourned at 11.45am and re-convened at 2.30pm; Mr Bletsoe-Brown joined the meeting at 2.40pm.)

The recording of the meeting of the Sywell Aerodrome JCC held on 24 November 2009 recommenced.

Councillor Bass was invited to comment upon the recording of the meeting of the JCC held on 24 November 2009, specifically in relation to his conduct towards the Chairman of the JCC, the Clerk to the JCC, and the Sywell Aerodrome Manager. Councillor Bass

The Sub-committee heard a recording of the meeting of the Sywell Aerodrome JCC held on 20 April 2010.

(The Sub-committee adjourned at 16.40 and re-convened at 16.50.)

Councillor Bass was invited to comment upon the recording of the meeting of the JCC held on 20 April 2010, specifically in relation to his conduct towards the Chairman of the JCC, the Clerk to the JCC, and the Sywell Aerodrome Manager.

Councillor Bass stated that in his opinion, neither of the recordings provided evidence of undue aggression towards any of the subjects of the complaint, and that there was no case to answer.

Mr Bletsoe-Brown was called to give evidence. He outlined the detail of his complaint, and was questioned by the Sub-committee and Councillor Bass.

The sub-committee questioned Councillor Bass and the Monitoring Officer on a number of issues relating to and arising out of the investigator's report to

determine if the member had failed to comply with the Code of Conduct and, if so, to apply any sanction if appropriate.

The Sub-committee retired to consider the evidence presented to them, and to reach a decision.

**RESOLVED** that:

- (i) in relation to Mr Bowden, Chairman of the JCC:
  - (a) there was no breach of paragraph 3.1 of the Council's Code of Conduct for Members 'failing to treat others with respect' (unanimous vote);
- (ii) in relation to Mr Bell, Sywell Aerodrome Manager:
  - (a) there was no breach of paragraph 3.1 of the Council's Code of Conduct for Members 'failing to treat others with respect' (majority vote);
- (iii) in relation to Mrs Puttman, Clerk to the JCC:
  - (a) there was no breach of paragraph 3.1 of the Council's Code of Conduct 'failing to treat others with respect' (majority vote);
  - (b) there was no breach of paragraph 3.2(b) of the Council's Code of Conduct for Members 'bullying' (majority vote);
- (iv) there was no breach of paragraph 5.0 of the Council's Code of Conduct 'conducting oneself in a manner which could reasonably be regarded as bringing their office or authority into disrepute.

**6. ANY OTHER CONFIDENTIAL OR EXEMPT ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT**

**RESOLVED** to note that there were no other confidential or exempt items for consideration.

Chairman

The meeting closed at 18.15 pm.



## COUNCIL MEETING – 15 OCTOBER 2013

### REPORT OF THE PLANNING COMMITTEE

31 July 2013

Present: Councillors Ward (Chairman), Griffiths (Vice-Chairman), Bell, Dholakia, Maguire, Morrall, B Patel, Scarborough, Timms and Waters.

Mr S Wood (Head of Planning and Local Development), Mr M Kilpin (Principal Planning and Building Control Manager), Ms J Thomas (Development Management Officer), Mr S Aley (Legal Adviser) and Mrs F Hubbard (Democratic Services Officer).

(Councillors G and L Lawman attended the meeting as observers and Councillors Bass and Henley as speakers).

#### 1. APOLOGIES FOR ABSENCE

**RESOLVED** to note that an apology for absence was received from Councillor Beirne.

#### 2. DECLARATIONS OF INTEREST

**RESOLVED** to note that in accordance with the Council's Code of Conduct and rules of procedure, the under-mentioned Councillors declared an interest in the following item:

Councillor	Minute No	Item	Description of Interest
Bell	5, 6, 10, 11	Planning Application WP/2013/0262(F), WP/2013/0267(F), WP/2013/0188(F) & WP/2013/0190(OEIA)	Other interest - residents known to him.
Patel	14	WP/2013/0271(F)	Registerable – Wellingborough Homes Board Member.
	16	WP/2013/0273(F)	Regsiterable – Wellingborough Homes Board Member.
	17	WP/2013/0284(FM)	Registerable – Wellingborough Homes Board Member.
Ward	5	WP/2013/0262(F)	Registerable – Long standing friend of the objectors (Mr & Mrs Bentley).

6	WP/2013/0267(F)	Registerable – Long standing friend of the objectors (Mr & Mrs Bentley).
17	WP/2013/0284(FM)	Registerable – Know one of the Objectors.

### **3. CONFIRMATION OF MINUTES**

**RESOLVED** that the minutes of the meeting held on 19 June 2013 be confirmed and signed, subject to Councillor Maguire's apologies being added.

### **4. REPORT OF THE HEAD OF PLANNING AND LOCAL DEVELOPMENT**

**RESOLVED** that the annexed circulated report of the Head of Planning and Local Development, on the applications for planning permission, building regulation approvals and appeals information, be received.

(Councillor Ward left the meeting having declared a registerable interest on the following two applications and Councillor Griffiths took the chair).

### **5. PLANNING APPLICATION WP/2013/0262(F) – 25 AND 27 WELL STREET, FINEDON**

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/2013/0262(F), for the retention of a triple garage (double garage for number 27 and a single garage for number 25), to replace some car parking spaces as part of planning approval reference WP/2011/0145(F) for the conversion of the building to two dwellings at 25 and 27 Well Street, Finedon, for Mr D Hanger.

The report detailed the proposal, description of the site, the planning history, relevant planning policies, outcome of consultations and an assessment of the proposal.

The Head of Planning and Local Development recommended that planning permission be granted.

The Site Viewing Group visited the site on 30/07/2013, and a record of the visit was set out in the circulated notes.

A request to address the meeting had been received from an objector.

The Chairman allowed the speaker to address the meeting for a maximum of 3 minutes.

Having heard the views of the speaker, and taking account of the officer's report, the Chairman invited the committee to determine the application.

It was moved by Councillor Morrall and seconded by Councillor Dholakia to defer this application for another site viewing to enable the Site Viewing Group to return to the site and look inside the garage.

On being put to the vote, the motion was agreed by 7 votes to defer the application.

**RESOLVED** that this application be deferred to enable the Site Viewing Group to return the site to look inside the garage.

**6. PLANNING APPLICATION WP/2013/0267(F) – 25 AND 27 WELL STREET, FINEDON**

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/2013/0267(F), for a minor amendment (regularisation) of approval WP/2011/0145(F), viz the creation of garden access to number 25 via the rear of number 27 at 25 and 27 Well Street, Finedon, for Mr D Hanger.

The report detailed the proposal, description of the site, the planning history, relevant planning policies, outcome of consultations and an assessment of the proposal.

The Head of Planning and Local Development recommended that planning permission be granted.

The Site Viewing Group visited the site on 30/07/2013, and a record of the visit was set out in the circulated notes.

A request to address the meeting had been received from an objector.

The Chairman allowed the speaker to address the meeting for a maximum of 3 minutes. The committee was then given the opportunity to ask questions of clarification.

Having heard the views of the speaker, and taking account of the officer's report, the Chairman invited the committee to determine the application.

It was proposed by Councillor Griffiths and seconded by Councillor Waters to defer the application to enable the Site Viewing Group to return to the site.

On being put to the vote, this was carried by 7 votes.

**RESOLVED** that the planning application be deferred to enable the Site Viewing Group to return to the site.

(Councillor Ward returned to the meeting).

**7. PLANNING APPLICATION WP/2013/0269(F) – 52 MEARS ASHBY ROAD, EARLS BARTON**

The annexed circulated report of the Head of Planning and Local Development was received, including late correspondence, on planning application

WP/2013/0269(F), for the erection of a single and two storey extension to the existing property (re-submission – amended plan) at 52 Mears Ashby Road, Earls Barton, for Mr and Mrs T Docker.

The Head of Planning and Local Development recommended that planning permission be refused for the reasons set out in the report.

The Site Viewing Group visited the site on 30/07/2013, and a record of the visit was set out in the circulated notes.

It was proposed by Councillor Morrall and seconded by Councillor Dholakia that the planning permission be refused due to the reasons set out in the report.

On being put to the vote, the motion was carried unanimously.

**RESOLVED** that the planning permission be refused for the following reasons:

1. The proposed development by reason of its position, massing, layout, appearance and scale would detrimentally harm the character and appearance of the area and would not respect and enhance the character of its surroundings. The proposed development is therefore considered to be in conflict with Policy 13 (h) 'General Sustainable Development Principles' of the North Northamptonshire Core Spatial Strategy and inconsistent with the National Planning Policy Framework [paragraphs 17, 56, 61, 63 and 64].
2. The proposed development by reason of its position, massing, layout, appearance and scale would detrimentally harm the living conditions of the occupiers of the neighbouring properties by reason of visual outlook being significantly impaired by an oppressive and overbearing structure. The proposed development is therefore considered to be in conflict with Policy 13 (l) 'General Sustainable Development Principles' of the North Northamptonshire Core Spatial Strategy and inconsistent with the National Planning Policy Framework [paragraphs 17, 56 and 61].

## **8. PLANNING APPLICATION WP/2013/0306(F) – 41-45 MAIN ROAD, GRENDON**

The annexed circulated report of the Head of Planning and Local Development was received, including late correspondence, on planning application WP/2013/0306(F), for the erection of two new storey dwellings and associated gardens, parking and bin storage on the area of garden land adjacent to the properties of 41, 43 and 45 Main Road. The existing access will be altered to improve the access into the site for the existing and proposed dwellings – re-submission following withdrawn application WP/2013/0245(F), at 41-45 Main Road, Grendon, for Jayell Consultancy Limited.

The report detailed the proposal, description of the site, the planning history, relevant planning policies, outcome of consultations and an assessment of the proposal.

The Head of Planning and Local Development recommended that planning permission be approved subject to the conditions set out in the report.

The Site Viewing Group visited the site on 30/07/2013, and a record of the visit was set out in the circulated notes.

Requests to address the meeting had been received from an objector, a representative from Grendon Parish Council and the architect/agent.

The Chairman allowed the speakers to address the meeting for a maximum of 3 minutes. The committee was then given the opportunity to ask questions of clarification.

Having heard the views of the speakers, and taking account of the officer's report, the Chairman invited the committee to determine the application.

It was proposed by Councillor Griffiths and seconded by Councillor Morrall that planning permission be refused due to overdevelopment.

On being put to the vote, the motion was carried unanimously.

**RESOLVED** that planning permission be refused for the following reasons:

1. It is considered that the proposal represents an over-development of the site, creating an unsatisfactory inter-relationship between the two units due to their proximity, together with a level of on-site parking space which in view of the size of the units is inadequate to accommodate likely demand and thereby cause additional danger and congestion in the highway in proximity to a busy public house, contrary to the requirements of the Borough of Wellingborough Local Plan Policy G4 and the North Northamptonshire Core Spatial Strategy Policy 13.
2. The proposal, through its design and tandem configuration, fails to meet the statutory test of preserving or enhancing the character and appearance of Grendon Conservation Area contrary to advice in the NPPF paragraphs 131-133.
3. The setting of the adjacent Grade II listed Half Moon public house is detrimentally affected by the proposed development through its physical form and appearance contrary to the advice in the NPPF paragraphs 131-133.

**9. PLANNING APPLICATION WP/2012/0561(O) – LAND AT AND REAR OF 11 DODDINGTON ROAD, EARLS BARTON**

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/2012/0561(O), for an outline application for the erection of seven dwellings, new vehicular access to Fairhurst Way (access arrangement to be considered – all other matters reserved). Amended plan – additional information on land at and rear of 11 Doddington Road, Earls Barton, for Mr and Mrs R Whyman.

The report detailed the proposal, description of the site, the planning history, relevant planning policies, outcome of consultations and an assessment of the proposal.

The Head of Planning and Local Development recommended that planning permission be approved subject to the conditions set out in the report.

It was proposed by Councillor Morrall and seconded by Councillor Griffiths that planning permission be granted subject to the conditions set out in the report.

On being put to the vote, the motion was carried unanimously.

**RESOLVED** that planning permission be approved subject to the following conditions:

1. Application for approval of reserved matters must be made not later than the expiration of three years beginning with the date of this permission and the development must be begun not later than whichever is the later of the following dates:
  - (a) the expiration of three years from the date of this permission; or
  - (b) the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.
2. Before any development is commenced, detailed plans, drawings and particulars of the layout, scale, external appearance and the means of access thereto, together with landscaping and screen walls/fences shall be submitted to and approved by the local planning authority and the development shall be carried out in accordance therewith.
3. Before development commences a detailed drainage design shall be submitted to the local planning authority for approval in writing. The development shall be carried out in accord with the approved details.
4. Before development commences details of measures to prevent a net loss of biodiversity on the site shall be submitted to the local planning authority for approval in writing. The development shall be carried out in accord with the approved details.
5. Before development commences a further Environmental Risk Assessment (ERA) shall be undertaken to assess the contamination that may be present on the site. The ERA shall include measures to mitigate any identified contamination and it shall be submitted to the local planning authority before building works commence for approval in writing. Before the dwellings are first occupied a validation report conforming that the site has been successfully remediated shall be submitted to the local planning authority.
6. No development shall take place within the area indicated 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.
7. The site shall be developed with single storey dwellings only.

Reasons:

1. Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990.
2. To secure satisfactorily planned development.
3. In the interests of reducing the risk of off site flooding.

4. In the interests of ensuring there is not a net loss of biodiversity on the site.
5. In the interests of protecting human health from contamination.
6. To ensure that features of archaeological interest are properly examined and recorded, in accordance with National Planning Policy Framework paragraph 141.
7. In the interests of visual amenity, protection of residential amenity and to protect the setting of the adjacent listed building.

**10. PLANNING APPLICATION WP/2013/0188(F) – 47 OVERSTONE ROAD, SYWELL**

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/2013/0188(F), for a ground floor side extension – infill extension. Remove roof and raise by 1200mm to create a first floor extension; garage: remove flat roof and fit pitched, tiled roof – re-submission following withdrawn application WP/2013/0057(F) – correct elevation plan at 47 Overstone Road, Sywell, for Mr I Bishop (Parish Joinery). The report detailed the proposal, description of the site, the planning history, relevant planning policies, outcome of consultations and an assessment of the proposal.

The Head of Planning and Local Development recommended that planning permission be refused for the reasons set out in the report.

A request to address the meeting had been received from an immediate neighbour who spoke on behalf of herself and her husband and another neighbour.

The Chairman allowed the speaker to address the meeting for a maximum of 3 minutes. The committee was then given the opportunity to ask questions of clarification.

Having heard the views of the speaker and taking account of the officer's report, the Chairman invited the committee to determine the application.

It was proposed by Councillor Griffiths and seconded by Councillor Morrall that planning permission be refused for the reasons set out in the report.

On being put to the vote, the motion was carried unanimously.

**RESOLVED** that planning permission be refused as the proposed development by virtue of its design, height, scale and massing is considered contrary to Policy G4 of the Borough of Wellingborough Local Plan and Policy 13 of the North Northamptonshire Core Spatial Strategy.

**11. PLANNING APPLICATION WP/2013/0190(OEIA) – 140-160, APPLEBY LODGE, SYWELL ROAD, WELLINGBOROUGH**

The annexed circulated report of the Head of Planning and Local Development was received, including late correspondence, on planning application WP/2013/0190(OEIA), for the demolition of existing buildings and development of site for a new employment park comprising use classes B1/B2/B8 together

with ancillary offices, gatehouses, car parking and associated road infrastructure and landscaping (outline application with only the access arrangement to be considered at this stage) at 140–160 Appleby Lodge, Sywell Road, Wellingborough, for Prologis UK Limited.

The report detailed the proposal, description of the site, the planning history, relevant planning policies, outcome of consultations and an assessment of the proposal.

The Head of Planning and Local Development recommended that planning permission be approved subject to the conditions set out in the report and to a Section 106 Agreement.

Requests to address the meeting had been received from 13 objectors from Sywell, Mears Ashby and Hardwick, Councillor Bass, a supporter and the applicant.

Concerns were raised from the objectors regarding highway safety, access, increased traffic, HGVs, planning policies, noise, pollution, screening, English Heritage, conservation areas, unsuitability of local land and use of arable land and the size of the site.

The Chairman allowed the speakers to address the meeting for a maximum of 3 minutes and Councillor Bass 5 minutes. The committee was then given the opportunity to ask questions of clarification.

Having heard the views of the speakers, and taking account of the officer's report, the Chairman invited the committee to determine the application.

It was proposed by Councillor Waters and seconded by Councillor Scarborough that planning permission be granted subject to the conditions set out in the report and to a Section 106 Agreement.

On being put to the vote, the motion was carried by 8 votes for the application with 1 abstention and 1 against.

**RESOLVED** that planning permission be approved subject to the following conditions and to a Section 106 Agreement:

1. Application for approval of reserved matters must be made not later than the expiration of eight years beginning with the date of this permission and the development must be begun not later than whichever is the later of the following dates:
  - (a) the expiration of ten years from the date of this permission; or
  - (b) the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.
2. Before any development is commenced on a particular phase, detailed plans, drawings and particulars of the layout, scale and external appearance, together with landscaping and screen walls/fences shall be submitted to and approved by the local planning authority and the development shall be carried out in accordance therewith.

3. No development shall commence on any phase or sub-phase of development until a Phasing Plan in respect of the phased implementation of the development has been submitted to and approved in writing by the local planning authority. The phasing plan shall generally be in accordance with the principles set out in Parameters Plan 10074 - A016H.
4. No development shall commence until a Phase 2 Risk Assessment in respect of possible contaminants within the Appleby Lodge Farm complex is completed and site investigation has been designed. The scope and methodology of the Assessment and the site investigations report shall be submitted to and approved in writing by the local planning authority. The site investigation and risk assessment shall be used to produce a method statement for the necessary remedial works (and a phasing programme) which shall be submitted to and approved in writing by the local planning authority. All remedial works shall be fully implemented in accordance with the approved method statement and phasing programme. Confirmation of the full implementation of the scheme and validation report(s) shall be submitted to the local planning authority within 2 weeks of completion (or within 2 weeks of completion of each respective phase).
5. The presence of any unexpected contaminant which become evident during the development of the site shall be brought to the immediate attention of the local planning authority, and works in connection with the unsuspected contamination shall cease until such time as a remediation scheme has been submitted to and approved in writing by the local planning authority. The agreed remediation measures shall be retained in their entirety and retained and maintained thereafter.
6. No development shall commence until the applicant, their agent or their 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 to and agreed in writing by the local planning authority.
7. Prior to the commencement of development of any area for which reserved matters approval is sought a construction and environmental management plan (CEMP) shall be submitted to and approved in writing by the local planning authority. The CEMP shall include details for the management of waste arising from the construction process, siting and design and drainage arrangements for any temporary construction offices, buildings and storage compounds/areas and measures proposed to mitigate against adverse effects of noise, dust and vibration during the construction of the proposed development and shall also indicate:
  - (a) The proposed hours of operation of construction activities.
  - (b) The frequency, duration and means of operation involving demolitions, excavations, drilling, piling and concrete production.
  - (c) Sound attenuation measures to be incorporated (in relation to construction) to reduce noise at source.
  - (d) details of temporary lighting.
  - (e) arrangements for site access and vehicle parking.
  - (f) a construction workers travel plan.
  - (g) details of the management of waste generated by the site clearance and construction process, together with measures taken to minimise its generation.

(h) method statement for the prevention of contamination of soil and groundwater and air pollution and remediation in the event of pollution; and

(i) the protection of ecologically sensitive areas and potential protected species during the construction phase.

The approved CEMP shall be strictly adhered to during all stages of the construction of the proposed development, unless otherwise agreed in writing by the local planning authority.

8. No development shall commence on any phase or sub-phase until measures for the protection of trees and hedges to be retained in accordance with BS5837 have been implemented. These measures shall remain in place until the completion of that phase or sub-phase of the development. No vehicles, plant or materials shall be driven or placed within the areas providing protection.
9. In accordance with the submission of the detailed proposals for the development of the site, the applicant shall submit a plan showing the exact location, species and spread of all trees on the site and those proposed to be felled during building operations which shall be approved by the local planning authority before any felling takes place.
10. The site shall be landscaped and planted with trees and shrubs in accordance with a comprehensive scheme which shall be submitted to and approved by the local planning authority before the development is commenced. The scheme shall be implemented concurrently with the development and shall be completed not later than the first planting season following the substantial completion of the development. Any trees and shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees and shrubs of similar size and species to those originally required to be planted or other species as may be agreed.
11. Before development commences on of a particular phase or sub-phase a landscape management plan setting out the management responsibilities for all the landscape areas shall be submitted to and approved in writing by the local planning authority. The landscape management plan shall be carried out as approved by the owners/occupiers of the premises.
12. Representative samples of all external facing and roofing materials shall be submitted to and approved in writing by the local planning authority before that phase or sub-phase of development is commenced.
13. Representative samples of all hard surfaced materials shall be submitted to and approved in writing by the local planning authority before development of a particular phase or sub-phase commences. The approved materials shall not be removed or replaced without the prior approval of the local planning authority.
14. As part of any reserved matters application, full details of all street lighting and any other lighting for that part of the development to which the reserved matters application relates shall be submitted to and approved in writing by the local planning authority. The works shall thereafter be provided in accordance with the approved details and prior to occupation of any part of the development to which the reserved matters application relates and retained thereafter.
15. No development shall commence until details of a scheme, including phasing, for the provision of foul water drainage on and off site has been submitted to and approved in writing by the local planning

- authority. No units shall be occupied until the works have been carried out in accordance with the approved scheme.
16. No development on any Development Parcel (zone) shall take place until a scheme to update the Preliminary Surface Water Runoff Management Strategy has been submitted to and approved in writing by the local planning authority.
  17. No development on any Development Parcel shall take place until a full scheme for surface water drainage for that Development Parcel (which accords with the drainage strategy as set out in drawing number 12728/012/010 contained within FRA 21728/012, dated February 2013 and approved under condition 16) has been submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with the approved details. The full scheme for surface water drainage shall include the following
    - a) Detailed drawings, plans and other information showing the layout, location, dimensions and design of every element of the proposed drainage system including pipes, swales, soakaways, manholes, attenuation features, overland flow routes and outfalls
    - b) full calculations demonstrating the ability of the proposed drainage system to ensure surface water flood risk is not increased as a result of the development
    - c) full calculations demonstrating that the attenuation features can provide adequate storage whilst complying with the drainage strategy as set out in drawing number 12728/012/010
    - d) full details of flood flow routes, velocities and depths in the event of a drainage system failure or exceedance including clarification that safe access and egress will be achievable
    - e) full details of the proposed adoption and/or maintenance strategy for every element of the proposed drainage system, with named responsible parties and details of any agreements proposed.
  18. The development hereby permitted shall not be commenced until such time as a scheme for the diversion of the ditch has been submitted to and approved in writing by the local planning authority. The proposed ditch diversion must be adequately sized to ensure that the conveyance of the existing drainage ditch can be met as well as any additional flows which may occur as a result of the development.

The scheme must be fully implemented and subsequently maintained, in accordance with the timing/phasing arrangements embodied within the scheme or within any other period as may subsequently be agreed, in writing, by the local planning authority.
  19. The development hereby permitted shall only comprise 200,000sqm of B1C/B2/B8 development where no more than 20,000sqm shall fall within classes B1C/B2.
  20. The proposed pedestrian/cycleways shall be laid out and constructed in accordance with the specification of Northamptonshire County Council as Highway Authority and dedicated a highway maintainable at the public expense subject to an appropriate agreement under the Highways Act 1980.
  21. Prior to the occupation of any unit, provision shall be made to accommodate all site operatives, visitors and HGV vehicles loading/off loading, parking and turning of vehicles turning within the site within a Travel Plan to be submitted to and approved in writing by the local planning authority before development commences. Such a Travel Plan

- shall operate in accordance with the agreed delivery mechanism unless otherwise agreed in writing by the local planning authority.
22. Adequate precautions shall be taken during the construction period to prevent the deposit of mud and similar debris on the adjacent public highway in accordance with details to be submitted to and approved in writing by the local planning authority prior to the commencement of development.
  23. The mitigation and recommendations contained within Chapter 10 Ecology of the Environmental Statement and associated Technical Appendices as produced by Ecology Solutions shall be adopted and implemented unless otherwise agreed in writing with the local planning authority.

Reasons:

1. Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990.
2. To secure satisfactorily planned development.
3. For the avoidance of doubt and to ensure the comprehensive development of the site.
4. To ensure the effective investigation and remediation of contaminated land and in the interests of health and safety.
5. In order that the local planning authority may decide what remedial steps are required to satisfactorily deal with the contamination.
6. To ensure that features of archaeological interest are properly examined and recorded in accordance with NPPF para. 141.
7. To ensure that appropriate consideration is given to environmental assets during construction. and to protect the amenity of nearby residents and visitors.
8. To protect the trees and hedges which are to be retained on the site and in the interests of the visual amenities of the area.
9. In the interests of visual amenity.
10. In the interests of visual amenity.
11. To ensure the landscaped areas are properly maintained in the interests of visual amenity.
12. In the interests of amenity.
13. In the interests of visual amenity.
14. To secure a satisfactory form of development and avoid light pollution.
15. To prevent flooding and pollution of the water environment.
16. To ensure that surface water infrastructure can be delivered ahead of development within each phase. The scheme shall detail the infrastructure required for each phase and means of securing construction, in particular where infrastructure is located outside of the development parcels.
17. To prevent the increased risk of flooding, to improve and protect water quality and to ensure the future maintenance of these features.
18. To ensure that there is sufficient capacity within the new channel to convey existing flows and any additional flows that may occur as a result of the development.
19. To ensure that the A45 Trunk road continues to serve its purpose as part of a national system of routes for through traffic in accordance with Section 10 (2) of the Highways Act 1980 by minimising disruption on the

trunk road resulting from traffic entering and emerging from the application site and in the interests of road safety.

20. In the interests of highway safety.
21. To safeguard the free and safe flow of traffic on the adjoining highway in the interests of highway safety.
22. In the interests of amenity and highway safety.
23. To ensure the development takes place in an ecologically acceptable manner.

## **12. PLANNING APPLICATION WP/2013/0254(F) – 5 MANOR ROAD, GRENDON**

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/2013/0254(F), for the erection of a detached garage with accommodation above the ground floor at 5 Manor Road, Grendon, for Mr G Law.

The report detailed the proposal, description of the site, the planning history, relevant planning policies, outcome of consultations and an assessment of the proposal.

The Head of Planning and Local Development recommended that planning permission be approved subject to the conditions set out in the report.

It was proposed by Councillor Morrall and seconded by Councillor Ward that planning permission be granted subject to the conditions set out in the report.

On being put to the vote, the motion was carried unanimously.

**RESOLVED** that planning permission be approved subject to the following conditions:

1. The development shall be begun not later than the expiration of three years beginning with the date of this permission.
2. The external walls and roof of the garage shall be constructed with materials of the same type, texture and colour as the external walls and roof of the existing building.
3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) the garage shall not be extended or altered, including additional window insertions, without the express planning permission of the local planning authority.

Reasons:

1. Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004.
2. In the interests of visual amenity.
3. In the interests of regulating the appearance of the garage and protecting the amenities of the adjacent residential occupiers.

**13. PLANNING APPLICATION WP/2013/0263(FM) – LAND ADJACENT 56 EARLS BARTON ROAD, GREAT DODDINGTON**

The annexed circulated report of the Head of Planning and Local Development was received, including late correspondence, on planning application WP/2013/0263(FM), for the construction of 10 affordable homes (exception site) including new adopted roadway and site services – (changes to elevations) on land adjacent to 56 Earls Barton Road, Great Doddington, for South Midlands Construction & Henry H Bletsoe and Son LLP.

The report detailed the proposal, description of the site, the planning history, relevant planning policies, outcome of consultations and an assessment of the proposal.

The Head of Planning and Local Development recommended that planning permission be approved following the completion of a suitable legal agreement to ensure the occupation of the approved dwellings for social housing in perpetuity and subject to the conditions contained in the report.

Requests to address the meeting had been received from an objector and the agent.

The Chairman allowed the speakers to address the meeting for a maximum of 3 minutes. The committee was then given the opportunity to ask questions of clarification.

Having heard the views of the speakers and taking account of the officer's report, the Chairman invited the committee to determine the application.

It was proposed by Councillor Morrall and seconded by Councillor Waters that planning permission be granted following the completion of a suitable legal agreement to ensure the occupation of the approved dwellings for social housing to perpetuity and subject to the conditions contained in the report and a modified condition with regard to drainage and discharge of water from the site.

On being put to the vote, the motion was carried unanimously.

**RESOLVED** that planning permission be approved following the completion of a suitable legal agreement to ensure the occupation of the approved dwellings for social housing in perpetuity and subject to the following conditions:

1. This permission is for the development of the site for affordable residential purposes. In the event of the site being transferred to another developer other than a Registered Social Landlord, the successors in title shall be obliged and required to dedicate the entire development to social housing provision in perpetuity and for no other form of occupation or tenure whatsoever.
2. The development shall be begun not later than the expiration of 3 years beginning with the date of this permission.
3. Representative samples and details of all external facing and roofing materials (including details of the chimneys, eaves, verges, windows and external doors, porch/gallows brackets, samples of brickwork) shall

- be submitted to and approved in writing by the local planning authority before the development commences and the development shall be built in accordance with the approved samples.
4. The proposed trees and shrubs shown on the approved drawings shall be planted during the planting season immediately following the completion of the building operations or within any such longer period as may be agreed in writing by the local planning authority. The planted trees and shrubs shall be maintained continuously for a period of 5 years, during which time if they are dead, dying or defective, they shall be replaced.
  5. Details of boundary treatments and screen fencing/walling shall be agreed with the local planning authority before the start of construction. The agreed scheme shall be implemented to the satisfaction of the local planning authority before the dwellings are occupied.
  6. Before development is commenced the finished floor levels of the hereby approved dwellings in relation to the adjacent properties shall be submitted to the local planning authority and approved in writing. The development shall be implemented in accordance with the approved levels unless otherwise agreed in writing by the local planning authority.
  7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any other Order revoking or re-enacting the Order), no buildings, extensions or alterations permitted by Classes A, B, C, D and E of Part 1 of Schedule 2 of the Order shall be carried out to the 10 dwellinghouses hereby approved without the prior written consent of the local planning authority.
  8. No development shall take place within the area indicated 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.
  9. The car parking spaces shown on the approved drawings shall be provided before the occupation of the dwellings and shall thereafter be kept free from obstruction and shall be retained for parking purposes for the occupiers of the development and their visitors.
  10. All works within the highway shall be in accordance with the specification of the Local Highway Authority and subject to a suitable agreement under the Highways Act 1980.  
The shared private drive shall be no less than 4.5m wide for a distance of 10m from the prospective highway boundary.
  11. Vehicular crossings shall be constructed in accordance with the specification of the Local Highway Authority. Pedestrian to vehicle visibility of 2.4m x 2.4m (2m x 2m where turning facilities are provided) above a height of 0.6m shall be provided and maintained on both sides of all points of access. To prevent loose material being carried onto the public highway driveways shall be paved with a hard bound surface for a minimum of 5m in rear of the highway boundary. A positive means of drainage shall be installed to ensure that surface water from the site as a whole does not discharge onto the highway.

Reasons:

1. Planning permission has been granted due to the circumstances of the proposal. The application site falls outside the Great Doddington Village boundary and within the open countryside as defined in the Wellingborough Local Plan. Policy H9 of the Local Plan and Policy 1 of the Core Spatial Strategy state that in exceptional circumstances, planning permission may be granted for a residential development on the edge of villages if it is solely to meet an identified local need for affordable housing.
2. Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004.
3. To secure a satisfactorily appearance for the development in the interest of visual amenity.
4. To enhance the visual amenity of the area.
5. In order to safeguard the amenities of neighbouring and future occupiers.
6. In order to safeguard the amenities of neighbouring and future occupiers.
7. To afford the local planning authority the opportunity to control future developments on the site, having regard to the location of the site in the open countryside and in the interests of safeguarding the amenities of neighbouring occupiers.
8. To ensure that features of archaeological interest are properly examined and recorded, in accordance with National Planning Policy Framework paragraph 141.
9. To ensure adequate parking provision within the development and in the interests of pedestrian and highway safety.
10. In the interests of pedestrian and highway safety.
11. In the interests of pedestrian and highway safety.

(Councillor Patel left the room having declared a registerable interest in the following two applications and said he would not be returning to the meeting).

**14. PLANNING APPLICATION WP/2013/0271(F) – BETWEEN 14 THE GOSLAR AND 43 GRASMERE GREEN, WORDSWORTH ROAD, WELLINGBOROUGH**

The annexed circulated report of the Head of Planning and Local Development was received, including late correspondence, on planning application WP/2013/0271(F), for new affordable housing on garage consolidation site 2 – re-submission following refusal of WP/2013/0166(F), between 14 The Goslar and 43 Grasmere Green, Wellingborough, for Mr J Butlin (Wellingborough Homes).

The Planning Committee on 8 May 2013 had considered an application for 8 dwellings on this site and resolved to refuse permission. A revised scheme had now been received. The proposed new development would consist of 7 two storey dwellings and 16 car parking spaces.

The report detailed the proposal, description of the site, the planning history, relevant planning policies, outcome of consultations and an assessment of the proposal.

The Head of Planning and Local Development recommended that planning permission be approved subject to the conditions set out in the report.

Requests to address the meeting had been received from an objector and the architect.

The Chairman allowed the speakers to address the meeting for a maximum of 3 minutes. The committee was then given the opportunity to ask questions of clarification.

Having heard the views of the speakers and taking account of the officer's report, the Chairman invited the committee to determine the application.

It was proposed by Councillor Griffiths and seconded by Councillor Waters that planning permission be approved subject to the conditions set out in the report.

On being put to the vote, the motion was carried by 8 votes for the application and 1 against.

**RESOLVED** that planning permission be approved subject to the following conditions:

1. The development shall be begun no later than 3 years beginning with the date of this permission.
2. Notwithstanding any materials specified in the application form and/or the drawings, particulars and samples of the materials to be used on all external surfaces of the buildings, including fenestration, windows, doors, eaves and verges shall be submitted to and approved in writing by the local planning authority before the commencement of the development. The development shall be carried out in accordance with the approved details.
3. Details of those parts of the site not covered by buildings including any parking, roads, footpath, hard and soft landscaping, surface and boundary treatments shall be submitted to and approved in writing by the local planning authority before the commencement of the development. The development shall be carried out in accordance with the approved details.
4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any other Order revoking or re-enacting the Order), no buildings, extensions or alterations permitted by Classes A, B, C, D and E of Part 1 of Schedule 2 of the Order shall be carried out to the 7 dwellinghouses hereby approved without the prior written consent of the local planning authority.
5. The car parking spaces shown on the approved drawings shall be laid out and provided before the occupation of the dwellings and shall thereafter be kept free from obstruction and shall be retained for parking purposes for the occupiers of the development and their visitors.
6. All highway works shall be carried out in accordance with the specification of the Local Highway Authority and subject to an appropriate licence/agreement under the Highways Act 1980; To prevent loose material being carried onto the public highway the parking places must be paved with a hard bound surface; A positive means of

drainage shall be installed to ensure that surface water from the parking places does not discharge onto the highway.

7. Before development is commenced, the finished floor levels of the approved dwellings in relation to the adjacent properties (by way of cross-section drawings) shall be submitted to the local planning authority and approved in writing.
8. Before the development commences, an Environmental Risk Assessment (ERA) to identify potential for contamination of the site shall be submitted to the local planning authority. Should the ERA identify any contamination, it shall contain measures for its remediation that shall be approved in writing by the local planning authority. The site shall be remediated to the satisfaction of the local planning authority prior to the occupation of the development.

Reasons:

1. Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004.
2. To ensure a satisfactory appearance for the development in the interest of visual amenity.
3. To ensure that the site is satisfactorily landscaped and in order to maintain and enhance the visual amenity of the area.
4. To afford the local planning authority the opportunity to control future developments on the site, having regard to the nature of the site and in the interests of safeguarding the amenities of neighbouring occupiers.
5. To ensure adequate off-street parking provision and in order to prevent additional parking in surrounding streets which, could be detrimental to amenity and prejudicial to safety.
6. In the interest of highway safety.
7. In the interest of the amenities of the neighbouring and future occupiers.
8. In the interest of health and safety of the occupiers of the development.

## **15. MOTION TO EXTEND DURATION OF MEETING**

The Chairman announced if the meeting was to continue beyond 3 hours in duration then a motion to this effect would need to be resolved. This was moved by Councillor Morrall and seconded by Councillor Scarborough.

**RESOLVED** to extend the meeting beyond 3 hours.

## **16. PLANNING APPLICATION WP/2013/0273(F) – TO THE REAR OF FLATS 29-40 MASEFIELD CLOSE, WELLINGBOROUGH**

The annexed circulated report of the Head of Planning and Local Development was received, including late correspondence, for new affordable housing on garage consolidation site 16 – re-submission following refusal of WP/2013/0167(F), to the rear of flats 29-40 Masefield Close, Wellingborough for, Mr J Butlin (Wellingborough Homes).

The Planning Committee on 8 May 2013 had considered an application for 6 dwellings on this site and resolved to refuse permission. A revised scheme had now been received. The proposed new development would consist of 5

two storey dwellings, 10 parking spaces and the provision of off street parking for the adjacent number 21 Masefield Close.

The report detailed the proposal, description of the site, the planning history, relevant planning policies, outcome of consultations and an assessment of the proposal.

The Head of Planning and Local Development recommended that planning permission be approved subject to the conditions set out in the report.

Requests to address the meeting had been received from 3 objectors, one County Councillor, Councillor Henley (Ward Councillor) and the architect.

The Chairman allowed the speakers to address the meeting for a maximum of 3 minutes and Councillor Henley 5 minutes. The committee was then given the opportunity to ask questions of clarification.

Having heard the views of the speakers and taking account of the officer's report, the Chairman invited the committee to determine the application.

Members were concerned about the comments made from the objectors about their lack of access, dropped kerbs and parking within the scheme to the rear of their properties.

It was proposed by Councillor Morrall and seconded by Councillor Scarborough that planning permission be granted subject to the conditions set out in the report, and in light of the objectors' comments regarding access, a legal licence should be drawn up for their rights to gain vehicular access to the rear of their properties.

This would involve a reconfiguration of the parking, which the architect had indicated would be accommodated.

On being put to the vote, the motion was carried unanimously.

**RESOLVED** that planning permission be approved subject to the following conditions, and in light of the objectors' comments regarding access, a legal licence should be drawn up for their rights to gain vehicular access to the rear of their properties:

1. The development shall be begun no later than 3 years beginning with the date of this permission.
2. Notwithstanding any materials specified in the application form and/or the drawings, particulars and samples of the materials to be used on all external surfaces of the buildings, including fenestration, windows, doors, eaves and verges shall be submitted to and approved in writing by the local planning authority before the commencement of the development. The development shall be carried out in accordance with the approved details.
3. Details of those parts of the site not covered by buildings including any parking, roads, footpath, hard and soft landscaping, surface and boundary treatments shall be submitted to and approved in writing by the local planning authority before the commencement of the

development. The development shall be carried out in accordance with the approved details.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any other Order revoking or re-enacting the Order), no buildings, extensions or alterations permitted by Classes A, B, C, D and E of Part 1 of Schedule 2 of the Order shall be carried out to the 5 dwellinghouses hereby approved without the prior written consent of the local planning authority.
5. The car parking spaces shown on the approved drawings shall be laid out and provided before the occupation of the dwellings and shall thereafter be kept free from obstruction and shall be retained for parking purposes for the occupiers of the development and their visitors.
6. The proposed access shall be laid out as a shared private drive having a width of 4.5m for the first 10m in rear of the highway boundary; The vehicular crossing onto Masefield Close shall be constructed in accordance with the specification of the local highway authority and subject to an appropriate licence/agreement under the Highways Act 1980; To prevent loose material being carried onto the public highway the driveway/s shall be paved with a hard bound surface for a distance of 5m in rear of the highway boundary; A positive means of drainage shall be installed to ensure that surface water from the driveway/s does not discharge onto the highway.
7. Before development is commenced, the finished floor levels of the approved dwellings in relation to the adjacent properties (by way of cross-section drawings) shall be submitted to the local planning authority and approved in writing.
8. Before the development commences, an Environmental Risk Assessment (ERA) to identify potential for contamination of the site shall be submitted to the local planning authority. Should the ERA identify any contamination, it shall contain measures for its remediation that shall be approved in writing by the local planning authority. The site shall be remediated to the satisfaction of the local planning authority prior to the occupation of the development.

Reasons:

1. Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004.
2. To ensure a satisfactory appearance for the development in the interest of visual amenity.
3. To ensure that the site is satisfactorily landscaped and in order to maintain and enhance the visual amenity of the area.
4. To afford the local planning authority the opportunity to control future developments on the site, having regard to the nature of the site and in the interests of safeguarding the amenities of neighbouring occupiers.
5. To ensure adequate off-street parking provision and in order to prevent additional parking in surrounding streets which, could be detrimental to amenity and prejudicial to safety.
6. In the interest of highway safety.
7. In the interest of the amenities of the neighbouring and future occupiers.
8. In the interest of health and safety of the occupiers of the development.

**17. PLANNING APPLICATION WP/2013/0284(FM) – MEADOWLANDS, HARDWICK ROAD, LITTLE HARROWDEN**

The annexed circulated report of the Head of Planning and Local Development was received, including late correspondence, on the demolition of the existing sheltered housing apartment/bedsit block (units 1-33) and erection of a new affordable housing development plus associated site works. The proposed new development would consist of 2 new bungalows, 10 houses and 4 maisonettes, in addition to the renovation of the existing 4 bungalows currently occupying the site at Meadowlands, Hardwick Road, Little Harrowden, for Wellingborough Homes.

The report detailed the proposal, description of the site, the planning history, relevant planning policies, outcome of consultations and an assessment of the proposal.

The Head of Planning and Local Development recommended that planning permission be approved subject to the conditions set out in the report.

Requests to address the meeting had been received from an objector, adjoining neighbour and architect.

The Chairman allowed the speakers to address the meeting for a maximum of 3 minutes. The committee was then given the opportunity to ask questions of clarification.

Having heard the views of the speakers and taking account of the officer's report, the Chairman invited the committee to determine the application.

It was proposed by Councillor Griffiths and seconded by Councillor Scarborough that planning permission be granted subject to the conditions set out in the report.

On being put to the vote, the motion was carried by 8 votes with 1 abstention.

**RESOLVED** that planning permission be approved subject to the following conditions:

1. The development shall be begun not later than the expiration of three years beginning with the date of this permission.
2. Representative samples of all external facing and roofing materials shall be submitted to and approved in writing by the local planning authority before the development is commenced.
3. The site shall be landscaped and planted with trees and shrubs in accordance with a comprehensive scheme which shall be submitted to and approved by the local planning authority before the development is commenced. The scheme shall be implemented concurrently with the development and shall be completed not later than the first planting season following the substantial completion of the development. Any trees and shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees and shrubs of similar size and species to those originally required to be planted or other species as may be agreed.

4. A scheme for screen fencing/walling shall be agreed with the local planning authority before the start of construction. The agreed scheme shall be implemented to the satisfaction of the local planning authority before the houses are occupied.
5. The areas shown for parking and turning on the approved plans shall be laid out and surfaced to the satisfaction of the local planning authority before the premises are occupied and shall be permanently set aside and reserved for the purpose.
6. Details of all hard surfaced material shall be submitted to and approved in writing by the local planning authority before development commences. The approved materials shall not be removed or replaced without the prior written agreement of the local planning authority.
7. No development shall commence until measures for the protection of trees and hedges in accordance with BS5837 have been implemented. These measures shall remain in place until completion of the development. No vehicles, plant or materials shall be driven or placed within the areas providing tree and hedge protection.
8. Notwithstanding the details shown on the approved plans full details of the existing and proposed levels shall be submitted to and approved in writing by the local planning authority before development commences. There shall be no variation in the agreed levels without the prior written approval of the local planning authority.
9. Notwithstanding the details shown on the approved plans a scheme to enhance wildlife and the bio diversity of the site shall be submitted to and approved by the local planning authority before development commences. The approved scheme shall be implemented before the first occupation.
10. Notwithstanding the details shown on the approved plans details of the refuse storage areas shall be submitted to and approved in writing by the local planning authority before development commences. The approved facilities shall be made available for use before the first occupation.
11. The recommendations and mitigation contained within the 'Protected species survey of Meadowlands in Little Harrowden, Northamptonshire' Report dated February 2013 produced by EMEC Ecology shall be adopted as good practice in the development of this site.
12. Notwithstanding the details shown on the approved plans no consent is granted nor implied for parking spaces E1, E2 or the associated visitor space off Hardwick Road. A plan showing their relocation within the site shall be submitted to and approved in writing by the local planning authority before development commences.
13. Pedestrian to vehicle visibility of 2.4m x 2.4m (2m x 2m where vehicle turning facilities are provided) above a height of 0.6m must be provided and maintained on both sides of all driveways and parking spaces.
14. To prevent loose material being carried onto the public highway, driveways must be paved with a hard bound surface for a minimum distance of 5m from the rear of the highway boundary and a positive means of drainage must be installed to ensure that surface water from the driveways does not discharge onto the highway
15. The vehicular crossing onto Hardwick Road must be constructed and highway surfaces affected by the proposal reinstated in accordance with the specification of the Local Highway Authority and subject to an appropriate licence/agreement under the Highways Act 1980.

Reasons:

1. Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004.
2. In the interests of amenity.
3. In the interests of visual amenity.
4. In the interests of amenity and privacy.
5. In the interests of the safety and convenience of users of the adjoining highway/s.
6. In the interests of amenity.
7. To protect trees and hedges to be retained on site in the interests of visual amenity
8. To ensure a satisfactory form of development.
9. To enhance the wildlife opportunity and biodiversity of the site.
10. To ensure the satisfactory development of the site.
11. To ensure the development takes place in an ecologically acceptable manner.
12. In the interests of highway safety.
13. In the interests of highway safety.
14. In the interests of highway safety.
15. In the interests of highway safety.

## **18. APPLICATION OUTSIDE THE BOROUGH**

### **1. WP/2013/0308(OB)**

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/2013/0308(OB), for the variation of condition 3 in respect of the re-siting of the anemometer mast and condition 22 in respect of rainfall monitoring of KET/2012/0556 on land to the North of Burton Wold Wind Farm, Wold Road, Burton Latimer, for First Renewable Developments Limited.

The report set out details of the proposal, a description of the site, the planning history, relevant planning policies and an assessment of the proposal.

The Head of Planning and Local Development recommended that the County Council be advised that no objections be raised to the proposed development subject to Kettering Borough Council satisfying itself that the pending decision relating to the Nun Wood Wind Farm planning application (our reference: WP/2008/0603/FEIA) which recently went to appeal (PINS reference: 2140401) and upon which the Secretary of State is expected to issue his decision on or before 01/11/2013, has any relevance to this application.

It was proposed by Councillor Scarborough and seconded by Councillor Morrall that the County Council be advised that no objections be raised to this proposal.

**RESOLVED** that no objections be raised to this proposed development subject to Kettering Borough Council satisfying itself that the pending decision relating to the Nun Wood Wind Farm planning application (our reference: WP/2008/0603/FEIA) which recently went to appeal (PINS reference: 2140401) and upon which the Secretary of State is expected to issue his decision on or before 01/11/2013, has any relevance to this application.

## **2. WP/2013/0071(OB)**

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/2013/0071(OB), for the erection of one wind turbine with a ancillary control house and transformer compound – re-consultation – additional information on land north of Broughton Road, Pytchley, for Glanmoor Investments Limited.

The report set out details of the proposal, a description of the site, the planning history, relevant planning policies and an assessment of the proposal.

**RESOLVED** to note that this was refused by Kettering Borough Council on 04/07/2013, for the following reasons:

1. The proposed turbine would be an alien feature in an open countryside setting and as such would have an unacceptable adverse impact on the character and visual amenity of the area in conflict with the aims and objectives of Policy 7 of the Local Plan for Kettering Borough; criteria (h) (i) and (o) of Policy 13 of the North Northamptonshire Core Spatial Strategy, and paragraph 17 of the National Planning Policy Framework.
2. By reason of its location, size and moving parts its appearance would seriously detract from the cultural and historic significance and setting of the Grade II\* listed Church of St Andrew in Broughton, contrary to the aims and objectives of criteria (h) (i) and (o) of Policy 13 of the North Northamptonshire Core Spatial Strategy and Policy 12 of the National Planning Policy Framework.

## **19. APPLICATIONS FOR PLANNING PERMISSION, BUILDING REGULATION APPROVALS AND APPEALS INFORMATION**

**RESOLVED** that the decisions on applications for planning permission and building regulation approvals determined by the Head of Planning and Local Development in accordance with delegated powers and appeal information as set out in the report of the Head of Planning and Local Development and received appeals, (Minute 4), be noted.

## **20. PLANNING APPEAL DECISION – SITE AT SHOES & MORE, 22A MARKET STREET, WELLINGBOROUGH**

**RESOLVED** to note the annexed circulated decision letter dated 19/07/2013, in respect of a change of use of a ground floor shop (A1) to a coffee shop (A1/A3), which was allowed, subject to conditions.

## **21. ANY OTHER BUSINESS**

The Chairman announced if there was any other business then this would be

sent to all Members of the Planning Committee in the form of a briefing note from the legal adviser.

Chairman

The meeting concluded at 10:43 pm.



## COUNCIL MEETING – 15 OCTOBER 2013

### REPORT OF THE PLANNING COMMITTEE

4 September 2013

Present: Councillors Ward (Chairman), Griffiths (Vice-Chairman), Bell, Dholakia, Maguire, Morrall, B Patel, Scarborough, Timms and Waters.

Mr M Kilpin (Principal Planning and Building Control Manager), Ms J Thomas (Development Management Officer), Mr A Chapman (Development Management Officer), Mr S Aley (Legal Adviser) and Mrs C A Mundy, (Democratic Services Officer).

(Councillors Bass attended as an observer and Councillor Hollyman attended to address the meeting.)

#### 1. APOLOGIES FOR ABSENCE

**RESOLVED** to note that an apology for absence was received from Councillor Beirne.

#### 2. DECLARATIONS OF INTEREST

**RESOLVED** to note that in accordance with the council's code of conduct and rules of procedure, the under-mentioned Councillors declared an interest in the following items:

Councillor	Minute No	Item	Description of interest
Dholakia	6	WP/2013/0335/FCOU	Disclosable pecuniary Interest - Governor at Wrenn School
Scarborough	6	WP/2013/0335/FCOU	Other – knows one of the objectors, as daughter is a friend of his daughter, but the families do not socialise.
Ward	5	WP/2013/0262/F and WP/2013/0267/F	Other – close friend of objector.

#### 3. CONFIRMATION OF MINUTES

**RESOLVED** that the minutes of the meeting held on 31 July 2013 be confirmed and signed.

#### **4. REPORT OF THE HEAD OF PLANNING AND LOCAL DEVELOPMENT**

**RESOLVED** that the annexed circulated report of the Head of Planning and Local Development, on the applications for planning permission, building regulation approvals and appeals information, be received.

(Councillor Ward left the meeting having declared an other interest on the following two applications and Councillor Griffiths took the chair.)

#### **5. PLANNING APPLICATION WP/2013/0262(F) and WP/2013/0267(F) – 25 AND 27 WELL STREET, FINEDON**

The annexed circulated reports of the Head of Planning and Local Development was received, including late correspondence, were received, on planning application WP/2013/0262(F) and WP/2013/0267(F), for the retention of a triple garage (double garage for number 27 and a single garage for number 25), to replace some car parking spaces as part of planning approval reference WP/2011/0145(F) for the conversion of the building to two dwellings at 25 and 27 Well Street, Finedon, for Mr D Hanger, and for a minor amendment (regularisation) of approval WP/2011/0145(F) viz the creation of garden access to the same properties.

The report detailed the proposal, description of the site, the planning history, relevant planning policies, outcome of consultations and an assessment of the proposal.

The Head of Planning and Local Development recommended that planning permission be granted on both applications.

The Site Viewing Group visited the site on 3 September 2013, following the deferment from the meeting of 31 July 2013, and a record of the visit was set out in the circulated notes.

The Chairman invited the committee to determine the application.

It was moved by Councillor Maguire and seconded by Councillor Patel that planning permission be refused. On being put to the vote this was lost with three votes in favour and five votes against.

It was then proposed by Councillor Waters and seconded by Councillor Dholakia that the planning permission be granted with an extra condition that the garage only be used for domestic purposes.

On being put to the vote, this was carried by five votes in favour and two votes against.

**RESOLVED** that the planning application be approved subject to the following condition:

The building shall only be used for domestic garage purposes.

Reason:

In the interests of amenity.

(Councillor Ward returned to the meeting and the Chair. Councillor Dholakia left the meeting having declared a disclosable pecuniary interest in the following item. Councillor Bass left the meeting and did not return.)

**6. PLANNING APPLICATION WP/2013/0335(FCOU) - GROUND FLOOR, 19 BROADWAY, WELLINGBOROUGH**

The annexed circulated report of the Head of Planning and Local Development was received, including late correspondence, on planning application WP/2013/0335(FCOU), for the change of use from B1/B8 to A1 retail of the ground floor premises at 19 Broadway, Wellingborough, for Mrs H Kermalli.

The Head of Planning and Local Development recommended that planning permission be granted with conditions.

The Site Viewing Group visited the site on 3 September 2013, and a record of the visit was set out in the circulated notes.

Requests to address the meeting had been received from nine objectors and Councillor Hollyman (ward councillor). One of the objectors declined to speak at the meeting.

The Chairman allowed the speakers to address the meeting for a maximum of three minutes and Councillor Hollyman a maximum of five minutes. The committee was then given the opportunity to ask questions of clarification.

In summary the objectors raised concerns over highway safety, the safety of children from Wrenn School travelling from site to site, no off road parking and unsuitable access to the site.

Having heard the views of the speakers and taking account of the officer's report, the Chairman invited the committee to determine the application.

Councillor Scarborough considered that the officer's recommendation for approval with conditions should not have been brought before the committee. He believed that there were two planning considerations of detriment to others and to the safety of children that needed to be considered when determining the application. This would be detrimental to local residents and pupils of Wrenn School and as such should be refused.

He believed that Northamptonshire County Council was inept. He had formerly been a ward councillor for this area and was aware that for 20 years at least there had been problems with regard to highway issues. He found it unbelievable that highways had failed to comment and he asked that the county councillors on the Planning Committee take this up with Northamptonshire County Council. Councillor Scarborough added that he felt that officers of the borough council were influenced by the fact that Northamptonshire County Council highways had no concerns.

It was proposed by Councillor Griffiths and seconded by Councillor Bell that planning permission be refused.

On being put to the vote, the motion was carried by 8 votes to 1 vote to refuse the application, with 1 abstention.

**RESOLVED** that planning permission be refused for the following reasons:

1. The proposal is contrary to policies 13 (d) and 13 (n) of the North Northamptonshire Core Spatial Strategy because the access to the site is unacceptable, in addition, the site has no off-street parking and the development would cause a danger to highway safety.
2. The proposal is contrary to policy 13 (l) of the North Northamptonshire Core Spatial Strategy because the development would have an unacceptably detrimental effect on the standard of amenity available to the nearby residential occupiers.
3. The proposed development would have a detrimental effect on the safety and free flow of students between the two Wrenn School sites in London Road and Doddington Road.
4. The proposal is contrary to a core planning principle within Section 17 of the National Planning Policy Framework:-

Take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.

**7. PLANNING APPLICATION WP/2013/0373(FCOU) - TRAK-O-MEND HOLDINGS LIMITED, 29-31 MAIN ROAD, WILBY**

The annexed circulated report of the Head of Planning and Local Development was received, including late correspondence, on planning application WP/2013/0373(FCOU), for the change of use of the ground floor of the main office block on the site from office (B1) to a hairdressing salon (A1) at Trak-O-Mend Holdings Limited, 29 – 31 Main Road, Wilby, for Mr P Stevenson (Trak-O-Mend Holdings Limited).

The report detailed the proposal, description of the site, the planning history, relevant planning policies, outcome of consultations and an assessment of the proposal.

The Head of Planning and Local Development recommended that planning permission be approved subject to the conditions set out in the report.

The Site Viewing Group visited the site on 3 September 2013, and a record of the visit was set out in the circulated notes.

Requests to address the meeting had been received from one objector, one business tenant, the applicant and one supporter.

The Chairman allowed the speakers to address the meeting for a maximum of three minutes. The committee was then given the opportunity to ask questions of clarification.

Having heard the views of the speakers, and taking account of the officer's report, the Chairman invited the committee to determine the application.

It was proposed by Councillor Waters and seconded by Councillor Patel that planning permission be approved subject to the conditions set out in the report.

On being put to the vote the motion was carried with 9 votes in favour.

**RESOLVED** that planning permission be approved subject to the following conditions:

1. This permission shall be limited to a period of time expiring on 30th September 2015. At or before the expiration of this period the use shall be discontinued and the land restored to its former use.
2. The premises shall only be used as a hairdressing salon and for no other purpose (including any other purpose in Class A1 of the Schedule to the Town & Country Planning (use classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).
3. Provision shall be made for the parking, turning, loading and unloading of vehicles within the site, in accordance with a plan which shall be submitted to and approved by the local planning authority before the development is commenced. The areas so provided shall be laid out and surfaced to the satisfaction of the local planning authority before the premises are occupied and shall be permanently set aside and reserved for the purpose.
4. Before development commences a Traffic Management Strategy shall be submitted to and approved in writing by the local planning authority. The Strategy shall address the measure that will be taken to ensure the approved parking spaces remain available and how Clients will be encouraged to use them.

Reasons:

1. To monitor the impact of the proposed use upon the character and appearance of the area and upon the amenities of neighbouring properties.
2. The local planning authority would wish to retain control over any subsequent use of these premises.
3. In the interests of the safety and convenience of users of the adjoining highway/s.
4. In the interests of the safety and convenience of users of the adjoining highway/s.

**8. PLANNING APPLICATION WP/2012/0296(FM) – RESIDENTIAL DEVELOPMENT OF 48 DWELLINGS, LANDSCAPING, ROADS AND SEWERS AT 200 DODDINGTON ROAD, WELLINGBOROUGH**

The annexed circulated report of the Head of Planning and Local Development was received, including late correspondence, on planning application WP/2012/0296(FM), for residential development of 48 dwellings, landscaping roads and sewers. All housing association plots, changes to layout and design in respect to various responses. Changes to layout and design of the buildings, involving a reduction in the number of units to 48; reduction in the scale of the frontage buildings from 3 to 2 storeys; and additional parking spaces for the shared ownership units at John Parkins and Company Limited, 200 Doddington Road, Wellingborough for Mr O Boundy (Metropolitan Housing Trust).

The application was deferred from the meeting on 19 June 2013 and the developer had now submitted an amended scheme. The report detailed the proposal, description of the site, the planning history, relevant planning policies, outcome of consultations and an assessment of the proposal.

The Head of Planning and Local Development recommended that planning permission be approved subject to the conditions set out in the report.

A request to address the meeting had been received from the applicant and his agent.

The Chairman allowed the speakers to address the meeting for the maximum of three minutes each.

It was proposed by Councillor Griffiths and seconded by Councillor Morrall that planning permission be granted subject to the conditions set out in the report.

On being put to the vote, the motion was carried unanimously, and the applicant was thanked for addressing the committee's earlier concerns.

**RESOLVED** that planning permission be approved subject to the following conditions:

1. The development shall be begun no later than 3 years beginning with the date of this permission.
2. Notwithstanding any materials specified in the application form and/or the drawings, particulars and samples of the materials to be used on all external surfaces of the buildings, including fenestration, windows, doors, eaves and verges shall be submitted to and approved in writing by the local planning authority before the commencement of the development. The development shall be carried out in accordance with the approved details.
3. Details of those parts of the site not covered by buildings including any parking, roads, footpath, hard and soft landscaping, surface and boundary treatments shall be submitted to and approved in writing by the local planning authority before the commencement of the

- development. The development shall be carried out in accordance with the approved details.
4. The proposed tree planting/landscape scheme shall be implemented during the next planting season after the completion of the building operations on site or within any such longer period as may be agreed in writing with the local planning authority. Such planting shall be maintained, including the replacement of dead, dying or defective trees, shrubs or ground cover plants for a period of 5 years.
  5. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (or any other Order revoking or re-enacting the Order), no buildings, extensions or alterations permitted by Classes A, B, C, D & E of Part 1 of Schedule 2 of the Order shall be carried out to the 32 dwellinghouses hereby approved without the prior written consent of the local planning authority.
  6. The car parking spaces shown on the approved drawings shall be laid out and provided before the occupation of the dwellings and shall thereafter be kept free from obstruction and shall be retained for parking purposes for the occupiers of the development and their visitors.
  7. The proposed vehicular crossings shall be constructed in accordance with the specification of Northamptonshire County Council and subject to a suitable licence/agreement under the Highways Act 1980.
  8. Prior to the commencement of development an Environmental Risk Assessment to identify any contamination on the site shall be submitted to and approved in writing by the local planning authority. If the Environmental Risk assessment identifies any contamination, it shall contain measures for its remediation and the site shall be remediated in accordance with the agreed scheme prior to first occupation.
  9. Before development is commenced, the finished floor levels of the approved dwellings in relation to the adjacent properties (by way of cross-section drawings) shall be submitted to the local planning authority and approved in writing.
  10. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) MTC, 1239/12 - FRA Rev B April 2013 and in particular the impermeable area on site to be reduced as set out in paragraph 4.10 of the agreed FRA. The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.
  11. Prior to the commencement of development, a detailed scheme for the diversion of Denington Brook and the existing surface water sewers on site shall be submitted to and agreed in writing by the local planning authority. The scheme shall include detailed design, with cross sections, long sections, levels to Ordnance Datum, supporting calculations and long term maintenance arrangements.
  12. No dwellings/premises shall be occupied until the works have been carried out in accordance with the surface water strategy so approved unless otherwise approved in writing by the local planning authority.

Reasons:

1. Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004.
2. To ensure a satisfactory appearance for the development in the interest of visual amenity.
3. To ensure that the site is satisfactorily landscaped and in order to maintain and enhance the visual amenity of the area.
4. To ensure that the site is satisfactorily landscaped and in order to maintain and enhance the visual amenity of the area.
5. To afford the local planning authority the opportunity to control future developments on the site, having regard to the nature of the site and in the interests of safeguarding the amenities of neighbouring occupiers.
6. To ensure adequate off-street parking provision and in order to prevent additional parking in surrounding streets which, could be detrimental to amenity and prejudicial to safety.
7. In the interest of safety of road users and pedestrians.
8. To protect future occupiers from the potential effect of contamination.
9. In the interest of the amenities of neighbouring residential occupiers.
10. To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.
11. To ensure that the Denington Brook is adequately accommodated on site to reduce flood risk.
12. To prevent environmental and amenity problem

**9. PLANNING APPLICATION WP/2013/0225(0) – LAND AT REAR OF 31 STATION ROAD (OFF MACKWORTH DRIVE), FINEDON, WELLINGBOROUGH**

The annexed circulated report of the Head of Planning and Local Development was received, including late correspondence, on planning application WP/2013/0225(0), for an outline application with some matters reserved (access and layout to be considered at this stage) comprising the proposed development of 3 dwellinghouses and associated access off Mackworth Drive on land at rear of 31 Station Road (off Mackworth Drive), Finedon, for Mr and Mrs Gibbard.

The report detailed the proposal, description of the site, the planning history, relevant planning policies, outcome of consultations and an assessment of the proposal.

The Head of Planning and Local Development recommended that planning permission be granted subject to the conditions set out in the report.

The Chairman invited the committee to determine the application.

It was proposed by Councillor Ward and seconded by Councillor Maguire that planning permission be refused.

On being put to the vote, the motion to refuse the planning permission was carried unanimously.

**RESOLVED** that outline planning permission be refused as the application site is located in the open countryside outside the village policy line and in the absence of any special mitigating circumstances or justifiable reasons, the proposal is contrary to Policy 1 of the North Northamptonshire Core Spatial Strategy, Policies G6 and H4 of the Borough of Wellingborough Local Plan.

In addition, the grant of this application, coupled with the existing outline grant on the opposite side of the road, would change the character of the entrance to the Finedon Hall estate.

**10. PLANNING APPLICATION WP/2013/0303(F) – 8 LAMMAS CLOSE, ORLINGBURY**

The annexed circulated report of the Head of Planning and Local Development was received on planning application WP/2013/0303(F), for the erection of a first floor extension over the existing double garage at 8 Lammas Close, Orlingbury, for Mrs J Cuthbert.

The report detailed the proposal, description of the site, the planning history, relevant planning policies, outcome of consultations and an assessment of the proposal.

The Head of Planning and Local Development recommended that planning permission be approved subject to the conditions set out in the report.

The Chairman invited the committee to determine the application.

It was proposed by Councillor Morrall and seconded by Councillor Scarborough that planning permission be granted subject to the conditions set out in the report.

On being put to the vote, the motion was carried unanimously.

**RESOLVED** that planning permission be approved subject to the following conditions:

1. The development shall be begun not later than the expiration of three years beginning with the date of this permission.
2. Representative samples of all external facing and roofing materials shall be submitted to and approved in writing by the local planning authority before the development is commenced and the development shall be carried out using the approved materials.
3. No windows other than those expressly approved by this consent shall be inserted above ground floor level without the prior consent in writing of the local planning authority.

Reasons:

1. Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004.
2. In the interests of visual amenity.
3. In the interests of privacy.

## **11. APPLICATIONS OUTSIDE THE BOROUGH**

### **1. WP/2013/0370/C**

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/2013/0370/C, for the retention of a landfill gas flare and ancillary equipment at Sidegate Lane Landfill Site, Sidegate Lane, Finedon, for Mr J Woodhall, Site UK Limited.

The report detailed the proposal, description of the site, the planning history, relevant planning policies, outcome of consultations and an assessment of the proposal.

The Head of Planning and Local Development recommended that no objection be raised.

This was unanimously agreed.

**RESOLVED** that no objection be raised to the planning application and that Northamptonshire County Council ensure that appropriate mitigation measures are considered with respect to the safeguarding of the Site of Nature Conservation Value (Local Plan Policy G18) which lies in close proximity to the site. Furthermore, NCC is advised that the development proposal be assessed with respect to the Wellingborough East Development Framework Supplementary Planning Guidance (November 2003).

### **2. WP/2013/0380(C)**

The annexed circulated report of the Head of Planning and Local Development was received on planning application WP/2013/0380(C), for the installation of two additional engines to the existing power generation plant and installation of a portacabin at the south eastern end of the compound at Sidegate Lane Landfill Site, Sidegate Lane, Finedon, for Ms H McDonnell (ESG).

The report detailed the proposal, description of the site, the planning history, relevant planning policies, outcome of consultations and an assessment of the proposal.

The Head of Planning and Local Development recommended that no objection be raised.

This was unanimously agreed.

**RESOLVED** that no objection be raised.

### **3. WP/2013/0409/OB**

The annexed circulated report of the Head of Planning and Local Development was received on planning application WP/2013/0409/OB, for the variation/removal of conditions attached to extant outline planning permission KET/2008/0274 at East Kettering Development, Cranford Road, Barton Seagrave, for Mr A Wordie (Alledge Brook LLP).

The Head of Planning and Local Development recommended that no objection be raised.

This was unanimously agreed.

**RESOLVED** that no objection be raised to the planning application.

**4. WP/2013/0236(C)**

The annexed circulated report of the Head of Planning and Local Development was received on planning application WP/2013/0236(C) for the installation of a double mobile classroom at Redwell Infant School, Barnwell Road, Wellingborough, for Mrs L Currie (Property Asset Management).

The report detailed the proposal, description of the site, the planning history, relevant planning policies, outcome of consultations and an assessment of the proposal.

**RESOLVED** to note that this was approved by Northamptonshire County Council on 23 July 2103, subject to the conditions contained in the report.

**5. WP/2013/0308/OB**

The annexed circulated report of the Head of Planning and Local Development was received on the variation of condition 3 in respect of the re-siting of the anemometer mast and condition 22 in respect of rainfall monitoring of KET/2012/0556 on land to the North of Burton Wold Wind Farm, Wold Road, Burton Latimer, Kettering, for First Renewable Developments Limited.

**RESOLVED** to note that this was approved by Kettering Borough Council on 25 July 2013, subject to the conditions contained in the report.

**12. APPLICATIONS FOR PLANNING PERMISSION, BUILDING REGULATION APPROVALS AND APPEALS INFORMATION**

**RESOLVED** that the decisions on applications for planning permissions and building regulation approvals determined by the Head of Planning and Local Development in accordance with delegated powers and appeal information as set out in the report of the Head of Planning and Local Development be noted.

Officers were asked to supply a members' briefing note in relation to WP/2013/0330/ELUD to provide more information regarding the application for the Certificate of Lawfulness to separate the annexe from the main dwellinghouse.

Chairman

The meeting concluded at 9.45pm.



**COUNCIL MEETING – 15 OCTOBER 2013**  
**REPORT OF THE LICENSING SUB-COMMITTEE**

29 August 2013

Present: Councillors Waters (Chairman), Harrington and Maguire.

Also present: Mr G Hollands, Solicitor, District Law, Mrs A Wilcox, Licensing Manager, Mrs P Bright, Licensing Officer and Mrs C A Mundy, Democratic Services Officer.

(The hearing commenced at 10am.)

**1. APPOINTMENT OF CHAIRMAN**

**RESOLVED** that Councillor Waters be appointed as Chairman for this sub-committee meeting.

**2. APPLICATION FOR AN EXEMPTION FROM THE VEHICLE AGE POLICY RELATING TO PRIVATE HIRE VEHICLES**

The Chairman welcomed Mr Brook and Mrs Lunn, as owners of Six 40 Cabs to the sub-committee meeting and introduced the panel and the officers present. He explained how the sub-committee meeting would proceed and asked the applicants if they had any questions at this stage.

The Licensing Manager, Mrs Wilcox presented her report.

She explained that Six 40 Cabs had applied for a private hire licence for a vehicle which was over 5 years old. The vehicle had first been registered on 1 April 2008. The policy covering the licensing of private hire vehicles stated that vehicles shall be no older than five years from the first day of registration on the initial application to the Borough Council of Wellingborough.

The Chairman asked the applicant to explain why this application had been made.

Mr Brook explained that Six 40 Cabs was a young business and had been running from its base in Cambridge Street for four months. They had decided to use White Ford Focus vehicles for their fleet as a form of branding for their company. The company currently had 3 of these vehicles and had decided to purchase another one to add to their fleet. He explained that the vehicle was an ex-police vehicle and that whilst it had high mileage this was not an issue as it was a 1.8 diesel estate and had been well looked after and maintained.

Members asked questions of clarification of Mr Brook and Mrs Lunn regarding where the vehicle was purchased from, details of the current fleet, whether the company had on-going plans for the upgrade of its fleet and whether they had evidence of how the vehicle they had purchased, and wished to licence,

had been maintained. Members also took the opportunity to inspect the vehicle.

The Chairman adjourned the meeting at 10.40am.

The meeting was reconvened at 10.55am.

**RESOLVED** that the decision is to refuse the vehicle licence applied for the following reason:

1. that the Council has a clear policy that no vehicle more than 5 years old, when a licence is first applied for should be registered.
2. the evidence provided by the applicant is insufficient for the committee to conclude that this policy should be departed from.

The Chairman explained that the applicant had a right of appeal to the Magistrates Court should they wish to do so.

(This part of the sub-committee meeting concluded at 11am.)

### **3. APPLICATION FOR PREMISES LICENCE**

(The hearing commenced at 11.10am.)

The Chairman welcomed the applicant, Mrs Piratheepa Sritharan, her husband and Mr J Birch their Licensing Consultant to the meeting.

Mr Birch explained that due to child care issues the applicant would leave the meeting and that he and her husband would answer any queries that the panel had.

The Licensing Manager, Mrs Wilcox, presented her report.

The application was for a premises licence for the retail sale of alcohol for 28a Cambridge Street, Wellingborough which the applicant intended to convert to a convenience store.

Representatives had been received from 2 interested parties objecting to the licence on the grounds that the licensing objectives were not being met. No representations had been received from the responsible authorities of police, environment health, fire & rescue, planning, trading standards and child protection.

The licensing manager informed the panel that the applicant had voluntarily agreed to change the hours on the application from the original of 06.00am to 01.00am to 06.00am to midnight.

She also explained the four licensing objectives which had to be met of:

- (a) the prevention of crime and disorder;
- (b) public safety;

- (c) the prevention of public nuisance and
- (d) the protection of children from harm.

The Chairman thanked the licensing manager for her resume of the application and asked the applicant and his representative whether they understood what had been said and whether they had any questions.

The Chairman then asked Mr Birch if he wished to put the applicant's case to the panel.

Mr Birch explained that the applicant and her husband already had a shop in Mill Road in Wellingborough and wished to expand their business. It was their intention to open a convenience store selling alcohol amongst other things. They were responsible store owners and would ensure that state of the art CCTV was installed with their intention being to have 14 cameras in the shop and at the front of the premises. They would discourage drinking inside or anywhere in the vicinity of the premises. There would be 3 people on duty in the shop at any time and these people would be fully trained. Both the applicant and her husband had personal licences and would follow the 'Challenge 25' scheme. Asking for identification was part of their regular policy. His client also considered that he was a good judge of age and knew if a customer was intoxicated and should not be served, and would have no hesitation in refusing to do so. Investigations of crime and disorder in Cambridge Street had shown there was very little crime and disorder in this area of the town.

The panel asked questions for the purpose of clarity.

The Chairman adjourned the meeting at 11.50am.

The meeting was reconvened at 12.10pm.

**RESOLVED** that the premises licence be granted to open from 6am to midnight and otherwise in accordance with the application, however, in the event of any incidents at the premises the applicant should note that the grant of the licence may be reviewed in accordance with the Licensing Act 2003.

**The reason** for the decision was that there were no representations which justified refusal of the licence.

The applicant thanked the sub-committee for its decision.

The meeting concluded at 12.15pm.

Chairman



**COUNCIL MEETING – 15 OCTOBER 2013**  
**REPORT OF THE LICENSING SUB-COMMITTEE**

16 September 2013

Present: Councillors Morrall (Chairman), Emerson and Scarborough.

Also present: Mrs P Bright, Licensing Officer, Mr J Chadwick, Solicitor, District Law, Mr D Haynes, Principal Environmental Health Manager, Mrs A Wilcox, Principal Health Protection Manager (Licensing Manager) and Mrs C A Mundy, Democratic Services Officer.

(The hearing commenced at 2pm.)

**1. APPOINTMENT OF CHAIRMAN**

**RESOLVED** that Councillor Morrall be appointed as Chairman for this sub-committee meeting.

**2. APPLICATION FOR A REVIEW OF THE PREMISES LICENCE IN RESPECT OF WOLLASTON INN, 87 LONDON ROAD, WOLLASTON.**

The Chairman informed the sub-committee that he was aware of two of the complainants.

The Licensing Manager, Mrs Wilcox explained how the sub-committee meeting would proceed.

The Chairman introduced the sub-committee panel and officers and welcomed Mr Rush, Miss Crooks the landlady of the Wollaston Inn, Mr Beales of Marstons PLC and Mr Hyldon, solicitor with John Gaunt and Partners who was the legal representative for Marstons.

The Licensing Manager informed the sub-committee that Mr Haynes, the Principal Environmental Protection Manager had brought this review to the sub-committee, acting as a responsible authority as defined in Section 13 of the Licensing Act 2003, on the grounds that the licensing objective of the prevention of public nuisance had been breached.

The Licensing Manager reminded the sub-committee of the four licensing objectives which were as follows:

- (i) The prevention of crime and disorder;
- (ii) Public safety;
- (iii) Prevention of public nuisance;
- (iv) The protection of children from harm.

Details of the existing premises licence were attached to the report stipulating the operating hours along with the conditions for the function room and external areas.

The Licensing Manager also clarified that she had received an additional bundle of documents from Mr Hyldon late on Friday and asked if Members wished this to be circulated. The Chairman clarified that this could be done.

The Chairman asked the Principal Environmental Health Manager to present his case to the sub-committee.

He explained that the grounds for the review related to serious public nuisance from amplified music and loud voices from outside the premises both during the evening and night hours following five complaints from local residents who were also supported by an elected councillor.

Questions of clarity were asked by members regarding the properties that were mostly affected and whether noise readings had been taken from the council's visiting officer.

Mr Haynes clarified that the properties were in Hinwick Road, London Road, The Grove and Pearsons Mews. Noise readings were not taken by the council officer who attended. Taking noise readings was not normal practice and the officer had confirmed that the noise level had been excessive and very, very loud and as such was a public nuisance. He confirmed that he had reached agreement with the licence holder on six conditions to replace those within the current licence but that they had failed to reach agreement on the seventh condition.

The chairman thanked Mr Haynes for presenting the case and asked Mr Hyldon if he wished to ask any questions.

Mr Hyldon asked for clarification on the number of noise complaints from 2010, 2011, 2012 and 2013. Mr Haynes did not have the figures for 2010 and 2011 but had a record of there being six incidents in 2012 and again this year.

The Chairman then asked Mr Rush, one of the complainants, to inform the sub-committee of the problems and issues he had experienced. Mr Rush explained that he had lived at 3 The Grove for 17 years and had experienced some problems over the years but that for a number of years the pub had been run as a restaurant and that noise nuisance had been limited. Whilst the pub did still serve food it held more music events now and that this in itself meant that there was more noise. There were also issues with people using the smoking area and courtyard with there being general talking and raised voices. Bands were also exiting from the fire escape which they were not permitted to do. The pub was now surrounded by residential developments and as such he considered that more attention should be paid to noise nuisance issues. He did not feel that it was being managed in the same way as it had previously been and that there were more frequent functions which caused more noise nuisance.

Councillors asked Mr Rush some questions for the purpose of clarity.

The Chairman then asked Mr Hyldon if he wished to respond.

Mr Hyldon said that his client was disappointed that this matter could not have been resolved by partnership working instead of coming before the sub-committee. He detailed the history of the pub, which had been particularly famous as a music venue for up and coming acts since the 1960's.

He informed the sub-committee that the landlady had not been notified in the first instance of any issues with noise nuisance. With the permission of the chairman, Mr Hyldon circulated a bundle of photographs to those present which showed that 'please leave quietly' signs were located on the exit doors. The photos also showed that there were double doors in place to help with the noise levels emanating from the pub. The landlady wrote to neighbouring properties informing them of when she was hosting an event in the function room, suggesting that if there was an issue that they call her. Also within the bundle was a Noise Management Plan. Mr Hyldon also confirmed that Marstons would be prepared to install noise limiters in the premises. As a final gesture Mr Hyldon referred members to the proposed conditions within their bundle which they considered would be fitting for both parties.

Members asked questions of clarity of Mr Hyldon, Miss Crooks and Mr Beales.

The Chairman thanked all parties and adjourned the meeting at 3.25pm.

The meeting was reconvened at 4.35pm.

**RESOLVED** that:

- (i) permitted opening hours of premises start 10.00 finish 01.30 hours every day of the week;
- (ii) the permitted hours for the sale of alcohol and all other licensable activities (with the exception of recorded and live music) start 10.00 finish 01.00 hours every day of the week;
- (iii) the permitted hours for the playing of live music start 10.00 finish 00.00 hours every day of the week;
- (iv) the permitted hours for the playing of recorded music start 10.00 finish 00.30 hours every day of the week;
- (v) non-standard hours to be added for Christmas Eve, Boxing Day, Bank Holiday Sundays, and Saints days and New Years Eve exemption (on all of the above non-standard timings the opening hours and all licensable activities shall be extended by one hour);
- (vi) A noise limiter to be fitted upstairs and downstairs in each room where live and recorded music is to be played. The limiters are to be set at a level agreed and confirmed in writing between Marstons PLC and the Borough Council of Wellingborough's Principal Environmental Protection Manager;
- (vii) The conditions numbered 1 to 7 as detailed at pages 24 and 25 of the bundle of documents submitted at the hearing by Marstons PLC

representatives shall replace those currently in Annexe 3 conditions attached after a hearing by the licensing authority (to include live music as defined by S177A of the Licensing Act 2003);

**Reasons for decision:**

- (i) The sub-committee heard evidence from David Haynes, Principal Environmental Protection Manager, Mr Rush, resident of 3 The Grove and Jonathan Hyldon, Solicitor with John Gaunt and Partners, legal representative for Marstons PLC. The Members also heard from Mr Beales on behalf of Marstons PLC and Miss Crooks as the DPS.

The sub-committee considered the evidence and felt it appropriate and proportionate to amend the opening hours, sale by retail of alcohol, and live and recorded music as has been outlined as this had been near to being subject to agreement between the parties.

- (ii) As regards recorded music an end time of 0030 hours represents an appropriate and proportionate balance between the residents living in the vicinity and the needs of the premises to manage closure of the premises in an orderly fashion.
- (iii) Marstons PLC stated at the hearing that they were willing to accept a noise limiter condition and the sub-committee imposed a condition for this reason.
- (iv) The sub-committee would hope that Marstons PLC take further action in respect of noise attenuation at the premises and provision of adequate signage in the external rear smoking area in order to protect residents in the vicinity from public nuisance.

The meeting concluded at 4.40pm.

Chairman