

## COUNCIL MEETING – 25 FEBRUARY 2014

### REPORT OF THE PLANNING COMMITTEE

22 January 2014

Present: Councillors Ward (Chairman), Griffiths (Vice-Chairman), Beirne, Dholakia, L Lawman, Morrall, 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 A Chapman (Development Management Officer), Mrs S Bateman (Senior Planning Officer), Mr S Aley (Legal Adviser) and Mrs F Hubbard (Democratic Services Officer).

(Councillors Bass, Carr and G Lawman attended the meeting as observers and Councillor Partridge-Underwood as a speaker).

#### 1. APOLOGIES FOR ABSENCE

**RESOLVED** to note that apologies for absence were received from Councillors Bell and Maguire.

#### 2. DECLARATIONS OF INTEREST

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

Councillor	Minute No	Item	Description of Interest
Ward	7	WP/2014/0637(O)	Other – Business associate and friend of the neighbour of 20 Burton Road, Finedon

#### 3. CONFIRMATION OF MINUTES

**RESOLVED** that the minutes of the meeting held on 18/12/2013, 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, listed building consent, building regulation approvals and appeals information, be received.

#### 5. PLANNING APPLICATION WP/2013/0508(F) – 7 WHEELWRIGHTS YARD, BOZEAT

The annexed circulated report of the Head of Planning and Local Development was received, including late letters, on planning application WP/2013/0508(F),

for the erection of a self contained annex at the rear of the outbuildings forming part of 7 Wheelwrights Yard, Bozeat for Mr P Seaman.

The Chairman informed the committee that this application had been withdrawn.

## **6. PLANNING APPLICATION WP/2013/0593(F) – 3 SOUTH STREET, ISHAM**

The annexed circulated report of the Head of Planning and Local Development was received, including late letters, on planning application WP/2013/0593(F), for the erection of a new detached dwelling at 3 South Street, Isham for Mr J Coles.

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 Site Viewing Group visited the site on 21/01/2014 and a record of the visit was set out in the circulated notes.

A request to address the meeting had been received from a representative speaking on behalf of the owners of 4, 5 and 6 Park Close, Isham.

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

Members felt that this application was overdevelopment due to the size and height of the proposed dwelling together with loss of sunlight and would be detrimental to the owners of 4, 5 and 6 Park Close. Concerns were also raised with regard to access together with footpath and highway safety.

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

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

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

1. The proposal is considered to be an overdevelopment of the site which would be unacceptable to the amenities of the occupiers of nearby properties.
2. The proposal is considered to be detrimental to the safety and convenience of users of the highway.
3. The proposal is considered to be contrary to Policy 13 (d, h, l and n) of the North Northamptonshire Core Spatial Strategy.

(The Chairman left the meeting having declared an interest in the following item and the Vice-Chairman took the chair).

**7. PLANNING APPLICATION WP/2013/0637(0) – 20 BURTON ROAD, FINEDON**

The annexed circulated report of the Head of Planning and Local Development was received, including late letters, on planning application WP/2013/0637(0), for the erection of a 2 bedroomed bungalow adjacent to the existing dwelling - outline application with all matters reserved at 20 Burton Road, Finedon for Mr G Smith.

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

The Site Viewing Group visited the site on 21/01/2014 and a record of the visit was set out in the circulated notes.

A request to address the meeting had been received from the architect.

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.

Members considered this application to be overdevelopment with lack of amenity space and had concerns regarding highway access onto the A6.

It was proposed by Councillor Waters and seconded by Councillor Timms that planning permission be refused.

On being put to the vote, the motion was received by 4 votes in favour and 4 votes against. The Vice-Chairman then used his casting vote against the application and the application for planning permission was refused.

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

1. The proposal is considered to be an overdevelopment of the site which would lead to insufficient amenity space for both the existing and new dwelling.
2. The proposal for an additional dwelling unit to be served by the private access would be detrimental to highway safety in respect of the private drive and its access to the A6 road.
3. The proposal is considered contrary to Policy 13 (a, d, l and n) of the North Northamptonshire Core Spatial Strategy.

(The Chairman returned to the meeting and took the chair).

**8. PLANNING APPLICATION WP/2013/0332(OM) – LAND OFF HILLSIDE CLOSE, BOZEAT**

The annexed circulated report of the Head of Planning and Local Development was received, including late letters, on planning application WP/2013/0332(OM), for an outline application for a residential development comprising of up to 36 dwellings, estate road and associated works, with all matters save for the means of access reserved for subsequent approval – amended – on land off Hillside Close, Bozeat for Manor Farm Development 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 granted with all matters reserved, save for access, subject to a Section 106 Agreement and also to the conditions set out in the report.

This application had been deferred at the last Planning Committee held on 18/12/2013 to enable the committee to have more time to read additional papers that had been received through late letters concerning this development.

Mrs Bateman outlined the planning policy situation. She explained that as the Council cannot currently identify a five year supply of deliverable housing land the National Planning Policy Framework requires that a presumption in favour of sustainable development applies. This means granting planning permission unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

Mrs Bateman also gave an updated position on the housing land supply calculation which updates the supply from 1.53 years when assessed against the adopted Core Strategy to 4.54 years when assessed against the objectively assessed housing need as set out in the North Northamptonshire Interim Housing Statement.

Requests to address the meeting had been received from 2 objectors, a representative from the Parish Council, Councillor Partridge-Underwood and the agent.

The Chairman allowed the speakers to address the meeting for a maximum of 3 minutes each and Councillor Partridge-Underwood 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 against building on this green field site and felt there could be more suitable brown field sites available for this development. Concerns were raised with regard to drainage issues and the potential for flooding, possibility of bats and newts in the vicinity and the affect this would have on them.

The site was considered unsustainable as there was limited public transport and further concerns with increase of traffic in the village and a poor single access to and from the site.

It was proposed by Councillor Griffiths and seconded by Councillor Scarborough 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.

(Councillor Waters asked that his vote be recorded against the decision for refusal).

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

1. The proposed development by reason of its anticipated net increase in the daily vehicle movements along Hillside Close would have an adverse impact upon the amenities currently enjoyed by the existing Hillside Close residents by way of increased noise, other pollution and general road traffic nuisance. 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.
2. It is considered that insufficient information/analysis has been provided to demonstrate that the proposal will not exacerbate existing flooding problems on the site and in the vicinity. The proposal is therefore considered to be contrary to Policy 13 (q) of the North Northamptonshire Core Spatial Strategy and unsustainable in the terms of paragraph 103 of the National Planning Policy Framework.
3. The proposed development fails to satisfy the criteria for excepted development outside village confines. The proposed development does not involve re-use of buildings; is not required in order to meet local housing needs; is not small scale and is not solely for affordable housing. The proposed development is therefore considered to be in conflict with Policies 1, 9 and 10 of the North Northamptonshire Core Spatial Strategy and saved Policies G4, G6, H4 and H9 of Borough of Wellingborough Local Plan.

**9. PLANNING APPLICATION WP/2013/0545(OEIA) – 55, 57, 59, 61 EASTFIELD ROAD, ALL MARS DRIVE, ALL NEPTUNE ROAD, WELLINGBOROUGH**

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/2013/0545(OEIA), for the outline proposal with all matters reserved for a residential development for up to 195 dwellings with associated car parking and landscaping, to include provision of a landscaped park at the base of the former quarry (resubmission following the expiration of the consent under Ref WP/2008/0050(OEIA) – amended plan – at 55, 57, 59 and 61 Eastfield Road, all Mars Drive, all Neptune Road, Wellingborough for Wellmere 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 granted subject to a Section 106 Agreement and also subject to the conditions set out in the report.

A request to address the meeting had been received from a representative on behalf of the developer.

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.

A question was raised about the Section 106 money and the possibility of some of the money being used for child care facilities in the area which could be needed in the future. The members were informed that the Section 106 money would be used to fund the pedestrian route to the railway station from the development. A member suggested that maybe child care provision could be considered for Phase 3.

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

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

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

1.
  - a) Details of the access, appearance, landscaping, layout and scale (hereinafter called the "reserved matters") shall be submitted to and approved in writing by the local planning authority before any development commences and the development shall be carried in accordance with the approved plans.
  - b) An application for the submission of reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.
  - c) the development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.
2. 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.
3. 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.
  4. No development or site clearance shall commence until measures for the protection of trees in accordance with BS5837 have been implemented. These measures shall remain in place until the completion of the development. No vehicles, plant or materials shall be driven or placed within the areas providing tree protection.
  5. Development shall not be begun until details of the following have been submitted to and approved in writing by the local planning authority, the works shall be carried out in accordance with the approved details and retained as such thereafter:
    - a) boundary enclosures (to include the retention and adaption of the existing front boundary walls and renovation/reinstatement of the gates)
    - b) windows, such details to include materials, method of opening and the measures to protect the dwellings from rail traffic noise
    - c) cycle parking comprising secure, covered storage facilities
    - d) external lighting within the site
    - e) details of public art and street furniture
    - f) the proposed slab levels of the buildings and the existing/proposed site levels
    - g) a scheme of energy efficiency measures to achieve Code for Sustainable Homes Level 3 as a minimum.
    - h) the location and type of play equipmentarrangements for the storage of refuse and recyclable materials.
  6. 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.
  7. Details of a long-term landscape management and conservation management plan shall be submitted to and approved in writing by the local planning authority before the development is commenced.
  8. Before development commences a working design, method statement and timetable of works to mitigate any undue adverse effects to reptiles (as outlined in Chapter 2 of the submitted Ecological Survey Reports dated August 2006 and updated 2013) shall be submitted to and approved in writing by the local planning authority and shall be implemented as part of the development.
  9. An implementation strategy for the provision of the landscaped park shall be submitted to and approved in writing by the local planning authority before development commences and the provision of the landscaped park shall be provided in accordance with the approved strategy.
  10. Notwithstanding the plans submitted, all roads, footpaths, cycleways and verges shall be designed and constructed in accordance with details to be submitted to and approved in writing by both the local

planning authority and the Highway Authority before development commences. Details shall accord with the standards contained within the Northamptonshire County Council document "Design Guide for Residential Roads" and Manual for Streets published by Department for Transport.

11. Provision shall be made to accommodate all site operative's, visitors and construction vehicles loading, off loading, parking and turning within the site during the construction period, in accordance with details to be submitted to and agreed in writing by the local planning authority before development commences.
12. Adequate precaution shall be taken during the construction period to prevent the deposit of mud and other similar debris on the adjacent public highways in accordance with details to be submitted to and approved in writing by the local planning authority before development commences.
13. No development shall take place until a Travel Plan has been submitted to and agreed in writing by the Highways Agency acting on behalf of the Secretary of State. Such a Travel Plan shall operate in accordance with delivery mechanisms approved by the local planning authority in consultation with the Highways Agency.
14. No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 1% critical storm will not exceed the run-off from the pre-development/undeveloped site following the corresponding rainfall event. Any attenuation required should include an allowance for climate change.  
The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include:
  - Demonstrate that the hierarchy of drainage has been followed and absolute necessity of a pumped surface water drainage discharge system, including reasoning for a gravity-fed system not being feasible. If sufficient reasoning can not be provided, it will be expected that a pumped surface water drainage discharge system will not be implemented.
  - Detailed surface water design drawings and supporting calculations.
  - Details of the management and long term maintenance and/or adoption of every component of the proposed drainage scheme after completion.
  - Consideration of overland flood flows. Overland floodwater should be routed away from vulnerable areas. For acceptable depths and rates of flow, please refer to Environment Agency and Defra document FD2320/TR2 "Flood Risk Assessment Guidance for New Development Phase 2".
15. Validation sampling shall be undertaken in the base of the Brickpit Lake and for any areas where underground or above ground storage tanks have been removed. The results of the sampling shall be submitted and approved in writing to the local planning authority before development commences.

16. Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the local planning authority), the following components of a scheme to deal with the risks associated with contamination of the site shall be submitted to and approved, in writing, by the local planning authority:
- a. A preliminary risk assessment which has identified:
    - o all previous uses
    - potential contaminants associated with those uses
    - a conceptual model of the site indicating sources, pathways and receptors
    - potentially unacceptable risks arising from contamination at the site.
  - b. a site investigation scheme, based on (1) to provide information for a detailed assessment of a risk to all receptors that may be affected, including those off site.
  - c. The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
  - d. a verification plan provision details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.
- Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.
17. Prior to the commencement of development, a surface water drainage scheme for the site shall be submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before development is completed. The surface water drainage scheme shall include the following information:-
- a) Include sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development;
  - b) details of the management and long term maintenance and/or adoption of every component of the proposed drainage scheme after completion; and
  - c) details of the absolute necessity of a pumped surface water drainage discharge system, including reasoning for a gravity-fed system not being feasible. If sufficient reasoning can not be provided, it will be expected that a pumped surface water drainage discharge system will not be implemented.
  - d) Confirmation is required of the permeability of the base of the proposed retention basin/balancing pond which will be produced from the enlargement of the existing Brickpit Lake. Clarification is required on whether this feature will have an impermeable base, naturally or through the introduction of a liner or it is proposed that water will drain through the base of the feature, as well as to the outfalls to the surface water sewer.
18. No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in

- the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the 15. Validation sampling shall be undertaken in the base of the Brickpit Lake and for any areas where underground or above ground storage tanks have been removed. The results of the sampling shall be submitted and approved in writing to the local planning authority before development commences.
19. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.
  20. No building works which comprise the erection of a building required to be served by water services shall be undertaken in connection with any phase of the development hereby permitted until full details of a scheme including phasing, for the provision of mains foul sewage infrastructure on and off site has been submitted to and approved in writing by the local planning authority. No dwelling shall be occupied until the works have been carried out in accordance with the approved scheme.
  21. A Waste Audit and Waste Management Facilities Strategy shall be submitted to and approved in writing by the local planning authority prior to the implementation of the proposed development.
  22. The developer must provide a suitable trespass proof fence adjacent to Network Rail's boundary (minimum approx 1.8m high) and make provision for its future maintenance and renewal. Network Rail's existing fencing/wall must not be removed or damaged.
  23. Prior to the development of the site a scheme of noise mitigation measures for the dwellings to be constructed adjacent to the railway shall be submitted to and adopted in writing by the local planning authority. The agreed scheme shall be implemented to the approval of the local planning authority prior to the occupation of any of the dwellings.
  24. No development shall take place unless a construction management plan has been submitted to and approved in writing by the local planning authority. The construction management plan shall include provisions to address the following:-
    - a) no unauthorised vehicular traffic shall enter the designated potential Wildlife Site area (as referenced by the Wildlife Trust as site number 986);
    - b) no deposit or storage of materials shall take place on the designated potential Wildlife Site area (as referenced by The Wildlife Trust as site number 986);
    - c) no release of pollutants or contaminants including soil run off, shall occur on to the designated potential Wildlife Site (as referenced by The Wildlife Trust as site number 986).

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 visual amenity.
4. To protect the trees which are to be retained on the site in the interests of the visual amenity of the area.
5. To ensure a satisfactory form of development.
6. In the interests of the safety and convenience of users of the adjoining highway/s.
7. In the interests of visual amenity and to ensure that the biodiversity of the site is protected and enhanced in perpetuity.
8. To protect wildlife and assist the long term protection and enhancement of the County Wildlife Site.
9. To ensure the implementation of the landscaped park which form part of the proposed development.
10. In the interests of highway safety.
11. To safeguard the free and safe flow of traffic on the adjoining highway.
12. In the interests of amenity and highway safety.
13. To ensure that the A45 trunk road continues to serve its purpose as part of the 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 from traffic entering and emerging from the application site and in the interests of road safety.
14. To prevent the increased risk of flooding, both on and off site in accordance with the National Planning Policy Framework and Policy 13 (q) of the Core Strategy for North Northamptonshire. It should be noted that, as per the condition stated above, the applicant should make every effort to design a surface water system that does not require mechanical pumping for disposal. Such a system should only be implemented after all other methods of surface water disposal have been reasonably proven to be unfeasible or unworkable. Please note that any future scheme should be mindful of what has been previously approved and built for Phase 1 - RM application no. WP/2010/0054 (attenuation and drainage point) especially if they wish to connect into the existing system to disposed of surface water.
15. To prevent the increased risk of flooding to the site and sites surrounding this.
16. To protect controlled waters.  
Informative: The Environment Agency request to be consulted on any information submitted to discharge the condition.
17. To prevent flooding, pollution and detriment to public amenity through provision of suitable water infrastructure.
18. It is important that any remedial works at the site, if required, are verified as completed to agreed standards to ensure that controlled waters are suitably protected.  
National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution. Government policy also states that planning policies and decisions

should ensure that adequate site investigation information, prepared by a competent person, is presented (NPPF, paragraph 121).

19. To ensure that any unforeseen contamination encountered during development is dealt with in an appropriate manner.
20. To prevent flooding, pollution and detriment to public amenity through provision of suitable water infrastructure.  
In order to satisfy the above condition, an adequate scheme would need to be submitted demonstrating that there is (or will be prior to occupation) sufficient infrastructure capacity existing for the connection, conveyance, treatment and disposal of quantity and quality of water within the proposed phasing of development.
21. In the interest of environmental sustainability.
22. To protect the security of the railway.
23. To ensure adequate domestic acoustic insulation.
24. To ensure adequate protection of the designated potential Wildlife Site (as referenced by the Wildlife Trust as site number 986).

**10. PLANNING APPLICATION WP/2013/0567(F) – 47 OVERSTONE ROAD, SYWELL**

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/2013/0567(F), for a ground floor side and rear extension. First floor created in new roof space with new gable end walls on both elevations (front and rear), dormer window in bathroom and skylights in other rooms, garage flat roof removed and new tiled pitched roof fitted at 47 Overstone Road, Sywell for Mr M Parry.

The Chairman informed the committee that this application had been withdrawn.

**11. PLANNING APPLICATION WP/2013/0601(FCOU) – 9 – 10 SHEEP STREET, WELLINGBOROUGH**

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/2013/0601(FCOU), for a flexible change of use of ground and first floors to include A1 (retail) or A2 (financial and professional services) or A3 (restaurants and cafes) or A4 (drinking establishments) or A5 (hot food takeaways) at 9 – 10 Sheep Street, Wellingborough for Mr K Wilson.

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 for a change of use be granted subject to the conditions set out in the report.

Some members had concerns about the wide variety of changes to this permission and asked if Classes A4 and A5 could be looked at in more detail.

The committee were advised that they had to approve or refuse the permission as a whole application and were unable to approve or refuse individual classes of use.

It was proposed by Councillor Scarborough and seconded by Councillor Beirne that planning permission for a change of use be granted subject to the conditions set out in the report.

On being put to the vote, the motion was agreed by 5 votes to 4 votes to approve the application.

**RESOLVED** that planning permission for a change of use be granted 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 first implemented use permitted by this permission shall be the authorised use thereafter and there shall be no change of use to any of the other uses stated in the application description unless permitted by the Town and Country Planning (General Permitted Development) Order 1995 (as amended).

Reasons:

1. Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004.
2. To maintain planning control over the site.

**12. PLANNING APPLICATION WP/2013/0645(C) – SYWELL RANGE GUN CLUB, 300 KETTERING ROAD, SYWELL, NORTHAMPTON**

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/2013/0645(C), for a variation of condition 19 of planning permission 10/00005/WAS to extend the time limit for completion for a further 3 years until 30/04/2017 at Sywell Range Gun Club, 300 Kettering Road, Sywell for Mr B Muttock.

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 comment be made to the variation of condition 19 to extend the time limit of completion for a further 3 years until 30/04/2017.

It was proposed by Councillor Scarborough and seconded by Councillor Waters that no comment be made.

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

**RESOLVED** that no comment be made.

**13. PLANNING APPLICATION WP/2013/0646(C) – SYWELL RANGE GUN CLUB, 300 KETTERING ROAD, SYWELL**

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/2013/0646(C), for a variation of condition 13 of planning permission 10/00074/WAS, to extend the time limit for completion for a further 3 years until 30/04/2017 at Sywell Range Gun Club, 300 Kettering Road, Sywell for Mr B Muttock.

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 comment be made to the variation of condition 13 to extend the time limit for completion for a further 3 years until 30/04/2017.

It was proposed by Councillor Scarborough and seconded by Councillor Waters that no comment be made.

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

**RESOLVED** that no comment be made.

**14. COUNTY COUNCIL APPLICATION**

**1. WP/2013/0659(C)**

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/2013/0659(C), for a variation of condition 3 of planning permission 12/00075/WASFUL, to extend the time allowed for import and processing on municipal waste for a further 18 months to August 2015 at Mick George Limited for Mr J Gough.

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 no comment be made.

**15. 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.

**16. PLANNING APPEAL DECISION**

**RESOLVED** to note the annexed circulated decision letter dated:

- (i) 13/01/2014 in respect of an appeal against the refusal of a development for a 2 storey extension to the side and rear together with a conservatory, to the rear at 21 St Mary's Road, Wollaston, which was dismissed.

**17. ANY OTHER ITEMS**

Following the meeting the Chairman reminded members that this was Mr Wood's last meeting and on behalf of the committee thanked him for all his help and guidance over the past years.

A presentation was made to Mr Wood as a memento of his time with the committee.

Chairman

The meeting concluded at 9:20 pm.



**COUNCIL MEETING – 25 FEBRUARY 2014**  
**REPORT OF THE LICENSING SUB-COMMITTEE**

24 January 2014

Present: Councillors Hawkes (chairman), Morrall and Waters.

Also present: Mr G Hollands, Solicitor, District Law, Mrs A Wilcox, Principal Health Protection Manager (Licensing Manager) and Mrs C A Mundy, Democratic Services Officer.

(The hearing commenced at 2.30pm.)

**1. APPOINTMENT OF CHAIRMAN**

**RESOLVED** that Councillor Hawkes be appointed as chairman for this sub-committee meeting.

The chairman welcomed everyone to the meeting and introduced the sub-committee members. He then asked all in attendance to introduce themselves.

The following were present:

Mr FA the applicant; Mrs SA (his wife); the applicant's solicitor; two members of the Transport Team, Northamptonshire County Council; one Local Authority Liaison Officer, Social Services, Northamptonshire County Council; and a Detective Sergeant from Northamptonshire Police.

**2. EXCLUSION OF PRESS AND PUBLIC**

The chairman asked the applicant's solicitor if he wished for the hearing to be held in private. Taking into account the representatives in attendance he confirmed that he would like the meeting held in private.

**RESOLVED** that the press and public be excluded from the meeting during consideration of the above item in accordance with Section 100A(4) to the Local Government Act 1972 on the grounds that they would involve the likely disclosure of exempt information of the descriptions shown in schedule 12A to the Act.

**3. APPLICATION FOR RENEWAL OF A HACKNEY CARRIAGE DRIVER'S LICENCE**

The chairman explained how the sub-committee would proceed.

The sub-committee heard from the licensing officer who explained that this matter was before committee to determine whether the licence should be renewed.

Following the hearing of representations from all parties, the sub-committee determined that the licence should not be renewed.

**RESOLVED** that the licence should not be renewed, and to the extent that the application might be treated as a new application it should be refused.

Chairman

## COUNCIL MEETING – 25 FEBRUARY 2014

### REPORT OF THE PLANNING COMMITTEE

29 January 2014

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

Also present: Ms J Thomas (Interim Head of Planning and Local Development), Mr M Kilpin (Principal Planning and Building Control Manager), Mr O Duyile (Principal Development Management Officer), Mrs S Bateman (Senior Planning Officer), Mr S Aley (Legal Adviser) and Mrs P Whitworth (Democratic Services Officer).

(Councillor Simmons attended the meeting as an observer and Councillor Gough as a speaker.)

#### 1. APOLOGIES FOR ABSENCE

**RESOLVED** to note that apologies for absence were received from Councillors L Lawman and Maguire.

#### 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	Minutes	Items	Description of interest
Bell.	4, 5 & 6.	WP/2013/0510; WP/2013/0457; WP/2013/0398.	Other – Northamptonshire County Councillor for the Earls Barton Division.
Morrall.	4, 5 & 6.	WP/2013/0510; WP/2013/0457; WP/2013/0398.	Other – Borough Councillor for Earls Barton.

#### 3. 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 permissions, be received.

#### 4. PLANNING APPLICATION WP/2013/0510(OM) – LAND TO THE NORTH, OFF MAIN ROAD AND NORTHAMPTON ROAD, EARLS BARTON

The annexed circulated report of the Head of Planning and Local Development was received, including late letters, on planning application WP/2013/0510(OM), for an outline application with all matters reserved except access for up to 280 dwellings, public open space and associated infrastructure, employment land and remodelling and enlargement of existing sports field including change of use from agriculture to sports playing fields, car parking and associated facilities, on land to the north off Main Road and Northampton Road, Earls Barton, for BDW Trading Limited, Trustees of Community, Peterborough.

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 outline planning permission be granted, subject to the completion of a suitable Section 106 Agreement or Unilateral Undertaking and the conditions set out in the report.

Requests to address the meeting had been received from one objector, five supporters (including a representative of the Earls Barton Neighbourhood Plan project team and a representative of Earls Barton Parish Council), Councillor Gough, and the agent.

The Chairman allowed the speakers to address the meeting for a maximum of three minutes and Councillor Gough for five 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 referred to the extensive work the community had done to greatly progress their Neighbourhood Plan, which identified the site as a preferred option for development, and was strongly supported by residents. Members also referred to the benefits the development would bring to the community, in addressing local housing need and improving sports facilities. Members stated that the work on the Neighbourhood Plan was extremely important and that the clear message from residents, about where and how the village should accept development, should be listened to.

It was proposed by Councillor Morrall and seconded by Councillor Griffiths that outline planning permission be granted, subject to the completion of a suitable Section 106 Agreement or Unilateral Undertaking and the conditions set out in the report.

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

**RESOLVED** that outline planning permission be granted, subject to the completion of a suitable Section 106 Agreement or Unilateral Undertaking and 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. Details of the appearance, landscaping (including ecological/biodiversity and green infrastructure provisions and enhancement), layout and scale (hereinafter called "the reserved matters"), shall be submitted to and

approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

3. The development hereby permitted shall be limited to no more than 280 dwellings to be constructed within the red line indicated on drawing no. 22492 RG-M-32. The vehicular access shall be constructed in accordance with drawing no. 13312-SKC001.
4. Prior to the commencement of the development an Environmental Risk Assessment to identify any contamination of 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.
5. A Landscape Management Plan including long term design objectives, management responsibilities and maintenance schedules of all landscaped areas, other than small, privately owned domestic gardens, shall be submitted to and approved in writing by the local planning authority prior to the occupation of the development. The Management Plan shall be carried out in accordance with the approved scheme unless otherwise agreed in writing by the local planning authority.
6. No development shall take place within the site indicated (red line boundary) 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. No development shall take place unless and until:
  - a) A detailed assessment of ground conditions of the land proposed for the new/retained/replacement playing field land as shown on the approved drawing shall be undertaken (including drainage and topography) to identify constraints which could affect playing field quality; and
  - b) Based on the results of this assessment to be carried out pursuant to (a) above of this condition, a detailed scheme to ensure that the playing fields will be provided to an acceptable quality (including appropriate drainage where necessary) shall be submitted to and approved in writing by the local planning authority after consultation with Sport England.

The works shall be carried out in accordance with the approved scheme within a timescale to be first approved in writing by the local planning authority after consultation with Sport England.
8. The playing field/artificial grass pitch shall be used for outdoor sport and for no other purpose (including without limitation any other purpose in Class D2 Use Classes Order 2005, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).
9. The playing field/s and pitch/es shall be constructed and laid out in accordance with the approved drawings and with the standards and methodologies set out in the guidance note "Natural Turf for Sport" (Sport England, 2011), and shall be made available for use before first

- use or occupation [or other specified timeframe] of the development [or specified part of the development/] hereby permitted.
10. A detailed survey of all the buildings/land affected by the approved development to identify the existence of nesting or roosting of bats and of birds, badgers and other protected species shall be submitted to and approved in writing by the local planning authority prior to the commencement of any works necessary to implement this permission. If as a result of the survey, there is any evidence of bats and or birds and or roost, and other protected species such as badgers and crested newts, a further report shall be prepared, submitted to and approved in writing by the local planning authority. The report shall identify and set out any mitigation measures to be taken to protect the species and the habitats. The development shall be carried out in accordance with the measures approved unless otherwise agreed in writing by the local planning authority.
  11. No preparatory works, site clearance or other building operations in connection with this approval shall commence until a plan showing the method and means of protection of the trees to be retained in accordance with British Standard 5837:2005 and a programme and schedule of tree protection measures (including dates and times) have been submitted to and approved in writing by the local planning authority. Such protection as approved shall be in place before any building work commences and shall be retained throughout the period of works.
  12. No reserved matters applications shall be submitted until details of the following works (a and b below) have been submitted to and approved in writing by the local planning authority and thereafter constructed in accordance with the approved details unless otherwise agreed in writing with the local planning authority:
    - a) Proposals for the improvement of the traffic signal junction of the A4500 Main Road with the B773 Mears Ashby Road/Northampton Road
    - b) Proposals for the improvements of the roundabout on the A509 Wilby Way/Park Farm Way at its intersection with the A5128 Northampton Road, Wellingborough/A4500 Main Road, Wilby.
  13. **Travel Plan**

Prior to the commencement of the development hereby permitted, a full Travel Plan shall be submitted to and approved in writing by the local planning authority in accordance with the details contained within the "Travel Plan Framework final Report" reference C13312/TPF/01 dated January 2014.

The travel plan measures shall, thereafter, be implemented in accordance with the approved details, unless otherwise agreed in writing with the local planning authority.
  14. **Control of mud on the highway**

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

15. Submission of Details of Streets  
No development shall be commenced until full engineering, drainage, street lighting and construction details of the streets have been submitted to and approved in writing by the local planning authority. The development shall, thereafter, be constructed in accordance with the approved details, unless otherwise agreed in writing with the local planning authority. The applicant is advised to obtain a technical approval for all estate street details from the local highway authority prior to the submission of such approved details to the local planning authority to discharge Condition 12 of this consent.

Reasons:

1. Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990, as amended by section 51 of the Planning and Compulsory Purchase Act 2004.
2. To secure satisfactorily planned development.
3. To ensure that the development is implemented in accordance with the terms of the application.
4. To protect future occupiers from the potential effect of contamination.
5. In order to maintain and enhance the landscape quality and visual amenity of the area.
6. To ensure that features of archaeological interest are properly examined and recorded, in accordance with National Planning Policy Framework paragraph 141.
7. To ensure that site surveys are undertaken for new or replacement playing fields and that any ground condition constraints can be and are mitigated to ensure provision of an adequate quality playing field and to accord with the provisions of the Development Plan.
8. To protect the [playing field/artificial grass pitch] from loss and/or damage, to maintain the quality of and secure the safe use of sports pitch/es and to accord with the provisions of the Development Plan.
9. To ensure the quality of pitches is satisfactory and they are available for use before development (or agreed timescale) and to accord with the provisions of the Development Plan.
10. In the interest of safeguarding protected species.
11. To safeguard the trees in the interest of the visual amenity of the area.
12. In the interests of highway safety in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.
13. In the interest of highway safety; to ensure a satisfactory appearance to the highways and private street infrastructure serving the approved development; and to safeguard the visual amenities of the locality and users of the highway in accordance with Policies [13 North Northamptonshire Core Spatial Strategy] of the Development Plan.
14. In the interest of highway safety; to ensure a satisfactory appearance to the highways and private street infrastructure serving the approved development; and to safeguard the visual amenities of the locality and users of the highway in accordance with Policies [13 North Northamptonshire Core Spatial Strategy] of the Development Plan.

15. In the interest of highway safety; to ensure a satisfactory appearance to the highways and private street infrastructure serving the approved development; and to safeguard the visual amenities of the locality and users of the highway in accordance with Policies [13 North Northamptonshire Core Spatial Strategy] of the Development Plan.

**5. PLANNING APPLICATION WP/2013/0457(OM) – LAND BETWEEN AND TO THE REAR OF 145 AND 153 STATION ROAD, EARLS BARTON**

The annexed circulated report of the Head of Planning and Local Development was received, including late letters, on planning application WP/2013/0457(OM), for an outline application with all matters reserved except access for up to 85 dwellings, public open space and associated infrastructure, on land off Station Road and Allebone Road, Earls Barton, for J M Beatty, I S Clark, and Redrow Homes South Midlands.

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 and a Section 106 Agreement.

Requests to address the meeting had been received from fourteen objectors (including a representative of Earls Barton Neighbourhood Plan project team and a representative of Earls Barton Parish Council), Councillor Gough, a representative of Pegasus Planning, and the applicant. Two of the objectors, the representative of Pegasus Planning and the applicant declined to speak at the meeting.

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

The speakers voiced strong concerns about a number of issues they believed would adversely affect the village if the application was approved, including education and healthcare capacity, increased traffic and congestion, environmental effects, flooding, sewers, and noise. They also reiterated that the village had accepted development was necessary, which was why extensive work had been put into progressing a Neighbourhood Plan that identified a preferred site to address housing need and was supported by 88% of residents.

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 discussed the sustainability of the proposed development, and made reference to the accumulative effect a number of developments would have on the village. Of particular concern was the increased traffic in the area of Station Road. Mention was made of the inadequacy of the current bus service, and the potential difficulty of having a bus service run in Station Road. Members also raised concerns about environmental problems, flooding, and noise. Further

reference was made to the extensive work the residents had done to greatly progress their Neighbourhood Plan, and to identify a more suitable site for development. It was stated that the residents knew the most about what would be acceptable in the village and they should be listened to.

It was proposed by Councillor Morrall and seconded by Councillor Griffiths that planning permission be refused on grounds of sustainability, over development, accumulative effect, environmental issues, traffic problems, flooding, and noise.

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

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

1. The proposed residential development represents unacceptable development in the open countryside. The sustainable pattern of development promoted by the development plan is considered in this instance to sufficiently outweigh the benefits that may be associated with increased housing supply. The proposal is contrary to Policies 1, 9 and 10 of the North Northamptonshire Core Spatial Strategy and saved Policies G4, G6, H2, H4 and H9 of the Wellingborough Local Plan.
2. The proposal conflicts with the emerging Earls Barton Neighbourhood Plan. It is therefore inconsistent with one of the core planning principles of the National Planning Policy Framework which seeks to ensure that planning should be genuinely plan-led, empowering local people to shape their surroundings with succinct local and neighbourhood plans setting out a positive vision for the future of the area.
3. The proposed development by reason of its anticipated net increase in the daily vehicle movements along Station Road would have an adverse impact upon the amenities currently enjoyed by residents in the vicinity by way of increased noise, other pollution and general road traffic nuisance. The proposed development is therefore considered to be in conflict with Policy 13 (I) 'General Sustainable Development Principles' of the North Northamptonshire Core Spatial Strategy.
4. In the absence of a completed planning obligation agreement to secure community benefits and provide the necessary infrastructure to mitigate the adverse impacts of the development, the proposals conflict with Policy 6 (Infrastructure Delivery and Developer Contributions) of the North Northamptonshire Core Spatial Strategy.

**6. PLANNING APPLICATION WP/2013/0398(OM) – LAND REAR OF 1 TO 27 THORPE ROAD, OFF STATION ROAD, EARLS BARTON**

The annexed circulated report of the Head of Planning and Local Development was received, including late letters, on planning application WP/2013/0398(OM), for an outline proposal for 39 dwellings and associated works (access and scale to be determined at this stage) – revised traffic assessment received 27 November 2013 – on land rear of 1 to 27 Thorpe Road, off Station Road, Earls Barton, for Bowbridge Land 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 granted subject to the conditions set out in the report and a Section 106 Agreement.

Requests to address the meeting had been received from twelve objectors, including a representative of Earls Barton Neighbourhood Plan project team and a representative of Earls Barton Parish Council. Six of the objectors declined to speak at the meeting and asked that the comments they made on the previous application be taken as their objection to this application.

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

The speakers voiced strong concerns about a number of issues they believed would adversely affect the village if the application was approved, including increased traffic, congestion and lack of parking, the unsustainability of the proposed development, the accumulative impact of speculative developments overwhelming the village, environmental effects, and noise. They also reiterated that the proposed development was not on the preferred site identified in the emerging Neighbourhood Plan, and was not supported by the community.

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 raised concerns about the suitability of the site for housing, making particular reference to the noise of the nearby A45 and the potential for flooding.

Councillor Bell, as leader of the council, requested that it be recorded in the minutes that the work of the Earls Barton residents on the Neighbourhood Plan should be acknowledged and congratulated. Other members endorsed Councillor Bell's comments.

It was proposed by Councillor Morrall and seconded by Councillor Bell that planning permission be refused on grounds of sustainability, unsuitability, noise, and flooding.

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

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

1. The proposed residential development represents unacceptable development in the open countryside. The sustainable pattern of development promoted by the development plan is considered in this instance to sufficiently outweigh the benefits that may be associated with increased housing supply. The proposal is contrary to Policies 1, 9

- and 10 of the North Northamptonshire Core Spatial Strategy and saved Policies G4, G6, H2, H4 and H9 of the Wellingborough Local Plan.
2. The proposal conflicts with the emerging Earls Barton Neighbourhood Plan. It is therefore inconsistent with one of the core planning principles of the National Planning Policy Framework which seeks to ensure that planning should be genuinely plan-led, empowering local people to shape their surroundings with succinct local and neighbourhood plans setting out a positive vision for the future of the area.
  3. It is considered that insufficient information/analysis has been provided to demonstrate that the proposal will not exacerbate existing flooding problems on the site and in the vicinity. The proposal is therefore considered to be contrary to Policy 13 (q) of the North Northamptonshire Core Spatial Strategy and unsustainable in the terms of paragraph 103 of the National Planning Policy Framework.
  4. The proposed development by reason of its anticipated net increase in the daily vehicle movements along Station Road would have an adverse impact upon the amenities currently enjoyed by residents in the vicinity by way of increased noise, other pollution and general road traffic nuisance. 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.
  5. In the absence of a completed planning obligation agreement to secure community benefits and provide the necessary infrastructure to mitigate the adverse impacts of the development, the proposals conflict with Policy 6 (Infrastructure Delivery and Developer Contributions) of the North Northamptonshire Core Spatial Strategy.
  6. The noise assessment considerations included in the application are considered inadequate as a full exploration of the likely negative effects of noise from the nearby trunk road A45 on the residents of the proposed dwellings.

Chairman

The meeting concluded at 9.18pm.

