

COUNCIL MEETING – 15 APRIL 2014

REPORT OF THE PLANNING COMMITTEE

19 February 2014

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

Miss J Thomas (Head of Planning and Local Development), Mr M Kilpin (Principal Planning and Building Control Manager), Mrs S Bateman (Senior Development Management Officer), Mr A Stevenson (Conservation Officer), Mr G Hollands (Legal Adviser) and Mrs F Hubbard (Democratic Services Officer).

(Councillor G Lawman attended the meeting as an observer and Councillors Carr, Elliott, Emerson and Higgins as speakers).

1. APOLOGIES FOR ABSENCE

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

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
Bell	5	WP/2013/0571(FM)	Other – Member of the Mill Road Baptist Church
L Lawman	8	WP/2013/0590(OM)	Other – Some of the objectors may be acquaintances
Beirne	8	WP/2013/0590(OM)	Other – Some of the objectors may be acquaintances

3. CONFIRMATION OF MINUTES

RESOLVED that the minutes of the meeting held on 22/01/2014 and 29/01/2014, 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/2013/0571(FM) – GILMORE AND VALE LIMITED, 9 MILL ROAD, WELLINGBOROUGH

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/2013/0571(FM), for a conversion of a former factory to create 14 number residential units with associated partial demolitions and external alterations – amended application form and design and access statement plus traffic statement at Gilmore and Vale Limited, 9 Mill Road, Wellingborough for Wykes Loak.

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 completion of a suitable Section 106 Agreement and to the conditions set out in the report.

The Site Viewing Group visited the site on 18/02/2014 and a record of the visit was set out in the circulated notes.

Requests to address the meeting had been received from the architect and Councillor Emerson.

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

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

In the applicant's original planning application parking provision had been provided at the rear of the proposal but was objected to by NCC Highways. Members welcomed the scheme for approval but requested an amended condition with regard to parking to include 14 parking spaces, one for each unit within the amenity land to the rear. In the past when the dwelling was a factory, the highway access and amenity space had been used by lorries. Members felt it made sense to use this area for parking and would also alleviate parking issues in that area.

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 and also to amend the condition with regard to parking within the amenity land to the rear.

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

RESOLVED that planning permission be granted subject to the completion of a suitable Section 106 Agreement and 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 and full details of all external facing and roofing materials (including windows, doors, stonework/brickwork and rainwater goods) 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, unless otherwise agreed in writing by the local planning authority.
3. No building works which comprise the change of use 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.
4. No drainage works shall commence until a surface water management strategy has been submitted to and approved in writing by the local planning authority. No hard-standing areas to be constructed until the works have been carried out in accordance with the surface water strategy so approved unless otherwise agreed in writing by the local planning authority.
5. 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.
6. Details of boundary treatments including gates, fence and other means of enclosure 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.
7. Prior to the commencement of development, a scheme detailing the security standards to be incorporated within all openings associated with the development shall have been submitted to and approved in writing by the local planning authority in consultation with the Police CPDA and in line with the recommendations of Secured By Design. The development shall be carried out in accordance with the approved details.
8. Prior to the commencement of development, a scheme detailing a secure bin storage and cycle storage area within the development shall have been submitted to and approved in writing by the local planning authority in consultation with the Police CPDA and in line with the recommendations of Secured By Design. The development shall be carried out in accordance with the approved details.
9. Prior to the commencement of development a scheme for on-site parking and landscaping, to include all hard and soft landscape works, shall be submitted to and approved in writing by the local planning authority. The scheme shall be implemented and maintained thereafter in accordance with the agreed details.

Reasons:

1. Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004.

2. To secure a satisfactory appearance for the development in the interest of visual amenity.
3. To prevent flooding, pollution and detriment to public amenity through provision of suitable water infrastructure.
4. To prevent environmental and amenity problems arising from flooding.
5. To ensure that features of archaeological interest are properly examined and recorded, in accordance with National Planning Policy Framework paragraph 141.
6. In the interests of security, neighbour and visual amenities.
7. In the interest of the security and quality life of future occupants of the development in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.
8. In the interest of the security and quality life of future occupants of the development in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.
9. In the interests of residential amenity and highway safety.

6. PLANNING APPLICATION WP/2013/0587(F) – 19 LOWER STREET, GREAT DODDINGTON

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/2013/0587(F), for the demolition of an existing front stone wall to provide off street parking for one vehicle – additional information - at 19 Lower Street, Great Doddington for Mr I Mayes.

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.

The Site Viewing Group visited the site on 18/02/2014 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 view of the speaker and taking account of the officer's report, the Chairman invited the committee to determine the application.

Members had differing opinions on this application in that it was an established conservation area therefore it should be protected. It was felt that other properties in the street had carried out similar schemes and if the same stone was used then it wouldn't be a breach.

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

It was then proposed by Councillor Waters and seconded by Councillor Maguire to approve the application.

As the application had been proposed and seconded for refusal and approval, the Chairman dealt with each proposal individually.

On being put to the vote, the motion to approve the application was lost by 7 votes to 2 votes.

On then being put to the vote to refuse the application, the motion was carried by 6 votes to refuse the application.

RESOLVED that planning permission be refused for the following reasons:

1. The wall is a designated heritage asset within the Great Doddington Conservation Area and is shown as an 'Important Wall' on the accompanying Character Appraisal Map. Lower Street's walls are also specifically mentioned in paragraph 9.5 of the Character Appraisal as 'one of its most significant characteristics'. The proposed demolition of part of the wall, therefore, fails the statutory test in Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 of preserving and enhancing the character and appearance of the conservation area. It also fails to meet the requirements of paragraphs 131-135 of the National Planning Policy Framework, Policy 13 (h) and (i) of the North Northamptonshire Core Spatial Strategy and Policy G4 of the Borough of Wellingborough Local Plan, each of which serves to reinforce the rationale in the Act.

7. PLANNING APPLICATION WP/2013/0654(FCOU) – THE CRISPIN ARMS, 14 HINWICK ROAD, WOLLASTON

The annexed circulated report of the Head of Planning and Local Development was received, including late letters, for a change of use from a public house A4 to B1A Office use. To change the frontage of the property at ground level removing a large central window and entrance door and replace with two smaller windows (similar size to windows to above) and infilling masonry with stone similar finish to the building. Change of Signage from Crispin Arms to a smaller wall mounted sign reading Crispin House. The Ground floor windows to be obscured with internal signage displaying company name – amended description at the Crispin Arms, 14 Hinwick Road, Wollaston for Mr T Ellwood (Timotay Landscapes Limited).

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

The Site Viewing Group visited the site on 18/02/2014 and a record of the visit was set out in the circulated notes.

Requests to address the meeting had been received from the applicant, an objector and Councillor Higgins.

The Chairman allowed the speakers to address the meeting for a maximum of 3 minutes each and Councillor Higgins 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.

Some members felt that the application for a change of use should be refused as they felt that losing the public house was a loss to the community as a facility and could still be viable.

It was proposed by Councillor Griffiths and seconded by Councillor Morrall 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 carried by 5 votes to 3 votes.

RESOLVED that planning permission 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. Any doors or windows provided at ground level shall be of a type that do not open outwards over or into the public highway.
3. No part of the proposed signage may project over or into the public highway.
4. Representative samples of all external facing materials and windows shall be submitted to and approved in writing by the local planning authority before the development is commenced. The development shall be carried out in accordance with the approved details.
5. The premises shall only be used for B1(a) use and for no other purpose, (including any other purpose within Class B1 of the Schedule to the Town and Country Planning (Use Classes Order) 1997), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reasons:

1. Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004.
2. In the interests of highway safety.
3. In the interests of highway safety.
4. In the interests of visual amenity.
5. The local planning authority would wish to retain control over any further change of use of these premises in the interests of safeguarding the amenities of the area.

8. PLANNING APPLICATION WP/2013/0590(OM) – LAND WEST OF 123 HIGH STREET, IRCHESTER

The annexed circulated report of the Head of Planning and Local Development was received, including late letters, on planning application WP/2013/0590(OM), for an outline application with some matters reserved for the erection of up to 149 dwellings (including affordable homes), new vehicular and pedestrian access, public open space, separate multi-use community open space and landscaping at land west of High Street, Irchester (access arrangement to be determined at this stage) on land west of 123 High Street, Irchester for Barwood Strategic Land II LLp and Miss J P & Mr R E Redden.

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 17 objectors (including Councillors Carr and Elliott) and the agent.

The Chairman allowed the speakers to address the meeting for a maximum of 3 minutes each and Councillors Carr and Elliott 5 minutes each. 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.

Objectors reported on the impact that this development would have on the village of Irchester in relation to agricultural land, landscape, wildlife and environment, heritage impact, existing sewage and drainage problems, flooding, lack of school places, connectivity concerning paths, highways, footpaths and no cycle ways, lack of consultation, comments following the Planning Inspectorate's conclusion following a previous planning application on part of the same site that had been refused by the Planning Committee in August 2012, and dismissed by the Planning Inspectorate following a public inquiry in June 2013.

The people of Irchester acknowledge that development was needed but that it should be sustainable and in the right location. Smaller sized accommodation is needed rather than 3, 4 and 5 bed houses. The Neighbourhood Plan Steering Group for Irchester, Knuston and Little Irchester had instructed Planning Consultants to establish the most suitable brown fill sites in the village for development to find areas for the right homes, in the right places, that would have the least impact on the countryside and landscape. The Neighbourhood Plan Steering Group will be working with the community to finish the plan.

MOTION TO SUSPEND STANDING ORDERS

It was proposed by Councillor Bell and seconded by Councillor Scarborough that in accordance with item 4.2.6 of the constitution that standing orders be suspended to enable the meeting to proceed beyond three hours.

On being put to the vote this was declared carried.

RESOLVED that standing orders be suspended to enable the meeting to proceed.

A lengthy debate ensued about the planning application and members felt that if the people of Irchester were opposed to this application then under localism they should be listened to. Members had grave concerns about the increase in traffic and congestion within the village and the A45 slip road, the impact on the countryside and the visual look of the village together with highway issues with the single point of access in and out of the development.

It was commented that the application could be deferred for the outcome of the High Court challenge following the refusal of the previous application on part of the same site.

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

On being put to the vote, the motion was carried by 9 votes to 1 vote to refuse the application.

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

RESOLVED that an outline 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. Development of the scale proposed would be so significant that to grant planning permission would undermine the plan-making process by predetermining decisions about the location and scale of new development that is central to the Irchester, Knuston and Little Irchester Neighbourhood Plan. It therefore fails to comply 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. The application is therefore contrary to paragraphs 17, 183, 184 and 185 of the National Planning Policy Framework and the provisions of the Localism Act 2011.

3. The development due to its size and extent would cause significant and demonstrable harm to the character and appearance of the countryside and the setting of the older part of the village. The proposal is therefore contrary to Policies G4 and G6 of the Wellingborough Local Plan, Policy 13 of the North Northamptonshire Core Spatial Strategy and paragraphs 17 and 109 of the National Planning Policy Framework.
4. It is considered that insufficient information/analysis has been provided to demonstrate that the proposal will not exacerbate existing drainage problems in the vicinity of the site. 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.

(Councillor Scarborough left the meeting at 10:25 pm as he was not prepared to rush through the following planning application as he felt it inappropriate to do so with such a major application).

9. PLANNING APPLICATION WP/2013/0605(FM) – TRESHAM INSTITUTE OF FURTHER & HIGHER EDUCATION, CHURCH STREET, WELLINGBOROUGH

The annexed circulated report of the Head of Planning and Local Development was received, including late letters, on planning application WP/2013/0605(FM), for the development of a 3 storey building for educational use with associated infrastructure and landscaping to include demolition of existing at Tresham Institute of Further & High Education, Church Street, Wellingborough for Mr S Wesselby (Tresham Institute of Further & Higher Education).

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.

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

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 welcomed the development as an integral part of the town centre redevelopment and were pleased to have retained the college in the Borough. They look forward to the commencement of the building works and encourage the applicant to work closely with the Ward Councillors in relation to the scheme.

It was proposed by Councillor Bell 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 unanimously agreed.

RESOLVED that planning permission be granted 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 connected with the proposed buildings shall be submitted to and approved in writing by the local planning authority before the commencement of above ground construction. 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 prior to being constructed/erected on site. 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. 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 is submitted to and approved in writing by the local planning authority. The scheme should subsequently be implemented in accordance with the approved details before the development is completed. The scheme should also include:
Full detailed surface water calculations to ensure adequate surface water drainage facilities on site all events up to and including 1% (1 in 100 AEP) plus climate change.
Confirmation that the hierarchy of drainage has been followed.
Confirmation that any discharge to sewer is in accordance with Anglian Water Services specified rate and location.
An assessment of overland flood flows. Details of how the scheme shall be maintained and managed after completion for the lifetime of the development.
6. 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.
7. No occupation of each phase of 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 approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

8. A Demolition/Construction method statement shall be submitted to and approved in writing by the local planning authority prior to construction and demolition works commencing. This statement should include detailed information on:
 - Proposed demolition and construction works including information on operating hours and construction traffic routes. Construction works shall be confined to the hours of 7.30am to 5.30pm Mondays to Fridays and 8.00am to 1.00pm on Saturdays, with no working on Sundays, Public or Bank Holidays.
 - Local environmental effects (including noise, dust and vibration) of those works.
 - Identified sensitive human receptors within the vicinity
 - Location of ancillary equipment, such as small generators and compressors.
 - Suitable mitigation measures to control or mitigate all of the identified environmental impacts (noise, dust, air quality etc).
 - Details of the site management of environmental impacts, including control of subcontractors, contact details, public relations and information systems.
 - Site waste management plan.
 - Deliveries for the site shall take place no earlier than 7.00 am and no later than 6.00 pm. This includes waste collection services.The approved Demolition/Construction Management Plan shall be adhered to throughout the demolition/construction period and the approved measures shall be retained for the duration of the construction works.
9. The car parking spaces shown on the approved drawings shall be laid out and provided upon completion of the development and shall thereafter be kept free from obstruction and shall be retained for parking purposes for the users 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 and the appearance of the Town Centre Conservation Area
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 prevent the increased risk of flooding, both on and off site.
6. To ensure that any unforeseen contamination encountered during development is dealt with in an appropriate manner, to ensure that controlled waters are suitably protected.

7. To ensure that any remediation, if required, is verified as completed to agreed standards to ensure that controlled waters are suitably protected.
8. In the interest of the amenities of the neighbouring occupiers.
9. 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.

It was proposed by Councillor Beirne and seconded by Councillor Maguire that planning application WP/2013/0671(F) – Garden Land at Cromwell House, 50 London Road, Wollaston be considered at this meeting even though the Planning Committee was about to close the meeting due to the lateness of time, as the speaker for this application had travelled a distance and sat through all the previous applications, it seemed unfair to defer the application.

RESOLVED that Planning Application WP/2013/0671(F) be considered and then the meeting be closed.

10. PLANNING APPLICATION WP/2013/0671(F) – GARDEN LAND AT CROMWELL HOUSE, 50 LONDON ROAD, WOLLASTON

The annexed circulated report of the Head of Planning and Local Development was received, including late letters, on planning application WP/2013/0671(F), for the erection of a revolutionary dwelling with associated 60kWp solar photovoltaic array – amended documents on Garden Land at Cromwell House, 50 London Road, Wollaston for Mr and Mrs Goldsmith.

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.

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

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 Beirne 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 unanimously agreed.

RESOLVED that planning permission 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. Full details of the following items shall be submitted for the written agreement of the local planning authority prior to the commencement of development:
 - (i) facing and roofing materials; masonry elements to include a sample panel on site to demonstrate mortar/pointing/coursing details;
 - (ii) a full technical specification for the living green wall;
 - (iii) windows and doors;
 - (iv) driveway and other hard-landscaping surfaces (permeable specification required);
 - (v) lighting strategy for garden/driveway and buildings.
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. 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.
5. Prior to the commencement of development, a method statement covering root protection of all retained trees and, in particular, a no-dig construction specification in the footpath area beneath the canopy of the oak and walnut trees, in accordance with BS5837, shall be submitted for the written agreement of the local planning authority.
6. No development shall take place within the site until the implementation of a programme of archaeological work has been secured in accordance with a written scheme of investigation which has been submitted to and approved by the local planning authority. The work shall be carried out in accordance with the approved scheme and by a suitably qualified investigating body to the satisfaction of the local planning authority.
7. A method statement covering implementation of the recommendations of the submitted Ecological Survey dated February 2013 shall be provided for the written approval of the local planning authority prior to the commencement of development.
8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or as amended) no garages, sheds or other buildings shall be erected without express planning permission from the local planning authority, other than those expressly authorised by this permission.

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 visual amenity.
5. In the interests of visual amenity.
6. To ensure that features of archaeological interest are properly examined and recorded, in accordance with National Planning Policy Framework paragraph 141.
7. In compliance with the Wildlife and Countryside Act.
8. In the interests of amenity.

11. PLANNING APPLICATION WP/2013/0663(F) – 11 ST NICHOLAS ROAD, GREAT DODDINGTON

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/2013/0663(F), for a two storey extension to side and rear – amended proposal following refusal of WP/2012/0571(F) at 11 St Nicholas Road, Great Doddington for Mr N Magson.

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.

RESOLVED that the above application be deferred until the next Planning Committee on 26/03/2014.

12. PLANNING APPLICATION WP/2013/0675(FCOU) – 49 AND 51 HATTON PARK ROAD, WELLINGBOROUGH

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/2013/0675(FCOU), for a change of use from D1 non-residential institution to C3 dwellinghouse at 49 and 51 Hatton Park Road, Wellingborough for Mr and Mrs J McGowman.

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 committee were informed that this application had been withdrawn.

13. PLANNING APPLICATIONS WP/2013/0015(C), WP/2014/0025(C) AND WP/2014/0034(OB)

RESOLVED to defer the following planning applications until the next Planning Committee on 26/03/2014:

WP/2013/0015(C), WP/2014/0025(C) and WP/2014/0034(OB).

14. 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.

15. PLANNING APPEAL DECISION

RESOLVED to note the annexed circulated decision letter dated:

- (i) 10/02/2014 in respect of an appeal against the refusal of a change of use from an estate agents (Use Class A2) to a hot food takeaway (Use Class A5) with minor external alterations comprising external plant to the rear of 43-45 Midland Road, Wellingborough, which was allowed.

Chairman

The meeting concluded at 10:48 pm.

COUNCIL MEETING – 15 APRIL 2014

REPORT OF THE LICENSING SUB-COMMITTEE

11 March 2014

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

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.

(Councillors Hawkes and Simmons also attended as observers.)

(The hearing commenced at 10.15am.)

1. APPOINTMENT OF CHAIRMAN

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

2. APPLICATION FOR REVIEW – PALM BEACH BAR AND CLUB

The chairman welcomed everyone to the meeting and introduced the sub-committee members. He then asked the licensing manager to present her report.

The licensing manager explained how the meeting would proceed and outlined her report, which was for a review of a premises licence under the Licensing Act 2003 for Palm Beach Bar and Club situated at 3 Commercial Way, Wellingborough. The review had been requested by Northamptonshire Police who were concerned that the licensing objectives of the prevention of crime and disorder and the protection of children from harm were not being met. The licensing manager asked the applicant if he wished to present his reasons for bringing the request to the sub-committee.

PC 1048 Murphy and PS 1046 Wildman on behalf of Northamptonshire Police informed the meeting of the concerns that they had over the current licence holder complying with licensing objectives. Incidents had taken place on various dates since November 2012, culminating with two further incidents in January 2014 which were of particular concern. They reported their findings to the sub-committee.

The club had been hosting 'event' nights. In November 2012, a guest appearance by DJ Tim Westwood had resulted in a large number of people from outside the borough attending. A risk assessment had been carried out, prior to the event, following information obtained from other forces and licensing officers when similar events had been held. During the event a knife arch had been in operation, manned by the police, because of the concern of gun and knife crime at this type of event. In the early hours of the morning a

fight had broken out which had resulted in a male being injured. He refused to make a complaint or seek medical attention.

In February 2013 the police had been informed that Pubwatch had excluded the club due to non-payment of their subscription.

In June 2013 a theft of a wallet from the club had been reported and a 16 year old male, under the influence of alcohol, had been apprehended. He informed the police that he had drunk a litre of vodka.

In July 2013 a temporary event notice was in place to allow a 'resident DJ birthday party' to continue until 6.30am. At the premises the police had found disgruntled door staff who complained that they needed at least one additional member of staff to comply with the licence conditions. The police approached Mr Haye, the designated premises supervisor, about this and he decided that he would provide cover; however, this was prohibited as he was not trained and licensed to carry out the function.

A passive drugs dog operation had also taken place across licensed premises in the town. On entering Palm Beach, the smell of cannabis had been so strong that the drugs dog could not work properly.

In August 2013 another guest DJ, Mr Vegas, appeared at the club. Additional police had been drafted in and again there were a large number of visitors from out of town in attendance. At the end of the evening there were fights between local and visiting groups which resulted in officers being deployed from elsewhere in the county to assist in bringing the situation under control.

There was a report of assault and criminal damage on 7 December 2013 which had taken place in the toilets. The victim was uncooperative and would not identify his attackers.

In January 2014 two private parties were held at the venue including an 18th birthday party with people who were over 18 and under 18 in attendance. Prior to the event the police expressed concern over the potential for the sale of alcohol to under 18s. The club informed the police that staff had been reminded about Challenge 25; had been told to issue only one drink at a time and only on production of a valid ID; a record would be kept of any attempted purchase by under 18s; door staff would be informed not to allow anyone under the influence of alcohol into the premises and to stamp any over 18s hand to make it easier for bar staff. On the night police found a very strong smell of cannabis present inside the club along with a number of children who had consumed alcohol. Bottles of alcohol were seen on tables which had not been cleared. People were being allowed to exit the club and return without being checked for ID. Youths were witnessed leaving the club carrying bottles of alcohol which was not permissible as the club was in a designated public place order zone. The bottles could also have been used as a weapon. Two women, talking to Mr Haye, were witnessed smoking inside the premises. Inside the club a fight began between two girls which moved outside and encouraged a crowd to form. Nobody from the club intervened to stop the fight. The party had been due to finish at midnight but at 12.30am there were

200 people still in the club. At 12.50am the music stopped and 200 people vacated the premises. There was general public disturbance and further incidents continued throughout the town including criminal damage to a taxi office and general drunk and disorderly behaviour. Investigations established that the offenders had been at the club where alcohol had been purchased despite them being underage.

In general the officers believed that the club had breached the following conditions:

- (i) insufficient door staff – the required number is two Security Industry Authority (SIA) door staff for the first 100 persons and one for each additional 100 or part thereof;
- (ii) smoking areas that may be utilised at the front of the premises – smoking was permitted inside;
- (iii) No glass or bottles shall be taken outside of the premises.

There was also considerable concern around the sale, and consumption, of alcohol to children. Northamptonshire Police were calling for the licence to be revoked.

The chairman thanked the officers for their detailed explanation of the incidents that had taken place. He asked his colleagues if they wished to ask any questions of clarification.

Councillor Emerson asked the officers if they had been trying to work with the club over the issues raised.

PC Murphy clarified that he had been trying to work with Mr Haye to resolve the problems and had regularly met with him to give advice on how to improve the running of the premises.

Councillor Maguire asked why only two breaches had been included on the application rather than all four licensing objectives.

PC Murphy responded saying that he could have included all four objectives but had decided that the prevention of crime and disorder and the protection of children from harm were of most concern.

Councillor Maguire also asked if the police officers knew of the cost implications of policing of the venue and whether these were paid by Northamptonshire Police or the club.

Officers said that there had been a large resource issue in policing the club which the police had funded. Officers' shifts had been changed or they had to do overtime which had a knock on effect on other officers and the general level of policing elsewhere. Northamptonshire Police would pay for any planned policing, which is what this was.

The chairman asked what procedure was in place around identification of 18 and overs.

Officers responded stating that there were a number of schemes. One was a pass card which had the details of the person, date of birth and photograph. This had to be purchased. Novelty IDs could however be purchased on the internet. Also driving licences or passports could be used as ID.

The chairman asked Mr Haye's legal representative, Mr Colin Hobbs, if he wished to ask any points of clarification.

Mr Hobbs asked the officers a number of points of clarification as follows:

Over the two years that the club had operated had Mr Haye been co-operative with the police?

PC Murphy confirmed that Mr Haye had been co-operative and that there had been no issues in dealing with him. The police had been trying to give proactive advice but in his opinion he believed Mr Haye to be 'out of his depth' with dealing with the issues raised.

At the 'DJ Tim Westwood' event how many people had been on the premises?

PC Murphy said that the club had capacity for 728 people and he was aware that 100 had been turned away because of full capacity. He also informed the sub-committee that the capacity was no longer included on the premises licence and the involvement of the police was no longer required. It was included on the operator's fire risk assessment.

The chairman then asked if Mr Taylor from Pubwatch wished to address the sub-committee.

Mr Taylor informed the sub-committee that he had recently been chairman of Pubwatch, which was a group of licensees who would meet monthly to discuss issues, to promote safety and growth in the night time economy. He also explained the policy of Pubwatch and how members were expected to be active.

Palm Beach Bar and Club had been a member of Pubwatch and had attended monthly meetings. Mr Haye had been offered assistance and guidance as he had little previous experience on how to run a venue like this.

The club had failed to pay their annual subscription despite an initial request, a recorded delivery letter, and a couple of text reminders and had been excluded from Pubwatch at the March meeting.

Pubwatch had general concerns about the events that were being held and the problems with fights and anti-social behaviour because of the knock-on effect on the other pubs in the town. Major incidents at the club meant that the police were diverted from the hub of the town.

The criteria to be a member of Pubwatch was to attend meetings on a regular basis pay the fee of £50 or £100 for a new member. Members could join on two occasions each year, either August or January. Members needed to be active.

The reason the club had been excluded was because they had not paid the fee.

The chairman thanked Mr Taylor.

The chairman then asked Mr Hobbs if he would like to address the sub-committee.

Ms Hobbs explained that the premises licence had been issued to Palm Beach Plaza Ltd with the designated premises supervisor being Khavan Lord Antonio Haye. Mr Haye along with his sister Natoyah Williams and his mother Doreen Jones ran the club. Mr Haye had a passion for music, whilst his sister and mother both had experience working with young people and in managing staff.

Mr Hobbs passed to the sub-committee updated policies that had been drawn up for the approval of the police and subsequent adoption by the club. A copy had also been passed to the police.

The chairman asked PC Murphy if he had managed to review the bundle of documents. He confirmed that he had looked at them but had not managed to do so in great detail.

The club provided party nights for under 18's, people with disabilities, wedding receptions, cultural events and popular DJ nights. They were also planning to extend the kitchens to provide a 'diner-style' area, which was the subject of a planning application.

Mr Hobbs asked that it be noted that the conditions suggested by the police, should the licence not be revoked, would be detrimental to his client's business. His client had booked onto an enhanced designated premises supervisor training course for 23 May 2014. It would be difficult to hold the current functions if conditions were imposed where under 18s were not allowed on the premises. The club had an improved drug policy in place and would ensure that a more proactive search policy would be implemented. With regard to the condition regarding details of a 'promoter' being obtained, often the promoter was Mr Haye himself.

Mr Hobbs asked questions of his client regarding the incidents that the police officers had referred to. Mr Haye confirmed that prior to the events that were held there had been a risk assessment carried out, he had bought metal wands for the doormen to use and had been surprised when the police turned up with a knife arch. Six doormen had been on duty and searches had been carried out of people entering. With regard to the Pubwatch scheme, Mr Haye confirmed that he had attended all the meetings and that he would have been able to pay the money at the March meeting had he not been asked to leave.

He did not believe that the 16-year-old who had been arrested for stealing a wallet had drunk the alcohol on his premises. Mr Haye clarified that he had not attempted to act as a doorman; he had in fact been the DJ that night. He did not want drugs in his club and there was a zero tolerance policy at the club. He welcomed any deterrent such as the use of the drugs dog to stop it happening.

Mr Hobbs then addressed Mrs Williams who had been acting as bar manager on the night of the two parties. She explained that she had fully briefed her staff on the need to be vigilant when serving drinks. They had been reminded of the Challenge 25 policy and of the need to ask for ID as well as to check the stamp on over 18s hands. There was only one drink per customer to be served and glass/bottle collectors were told to remove half full bottles and asked to be vigilant and observe and report any underage drinking. There was also a log of anyone who was refused alcohol. The door supervisors also walked through the club to check that under 18s were not drinking alcohol.

Mr Hobbs then asked Mrs Jones to describe what her involvement was with the club. She said that she was the driving force behind the club; she was an experienced mother of three successful children and had been a child minder and youth worker. She currently worked as a youth worker with the youth offending team dealing with children with challenging behaviour. She ensured that children under 18 who attended parties at the club were escorted to their parents' car and checked that they were collected by the appropriate person. She was well respected in the community and had a good rapport with young children. Safeguarding children was of paramount importance

The chairman thanked everyone for their input into the meeting and asked if each speaker wished to sum up what had been said.

The chairman adjourned the meeting at 12.40pm and the councillors and Mr Hollands left the council chamber.

On their return to the council chamber the chairman reconvened the meeting at 1.35pm.

RESOLVED that the sub-committee exercise its powers under the Act by adding further conditions to the licence as follows:

1. Decision:

- (i) all staff employed at the premises during opening hours will be trained in respect of current licensing and smoke free legislation and records of the training will be kept and made available to the police and officers of the licensing authority forthwith upon request;
- (ii) a pro-active drugs policy shall be formulated, documented and approved by Northamptonshire Police and the licensing authority forthwith. This must include the identification of risk areas and a door staff patrol plan;
- (iii) the designated premises supervisor or duty manager will maintain a register with the following information:

- (a) the name of the person in charge of the management of the premises at all times the premises are open to customers;
 - (b) the full name and complete SIA registration numbers of all door staff on the premises;
 - (c) particulars of every incident reasonably construed as affecting the four licensing objectives, namely criminal behaviour in the premises, public safety, public nuisance and the protection of children from harm. Such particulars shall include the time of the incident, short particulars, the names of the principal persons concerned or in default a brief description;
- (iv) Such register will:
- (a) be produced to the police or the licensing authority forthwith upon demand;
 - (b) be accurate and up to date by 6am on every day;
 - (c) be bound and every such incident recorded shall be separately numbered;
 - (d) retained in a safe place on the premises for a minimum of 12 months after the date of the last entry, or such longer period as the police or the licensing authority shall, by notice, require.

2. Warning:

Whilst not a formal part of the decision the premises licence holder is reminded that failure to comply with all of the conditions of the licence, including those imposed by this decision is a criminal offence. Furthermore such a failure of further incidents of the kind admitted is likely to result in an application for a further review of the premises licence. Without in any way fettering the discretion of a licensing sub-committee hearing such a further review the sub-committee considers that it would be likely that evidence at such a further hearing of consumption of alcohol by children or the use of illegal drugs would result in the sub-committee exercising its powers to revoke the licence.

3. Information provided to the Licensing Sub Committee:

- (i) the report of the licensing manager of the council, including statements from Police Sergeant 1046 Wildman and other police officers, a report from Police Constable 1048 Murphy responsible for licensing functions, and relevant representations from Wellingborough Pubwatch;
- (ii) Oral testimony from PC Murphy, PS Wildman and PS Williams of Northamptonshire Police;
- (iii) Oral testimony from the premises licence holder Khavan Haye, Natoyah Williams and Doreen Jones being persons involved with the control and management of the premises. That testimony included their intentions to improve management of the premises and detailed written particulars (provided to the police prior to the hearing) of how they proposed to do that;
- (iv) Representation on behalf of the premises licence holder by Mr Colin Hobbs of the solicitors First Law partnership of Wellingborough.

4. Reasons for the decision:

In arriving at its decision the committee noted the following undisputed facts:

- (i) On 10 November 2012 a fight occurred outside the premises at 4am;
- (ii) On 15 June 2013 a theft of a wallet occurred in the bar area of the premises;
- (iii) On 22 August 2013 there was a fight in the premises;
- (iv) Another fight subsequently occurred outside the premises on the same date after closing time;
- (v) On 12 October 2013 drugs were found in a vehicle near the premises;
- (vi) On 7 December 2013 an assault occurred in the male toilets;
- (vii) The premises licence holder attended a meeting with PC Murphy on 15 January 2014. The police accept that at that time and all other times Mr Haye has co-operated with the licensing section of Northamptonshire Police;
- (viii) On 25 January 2014 several persons under the age of 18 were found by PS Wildman consuming lager in the premises during a private party at which adults were also present. It was plain that systems for preventing the sale of alcohol to children had failed. Other incidents also occurred.

5. The premises licence holder disputed the following facts:

- (i) That cannabis had been smoked in the premises on 18 August 2013.
- (ii) Whilst noting the reports by the police of what several young people had said about incidents in the premises the sub-committee was unable to draw any firm conclusions from this evidence having regard to its hearsay nature.
- (iii) It also noted testimony from the police that other incidents of drug use had occurred outside the premises, but it had to take note of guidance that the premises licence holder should not be held responsible for activities taking place away from the premises licensed.
- (iv) It also noted that the incidents at 4.1, 4.4 and 4.5 above did not occur on the premises.
- (v) Nevertheless it was quite plain that serious incidents of violence had occurred on the premises on at least two occasions and those systems for the prevention of underage drinking had wholly failed on 25 January 2014.
- (vi) Furthermore whilst being unable to conclude that drugs had been sold or used on the premises, it noted the concerns of the police.
- (vii) Accordingly it was necessary for action to be taken to uphold the licensing objectives of the prevention of crime and protection of children from harm by way of the consumption of alcohol.
- (viii) In considering what action to take the sub-committee noted.
 - (i) the police accepted that the premises licence holder had at all times co-operated with its officers.
 - (ii) the detailed proposals of the premises licence holder and Natoyah Williams for taking steps to prevent the possibility of the sale of alcohol to children at future events.

- (iii) The representations of the premises licence holder that restricting the premises to persons over the age of 18 or forbidding any event where adults and persons under the age of 18 were both present would seriously affect the viability of the premises.
- (ix) The sub-committee concluded that having regard to these matters, the guidance under section 182 of the Licensing Act 2003 and its own licensing policy, that revocation of the premises licence was not warranted. After careful consideration it also believed that it was inappropriate to exercise its powers to suspend the licence. However, action was certainly necessary to uphold the licensing objectives. The proposed management changes offered by the premises licence holder were important particularly in relation to the prevention of underage drinking and criminal drug use. It was also necessary for these to be backed up by appropriate conditions as set out above.

Chairman

The meeting concluded at 1.45pm.

COUNCIL MEETING – 15 APRIL 2014

REPORT OF THE PLANNING COMMITTEE

26 March 2014

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

Miss J Thomas (Head of Planning and Local Development), Mr M Kilpin (Principal Planning and Building Control Manager), Mrs F Webber (Landscape Officer), Mrs M Pittham (Administrative Assistant), Mr S Aley (Legal Adviser) and Mrs F Hubbard (Democratic Services Officer).

(Councillors Emerson, Hollyman and G Lawman attended the meeting as observers).

1. APOLOGIES FOR ABSENCE

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

2. DECLARATIONS OF INTEREST

RESOLVED to note that no declarations were made.

3. CONFIRMATION OF MINUTES

RESOLVED that the minutes of the meeting held on 19/02/2014, be confirmed and signed.

4. BOROUGH COUNCIL OF WELLINGBOROUGH (THE VICARAGE, WELLINGBOROUGH ROAD, MEARS ASHBY) TREE PRESERVATION ORDER

The annexed circulated report of the Head of Planning and Local Development was received to consider the objections that had been made to the Borough Council of Wellingborough (The Vicarage, Wellingborough Road, Mears Ashby) Tree Preservation Order.

The Council seek to ensure, wherever possible, that existing healthy trees and hedgerows are retained, for example through the use of its powers to make Tree Preservation Orders and in the operation of the Hedgerow Regulations.

If the recommendation to confirm the Tree Preservation Order is followed the sycamore tree will be protected.

The Site Viewing Group visited the site on 25/03/2014 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 view of the speakers and taking account of the officer's report, the Chairman invited the committee to determine the application.

A discussion took place about the tar spot on the sycamore tree and the unfortunate death of 2 horses which had grazed in the paddock that the tree overhangs. There was no evidence to prove that the tar spot had caused the death of these animals.

It was proposed by Councillor Maguire and seconded by Councillor Ward that the Tree Preservation Order be confirmed.

On being put to the vote, the motion was carried by 8 votes to 2 votes to confirm the Tree Preservation Order.

RESOLVED that the Tree Preservation Order be confirmed.

5. 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.

6. PLANNING APPLICATION WP/2014/0019(F) – 77 GOLD STREET, WELLINGBOROUGH

The annexed circulated report of the Head of Planning and Local Development was received, including late letters, on planning application WP/2014/0019(F), to erect a new 2 storey, 3 bedroomed house attached to the existing dwelling at 77 Gold Street, Wellingborough – re-submission followed refusal of WP/2013/0589(F), for Mr H Singh.

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 25/03/2014 and a record of the visit was set out in the circulated notes.

Members felt that this application was overdevelopment and not in keeping with the surrounding area. Concerns were also raised with regard to highway implications and safety; the unsuitability of the vehicular access of 2 parking spaces adjacent to, and very close to, a bus stop in this very busy locality.

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

On being put to the vote, the motion was carried by 6 votes to 2 votes with 2 abstentions, to refuse the application.

RESOLVED that planning permission be refused for the following reasons:

1. The proposal is considered to be detrimental to highway safety due to the lack of on-site parking provision for the proposed additional and existing dwelling houses and the juxtaposition of the proposed access to the bus stop.
2. The proposal is considered to be an overdevelopment of the site which would be unacceptable to the amenities of the occupiers of nearby properties and which would be detrimental to the character and appearance of the area.
3. The proposed development is therefore considered to be in conflict with Policy 13 (d, h, l and n) 'General Sustainable Development Principles' of the North Northamptonshire Core Spatial Strategy.

Members were appalled by the comments made by the applicant in late letters questioning the motives of Councillors. They asked that it been minuted that in accordance with Rules of Procedure any member of the Council or, if applicable, the Parish Council, has the right to request a site viewing visit. A Councillor should register, with the lead officer, the reasons which would justify the value of a site viewing relating to material planning considerations.

7. PLANNING APPLICATION WP/2014/0029(FM) – BRITISH RAIL SPORTS AND SOCIAL CLUB, 38A BROAD GREEN

The annexed circulated report of the Head of Planning and Local Development was received, including late letters, on planning application WP/2014/0029(FM), for the demolition of the existing building and other structures, construction of a proposed new residential scheme, comprising of 30 care facility flats (accessible from Gold Street/Broad Green), erection of a free-standing office (Class B1) use together with parking provision and landscaping. Amended drawings and additional information at the British Rail Sports and Social Club, 38a Broad Green, Wellingborough, for Mr J Harmon (Seagrave Developments Limited).

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 25/03/2014 and a record of the visit was set out in the circulated notes.

Requests to address the meeting had been received from 2 local residents, the Chairman of Hatton Park Residents, 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.

Two of the local residents welcomed the scheme but concerns were raised about the flooding on the front road gullies from the former Dun Cow traffic lights to the Queens Head Public House, the cyclists use of the narrow pavement along Broad Green and the lack of provision for a cycleway/footpath, litter problems and highway safety together with traffic implications in relation to the access and traffic lights in Broad Green and questioned whether the access could be in Knights Court.

Members discussed concerns regarding the highway issues and access; they would prefer the horse chestnut trees at the front of the site near to the former Dun Cow site to remain and the building be set back further as it was too close to the front wall on Broad Green and the street scene needed to be considered. The parking could also be realigned. A comment was made that the access in Broad Green be used for emergency vehicles only and questioned the need for the detached office on the site and why the site was being split into two different developments (WP/2014/0029(FM) and WP/2014/0030(FM)). The Council's policies with regard to the Town Centre Action Area Plan needed further consideration for a footpath and cycleway.

It was suggested that the residents meet with their ward Councillors to discuss the highway issues regarding flooding and Wellingborough Norse concerning the litter.

Whilst members welcomed the scheme they considered that there were outstanding issues that need resolving and asked that the applicant work with the officers regarding the following – the retention of the horse chestnut trees at the front of the site, to consider the street scene with the proposal being set back further and to the realignment of the parking areas. The policies of the Town Centre Action Area Plan need to be established in relation to a footpath and cycleway.

It was proposed by Councillor Waters and seconded by Councillor Lawman that planning permission be deferred to resolve the outstanding issues.

On being put to the vote, the motion was carried by 9 votes to defer the application to resolve the outstanding issues.

RESOLVED that planning permission be deferred to resolve the outstanding issues.

8. PLANNING APPLICATION WP/2014/0030(FM) – BRITISH RAIL SPORTS AND SOCIAL CLUB, 38A BROAD GREEM WELLINGBOROUGH

The annexed circulated report of the Head of Planning and Local Development was received, including late letters, on planning application WP/2014/0030(FM), for the demolition of the existing building and other structures, construction of a proposed new residential scheme, comprising 48 affordable and retirement apartments of 1 and 2 bedrooomed flats (accessible from Knights Court) with parking provision and landscaping at the British Rail

Sports and Social Club, 38a Broad Green, Wellingborough for Mr J Harmon (Seagrave Developments 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 to the completion of a suitably worded Section 106 Agreement or Unilateral Undertaking.

Requests to address the meeting had been received from 3 objectors and the architect. One of the objectors declined to speak on this occasion as he had made his concerns known when he addressed the committee for the previous application, concerning the Town Centre Area Action Plan and the lack of provision for a cycle way/footpath .

The Chairman allowed the speakers to address the meeting for a maximum of 3 minutes each. 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 shared the concerns of the objectors about the close proximity, height and overlooking of the southern corner of the development to the residents of 9 and 10 Wharton Close.

It was proposed by Councillor Maguire and seconded by Councillor Ward that planning permission be deferred for the officers and the applicant to resolve the overlooking issues for the residents of 9 and 10 Wharton Close. As with the previous application, the policies of the Town Centre Action Area Plan also needed to be established in relation to a cycleway/footpath.

On being put to the vote, the motion was carried by 9 votes to defer the application.

RESOLVED that planning permission be deferred for the outstanding issues to be resolved.

9. PLANNING APPLICATION WP/2013/0663(F) – 11 ST NICHOLAS ROAD, GREAT DODDINGTON

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/2013/0663(F), for a two storey extension to side and rear – amended proposal following refusal of WP/2012/0571(F), at 11 St Nicholas Road, Great Doddington, for Mr N Magson.

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.

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

On being put to the vote, the motion was carried by 9 votes to refuse the application.

RESOLVED that planning permission be refused for the following reasons:

1. The proposal by way of its incongruous design would cause harm to the character and appearance of the area would be contrary to Policy 13 (h) of the North Northamptonshire Core Spatial Strategy and Policy G4 of the Borough of Wellingborough Local Plan.
2. The proposal is contrary to Policy 13 (l) of the North Northamptonshire Core Spatial Strategy due to the unacceptable massing effect the roof of the proposed extension would have on the occupiers of no.10 St Nicholas Road.

10. PLANNING APPLICATION WP/2013/0672(F) – GROVE FARM, 39 HIGH STREET, GREAT DODDINGTON

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/2013/0672(F), for the alterations to and conversion of the existing barns to create a single family dwelling with a double garage, at Grove Farm, 39 High Street, Great Doddington, for Mrs A Smith.

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.

It was proposed by Councillor Bell and seconded by Councillor Waters that planning permission be granted 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 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. Full details of the following items shall be submitted for the written consent of the local planning authority prior to the commencement of development:
 - (i) windows, doors, garage doors and roof-lights;
 - (ii) stone for curtain walling - agreement required on type, cropping, coursing and pointing;

- (iii) hard surfaces - permeable specification required;
- (iv) covered structure for bin storage.

Reasons:

1. Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004.
2. In the interests of amenity and to protect the character of the listed building and conservation area.

11. PLANNING APPLICATION WP/2013/0673(LB) – GROVE FARM, 39 HIGH STREET, GREAT DODDINGTON

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/2013/0673(LB), for alterations to and conversion of the existing barns to create a single family dwelling with a double garage (application for Listed Building Consent) at Grove Farm, 39 high Street, Great Doddington, for Mrs A Smith.

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 Listed Building Consent be granted subject to the conditions set out in the report.

It was proposed by Councillor Bell and seconded by Councillor Waters that Listed Building Consent be granted subject to the conditions set out in the report.

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

RESOLVED that planning permission for Listed Building Consent be granted subject to the following condition:

The works to which this consent relates must be begun not later than the expiration of three years from the date of this consent.

Reason:

In order to comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

12. PLANNING APPLICATION WP/2014/0001(F) – CAR PARK FOR ELECTROSITE UK LIMITED, EASTON LANE, BOZEAT

The annexed circulated report of the Head of Planning and Local Development was received, including late letters, on planning application WP/2014/0001(F), for the erection of a single detached dwellinghouse with integral garage and a car park consisting of six spaces for the approved 5 dwellings under ref: WP/2013/0417/F (at 33 Easton Lane - Electrosite site) and 10 spaces for the

users of the adjacent cemetery - clarification of the ownership of parts of the application site and amendment to layout and elevations - amended plans – at the car park for Electrosite UK Limited, Easton Lane, Bozeat for Seagrave Developments 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.

A request to address the meeting had been received from Bozeat Parish Council who fully support the proposal.

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 Morrall and seconded by Councillor Bell that planning permission be granted subject to the conditions set out in the report and also to a suitably worded section 106 Agreement in respect of the transfer of the land for the cemetery car park to Bozeat Parish Council at nil cost.

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

RESOLVED that planning permission be granted subject to the following conditions and to a suitably worded section 106 Agreement in respect of the transfer of the land for the cemetery car park to Bozeat Parish Council at nil cost:

1. The development shall be begun not later than the expiration of 3 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 commences and the development shall be built in accordance with the approved samples.
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. 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 tree protection 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.

5. The car parking spaces and the parking area for the 5 dwellings on the opposite side of Easton Lane shown on the approved drawing shall be provided before the occupation of the approved dwelling and shall thereafter be kept free from obstruction and shall be retained for parking purposes for the occupiers and visitors of that development.
6. The vehicular crossings shall be constructed or suitably widened and all highway surfaces, where affected by the proposals, reinstated in accordance with the specification of the Local Highway Authority and subject to a suitable licence/agreement under the Highways Act 1980.
7. The existing footway alongside Easton Lane must be extended to meet the vehicular crossing of the new dwelling in accordance with the specification of the Local Highway Authority at the expense of the applicant and subject to a suitable agreement under the Highways Act 1980.
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.

Reasons:

1. Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004.
2. To secure a satisfactorily appearance for the the development in the interest of visual amenity.
3. To safeguard the trees in the interest of 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 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 highway safety.
8. To ensure that features of archaeological interest are properly examined and recorded, in accordance with National Planning Policy Framework paragraph 141.

13. PLANNING APPLICATION WP/2014/0025(C) – LAND OPPOSITE SPORTS GROUND, GRENDON ROAD, EARLS BARTON

The annexed circulated report of the Head of Planning and Local Development was received, including late letters, on planning application WP/2014/0025(C), for the extraction of minerals together with a new inland waterways marina, access road, parking, facilities building and improved landscaping scheme on land opposite the sports ground in Grendon Road, Earls Barton for Mr J Skinner (Pastures Farm).

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 the County Council be advised that the points of representation thus far received be given consideration prior to a decision being made, and that the County Council can ensure that the proposed development will not conflict with the Borough Council of Wellingborough's Local Plan Policy G6 'Development in the Open Countryside' which states:

Development in the open countryside will not be granted planning permission unless:

1. It cannot be accommodated other than in the open countryside;
2. It involves no more than a limited number of buildings or structures and these are small scale;
3. It includes landscape screening, as appropriate, and all buildings and structures are designed, sited and of materials to minimise adverse impact upon the intrinsic character of the countryside;
4. It will neither individually nor cumulatively with existing or proposed development, result in a local proliferation of new buildings or structures.

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

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

The members fully supported and welcomed the facility and congratulated the applicant on the exciting proposal and hoped that the new venture would bring business and new people to the Borough.

It was proposed by Councillor Morrall and seconded by Councillor Waters that no objections be made. The Chairman suggested it be actively supported and this was agreed by the members.

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

RESOLVED that the comments from the Head of Planning and Local Development be sent to the County Council plus the note that the scheme is fully supported.

14. PLANNING APPLICATION WP/2014/0037(C) – WOLLASTON SCHOOL, 100 IRCHESTER ROAD, WOLLASTON

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/2014/0037(C), for the external refurbishment to the existing science block, including re-cladding, a new step and ramped access, air conditioning unit, maintenance store and the demolition of a bio-chemical store at Wollaston School, 100 Irchester Road, Wollaston for Mr P Cartmell (Wollaston School).

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 made.

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

RESOLVED that no objection be made.

15. PLANNING APPLICATION WP/2014/0059(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/2014/0059(F), for the erection of a new detached dwelling – re-submission following the refusal of planning application ref WP/2013/0593 – revised plans 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 applicant had requested that the site viewing group return to his property for another site viewing and the members accepted the invitation to do so. Members agreed to defer the application until a site viewing visit had taken place.

It was proposed by Councillor Ward and seconded by Councillor Waters to defer the application until another site viewing visit had taken place.

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

RESOLVED that planning permission be deferred to enable the site viewing group to return for another visit.

16. PLANNING APPLICATION WP/2014/0066(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/2014/0066(C), for the construction of a new safety mound using inert material to protect a permitted go kart track from the adjacent shooting ground, 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 objection be raised.

RESOLVED that no objection be raised.

17. PLANNING APPLICATION WP/2014/0034(OB) – ANGLIAN WATER SERVICES LIMITED, GREAT BILLING WATER RECYCLING CENTRE, CROW LANE, NORTHAMPTON

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/2014/0034(OB), for the implementation of the Great Billing Sludge Treatment Centre Resilience Scheme to include the following works: Demolition of two existing gas holders, installation of a 1.5 Megawatt Containerised CHP Engine, intercooler and jacket radiator, erection of one flue stack, installation of one 11 Kilovolt transformer, erection of one digester and three mixer pumps, installation of one digester Motor Control Centre kiosk, installation of pipe supports, associated landscaping and acoustic fencing at Anglian Water Services Limited, Great Billing Water Recycling Centre, Crow Lane, Northampton for Mr S Swan (Anglian Water Services 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 we offer no objection to the proposal subject to adequate and appropriate use of planning conditions and obligations, where considered necessary, to mitigate any perceived issues relating to (NB: this list is not exhaustive);

- Effect on amenities of local residents
- Effect on visual amenity and character of the area
- Flood risk and drainage
- Biodiversity
- Traffic, access and highway safety
- Landscape impact
- Air quality (odour/particulates)
- Noise
- Contaminated land
- Impacts during construction

Northampton Borough Council are also advised to consult with the North Northamptonshire Joint Planning Unit to investigate the implications of this development, due to its scale, on the wider strategic aspirations of the JPU in its functions as it prepares the forthcoming Joint Core Strategy.

It was proposed by Councillor Ward and seconded by Councillor Scarborough that no objection be made to the proposal but the comments above from the Head of Planning and Local Development be noted.

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

RESOLVED that no objection be made to the proposal but the comments above from the Head of Planning and Local Development be noted.

18. COUNTY COUNCIL APPLICATIONS

1. WP/2013/0672(C)

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/2013/0627(C), for a non-material amendment to Planning Permission 10/00066/EXT to amend the working programme at Earls Barton Quarry, Grendon Road, Earls Barton for Mr C D'Oyley (Breedon Aggregates 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.

RESOLVED to note that a non material amendment to the planning permission was approved by Northamptonshire County Council on 15/01/2014 subject to conditions.

2. WP/2013/0645(C)

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 29 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.

RESOLVED to note that this was approved by Northamptonshire County Council on 28/02/2014 subject to conditions.

3. WP/2013/0646(C)

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.

RESOLVED to note that this was approved by Northamptonshire County Council on 28/02/2014 subject to conditions.

4. 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 of municipal waste for a further 18 months to August 2015 at Mick George Limited, Lower Ecton Lane, Great Billing for Mr J Gough (Mick George 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.

RESOLVED to note that this was approved by Northamptonshire County Council on 07/02/2014 subject to conditions.

5. WP/2014/0015(C)

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/2014/0015(C), for the installation of two portakabin modular buildings to be used as four temporary classrooms during refurbishment of the exiting science block at Wollaston School, 100 Irchester Road, Wollaston for Wollaston School.

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 17/02/2014 subject to conditions.

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 5), be noted.

Chairman

The meeting concluded at 9:46 pm.

COUNCIL MEETING – 15 APRIL 2014

REPORT OF THE STANDARDS ASSESSMENT SUB-COMMITTEE

01 April 2014

Present: Councillor Harrington (Chairman) and Councillors Dholakia and Waters.

Officers present: Miss S Lyons (Monitoring Officer) and Ms P Lawton (Assistant Monitoring Officer).

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. 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** in accordance with Section 100A (4) of the Local Government Act 1972, to exclude the public from the meeting for the business specified in item numbers 5 and 6 because it was likely that if members of the public were present there would be disclosure to them of exempt information as defined in paragraphs 1 and 2 of Part I of Schedule 12A to the Act – information relating to any individual and information which is likely to reveal the identity of an individual – and the public interest in withholding the information outweighs the public interest in disclosing the information to the public.

4. CONSIDERATION OF THE MONITORING OFFICER'S ASSESSMENT REPORT IN RESPECT OF A COMPLAINT AGAINST A PARISH COUNCILLOR (REF: BOZEAT PC/2013/1)

The Monitoring Officer presented her assessment report in relation to the complaint, and was questioned by the sub-committee on a number of issues relating to and arising out of the report.

Following discussion and careful consideration of the facts, the sub-committee concluded that the behaviour of the parish councillor in question did constitute a breach of the code of conduct adopted by the parish council. The sub-committee considered the options available to it under the council's arrangements for dealing with standards allegations.

It was noted that the respondent had acknowledged that his conduct fell below the standard required of a person in public office, for which an apology had been made at the time of the incident. For this reason, whilst the sub-

committee took a dim view of the behaviour displayed by the respondent, it was agreed that no further action would be taken. This was moved by Councillor Harrington and on being put to the vote was declared carried.

RESOLVED that no further action be taken on the allegation.

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

The Chairman made reference to the requirement under the Localism Act 2011 to appoint an Independent Person to consider standards allegations. Mrs Lyons confirmed that whilst this was indeed a requirement of the Act, there was flexibility in how this was adopted at a local level.

RESOLVED to note the requirements of the Localism Act 2011 with regard to the Independent Person.

The meeting closed at 10.20 am.

Chairman