

COUNCIL MEETING – 19 JANUARY 2016

REPORT OF THE LICENSING SUB-COMMITTEE

11 December 2015

Present: Councillors M Waters (chairman), Maguire and V Waters.

Also present: Mr G Hollands, Solicitor District Law, Mrs A Wilcox, Principal Health Protection/Licensing Manager, Mrs C A Mundy, Democratic Services Officer and Miss K Denton, Principal Corporate Support Manager, as an observer.

(The hearing commenced at 10.00am.)

1. APPOINTMENT OF CHAIRMAN

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

2. EXCLUSION OF PRESS AND PUBLIC

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

Min. no.	Item	Paragraph of Schedule 12A
3	Application to renew a private hire driver's Licence.	E1 and E2
	Application to revoke or suspend hackney Carriage driver's licence.	E1 and E2

3. APPLICATION FOR A PRIVATE HIRE DRIVER'S LICENCE

The chairman welcomed the applicant to the sub-committee and introduced those present to him.

The exempt circulated report of the head of planning and local development was received in relation to an application for a private hire driver's licence.

The licensing manager presented her report explaining that relevant information had come before the authority from the DVLA relating to undisclosed endorsements. The licensing section had also received a complaint alleging that the applicant had been taking bookings despite not being licensed to do so. Members needed to ascertain whether he remained a 'fit and proper' person to hold a private hire driver's licence.

The chairman asked the applicant if he wished to put his case to the sub-committee.

He explained that he hadn't realised that he needed to inform the council that he had received the points on his licence which were for speeding offences. He apologised for this failure to notify the council in accordance with the policy. With regard to the complaint, he was hoping to start his own business, had purchased a car and had put information on Facebook. When he was told by the licensing team that this was inappropriate he immediately removed it. He also told the sub-committee that he had made the effort to meet with licensing officers to understand the policy better and that his vehicle had cruise control which he now used to ensure that he remained within the speed limit.

The chairman asked if members or Mr Hollands had any questions.

Mr Hollands asked if when the driving offences occurred he was driving a taxi or his own car. The applicant confirmed that he had been driving a taxi but that he had not been carrying passengers on either occasion.

The chairman adjourned the meeting at 10.20am.

The chairman reconvened the meeting at 10.35am.

Decision:

The decision of the sub-committee was that no action be taken on this occasion. The applicant, however, was warned that he is obliged to notify convictions to the licensing authority (including fixed penalty notices that are paid) and that a high standard of driving including observing speed limits is expected. This warning may be taken into account in making any future decisions relating to the licence.

Reasons for decision:

Having heard from the applicant the sub-committee considered there were insufficient grounds to conclude that the applicant was not a fit and proper person to hold a licence. He accepted he was at fault and the sub-committee considered he would improve his driving standards.

This part of the meeting concluded and the applicant left the meeting.

4. APPLICATION TO REVOKE OR SUSPEND HACKNEY CARRIAGE DRIVER'S LICENCE

(The hearing commenced at 10.45 am.)

The chairman welcomed the driver to the meeting and introduced everyone present. He then asked the driver and his two accomplices to introduce themselves.

The exempt circulated report of the head of planning and local development was received to consider whether to revoke or suspend a hackney carriage licence for the driver.

The licensing manager explained that an allegation about his conduct had been made against the driver whilst working as a private hire driver. The complainant had been advised to contact the police. The driver had consistently denied the allegations. The sub-committee needed to establish if he was a fit and proper person to hold a private hire driver's licence.

The chairman thanked the licensing manager and asked if the driver wished to address the sub-committee.

The driver expressed his considerable embarrassment regarding the allegation made against him which had been a very bad experience for him and caused a lot of upset to himself, his family and close friends. He had been interviewed by the police and had recently been informed that they would be taking no further information against him. He considered that he was a very helpful person who was kind to his customers. He had family in this country to support and extended family overseas and had always been hardworking and aimed to support the community to the best of his ability.

His wife also addressed the meeting and reiterated how difficult it had been to watch her hardworking husband deal with this allegation, which had severely affected his health, resulting in a stay in hospital. He was well respected by his family, colleagues and customers who frequently asked for him to drive them because of his kind and courteous behaviour.

His colleague also confirmed that she had known him for a number of years and that customers were always asking for him to drive them. He was courteous at all times and extremely helpful. She did not believe the allegation whatsoever and totally supported him.

Both, along with another colleague, had written letters of support which were circulated to the sub-committee.

The chairman asked members if they wished to ask questions.

Councillor V Waters and Councillor Maguire both asked questions about the nature of the allegation and the investigation and subsequent findings of the police.

There being no further questions the chairman adjourned the meeting at 11.10am to deliberate.

The sub-committee meeting was reconvened at 11.40am.

The chairman asked the driver if he considered that he had received a fair hearing and he confirmed that he believed he had.

The chairman then asked the legal adviser to read out the decision of the sub-committee.

Decision:

The decision of the sub-committee is that there be no action taken.

Reasons for the decision:

- (i) The sub-committee considered witness statements from the driver and from the complainant, it also received testimonies about the driver from two work colleagues and a comprehensive character statement from the driver's wife. It heard oral evidence from the driver and two others but did not consider it necessary to adjourn to hear evidence from the complainant;
- (ii) The sub-committee noted the evidence in the statement from the complainant that one alleged incident of misconduct occurred in Queensway, Wellingborough;
- (iii) In the light of this evidence and that of the persons providing character evidence the committee did not consider the misconduct had occurred.
- (iv) Accordingly no action should be taken and that the driver is considered a fit and proper person.

Chairman

The chairman closed the meeting at 12.10pm.

COUNCIL MEETING – 19 JANUARY 2016

REPORT OF THE PLANNING COMMITTEE

16 December 2015

Present: Councillors Morrall (Chairman), Ward (Vice-Chairman), Aslam, Griffiths, Hallam, G Lawman, Lloyd, Maguire and Scarborough.

Miss J Thomas, Head of Planning and Local Development, Ms M Simmons, Principal Planning and Building Control Manager, Mrs E Buchanan, Assistant Principal Development Management Officer, Mr G Hollands, Legal Adviser and Mrs F Hubbard, Democratic Services Officer.

1. APOLOGIES FOR ABSENCE

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

2. DECLARATIONS OF INTERESTS

RESOLVED to note that in accordance with the Localism Act 2011 and 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
Lawman	5	WP/15/00556/FUL	Other – know the neighbour
Lawman	10	WP/15/00244/FUL	Other – some commenters known to me
Lawman	12	WP/15/00546/FUL	Other – some members of the Bowls Club known to me
Ward	15	WP/15/00621/FUL	Other – both the applicant and objector are known to me

3. CONFIRMATION OF MINUTES – 11 NOVEMBER 2015

RESOLVED that the minutes of the meeting held on 11 November 2015, 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, be received on the applications for planning permission, listed building consent, building regulation approvals and appeals information.

5. PLANNING APPLICATION WP/15/00556/FUL – 39 TORRINGTON CRESCENT, WELLINGBOROUGH

The annexed circulated report of the Head of Planning and Local Development was received, including late letters, on planning application WP/15/00556/FUL, for the erection of a two storey extension to rear and single extension to side of dwelling at 39 Torrington Crescent, Wellingborough for Mr C Best.

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 planning application be approved subject to the conditions set out in the report.

The application had been deferred at the Planning Committee meeting held on 11/11/2015 to re-consult on amended plans.

The Site Viewing Group visited the site on 15/12/2015 and a record of the visit was set out in the circulated notes.

A request to address the meeting had been received from the applicant. The applicant did not speak for 3 minutes but was available in the chair for any questions of clarification. The members had no questions for the applicant.

The Chairman then invited the committee to determine the application.

It was proposed by Councillor Morrall and seconded by Councillor Maguire that the planning application be approved.

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

RESOLVED that the planning application be approved subject to the following conditions:

1. The development shall be begun not later than the expiration of three years beginning with the date of this permission.

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

2. The external walls and roof of the extension shall be constructed with materials of the same type, texture and colour as the external walls and roof of the existing building.

Reason: In the interests of amenity.

3. The development shall be carried out in accordance with the approved plans/drawings numbered: 14/098/01b received on 4 November 2015.

Reason: To ensure that the development is carried out in accordance with the approved plans.

6. PLANNING APPLICATION WP/15/00580/FUL – THE LODGE MANOR FARM, 2 TAGGIES YARD, ORLINGBURY

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/15/00580/FUL, for the demolition of redundant storage barn and erection of one bungalow with detached garage at The Lodge Manor Farm, 2 Taggies Yard, Orlingbury for W Norton and Sons.

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 planning application be approved.

The Site Viewing Group visited the site on 15/12/2015 and a record of the visit was set out in the circulated notes.

The Chairman invited the committee to determine the application.

It was proposed by Councillor Ward and seconded by Councillor Lloyd that the planning application be approved.

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

RESOLVED that the planning application be approved subject to the following conditions:

1. The development shall be begun not later than the expiration of three years beginning with the date of this permission.

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

2. This consent is based on drawing 15-254 received 12 October 2015.

Reason: To ensure that the development is carried out in accordance with the approved plans.

3. Notwithstanding any materials specified in the application form and/or drawings representative samples of all external facing and roofing materials shall be submitted to and approved in writing by the local planning authority before the development is commenced.

Reason: In the interests of visual amenity of the area in accordance with Policy 13 (h) and (o) of the North Northamptonshire Core Spatial Strategy 2008

4. No development shall take place until, a plan and elevation indicating the positions, design, materials and type of boundary treatments to be erected has been submitted and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: In the interest of visual amenity in accordance with Policy 13 (h) of the North Northamptonshire Core Spatial Strategy 2008.

5. Prior to the commencement of development, a scheme to ensure the protection of the trees to be retained within the development during construction shall have been submitted to and approved in writing by the local planning authority and shall include a method statement and tree protection plan, with particular reference to construction phasing and exclusion zones. The development shall thereafter be carried out in accordance with these approved details.

Reason: To facilitate proper consideration of the provision made for trees on the site in accordance with BS:5837 (2012) in accordance with Policy 13 (o) of the North Northamptonshire Core Spatial Strategy 2008.

7. PLANNING APPLICATION WP/15/00581/FUL – 31 KING STREET, EARLS BARTON

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/15/00581/FUL, for a proposed new dwelling to side of 31 King Street, complete with alterations to existing dwellings, associated external works and demolition of existing garage/outbuildings at 31 King Street, Earls Barton for Ms A Lee.

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 planning application be approved subject to the conditions set out in the report.

The Site Viewing Group visited the site on 15/12/2015 and a record of the visit was set out in the circulated notes.

A request to address the meeting had been received from a representative on behalf of the applicant. Due to illness the representative was unable to speak but a representative attended to speak on her behalf.

The Chairman allowed the speaker to address the meeting and the committee was given the opportunity to ask questions of clarification. The Chairman then invited the committee to determine the application.

Members were sympathetic with residents in the surrounding area who had concerns about parking issues. Two off road car parking spaces had been allocated but members felt there was potential for at least 3, potentially 4 car parking spaces, depending on layout and width of the garden. A member

suggested consideration could be given to removing the bin store area for additional parking.

It was agreed to delegate to officers the decision to approve the scheme, subject to an amended plan being received which shows additional car parking in the rear garden area.

It was proposed by Councillor Morrall and seconded by Councillor Lawman that delegation be given to officers to approve the planning application, subject to the submission of a suitable scheme for additional parking on the site being submitted. The Chairman did not feel it necessary to refer the scheme back to committee.

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

RESOLVED to delegate the granting of the planning permission to the Head of Planning and Local Development, subject to the submission of an approval of an amended plan, showing additional car parking in the rear garden.

8. PLANNING APPLICATION WP/15/00589/VAR – BOWLERS YARD, 58 HIGH STREET, EARLS BARTON

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/15/00589/VAR, for a variation of condition 2 of planning permission ref: WP/14/00630/FUL - Amendments have been proposed to the scheme in line with re-measure of levels post demolitions. It is sought for approval of the amended drawings. The drawings approved are substituted to be those numbered on the attached drawing register - amended plans received 26/11/2015 for Bowlers Yard, 58 High Street, Earls Barton for Mr N Moore.

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 planning application be approved subject to the conditions set out in the report.

The Site Viewing Group visited the site on 15/12/2015 and a record of the visit was set out in the circulated notes.

The Chairman then invited the committee to determine the application.

It was proposed by Councillor Morrall and seconded by Councillor Lloyd that the planning application be approved.

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

RESOLVED that the planning application be approved subject to the following conditions:

1. This consent is based on drawings 05 rev D, 09 rev D, 10 rev D, 12 rev D, 13 rev D, 15 rev D, 16 rev D, 17 rev D received 25 September 2015 and amended plans 06 rev E, 08 rev E, 11 rev E, 14 rev E and 5.1 rev E received 26 November 2015.

Reason: To ensure that the development is carried out in accordance with the approved plans.

2. The first floor rear bedroom window to unit 2 in the north-west facing elevation shall be obscure glazed, using manufactured obscure glass (not an applied adhesive film) before the dwelling is first occupied and shall be permanently retained as such thereafter. The window shall also be non-opening unless the part of the window that can be opened is more than 1.7 metres above the floor level of the room in which it is installed, and shall be permanently retained as such thereafter.

Reason: To ensure the amenities of the adjoining occupier property are not adversely affected by loss of privacy in accordance with Policy 13(I) of the NNCS.

9. PLANNING APPLICATION WP/15/00697/FUL – 33 KING STREET, EARLS BARTON

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/15/00697/FUL, for the erection of a detached dwelling at 33 King Street, Earls Barton for Mr K Weaver-Pope.

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 planning application be approved subject to the conditions set out in the report.

The Site Viewing Group visited the site on 15/12/2015 and a record of the visit was set out in the circulated notes.

The Chairman then invited the committee to determine the application.

It was proposed by Councillor Morrall and seconded by Councillor Scarborough that the planning application be approved.

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

RESOLVED that the planning application be approved subject to the following conditions:

1. The development shall be begun not later than the expiration of three years beginning with the date of this permission.

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

2. This consent is based on drawings TL/ID/15/05 received 27 October 2015.

Reason: To ensure that the development is carried out in accordance with the approved plans.

3. Representative samples of all external facing and roofing materials shall be submitted to and approved in writing by the local planning authority before the development is commenced.

Reason: In the interests of visual amenity of the area in accordance with Policy 13 (h) of the North Northamptonshire Core Spatial Strategy 2008.

4. To prevent loose material being carried onto the public highway the driveways must be paved with a hard bound surface for a minimum of 5m in rear of the highway boundary.

Reason: In the interest of highway safety in accordance with 13 (n) of the North Northamptonshire Core Spatial Strategy 2008.

5. A positive means of drainage must be installed to ensure that surface water from the driveway does not discharge onto the highway.

Reason: In the interest of highway safety in accordance with 13 (n) of the North Northamptonshire Core Spatial Strategy 2008.

6. Pedestrian to vehicle visibility of 2.4m x 2.4m above a height of 0.6m must be provided and maintained in both directions at the point of vehicular access into the site.

Reason: In the interest of highway safety in accordance with 13 (n) of the North Northamptonshire Core Spatial Strategy 2008.

10. PLANNING APPLICATION WP/15/00244/FUL – LAND REAR OF 30 HIGH STREET, WELLINGBOROUGH

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/15/00244/FUL, for the erection of a 2-storey building comprising 10nr supported living apartments with ancillary staff accommodation with associated bin store and external works on land at the rear of 30 High Street, Wellingborough for Mr D Balfe. Land accessed via gateway through listed wall on Salem Lane - amended plans/overall number of units reduced from twelve to ten units. Amended plans and additional information.

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

It was recommended to delegate the granting of the planning permission to the Head of Planning and Local Development, subject to the successful negotiation of a Section 106 Agreement for: affordable housing, contribution towards the provision of NHS services and a monitoring fee and subject to the conditions set out in the report.

Councillor Lawman stated he had concerns the application was surrounded by listed buildings, the need to break into the wall which is part of the street scene, and is out of keeping with the conservation area. He noted there was a Construction Management Plan that raised concerns, highway issues with the gateway and vehicles were supposed to stop in the road before entering the site, causing problems. There would be problems with large vehicles such as refuse vehicles, ambulances, causing pedestrian safety concerns. There was a potential issue with the visibility splay and the scheme involves the significant loss of trees. He stated he would not be able to support the application. Other members had similar concerns and added that the Council had already supported several similar living accommodation schemes in the Borough. It was also felt the design, impact on the conservation area and effect on surrounding listed buildings was not appropriate, and that this scheme would cause more than substantial harm.

It was proposed by Councillor Lawman and seconded by Councillor Griffiths that the application be refused.

On being put to the vote, the motion was unanimously carried to refuse the application on the grounds of the design being out of keeping with the conservation area, and the effect on Heritage assets.

RESOLVED to refuse the planning application for the following reasons:

1. The proposal, by reason of its design, bulk and massing would result in a form of development which would be detrimental to the character and appearance of the Wellingborough Town Centre Conservation Area contrary to: policy 13 o) of the North Northamptonshire Core Spatial Strategy, policy WTC 12 of the Wellingborough Town Centre Area Action Plan, the provisions of the National Planning Policy Framework and emerging policies 2 a) b) and d) of the North Northamptonshire Joint Core Strategy.
2. The proposal, by reason of its design, bulk and massing would result in a form of development which would cause substantial harm to the setting of the following grade II listed buildings: the Friends Meeting House, no. 30 High Street and the United Reformed Church, contrary to: policy 13 o) of the North Northamptonshire Core Spatial Strategy, policy WTC 12 of the Wellingborough Town Centre Area Action Plan, the provisions of the National Planning Policy Framework and emerging policies 2 a) b) and d) of the North Northamptonshire Joint Core Strategy.

11. PLANNING APPLICATION WP/15/00259/OUT – GRANGE FARM, IRTHLINGBOROUGH ROAD, WELLINGBOROUGH

The annexed circulated report of the Head of Planning and Local Development was received, including late letters, on planning application WP/15/00259/OUT, for an outline application with some matters reserved for residential development of up to 38 dwellings and demolition of all buildings on site. Access, scale and layout to be determined at this stage. AMENDED LAYOUT - updated flood risk assessment at Grange Farm, Irthlingborough Road, Wellingborough for Mr J Adkins.

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

It was recommended to delegate to the Head of Planning and Local Development to approve, subject to the conditions set out in the report and following the completion of a Section106 Planning Agreement.

The Head of Planning and Local Development stated that there were also additional conditions in the late letters relating to a drainage scheme.

A member asked that a condition be modified to address concerns about highways/access in relation to reserved matters. The Head of Planning and Local Development agreed that condition 2 be revised to include (iv) access details.

It was proposed by Councillor Griffiths and seconded by Councillor Morrall that the planning application be approved and condition 2 be revised to include (iv) access to various plots.

On being put to the vote, the motion was carried by 6 votes for approval.

RESOLVED to delegate to the Head of Planning and Local Development to approve, subject to the following conditions and following the completion of a Section106 Planning Agreement:

1. The development hereby permitted shall be commenced before the expiration of 3 years from the date of this permission or 2 years from the approval of the last of the reserved matters as defined in the condition below, whichever is the later.

Reason: To comply with Section 92 (as amended) of the Town & Country Planning Act 1990.

2. Details of the reserved matters set out below ('the reserved matters') shall be submitted to the local planning authority for approval within 3 years from the date of this permission:
(i) appearance; (ii) landscaping; (iii) layout and (iv) access and car parking details.
Approval of all reserved matters shall be obtained from the local planning authority in writing before any development is commenced. The reserved matters shall be carried out as approved.

Reason: To comply with Section 92 (as amended) of the Town & Country Planning Act 1990.

3. The development shall be carried out in accord with the revised site plan plans received on 18 September 2015.

Reason: To ensure that the development is carried out in accordance with the approved plans.

4. Prior to occupation of the dwellings the highway network through area 16 (Street 1) must be in place.

Reason: To provide a satisfactory means of access In the interest of highway safety in accordance with Policy 13 (d) of the North Northamptonshire Core Spatial Strategy 2008.

5. Before development commences an Environmental Risk Assessment which shall contain details of any necessary contamination remediation works shall be submitted to the local planning authority for approval in writing. Any identified remediation works shall be implemented before the dwelling is first occupied. Proof of the remediation shall be submitted to the local planning authority for approval in writing before the development is first occupied.

Reason: In the interests of protecting human health from contamination.

6. Before development commences details of the intended crime prevention measures to be incorporated into the development shall be submitted to the local planning authority for approval in writing. The development shall be carried out in accord with the approved details.

Reason: In the interests of crime prevention in accordance with Policy 13 (b) of the NNCSS.

7. No development shall take place within the area indicated until the implementation of a programme of archaeological work has been secured in accordance with a written scheme of investigation which has been submitted and approved in writing by the local planning authority.

Reason: To ensure that features of archaeological interest are properly examined and recorded, in accordance with NPPF paragraph 141.

12. PLANNING APPLICATION WP/15/00546/FUL – BOWLING GREEN BETWEEN 12 AND 14 HATTON AVENUE, WELLINGBOROUGH

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/15/00546/FUL, for the construction of four 4 bed roomed houses and garages – amended plan at Bowling Green between 12 and 14 Hatton Avenue, Wellingborough for Wellingborough Bowling Club.

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 planning application be approved subject to the conditions set out in the report.

It was proposed by Councillor Griffiths and seconded by Councillor Scarborough that the planning application be approved.

On being put to the vote, the motion was carried by 7 votes for approval.

RESOLVED that the planning application be approved subject to the following conditions:

1. The development shall be begun not later than the expiration of three years beginning with the date of this permission.

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

2. This consent is based on drawings 5824/104 rev A, 5824/105 rev A, 5824/106 revA 5824/108 rev A received 09 April 2015 and amended plans 5824/102 rev B, 5824/107 rev B received 05 October 2015.

Reason: To ensure that the development is carried out in accordance with the approved plans.

3. Representative samples of all external facing and roofing materials shall be submitted to and approved in writing by the local planning authority before the development is commenced.

Reason: In the interests of visual amenity of the area in accordance with Policy 13 (h) of the North Northamptonshire Core Spatial Strategy 2008.

4. The means of access must be laid out as a shared private drive having a width of no less than 4.5m for a distance of 10m in rear of the highway boundary.

Reason: In the interest of highway safety in accordance with Policy 13 (d) of the North Northamptonshire Core Spatial Strategy 2008.

5. No gate, barrier or means of enclosure shall be erected across a vehicular access within 5.5m of the highway boundary. Any such feature erected beyond that distance should be hung to open inwards away from the highway.

Reason: In the interest of highway safety in accordance with 13 (n) of the North Northamptonshire Core Spatial Strategy 2008.

6. To prevent loose material being carried onto the public highway the driveways must be paved with a hard bound surface for a minimum of 5m in rear of the highway boundary.

Reason: In the interest of highway safety in accordance with 13 (n) of the North Northamptonshire Core Spatial Strategy 2008.

7. A positive means of drainage must be installed to ensure that surface water from the driveway does not discharge onto the highway.

Reason: In the interest of highway safety in accordance with 13 (n) of the North Northamptonshire Core Spatial Strategy 2008.

8. Pedestrian to vehicle visibility of 2m x 2m above a height of 0.6m must be provided and maintained in both directions at the point of vehicular access into the site.

Reason: In the interest of highway safety in accordance with 13 (n) of the North Northamptonshire Core Spatial Strategy 2008.

13. PLANNING APPLICATION WP/15/00591/FUL – LAND AT REAR GATEHOUSE 31 STATION ROAD, FINEDON

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/15/00591/FUL, for the erection of 3 new dwellinghouses, garages, associated external works and the creation of 2 points of access. Land to the rear of no. 31 Station Road, Finedon (off Mackworth Drive) on land at rear Gatehouse 31 Station Road, Finedon for Mr S Bateman.

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 planning application be approved subject to the conditions set out in the report.

The ward councillor considered the proposal should not be approved due to design, overdevelopment and the creation of two points of access and would vote against the application.

A lengthy discussion ensued concerning the Planning Inspector's approval of the previous application for this site, where the appeal established the principle of three dwellings on the site. Comments were made about the report that went to the Services Committee on 19/10/2015 revising the village boundary of Finedon, which included the site within the new proposed village boundary as the basis for revising the Plan for the Borough of Wellingborough. The report on revising village boundaries was approved by the Services Committee on 19/10/2015, meaning the site met the criteria for inclusion within the village boundary.

In view of the Planning Inspector's approval of the previous application and the report that was approved by the Services Committee on 19/10/2015, it was proposed by Councillor Griffiths and seconded by Councillor Morrall that the planning application be approved.

On being put to the vote, the motion was carried by 6 votes for approval, with 3 votes against.

RESOLVED that the planning application be approved subject to the following conditions:

1. The development shall be begun not later than the expiration of three years beginning with the date of this permission.

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

2. The development shall be carried out in accord with the following plan numbers: site location plans: 2119-100, 564/05B, 564/10A, 564/11B, 564/12B, 564/13B, 3256/06/D15-1516 and 14579cv-01 received on 2 October 2015.

Reason: To ensure that the development is carried out in accordance with the approved plans.

3. Before development commences representative samples of the intended exterior facing materials shall be submitted to the local planning authority for approval in writing. The development shall be carried out in accord with the approved details.

Reason: In the interests of visual amenity of the area in accord with policy 13h) of the North Northamptonshire Core Spatial Strategy.

4. Before the hereby approved dwellings are first occupied pedestrian to vehicle visibility splays of 2m x 2m for both accesses shall be constructed.

Reason: To ensure an adequate standard of pedestrian to vehicle visibility in the interests of highway safety in accord with policy 13d) and 13n) of the North Northamptonshire Core Spatial Strategy.

5. Before the hereby approved dwellings are first occupied the first 5m of the proposed accesses in the rear of the public highway shall be hard surfaced.

Reason: To prevent loose material being dragged into the highway in the interests of highway safety in accord with policy 13d) and 13n) of the North Northamptonshire Core Spatial Strategy.

14. PLANNING APPLICATION WP/15/00597/FUL – LAND ADJACENT 16 80 MAIN ROAD, EARLS BARTON

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/15/00597/FUL, for a site re-grading and re-surfacing, erection of new offices and fitter's workshop/store on land adjacent 16 80 Main Road, Earls Barton for Mr D Lodge.

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 planning application be approved 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 and the committee was given the opportunity to ask questions of clarification. The Chairman then invited the committee to determine the application.

It was proposed by Councillor Morrall and seconded by Councillor Scarborough that the planning application be approved.

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

RESOLVED that the planning application be approved subject to the following conditions:

1. The development shall be begun not later than the expiration of three years beginning with the date of this permission.

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

2. The development shall be carried out in accord with the following plan number 00 and received on 29 September 2015 and plan numbers: 523-P-01 (P1) and 523-P- 02 (P1) received on 5 October 2015.

Reason: To ensure that the development is carried out in accordance with the approved plans.

3. Before development commences details of the intended crime prevention measures (including floodlighting) shall be submitted to the local planning authority for approval in writing. The development shall be carried out incorporating the approved crime prevention measures.

Reason: In the interests of visual amenity and crime prevention in accordance Policies 13 (h) and 13 (b) of the North Northamptonshire Core Spatial Strategy and the provisions of the Supplementary Planning Guidance: Planning Out Crime.

4. Before development commences representative samples of the intended exterior facing materials shall be submitted to the local planning authority for approval in writing. The development shall be carried out in accord with the approved details.

Reason: In the interests of visual amenity.

5. The car parking and manoeuvring area shall be laid out and made available for use of the hereby approved development before the development is first brought into use.

Reason: To ensure there is an adequate standard of parking.

15. PLANNING APPLICATION WP/15/00607/FUL – 25 THE SQUARE, EARLS BARTON

The annexed circulated report of the Head of Planning and Local Development was received, including late letters, on planning application WP/15/00607/FUL, for a change of use from A1 shop (photographic studio) to A4 drinking establishment (micro pub) at 25 The Square, Earls Barton for Mr I Forth.

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 planning application for a change of use be approved, subject to the conditions set out in the report.

It was proposed by Councillor Morrall and seconded by Councillor Scarborough that the planning application for a change of use be approved.

On being put to the vote, the motion was carried by 8 votes for approval.

RESOLVED that the planning application for a change of use be approved subject to the following conditions:

1. The development shall be begun not later than the expiration of three years beginning with the date of this permission.

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

2. This consent is based on unreferenced revision A drawing received 26 November 2015.

Reason: To ensure that the development is carried out in accordance with the approved plans.

3. The use hereby permitted shall take place between the hours of:
18:00-23:00 Monday to Thursdays
17:00-23:00 Fridays
13:00-23:00 Saturdays

12:00-14:00 & 18:00-23:00 Sundays

Unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that the proposed development does not prejudice the enjoyment of neighbouring occupiers of their properties.

4. Prior to the commencement and operation of development, a detailed noise management scheme to demonstrate that internal noise levels within the adjoining and adjacent residential units will conform to the provisions of BBS8233 Sound Insulation and Noise Reduction for Buildings: 2014 Code of Practice and World Health Organisation Community Noise Guideline Values shall be submitted to and approved in writing by the Local Planning Authority. The scheme of noise insulation measures shall be prepared by a suitably qualified consultant/engineer. The approved scheme shall be implemented prior to the commencement of the use and be permanently retained thereafter.

Reason: To protect residential amenity from noise/disturbance late in the evening.

16. PLANNING APPLICATION WP/15/00621/FUL – 59 HIGH STREET, FINEDON

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/15/00621/FUL, for a change of use of first floor room to restaurant use (A3) at 59 High Street, Finedon for Ms M Parry.

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 planning application for a change of use be approved, subject to the conditions set out in the report.

Request to address the meeting had been received from an objector and the applicant. The applicant was unable to speak but her daughter spoke on her behalf.

The Chairman allowed the speakers to address the meeting and the committee was given the opportunity to ask questions of clarification. The Chairman then invited the committee to determine the application.

Following the comments made by the objector concerning opening times, the use of the top floor and the staircase, a lengthy discussion ensued with members questioning, with concern, if and why the applicant had not been complying with her existing planning permission conditions regarding restricting the use to the ground floor, trading times and the availability of 4 car parking spaces at the rear of the premises. A member asked the Head of Planning and Local Development if our Environmental Team had been alerted to any of

these issues, to which she responded no complaints had been received, to the best of her knowledge.

The speaker on behalf of the applicant stated that the stairs are used as the toilets are on the top floor and on occasions the top floor had been used occasionally, as a tea and coffee room only.

It was proposed by Councillor Maguire that the planning application for a change of use be approved.

A member commented that a parking condition should be re-imposed and consideration also needs to be given to the opening times, as the opening times are currently 10:30 hours to 21:00 hours, which realistically does not give enough time for visitors to finish a meal if they arrive into the evening.

It was then proposed by Councillor Griffiths that the application be deferred for the Environmental Team to investigate any breaches of conditions and also an amendment to the closing time to make it more workable.

Councillor Lawman then proposed an amendment to amend the conditions for the closing time to 23:00 hours and also reintroduce a condition for the 4 car parking spaces at the rear of the premises. This was seconded by Councillor Scarborough.

Councillor Griffiths withdrew his request for deferment and agreed with the proposed amendments to the conditions.

The speaker on behalf of the applicant confirmed that the applicant would be happy to agree to the amended closing hours and the use of the 4 car parking space, to be re-imposed. She informed the members that the ownership of the car parking spaces was currently with the Land Registry as a neighbour had taken 2 of the spaces and erected a fence in between.

On being put to the vote, the motion was carried by 7 votes for approval, with the inclusion of the amendments to the closing time of 23:00 hours and the requirement for 4 car parking spaces to be available at the rear of the premises.

RESOLVED that the planning application for a change of use be approved subject to the following conditions:

1. The premises shall be used as a restaurant and for no other use within Class A3 of the Town and Country Planning Use Classes Order 1987. No food shall be sold for consumption off the premises.

Reason: To restrict the use of the premises in the interests of the character and amenity of the surrounding residential area.

2. The first floor of the premises shall only be open between 10:30hrs and 21:00hrs from Monday to Sunday.

Reason: To protect the occupants of the surrounding residential area from noise and disturbance late in the evening and to comply with policy 13 (I) of the Adopted Core Spatial Strategy (2008).

3. Within 3 months from the date of this permission a scheme showing 4 car parking spaces at the rear of 59 High Street shall be submitted to and approved by the local planning authority in writing. The permitted car parking scheme shall be carried out in accordance with the approved plans within a period of 6 months from the date of that approval. The spaces shall be retained thereafter for use in connection with the approved scheme for vehicle parking only.

Reason: To ensure that adequate off-street parking is provided and retained for the use of traffic generated by the development and to comply with policy 13 (d) of the Adopted Core Spatial Strategy (2008).

For clarification, the following have been included in the minutes:

INFORMATIVE/S

1. In accordance with the provisions in the Town and Country Planning (Development Management Procedure) (England) Order 2015 and pursuant to paragraphs 186 and 187 of the National Planning Policy Framework, where possible and feasible, either through discussions, negotiations or in the consideration and assessment of this application and the accompanying proposals, the council as the local planning authority endeavoured to work with the applicant/developer in a positive and proactive way to ensure that the approved development is consistent with the relevant provisions in the framework.
2. This permission relates to the use of the first floor only for A3 restaurant use between 10.30 hours and 23.00 hours Monday to Sunday. It does not relate to the ground floor element of the restaurant. The permission controlling the hours of use for the ground floor is under reference WP/2002/0527 which related to "Retention of planning permission WP/98/0279 without compliance with conditions 2 & 3. Proposed opening hours Monday to Saturday 10.30am to 8.30pm." This was granted planning permission on 8.11.2002 subject to the following condition: 'The premises shall only be open between 10:30 a.m. to 8:30 p.m. Monday to Saturday.' This condition remains extant which means that the ground floor could not operate beyond 8.30pm Monday to Saturday, and not on Sundays, without a further grant of planning permission.'

17. PLANNING APPLICATION WP/15/00702/FUL – 5 FARADAY COURT, WELLINGBOROUGH

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/15/00702/FUL, for a change of use from light industrial to D1 to house a swim training school to include offices, changing rooms, toilets, showers, meeting room, viewing gallery and enclosed insulated above ground swimming pool, approximately 12.5 x 5.5 metres(maximum) for private pre-booked swimming lessons at 5 Faraday Court, Wellingborough for Mrs L Gardner.

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 planning application for a change of use be approved, subject to the conditions set out in the report.

It was proposed by Councillor Scarborough and seconded by Councillor Aslam that the planning application for a change of use be approved.

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

RESOLVED that the planning application for a change of use be approved subject to the following conditions:

1. The development shall be begun not later than the expiration of three years beginning with the date of this permission.

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

2. The development shall be carried out in accord with the following plan numbers: 53-15-01 and 53-15-02 received on 10 November 2015.

Reason: To ensure that the development is carried out in accordance with the approved plans.

3. Notwithstanding the provisions of The Town and Country Planning (Use Classes) Order 1987 (as amended), or any Order revoking or re-enacting that Order, the use of the premises shall remain as class D1 Education and Training and shall not revert to any other use in that class, or any other class in the Order, without the express planning permission of the local planning authority.

Reason: To retain planning control over the site which is located on an allocated industrial estate in accord with policy 11b of the North Northamptonshire Core Spatial Strategy and policy 22c) of the emerging North Northamptonshire Joint Core Strategy.

18. APPLICATIONS OUTSIDE THE BOROUGH

1. WP/15/00715/EXT

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/15/00715/EXT, for a variation of conditions 19 (Lifetime Homes); 44iii (Access highway works) and 46i & 46ii (Offsite highways works) of KET/2013/0695 in respect of Lifetime homes and Highways Works at East Kettering Development, Parcels R23 and R26, Cranford Road, Kettering for Mrs Kirkham.

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

RESOLVED to note that no objection be raised.

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, (Minute 4), be noted.

20. PLANNING APPEAL DECISIONS

RESOLVED to note the following annexed circulated decision letters dated:

- (i) 29/10/2015, in respect of land rear of 1 – 27 Thorpe Road, off Station Road, Earls Barton, for an outline proposal for 39 dwellings and associated works, be allowed;
- (ii) 04/11/2015, in respect of land off The Sorrels, Isham, for the erection of 9 dwellings (including 5 affordable dwellings) and creation of vehicular access, be allowed;
- (iii) 25/11/2015, in respect of the erection of up to 3 dwellings on existing garden at 196 Hinwick Road, Wollaston, which was dismissed.

Chairman

The meeting closed at 8:45 pm.