

COUNCIL MEETING – 1 MARCH 2016

REPORT OF THE ADDITIONAL PLANNING COMMITTEE

22 December 2015

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

Miss J Thomas, Head of Planning and Local Development, Mrs E Buchanan, Assistant Principal Development Management Officer, Mr S Aley, Legal Adviser, Mrs C Haybyrne, Planning Administrator and Mrs C A Mundy, Democratic Services Officer.

(Councillors Carr and L Lawman attended as observers and Councillors Bailey, Emerson, Francis and Walia attended as speakers.)

1. APOLOGIES FOR ABSENCE

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

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, no declarations of interest were made.

3. PLANNING APPLICATION WP/15/00481/OUT – LAND OFF IRTHLINGBOROUGH ROAD WELLINGBOROUGH AND WITHIN THE PARISH OF FINEDON, WELLINGBOROUGH, NORTHAMPTONSHIRE

The annexed circulated report of the Head of Planning and Local Development was received, including late letters, on planning application WP/15/00481/OUT, for all matters reserved for the development of 550 dwellings (use class C3) in addition to 231 committed dwellings under planning permission WP/2004/0600/0, extension of committed primary school to three form entry, relocation of committed burial ground, plus formal and informal public open space including sports and children's play areas and associated infrastructure including highways, landscaping and sustainable urban drainage system at land off Irthlingborough Road, Wellingborough and within the parish of Finedon for Bovis Homes.

Members asked for clarification over whether matters referred to in each application of this meeting affected the other. Officers confirmed that the two applications were inter linked and members asked the chairman if standing orders needed to be suspended to enable discussions to take place on both applications. The chairman asked for legal advice on this from Mr Aley, the legal adviser who recommended that the two items could be discussed together but that an individual vote would need to take place on each application. Consideration was also given by the committee as to whether the councillors who had made a request to speak should do so before the applicants. The committee agreed that it would prefer the applicant to speak first as this was normal practice.

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

The report recommended that delegation be given to the Head of Planning and Local Development to approve the application, subject to the conditions, and following the completion of a section 106 planning agreement.

John Lougher, Regional Managing Director of Bovis Homes addressed the meeting and explained the role of Bovis Homes and what they were hoping to achieve at Stanton Cross, along with the reasons for the submission of the application for an increased number of dwellings, to ensure that the scheme was financially viable and deliverable. Mark Rose, Planning Consultant from Define Planning agent acting on behalf of Bovis Homes and Paul Boatman, Area Projects Director, Bovis Homes, also addressed the meeting and explained the proposal in more detail along with the changes to the masterplan and the infrastructure.

Members asked questions for the purpose of clarity, or passed comment, on the following:

- Timescales of first build;
- Compliance with the government's five year supply of dwellings;
- Why the additional dwellings would help with the financial viability of the scheme;
- The proposed reduction in the size of the employment site;
- The reduction in the size of the country park;
- The infrastructure delays and timescale for routes two and four;
- Highway improvements that were required to assist the free flow of traffic in an already congested area;
- The provision of a senior school and educational facilities;
- Why there was a need to expedite the planning applications.

A request to address the meeting had been received from Councillors Bailey, Emerson, Francis and Walia and the chairman thanked the speakers for their comments.

Councillor Bell proposed that a liaison group be established which would look at reserved matters and report back. This would be made up of non-planning members. Councillor Griffiths supported the proposal. Members also gave their support.

Members then discussed the planning application.

Many agreed that some valid points had been made by the speakers and shared and noted the concerns raised; a number also questioned whether they had sufficient information to make a decision and considered that a deferment would be a good option. Other members of the committee considered that the development needed to move forward as quickly as possible whilst wishing to ensure that adequate infrastructure was in place, along with high quality employment for future generations, sufficient school places and high quality build with plenty of green space.

The chairman invited members to determine the application.

It was proposed by Councillor Ekins and seconded by Councillor Aslam that the application be deferred for further information. The chairman put the amendment to the vote. There were five votes in favour and five votes against. The chairman used his casting vote and the amendment was declared lost.

He then put the proposed recommendation, which was seconded, to the vote. There were five votes in favour and four against, with one abstention and the chairman declared this carried.

RESOLVED that delegation be given to the Head of Planning and Local Development to approve, subject to conditions, and following the completion of a section 106 planning agreement.

4. PLANNING APPLICATION WP/15/00605/VAR – LAND BETWEEN FINEDON ROAD AND THE RAILWAY, NEILSON’S SIDINGS AND LAND NORTH OF FINEDON ROAD, (BOVIS) FINEDON ROAD, WELLINGBOROUGH, NORTHAMPTONSHIRE

The annexed circulated report of the Head of Planning and Local Development was received, including late letters, on planning application WP/15/00605/VAR, being a Section 73 application for the variation/removal of conditions 5 (reserved matters link to masterplan), 7 (development in accordance with stated plans), 8 (development in accordance with ES), 9 (max development parameters), 10 (phasing), 15 (highways works & phasing), 16 (travel plan phasing), 25, 26, 28, 31, 32 and 34 (ecology mitigation), 27 (compensation areas), 35 (structure landscape strategy), 38 (landscape mitigation), 42 and 44 (noise mitigation), 45 (kennels) and 49 (construction management plan) of planning permission ref: WP/2004/0600 – Mixed use development including 87ha of residential development; B1, B2 and B8 development, new public transport links (buses), new and enhanced walking and cycling routes and facilities, Country park, Neighbourhood Centre, two secondary local centres, construction of access roads, bridges and highway structures, footways, footpaths, bridleways and associated works and facilities at land between Finedon Road and The Railway, Neilson’s Sidings and land north of Finedon Road (Bovis) Finedon Road, Wellingborough, for Bovis Homes.

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

The report recommended that delegation be given to the Head of Planning and Local Development to approve the application, subject to conditions, and following the completion of a section 106 planning agreement.

The chairman invited members to determine the application.

It was proposed by Councillor Ekins and seconded by Councillor Lawman that the application be deferred for further information. The chairman put the amendment to the vote. There were five votes in favour and five votes against. The chairman used his casting vote and the amendment was declared lost.

He then put the proposed recommendation, which was seconded, to the vote. There were five votes in favour and five against. The chairman used his casting vote and declared this carried.

RESOLVED that delegation be given to the Head of Planning and Local Development to approve, subject to appropriate conditions, and following the completion of a section 106 planning agreement.

Chairman

The meeting closed at 9.50pm.

COUNCIL MEETING – 1 MARCH 2016

REPORT OF THE PLANNING COMMITTEE

13 January 2016

Present: Councillor Ward (vice-chairman, acting as chairman for this meeting) and Councillors Aslam, Ekins, Griffiths, Hallam, G Lawman, Lloyd and Scarborough.

Miss J Thomas, Head of Planning and Local Development, Ms M Simmons, Principal Planning and Building Control Manager, Mrs Carol Haybyrne, Technical Services Team Leader, 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, Maguire and Morrall.

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 Councillor declared an interest in the following items:

Councillor	Minute No	Item	Description of Interest
Lawman	8	WP/15/00755/CRA	Other – member of the Development Control Committee at Northamptonshire County Council - would withdraw from voting.

3. CONFIRMATION OF MINUTES – 16 DECEMBER 2015

RESOLVED that the minutes of the meeting held on 16 December 2015, be confirmed and signed, with an amendment to minute 16, correcting planning condition 2 of the closing time from 21:00 hours to 23:00 hours.

Councillor Lawman asked that his declaration of interest in relation to minute 13 be recorded, noting that he is a member of the council's Services Committee, which had recently approved a report on revising village boundaries.

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/15/00719/FUL – 9 CHURCH STREET, MEARS ASHBY

The Chairman announced that the planning application had been withdrawn.

RESOLVED to note that the planning application had been withdrawn.

6. PLANNING APPLICATION WP/15/00658/OUT – LAND ADJACENT 14 AVENUE ROAD, FINEDON

The annexed circulated report of the Head of Planning and Local Development was received, including late letters, on planning application WP/15/00658/OUT, for an outline application for a proposed single dwelling with revised access to serve number 4 Church Street and provision of public open space (all matters reserved except vehicular access) – tracking plans/additional information received 19 November 2015 on land adjacent 14 Avenue Road, Finedon for The Finedon Educational Trust.

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 refused for the reason set out in the report.

A request to address the meeting had been received from the agent. The agent was not present at the meeting.

The Chairman invited the committee to determine the application.

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

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

RESOLVED that the planning application be refused as the proposal would result in an unsatisfactory vehicular access arrangement in terms of pedestrian to vehicle visibility together with an adverse impact on the highway network, prejudicing highway safety thereby contrary to Policy 13 (d) and (n) of the adopted North Northamptonshire Core Spatial Strategy.

7. PLANNING APPLICATION WP/15/00685/FUL – B569 JUNCTION WITH PODINGTON ROAD AND IRCHESTER ROAD, WOLLASTON

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/15/00685/FUL, for the erection of an enclosed electrical 33Kv switchgear housing at B569 junction with Podington Road and Irchester Road, Wollaston for Mr A Yates.

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 Chairman invited the committee to determine the application.

Councillor Lawman had concerns about the sight line, access to the building, the closeness to the junction and the incongruous design in the countryside. Comments were made about the chosen location and the possibility of some screening. Councillor Ekins stated that projects such as this would be chosen for their siting due to the major cable routing and infrastructure needed to make a junction of cable routes.

It was proposed by Councillor Griffiths that the application be deferred for a site visit to be arranged. This was seconded by Councillor Scarborough.

On being put to the vote, the motion was carried by 7 votes for deferment and 1 against.

RESOLVED that the planning application be deferred for a site visit to be arranged.

(Councillor Lawman left the meeting during the following application having declared an other interest).

8. COUNTY COUNCIL APPLICATION

1. WP/15/00755/CRA

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/15/00755/CRA, for a variation of condition 5 of planning permission WP/05/767C to continue the importation of aggregates until 27 August 2027 at Earls Barton Quarry, Grendon Road, Earls Barton for Hanson Quarry Products Europe 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.

It was proposed by Councillor Griffiths and seconded by Councillor Ward that no objection be raised.

On being put to the vote, the motion was unanimously carried for approval that no objection be raised.

RESOLVED to note that no objection be raised.

(Councillor Lawman returned to the meeting).

9. APPLICATION OUTSIDE THE BOROUGH

1. WP/15/00416/EXT

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/15/00416/EXT, for a variation of conditions 1, 5, 6, 8, 14, 37, 38, 41, 42, 43, 44, 45, 46, 47 and 48 (as per section 2 of the submitted planning statement) pursuant to planning permission 14/01938/VAR (Variation of conditions 1, 5, 6, 8, 15, 38, 39, 42, 43, 44, 45, 46, and 47 (as per section 2 of the submitted planning statement) pursuant to planning permission 12/00010/FUL - 'Rushden Lakes: Hybrid Planning Application comprising: Full application for the erection of a home and garden centre, retail units, drive thru restaurant, gatehouse, lakeside visitor centre, restaurants and boat house, together with proposals for access. Outline: application for the erection of a hotel, crèche and leisure club with some matters reserved (appearance). Plus removal of ski slope and associated site levelling, landscaping, habitat management and improvement works, vehicular access and servicing proposals together with the provision of car and cycle parking and a bus stop' dated 20 December 2012 on land adjacent to Skew Bridget Ski Slope, Northampton Road, Rushden for LXB RP (Rushden) 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.

It was proposed by Councillor Griffiths and seconded by Councillor Scarborough to note that an application for a variation of planning permission had been granted by East Northamptonshire Council.

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

RESOLVED to note that an application for a variation of planning permission was granted by East Northamptonshire Council on 16 November 2015, subject to conditions.

10. 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.

Chairman

The meeting closed at 7.22pm.

COUNCIL MEETING – 1 MARCH 2016

REPORT OF THE LICENSING SUB-COMMITTEE

15 January 2016

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

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

(The hearing commenced at 9.30am.)

1. APPOINTMENT OF CHAIRMAN

RESOLVED that Councillor K Harrington 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 hackney carriage driver's Licence.	E1 and E2

3. APPLICATION TO RENEW A HACKNEY CARRIAGE DRIVER'S LICENCE FOR MR A.

The chairman welcomed the applicant, Mr A, 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 renewal of a hackney carriage driver's licence.

The licensing manager presented her report explaining that relevant information had come before the authority which may affect the decision as to whether the applicant remained a fit and proper person to hold a hackney carriage driver's licence as prescribed by The Local Government (Miscellaneous Provisions) Act 1976.

In summary a number of complaints had been received about impolite and aggressive behaviour, dangerous driving including tailgating, speeding and

erratic behaviour along with details of poor driving causing damage to another vehicle. The licensing officers had written to the applicant about each complaint and had inspected his vehicle. The vehicle had a number of dents and marks on it. One of the complainants' vehicles was also inspected and found to have yellow paint on it.

The licensing authority's key objective was to ensure public safety. The council's operational policy states that hackney carriage licence holders should have the highest calibre of driving standards and ability. They are also expected to behave in a civil, polite and orderly manner at all times.

The committee therefore needed to decide if the applicant remained a fit and proper person to hold a hackney carriage driver's licence.

The chairman thanked the licensing manager for her report and asked the applicant if he wished to respond to the complaints received about his driving ability and general manner.

The applicant addressed the sub-committee and claimed that he remembered very little about the majority of incidents referred to. He did, however, recall the incident in November where he was accused of damaging another vehicle. He explained that his car had vehicle sensors and three mirrors which he used to reverse and then move round the vehicle in front which was holding up the traffic. He said that he had definitely not hit another vehicle. The damage to his vehicle, referred to by the licensing officers had been caused getting in and out of his garage and following an item dropping on the front of his vehicle whilst it was parked in his garage. He also recalled the incident in Brickhill Road and said he had been driving behind a vehicle that kept braking and consider this to be dangerous driving and felt it was better to overtake him and get out of the way. He didn't consider that he had been speeding or driving erratically at all. He said he was unable to remember the other incidents as they had been insignificant.

Members questioned him on each of the incidents and the considerable damage to his vehicle and whether he could have hit the complaint's car. They also asked if he became agitated with the way in which other people drove their vehicles.

The applicant reiterated that he couldn't fully remember any of the other incidents and said he categorically had not hit the other vehicle. He claimed his car had a computer that told you if you had hit another vehicle. He agreed that he often got frustrated with other peoples driving , and considered that in relation to the November incident the driver who was holding up the traffic should have been charged by the police with not driving properly.

The chairman adjourned the meeting at 10.25am.

The chairman reconvened the meeting at 10.50am.

The chairman asked the applicant if he considered that the hearing had been fair.

The applicant felt it had been but that more questions could have been asked by the sub-committee.

The chairman asked Mr Hollands, the legal adviser, to read out the decision of the sub-committee.

Decision:

The licence renewal be refused. If the applicant, however, passes the DSA test referred to at paragraphs 3.40 to 3.43 of the council's policy relating to licensing within three months of today's date officers shall have delegated authority to renew the licence.

Reasons for decision:

1. The committee heard from the applicant and took into account all of the material in the report;
2. The committee noted that there had been five complaints about the driving of the applicant's vehicle on 11 March 2014, 12 and 15 March 2015, 15 April 2015 and 27 November 2015;
3. The applicant was only able to comment on the incidents on 15 April 2015 and 27 November 2015. He only had limited recall of the details of 15 April incident and maintained that his driving on 27 November was satisfactory and no collision took place;
4. The committee concluded, however, on the balance of probability, that there was sufficient reason to say that the applicant's standard of driving did not reach the required standard. Accordingly at the present time the licence is refused.
5. If the applicant, however, passed the DSA test within three months after such additional training as he felt necessary then officers had delegated authority to grant the licence.

Chairman

The chairman closed the meeting at 11am.

