

## COUNCIL MEETING – 19 APRIL 2016

### REPORT OF THE PLANNING COMMITTEE

10 February 2016

Present: Councillors Morrall (Chairman), Ward (Vice-Chairman), Aslam, Bell, Ekins, 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, Mrs F Webber, Landscape Officer, Mr S Aley, Legal Adviser and Mrs F Hubbard, Democratic Services Officer.

(Councillor L Lawman attended the meeting as an observer and Councillor Carr as a speaker – Councillor Carr arrived at the meeting too late to speak on Planning Application WP/15/00705/OUT – Minute 14, due to a prior commitment but had arranged for a representative to speak on his behalf).

#### 1. APOLOGIES FOR ABSENCE

**RESOLVED** to note that no apologies were received but Councillor Bell gave apologies for an anticipated late arrival at the meeting.

#### 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
Hallam	9	WP/15/00572/OUT	Other – know people in that area
	12	WP/15/00664/FUL	Other – been involved with Parish decisions and live nearby
Lawman	16 (1,2)	WP/15/00779/CRA & WP/15/00791/CRA	Registerable – Member of the Development Control Committee at Northamptonshire County Council - would withdraw from voting
	17 (2)	WP/15/00790/EXT	
	18 (2)	WP/15/00755/CRA	
Scarborough	9	WP/15/00572/OUT	Other – one of the objectors is known to me, though not a close acquaintance

14 WP/15/00705/OUT Other – one of the objectors is known to me, though not a close acquaintance

16(1) WP/15/00779/CRA Chairman of Governors of Rowangate Primary School

**3. CONFIRMATION OF MINUTES – 22 DECEMBER 2015 AND 13 JANUARY 2016**

**RESOLVED** that the minutes of the meetings held on 22 December 2015 and 13 January 2016, 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/15/00126/FUL – 1 FINEDON HALL, MACKWORTH DRIVE, FINEDON**

The Chairman announced that the planning application had been withdrawn.

**RESOLVED** to note that the planning application had been withdrawn from this meeting.

**6. PLANNING APPLICATION WP/15/00646/FUL – FOX COVERT, OVERSTONE ROAD, SYWELL**

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/15/00646/FUL, for the erection of a single dwelling, vehicular access and private access road at Fox Covert, Overstone Road, Sywell for Mr C Clayson.

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 reasons set out in the report.

The Site Viewing Group visited the site on 09/02/2016 and a record of the visit was set out in the circulated notes.

Requests to address the meeting had been received from the Chairman of Sywell Parish Council, the applicant, the agent and Councillor Bone. Unfortunately Councillor Bone was not able to be present at the meeting.

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.

(Councillor Bell arrived at the meeting).

A lengthy discussion took place as to whether paragraph 55 applied to the proposal and a comment was made that it was of similar design to an application that had been approved in Daventry. A plan of the house referred to in Daventry was shared with members but they considered the house not to be similar. Many factors were taken into account, such as the level of engagement with local people who seemed content with the proposal and Sywell Parish Council who supported the application. It was considered the proposal was a splendid example of design and was exceptional and outstanding. It looked attractive and would enhance the Borough. The woodland that surrounded the proposal would be better maintained. Some members felt it was a paragraph 55 house and was innovative and outstanding.

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

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

**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: 21503/01C, 21503/04, 21503/06, 21503/07, 2296/1B, 2296/2B, 2296/3B, 2296/4B, 2296/5B, 2296/6B, 2296/7, 2296/8, 2296/9, 2296/10, IYLD 21503-SK03, revised site location plan.

Reason: To ensure that the development is carried out in accordance with the 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 development commences full details of all the intended exterior windows and doors 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.

5. Before development commences representative samples of the intended materials to be used for the hard landscaping, access and vehicle parking areas 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.

6. Before development commences a landscaping scheme shall be submitted to the local planning authority for approval in writing. The approved scheme shall be substantially completed prior to the occupation of the development. Any plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased or are dying shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation.

Reason: To enhance the development in the interests of visual amenity and biodiversity in accordance policies 13h) and 13o) of the North Northamptonshire Core Spatial Strategy.

7. Before development commences a tree protection scheme in accordance with BS5837 for the trees on the site which are subject to a tree preservation order shall be submitted to the local planning authority for approval in writing. The tree protection scheme shall be implemented before development commences and shall be retained until construction work on the site has ceased.

Reason: To enhance the development in the interests of visual amenity and biodiversity in accordance policies 13h) and 13o) of the North Northamptonshire Core Spatial Strategy.

8. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), the hereby approved dwelling shall not be extended without the express planning permission of the local planning authority.

Reason: To prevent any inappropriate alteration to the special appearance of the dwellinghouse in accord with policy 13h) of the North Northamptonshire Core Spatial Strategy.

9. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no buildings shall be erected within the curtilage the hereby approved dwelling without the express planning permission of the local planning authority.

Reason: To prevent any inappropriate alteration to the special appearance and setting of the dwellinghouse in accord with policy 13h) of the 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, including late letters, 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 application had been deferred at the planning committee meeting held on 13/01/2016 for a site viewing visit to be arranged.

The Site Viewing Group visited the site on 09/02/2016 and a record of the visit was set out in the circulated notes.

The Chairman then invited the committee to determine the application.

Following the site viewing visit, the site viewing group stated they had no objections to having the switching station built on the opposite corner of the junction as the proposal could then be sunk into the bund and would be less noticeable. They had serious concerns about using the corner suggested as it is an open site and would be an eyesore. Highway concerns were discussed for this corner due to previous accidents in the ditch and 2 fatal accidents and also taking into account the significant amount of traffic that uses this road.

It was proposed by Councillor Griffiths and seconded by Councillor Maguire that the planning application be refused. Councillor Ekins supported the application for approval.

On being put to the vote, the motion was carried with 10 votes for refusal and 1 vote against.

**RESOLVED** that the planning application be refused as the proposal represents an unacceptable development by reason of its size and siting in a prominent location in open countryside on land adjoining a highway junction where it would be a visually intrusive and incongruous feature in the surrounding area, thereby contrary to the aims of the development plan contained in Policy 13 (h) and (o) of the North Northamptonshire Core Spatial strategy, Policy 3 (Landscape character) of the North Northamptonshire Joint Core Strategy 2011 -2031 and parts (2) and (3) of 'saved' Policy G6 of the Wellingborough Local Plan as well as the relevant national planning guidance contained in the National Planning Policy Framework.

**8. PLANNING APPLICATION WP/14/00794/OUT – LAND AT REAR AND ADJACENT OF 75 YORK COTTAGE, 75 EASTON LANE, BOZEAT**

The annexed circulated report of the Head of Planning and Local Development was received, including late letters, on planning application WP/14/00794/FUL, for an outline planning application for a development of up to 75 dwellings with associated access and all other matters reserved on land at rear and adjacent to 75 York Cottage, 75 Easton Lane, Bozeat for Gladman Developments.

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 reason the planning application has been brought before the planning committee is because the applicant has submitted an appeal for non-determination of a 'twin-tracker' application. As part of the appeal process the Council is required to inform the Planning Inspectorate of the decision it would have taken on the application if it had proceeded to a determination. In addition, objections had been received from Bozeat and Grendon Parish Councils and a number of residents. The Head of Planning and Local Development confirmed that the Council would have refused the planning application for the reasons set out in the report.

The legal adviser informed the members that a Section 288 appeal for the same development had recently been heard by the High Court in order to quash the Secretary of State's decision. However, Gladman Developments lost on all grounds of their S288 appeal.

Requests to address the meeting had been received from an objector and a local resident. In light of the comment made by the legal adviser, the speakers were asked if they still wished to speak, to which they confirmed they did. 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 resolve what their determination of the application would have been had they been given the opportunity to determine the application.

It was proposed by Councillor Morrall and seconded by Councillor Scarborough that the resolution of the planning committee would have been that the planning application be refused.

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

**RESOLVED** that the Council would have refused the planning application as the proposed development represents an unacceptable development in the open countryside. The sustainable pattern of development required by the development plan outweighs the benefits that would be associated with an increase in the borough's housing supply. The proposal therefore does not conform with policies: 1 (strengthening the network of settlements) and 9 (distribution and location of development) of the North Northamptonshire Core Spatial Strategy and saved policy H4 (restraint villages and the open countryside) of the Borough of Wellingborough Local Plan and is also

inconsistent with the provisions of the National Planning Policy Framework.

In addition, the proposal would also not now conform with emerging policies: 1, 11(2) a) and b) and 29 of the North Northamptonshire Joint Core Strategy.

**9. PLANNING APPLICATION WP/15/00572/OUT – LAND OPPOSITE MILLGLADE, MILL LANE, ISHAM**

The annexed circulated report of the Head of Planning and Local Development was received, including late letters, on planning application WP/15/00572/OUT, for an outline application with all matters reserved except access for residential development of up to 46 dwellings – re-submission. Additional information and plans. Additional Highway information on land opposite Millglade, Mill Lane, Isham for Bowbridge Land Limited and Orbit Homes 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 the planning application be refused for the reasons set out in the report.

Requests to address the meeting had been received from 8 objectors. One of the objectors did not speak at the meeting. Another objector (Mr N Ozier) was unable to attend the meeting but a representative spoke on his behalf. The Chairman allowed the speakers to address the meeting and the committee was given the opportunity to ask questions of clarification.

Objectors had serious concerns about the impact on environmental and ecological issues, the detrimental effect on highway safety, access, highway capacity and parking issues in the area with the increase in traffic which the village already experienced, the adverse significant affect the development would bring in this conservation area and the access through the historic part of the village. They considered the development would have a huge impact on the area and was not sustainable, the need to protect open countryside and the development would create major highway growth due to inadequate roads and insufficient services to support this scale of growth.

The Chairman then invited the committee to determine the application.

Councillor Hallam asked that an additional refusal reason be added for the severe impact that the application would bring to the conservation area.

It was proposed by Councillor Bell and seconded by Councillor Hallam that the planning application be refused and that an additional refusal reason be added relating to the affect on the conservation area.

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

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

1. The proposed development represents an unacceptable development in the open countryside. The sustainable pattern of development required by the development plan is considered to outweigh the benefits that would be associated with an increase in the borough's housing supply. The proposal therefore does not conform with policies: 1 (strengthening the network of settlements) and 9 (distribution and location of development) of the North Northamptonshire Core Spatial Strategy and saved policy H4 (restraint villages and the open countryside) of the Borough of Wellingborough Local Plan. In addition, the proposal is considered not to conform with emerging policies: 1, 11 (2) (a) and (b) and 29 of the North Northamptonshire Joint Core Strategy.
2. The applicant has not satisfactorily demonstrated that the future residents of the development would be adequately protected from the harmful effects of noise which emanates from the nearby railway line. The proposal therefore does not conform with emerging policy 8 (e) (ii) of the North Northamptonshire Joint Core Strategy and is also inconsistent with the provisions of the National Planning Policy Framework.
3. The applicant has not satisfactorily demonstrated that the proposal would not cause significant harm to safety in the local highway network or comply with adopted highway standards. The proposal therefore does not conform with policy 13 (d) and 13 (n) of the North Northamptonshire Core Spatial Strategy and emerging policy 8 (a) (i) (ii) (iv) and 8 (b) (i) (ii) (v) of the North Northamptonshire Joint Core Strategy. The proposal is also inconsistent with the provisions of the National Planning Policy Framework.
4. The proposed development would have a harmful effect on the setting of the Isham conservation area contrary to policies 13 i) and 13 o) of the North Northamptonshire Core Spatial Strategy, and policy 2 a) 2 b) 2 c) and 2 d) of the North Northamptonshire Joint Core Strategy (JCS) - Proposed Main Modifications to the Submitted Plan (February 2016) which states that proposals should conserve and enhance the heritage significance and setting of heritage assets, complement their surrounding historic environment and demonstrate an appreciation and understanding of the impact of development on heritage assets.

**10. PLANNING APPLICATION WP/15/00635/FUL – THE TEN O’CLOCK, 42 MAIN STREET, LITTLE HARROWDEN**

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/15/00635/FUL, for a minor amendment to planning application WP/15/00207/FUL to include elevation change to Plot 2 and demolition and re-build of the former public house due to its poor structural condition at The Ten O’Clock, 42 Main Street, Little Harrowden 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 the planning application be approved subject to the conditions set out in the report.

Councillor Lawman commented that he felt his comment made about the application in the report had been misrepresented as he was only seeking clarification if existing materials would be used.

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 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 LH-191-C3 A, LH-191-CA A received 08 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 for plot 1 shall be submitted to and approved in writing by the local planning authority before the development is commenced.

Reason: To ensure that the replacement building maintains the visual quality of the area in accordance with policy 13 (h) of the North Northamptonshire Core Spatial Strategy.

4. The car parking spaces shown on the approved drawings shall be laid out and provided before the occupation of the dwellings and shall thereafter be kept free from obstruction and shall be retained for parking purposes for the occupiers of the development and their visitors.

Reason: 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 in accordance with Policy 13 (d) of the North Northamptonshire Core Spatial Strategy.

5. The means of access shall 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. To prevent loose material being carried onto the public highway the first 5m of the driveway shall be paved with a hard bound

surface. A positive means of drainage shall be installed to ensure that surface water from the driveway does not discharge onto the highway. The vehicular crossing shall be re-constructed as necessary and all highway surfaces 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. All land in advance of the vehicle to vehicle visibility splays shall be laid out and dedicated as highway maintainable at the public expense in the form of footway constructed in accordance with the specification of the Local Highway Authority and subject to a licence under the Highways Act 1980. Pedestrian to vehicle visibility of 2m x 2m above a height of 0.6m shall be provided and maintained in both directions at the point of vehicular access into the site.

Reason: In the interests of highway and pedestrian safety.

6. No development shall take place within the area indicated until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.

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

## **11. PLANNING APPLICATION WP/15/00661/FUL – 31 – 32 CHURCH STREET, WELLINGBOROUGH**

The annexed circulated report of the Head of Planning and Local Development was received, including late letters, on planning application WP/15/00661/FUL, for the demolition of unstable property at 31 – 32 Church Street, Wellingborough for the Borough Council of Wellingborough.

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 referred the members to the late letters and the statement from the Department of Communities and Local Government, stating that the Council no longer needed to refer to the Secretary of State for a decision for an unlisted building to be demolished in a conservation area, providing no objection from Historic England had been received. This applied to this application as no objections have been received by Historic England. It was also added that to safeguard public safety and surrounding properties, the building should be demolished, as a matter of urgency due to the need to maintain public safety. The application was recommended for approval subject to the condition contained in the report.

The Chairman then invited the committee to determine the application.

It was proposed by Councillor Griffiths and seconded by Councillor Bell 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 condition:

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.

(Councillor Hallam left the room for the following application having declared an other interest).

**12. PLANNING APPLICATION WP/15/00664/FUL – 86 ORLINGBURY ROAD, ISHAM**

The annexed circulated report of the Head of Planning and Local Development was received, including late letters, on planning application WP/15/00664/FUL, for a temporary use of former garden room as residential accommodation (for 12 months) – additional information and plans at 86 Orlingbury Road, Isham for Mr G Connolly.

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 a temporary planning permission be granted subject to the conditions set out in the report.

The Chairman then invited the committee to determine the application.

It was proposed by Councillor Morrall and seconded by Councillor Griffiths that a temporary planning permission be granted.

On being put to the vote, the motion was unanimously carried by 10 votes.

**RESOLVED** that a temporary planning permission be granted subject to the following conditions:

1. The use of the building for residential accommodation shall cease on or before 10 February 2017 and the building shall be restored to its former use as ancillary residential accommodation.

Reason: The use of the building for residential accommodation is of a temporary nature during the construction of the principal dwellinghouse on the site and its permanent retention would not comply with policies: 1, 9, and 10 of the North Northamptonshire Core Spatial Strategy, policy H4 of the Borough of Wellingborough Local Plan and emerging policies 1, 8, and 29 of the North Northamptonshire Joint Core Strategy.

2. The development shall be carried out in accord with the plans received on 20 October 2015 and 7 January 2016.

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

(Councillor Hallam returned to the room).

**13. PLANNING APPLICATION WP/15/00669/FUL – 17 AND 18 HIGH STREET, WELLINGBOROUGH**

The annexed circulated report of the Head of Planning and Local Development was received, including late letters, on planning application WP/15/00669/FUL, for the demolition of the existing redundant and derelict structures at 17 and 18 High Street, Wellingborough for the Borough Council of Wellingborough.

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 referred the members to the late letters and the statement from the Department of Communities and Local Government, stating that the Council no longer needed to refer to the Secretary of State for a decision for an unlisted building to be demolished in a conservation area, providing no objection from Historic England had been received. This applied to this application as no objections have been received by Historic England. The application was recommended for approval subject to the condition contained in the report.

The Chairman then invited the committee to determine the application.

It was proposed by Councillor Maguire and seconded by Councillor Griffiths 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 condition:

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.

**14. PLANNING APPLICATION WP/15/00705/OUT – LAND CORNER OF LONDON ROAD AND GIPSY LANE, LONDON ROAD, LITTLE IRCHESTER**

The annexed circulated report of the Head of Planning and Local Development was received, including late letters, on planning application WP/15/00705/OUT, for an outline application for residential development of up to 200 dwellings with access off London Road, public open space, landscaping and ancillary infrastructure. Additional information on land corner of London

Road and Gipsy Lane, London Road, Little Irchester for Bowbridge Land Limited and Mr A Lewis.

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 reasons set out in the report.

Requests to address the meeting had been received from an objector, 4 members of the Save Little Irchester Village Group and Councillor Carr. (Councillor Carr had given prior notice that he may be late for the meeting due to his attendance at a prior meeting but had arranged for a representative to speak on his behalf, if he was not present). Councillor Carr had not arrived at the meeting and the representative spoke on his behalf.

The objector, speaking as a local representative for the CTC Right to Ride, felt consideration should be given to the unlit bridleway from Daniels Road towards Irchester Country Park which was not surfaced and if this site was ever developed, the developer should pay for the upgrading of the bridleway for a safe route for pedestrians and cyclists.

The Save Little Irchester Group said the proposal would bring nothing to the community and would be unsustainable, would have a detrimental affect and impact on the village and the wildlife, it would ruin the countryside, bring increased sewage and drainage problems, traffic congestion, there are no facilities or services in the village, concerns for impact of highway and pedestrian safety and access concerns to the site with one entrance serving both entrance and exit.

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.

(Councillor Carr arrived at the meeting).

It was proposed by Councillor Maguire and seconded by Councillor Lloyd 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 for the following reasons:

1. The proposal represents unacceptable development in the open countryside. It does not satisfy the criteria for excepted development outside the village confines. It does not involve the re-use of buildings, is not required in order to meet local need, is not small scale and is not solely for affordable housing. It is therefore contrary to policies 1, 9 and 10 of the North Northamptonshire Core Spatial Strategy, saved policies G4, G6, H4 and H9 of the Wellingborough Local Plan and Policies 11 and 13 of the North Northamptonshire Joint Core Strategy.

2. The application has failed to provide sufficient information with respect to surface water and drainage matters. The Lead Local Flood Authority objects to the proposal without the necessary information as required within the Surface Water Guidance for Developers (April 2015) for outline applications. As such the proposal fails to accord with Policy 13q) of the North Northamptonshire Core Spatial Strategy, saved Policy G2 of the Wellingborough Local Plan and Policy 5 of the Joint Core Strategy.
3. The application has failed to provide sufficient information with respect to highway safety matters. The submitted Transport Statement does not include the necessary information required to assess the impacts of the proposed development and mitigation requirements. As such the development does not satisfactorily demonstrate that it would not have a detrimental impact upon highway safety and capacity. It is therefore contrary to Policy 13 n) of the North Northamptonshire Core Spatial Strategy.

(Councillor Carr left the meeting).

**15. PLANNING APPLICATION WP/15/00713/FUL – LAND FRONTING 14 TO 38 DAVY CLOSE, WELLINGBOROUGH**

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/15/00713/FUL, for the development of land on Sywell Road, to form 79 car parking spaces, with new landscaping and access from Sywell Road and access link through to 39 – 44 Davy Close, Wellingborough for Mr B Durkin.

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 conditions set out in the report.

Councillor Scarborough commented that he wanted it ensuring that the area would still be maintained with its landscaping of trees and shrubs. The landscape officer confirmed that some of the trees would be lost but replacements would be planted. The scheme for planting is conditioned and shall be submitted to and approved by the Council before the development is commenced. It was requested that in consideration of these details permeable materials such as grasscrete be considered.

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

Reason: In the interests of visual amenity.

3. Notwithstanding the approved details, prior to the commencement of development, a scheme for the provision of surface water drainage to include details of a permeable surface shall be submitted to and approved in writing by the local planning authority. The development shall not be carried out other than in accordance with the approved scheme.

Reason: To help prevent the risk of surface water flooding and prevent pollution of the water environment in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

4. Prior to completion of the car parking area hereby permitted details of bird and bat nesting boxes shall be submitted to and approved in writing by the local planning authority. Details shall include location, specification and design of the boxes. The boxes shall be installed on site in accordance with the approved details and shall be maintained as such thereafter.

Reason: In the interests of biodiversity and ecological enhancement in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

5. Prior to the commencement of development a reptile survey shall be carried out at the appropriate time of year and the results of the surveys and any required mitigation shall be submitted to and approved in writing by the local planning authority. The development shall not be carried out other than in accordance with the approved details.

Reason: In the interests of ecological enhancement and protection in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy and Section 11 of the NPPF.

6. The development hereby permitted shall not be carried out other than in accordance with the following plans:

Location Plan - 0147-AL (0) T001 received 10th November 2015

Existing Site Plan - 0147 -AL (0) T002 received 10th November 2015

Proposed Site Plan - 0147-AL (0) T003 received 10th November 2015

Reason: In the interest of securing an appropriate form of development in accordance with policy 13 of the North Northamptonshire Core Spatial Strategy.

(Councillor G Lawman left the room for the following applications having declared a registerable interest).

## **16. COUNTY COUNCIL APPLICATIONS**

### **1. WP/15/00779/CRA**

The annexed circulated report of the Head of Planning and Local Development was received, including late letters, on planning application WP/15/00779/CRA, for a variation of condition 1 of planning permission 14/00083/CCDFUL for the retention of a double mobile classroom until 31/12/2020 at Rowangate Primary School, Finedon Road, Wellingborough for Mr A Myers.

The report detailed the proposal, description of the site, the planning history, relevant planning policies, outcome of consultations and an assessment of the proposal. Since the publication of the report, Northamptonshire County Council had determined the application and the decision notice dated 22 January 2016, was attached to late letters for members' information.

It was proposed by the Chairman to the members that no objection be raised and the decision notice be noted.

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

**RESOLVED** to note that no objection be raised against the planning application and the decision notice in late letters dated 22 January 2016, be noted.

### **2. WP/15/00791/CRA**

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/15/00791/CRA, for a variation of conditions 2, 16, 17 and 43 of planning permission 10/00066/MINEXT to amend working scheme at Earls Barton Spinney Quarry, Grendon Road, Earls Barton for Breedon Aggregates England 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 the Chairman to the members that no objection be raised to the proposed amendments to the mineral extraction scheme.

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

**RESOLVED** to note that no objection be raised against the planning application to the proposed amendments to the mineral extraction scheme.

(Councillor G Lawman returned to the room).

## **17. APPLICATIONS OUTSIDE THE BOROUGH**

### **1. WP/15/00763/EXT**

The annexed circulated report of the Head of Planning and Local Development was received, for an outline application for the erection of up to 278,709sqm of Storage, Distribution buildings (B8) with ancillary B1(a) offices, creation of access onto A4303 and emergency services only access onto A5, formation of a Lorry Park, creation of SuDS facilities and other associated infrastructure and the demolition of Glebe Farmhouse (Means of access only to be considered) - additional details and amended plans on land adjacent Glebe Farm, Coventry Road, Lutterworth for Db Symmetry.

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 the Chairman to the members that no objection be raised.

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

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

(Councillor G Lawman left the room for the following application having declared a registerable interest).

### **2. WP/15/00790/EXT**

The annexed circulated report of the Head of Planning and Local Development was received, for a scoping request consultation for Great Billing Sand and Gravel Extraction and Restoration on land to the south of Lower Ecton Lane, Great Billing for Peter Brett Associates.

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 the Chairman to the members that no comments or objections be made to the scope of the EIA.

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

**RESOLVED** to note that no comments or objections be made to the scope of the EIA.

(Councillor G Lawman returned to the room).

### **3. WP/15/00792/EXT**

The annexed circulated report of the Head of Planning and Local Development was received, for a S.73 Application: Variation of Condition 18 of KET/2013/0695 in respect of Code levels for Sustainable Homes in relation to parcels R1 to R6; R15 to R18; R20 to R22; R24 to R25; R27 to R42; DC 1 to 3 and LC 1& 2 to remove the code level requirements at Hanwood Park Barton Road, Warkton Lane and Cranford Road (Land off) Barton Seagrave for Mr Wordie on behalf of Hanwood Park LLP.

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

It was proposed by the Chairman to the members that no objection be raised.

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

**RESOLVED** to note that no objection be raised.

### **4. WP/15/00804/EXT**

The annexed circulated report of the Head of Planning and Local Development was received, for an Outline Application: Demolition of existing football stadium and associated infrastructure and erection of new retail and leisure development including retail (A1), foodstore (A1), cinema (D2), hotel (C1), restaurants (A3/A5) and new community football facility along with access and parking (All matters reserved except access) (Re-submission of 14/02310/OUT) (see also 15/02199/OUT) at Nene Park, Station Road, Irthlingborough for Conalgen Estates.

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 that the Council raises strong objections to the application as it will have a detrimental affect on our town due to the close proximity of Skew Bridge and for the reasons set out in the report.

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

**RESOLVED** to note that the Council raises strong objections to the planning application for the following reasons:

- (i) The proposed development is on a scale that is inconsistent with the existing and emerging spatial role of Irthlingborough as a secondary focal point for development. In terms of retail, it is contrary to the existing and emerging role of Irthlingborough as a localised centre for convenience shopping. At 6,706m<sup>2</sup> of A1 class uses, the proposal would significantly exceed the amount of planned growth in the southern region for the period up to 2021;

(ii) Considering the settlement hierarchy and the scale of the proposed development, which should ideally be directed to larger urban centres, the catchment area for sequential testing must include Wellingborough and not restricted to Irthlingborough, Higham Ferrers and Rushden only. The sequential test must demonstrate flexibility in terms of scale and format;

(iii) The retail impact assessment in the planning statement is inadequate in terms of the NPPF and guidance because it fails to sufficiently assess the quantitative and qualitative impact of the proposed development on Wellingborough town centre. The applicant should carry an impact test clearly assessing, among other things, Wellingborough's state of the existing centre, the nature of the current patterns of trade and the proposal's trade draw from Wellingborough's town centre.

## **5. WP/15/00805/EXT**

The annexed circulated report of the Head of Planning and Local Development was received, for an Outline Application: Redevelopment to create car parking spaces in conjunction with the wider mixed use proposal on the surrounding site (all matters reserved except access) (see also 15/02198/OUT) at Five A Side Pitch, Diamond Way, Irthlingborough for Conalgen Enterprises SA.

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 that the Council raises strong objections to the application for the reasons set out in the report.

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

**RESOLVED** to note that the Council raises strong objections to the planning application for the following reasons:

(i) The proposed development is on a scale that is inconsistent with the existing and emerging spatial role of Irthlingborough as a secondary focal point for development. In terms of retail, it is contrary to the existing and emerging role of Irthlingborough as a localised centre for convenience shopping. At 6,706m<sup>2</sup> of A1 class uses, the proposal would significantly exceed the amount of planned growth in the southern region for the period up to 2021;

(ii) Considering the settlement hierarchy and the scale of the proposed development, which should ideally be directed to larger urban centres, the catchment area for sequential testing must include Wellingborough and not restricted to Irthlingborough, Higham Ferrers and Rushden only. The sequential test must demonstrate flexibility in terms of scale and format;

(iii) The retail impact assessment in the planning statement is inadequate in terms of the NPPF and guidance because it fails to sufficiently assess the quantitative and qualitative impact of the proposed development on Wellingborough town centre. The applicant should carry an impact test clearly assessing, among other things, Wellingborough's state of the existing centre,

the nature of the current patterns of trade and the proposal's trade draw from Wellingborough's town centre.

## **6. WP/15/00819/EXT**

The annexed circulated report of the Head of Planning and Local Development was received, for Rushden Lakes: Erection of a leisure building to include a cinema, restaurant and retail units and other leisure uses and erection of a cycle hire facility together with proposals for access, parking and servicing space, hard and soft landscaping and other associated works on land adjacent Skew Bridge Ski Slope, Northampton Road, Rushden for Quod.

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 against the planning application.

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

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

## **18. APPLICATIONS FOR INFORMATION**

### **1. WP/15/00552/EXT**

The annexed circulated report of the Head of Planning and Local Development was received, for the construction of solar development to generate renewable electricity, to include the installation of solar panels, underground cabling, inverter/transformer stations, DNO and client sub-station, spare parts container, landscaping and other associated works including connection to the electricity distribution network at Hyde Farm, Warrington Road, Olney for Mrs J Cook.

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 the planning permission was granted by Milton Keynes Council on 12/01/2016, subject to conditions.

(Councillor G Lawman left the room for the following application having declared a registerable interest).

### **2. WP/15/00755/CRA**

The annexed circulated report of the Head of Planning and Local Development was received, for a variation of condition 5 of planning permission WP/05/767C to continue the importation of aggregates until 27/08/2027 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.

**RESOLVED** to note that the planning application was approved by East Northamptonshire Council on 15/01/2016, subject to conditions.

(Councillor G Lawman returned to the room and Councillor Griffiths gave apologies and left the meeting).

**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. TREE PRESERVATION ORDER – 62 HIGH STREET, ECTON**

The annexed circulated report of the Head of Planning and Local Development was received, to consider the objections which had been made to the Borough Council of Wellingborough (62 High Street, Ecton) Tree Preservation Order (TPO).

A Tree Preservation Order was made on a holly tree at 62 High Street, Ecton on 17/09/2015. Notice had been served of the proposed removal of the tree within the Ecton Conservation Area and it was considered to be of visual amenity value. The future of the tree can only be secured if the Tree Presentation Order is confirmed within 6 months from the date on which is was made.

The site viewing group who had viewed the tree felt that the tree had not affected the wall as the wall was straight. They did not want to see the tree removed but the tree could be slightly reduced in size, by cutting it back a little, and wanted to confirm the Tree Preservation Order.

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

On being put to the vote, the motion was unanimously carried by 9 votes, for approval.

**RESOLVED** that the Tree Preservation Order (TPO) for a holly tree at 62 High Street, Ecton be confirmed.

Chairman

The meeting closed at 9:44 pm.



## COUNCIL MEETING – 19 APRIL 2016

### REPORT OF THE PLANNING COMMITTEE

9 March 2016

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

Miss J Thomas, Head of Planning and Local Development, Mrs E Buchanan, Assistant Principal Development Management Officer, Mr P Bateman, Senior Development Management Officer, Mr S Aley, Legal Adviser and Mrs F Hubbard, Democratic Services Officer.

#### 1. APOLOGIES FOR ABSENCE

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

#### 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
Ekins	14	WP/15/00810/FUL	Other – acquaintance of speaker
Griffiths	14	WP/15/00810/FUL	Other – know speaker's son
Hallam	10	WP/15/00674/FUL	Other – know people in the area
	11	WP/15/00769/FUL	Other – know people in the area
Lawman	5	WP/15/00494/FUL	Other – past customer of tenant
	11	WP/15/00769/FUL	Other – know local resident
	14	WP/15/00810/FUL	Other – objector known to me
	15	WP/16/00019/FUL	Other – past customer

	17 (2&3)	WP/15/00472/CRA & WP/15/00791/CRA	Registerable - County Councillor at Northamptonshire County Council
Ward	15	WP/16/00019/VAR	Other – known to all 4 speakers

### 3. CONFIRMATION OF MINUTES – 10 FEBRUARY 2016

**RESOLVED** that the minutes of the meeting held on 10 February 2016, 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/15/00494/FUL – 2 – 6 HUXLEY CLOSE, WELLINGBOROUGH

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/15/00494/FUL, for a warehouse and office extension. Increase existing warehouse and manufacturing area of current building. Office space as part of extension at ground and first floor levels. Part first floor office and part double height warehouse space. Warehouse extension to incorporate 8 dock levellers for the delivery and distribution of items from the building. Remodelling of external areas of the site to accommodate new parking arrangements including new parking area being on the east side of the site - amended plan. Revised flood risk and drainage assessment at 2 – 6 Huxley Close, Wellingborough for Mr P Brown.

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 conditions set out in the report.

The Site Viewing Group visited the site on 08/03/2016 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 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 Lawman 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 S51 of the Planning and Compulsory Purchase Act 2004.

2. The development shall be carried out in accord with the following plan numbers: 1099913.S01, 1099913.S02, 1099913.S03, 1099913.S04, 1099913.S05, 1099913.SK02, 1099913.SK03, 1099913.SK04, 1099913.SK05, 1099913.SK06, 1099913SK07, 1099913.SK08, 1099913.SK09 received on 3 August 2015 and 1099913.SK01 Rev A received on 20 January 2016.

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

3. Before development commences a landscaping scheme shall be submitted to the local planning authority for approval in writing. The approved scheme shall be carried out prior to the occupation of any part of the development and any plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased or are dying shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation.

Reason: To enhance the development in the interests of visual amenity and biodiversity in accordance Policies 13 (h) and 13 (o) of the North Northamptonshire Core Spatial Strategy.

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 of the area in accord with Policy 13 (h) of the North Northamptonshire Core Spatial Strategy.

5. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no boundary fence shall be erected on the extended part of the site hereby permitted without the express planning permission of the local planning authority.

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

**6. PLANNING APPLICATION WP/15/00717/FUL – 49 OVERSTONE ROAD, SYWELL**

The Head of Planning and Local Development informed members that amended plans for the application had been received and consultation of the amended plans would need to be carried out before the application could be determined. Councillor Scarborough asked if the extent of the amendment was material and the Head of Planning and Local Development confirmed that it was.

It was proposed by Councillor Morrall and seconded by Councillor Ward that the application be deferred to enable consultation of the plans to take place.

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

**RESOLVED** that the planning application be deferred for consultation to take place on the amended plans.

**7. PLANNING APPLICATION WP/15/00750/FUL – 61 OVERSTONE ROAD, SYWELL**

The annexed circulated report of the Head of Planning and Local Development was received, including late letters, on planning application WP/15/00750/FUL, for a two storey extension plus new double garage with cellar and internal alterations. Amended plans at 61 Overstone Road, Sywell for Mr and Mrs P Murphy.

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 conditions set out in the report.

The Site Viewing Group visited the site on 08/03/2016 and a record of the visit was set out in the circulated notes.

Requests to address the meeting had been received from 3 objectors, a representative from Sywell Parish Council and the applicant.

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.

The owner of 65 Overstone Road had concerns about the access to the proposal for construction vehicles with the narrow driveway, the gates proposed at the front of the dwelling would lose the turning point and the hours of construction work during weekends/Bank Holidays and evenings.

One of the objectors who lived at 63 Ecton Lane was concerned about the 1.8 metre fence proposed for the front of the dwelling which would enclose her property into the corner at the end of a long driveway and hoped consideration could be given for the height of the fence to be reduced.

Another objector who lived at 32a Ecton Lane had concerns about the height of the fence to the eastern side of the boundary and felt it was excessive and would be overbearing. She also had concerns of flooding as the garden sloped. It was proposed to build the fence on top of a block wall and she would prefer to see the height of the block wall reduced. The owner of 32a Ecton Lane stated that the ownership of the boundary was hers.

The representative from the Parish Council would prefer the fence to the rear of the proposal to be no more than 1.8 metres and felt the proposed fence to the front would detract from the value of the aspect of the open front garden.

The applicant informed the members that he had been broken into several times and he was only trying to make his property secure with the fencing/gates.

It was reported that after the site viewing group had left the site yesterday discussions did take place with the applicant and those present about the height of the fence to the eastern side at the rear.

Members felt that a compromised scheme and landscaping agreement regarding the rear fence to the eastern side and also the fence to the front of the dwelling could be achieved with officers and the applicant. Comments made by the objectors should be considered to achieve a scheme that would be acceptable to the neighbouring properties.

It was proposed by Councillor Hallam and seconded by Councillor Aslam that the planning application be approved. Councillor G Lawman also proposed that a condition be included with regard to construction that on Sundays there would be no working or deliveries. This was seconded by Councillor Scarborough.

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 S51 of the Planning and Compulsory Purchase Act 2004.

2. This consent is based on drawing nos. 583.05 Rev.B, 583.09 Rev.B received on the 1st February 2016 and drawing nos. 583.02 and the 1:1250 scale location plan received by the local planning authority on the 25th November 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: To ensure that the extension matches the external appearance of the existing building and thereby maintains the visual quality of the area in accordance with Policy 13 (h) of the North Northamptonshire Core Spatial Strategy.

4. The proposed rooflight windows in the south-west facing roof slopes shall be obscure glazed, using manufactured obscure glass (not an applied adhesive film) 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 are not adversely affected by loss of privacy in accordance with the aims of Policy 13 of the North Northamptonshire Core Spatial Strategy.

5. Notwithstanding any details specified in the application form and/or the drawings, full details of landscaping and the positions, design, materials and type of boundary treatments to be erected 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.

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

6. No construction deliveries (including loading and unloading) shall take place on Sundays.

Reason: To safeguard the amenities of the area and the occupiers of neighbouring properties to ensure compliance with policy 13 (l and n) of the Adopted Core Spatial Strategy 2008.

## **8. PLANNING APPLICATION WP/15/00785/OUT – LAND TO REAR OF 39 HIGH STREET, FINEDON**

The Head of Planning and Local Development asked members if they would agree to defer the application to enable the Council to contact the applicant so the site viewing group could gain access to the site before the application is determined.

It was proposed by Councillor Morrall and seconded by Councillor Ward to defer the application.

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

**RESOLVED** that the planning application be deferred to enable the Council to contact the applicant to enable the site viewing group to gain access onto the site.

**9. PLANNING APPLICATION WP/15/00818/FUL – POPLARS FARM, 80 SHEPHERDS HILL, WOLLASTON**

The annexed circulated report of the Head of Planning and Local Development was received, including late letters, on planning application WP/15/00818/FUL, for the upgrading of 277.8 metres in length of the existing Byway open to all traffic that is contiguous with Shepherds Hill, Wollaston and a new private drive approximately 339m that connects the byway to Poplars Farm, 80 Shepherds Hill, Wollaston for Mr M Varney.

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.

Requests to address the meeting had been received from 3 objectors, the Chairman of the Steering Group for the Wollaston Neighbourhood Plan and the agent. One of the objectors (Ms S Alms) was not present at the meeting.

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.

A lengthy discussion took place after concerns were expressed from the objectors concerning the increase in traffic movements, the effect it would bring to this part of Wollaston used by families, horse riders and local people and flooding risk to properties nearby. It was stated that the Neighbourhood Plan for Wollaston was close to completion and would hope for a Referendum soon after Easter, that Shepherds Hill was not suitable and that access movement should remain directly onto the A509 as it is.

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

On being put to the vote, the motion for approval was lost with 3 votes for approval, 6 votes against and 1 abstention.

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

1. The proposal, by way of introducing a significant urbanising highway feature into this rural location, would have a demonstrably harmful effect on the visual amenity and character and appearance of the open countryside contrary to policy 13 (h) of the North Northamptonshire Core Spatial Strategy and emerging policy 3 (a) and (b) of the North Northamptonshire Joint Core Strategy - Main Modification to the submitted plan.

2. The proposal would result in additional traffic using Shepherds Hill which is restricted in width and would not allow for the additional HGV movements to satisfactorily achieve passing maneuvers along its length. The inability for HGV's to pass each other is contrary to policy 13 (n) of the North Northamptonshire Core Spatial Strategy which requires proposal not to have an adverse impact on the Highway network and emerging policy 24 (f) of the North Northamptonshire Joint Core Strategy - Main Modification to the submitted plan, which requires proposal to provide sufficient infrastructure to mitigate for impacts on the highway.

**10. PLANNING APPLICATION WP/15/00674/FUL – LAND ADJACENT 16 SOUTH STREET, ISHAM**

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/15/00674/FUL, for the erection of chalet bungalow (outline planning permission reference WP/2013/0299 and WP/15/00381/FUL – refused) and temporary siting of mobile home for twelve months from June 2015 – re-submission on land adjacent 16 South Street, Isham for Mr D Collings.

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.

Councillor Scarborough referred the members and officers to the list of planning applications referred to at the back of the agenda, in particular planning application WP/15/00798/FUL, for a proposed extension to 16 South Street, Isham, that had been dealt with under the terms of officer delegated powers. He asked if we had a legitimate case to defer the application before the committee this evening as the implications of the extension approved at 16 South Street, Isham, which is an adjacent property, are unknown. This was confirmed and then proposed by Councillor Scarborough and seconded by Councillor Morrall to defer the application.

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

**RESOLVED** that the planning application be deferred to enable members to be briefed on what was approved by delegated powers at 16 South Street, Isham.

**11. PLANNING APPLICATION WP/15/00769/FUL – LAND OFF THE SORRELS, ISHAM**

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/15/00769/FUL, for the erection of 16 dwellings (including 5 affordable dwellings) and creation of vehicular access. Amended layout plan. Additional information. Further additional information on land off The Sorrels, Isham, for A P Lewis & Sons 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 the planning application be refused for the reasons set out in the report.

Requests to address the meeting had been received from 4 objectors and the applicant.

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.

The objectors strongly opposed the planning application stating that it does not reflect the housing needs survey, there are already serious highway safety concerns in this area and the application would impact greatly on the conservation area of Isham.

It was proposed by Councillor Scarborough and seconded by Councillor Bell that the planning application be refused.

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

**RESOLVED** that the planning application be refused as the proposed development represents an unacceptable development in the open countryside. The sustainable pattern of development required by the development plan outweighs the benefits that would be associated with an increase in the borough's housing supply. The proposal therefore does not conform with Policies: 1 (strengthening the network of settlements) and 9 (distribution and location of development) 10 (distribution of housing) of the North Northamptonshire Core Spatial Strategy and saved Policy H4 (restraint villages and the open countryside) H9 (affordable housing) of the Borough of Wellingborough Local Plan and is also inconsistent with the provisions of the National Planning Policy Framework.

In addition, the proposal does not conform with emerging Policies: 1 (presumption in favour of sustainable development) 11(2) a) and b) (the network of urban and rural villages) 13 (rural exceptions) 29 (distribution of new homes) and 30 (housing mix and tenure) of the North Northamptonshire Joint Core Strategy.

## **12. PLANNING APPLICATION WP/15/00782/VAR – 54 HIGH STREET, EARLS BARTON**

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/15/00782/VAR, for the retention of planning permission ref: WP/2006/0507/F with non-compliance with condition 2 to allow the pizza/kebab takeaway to trade from 4pm - 11pm on Sundays at 54 High Street, Earls Barton for Mr M Kalem.

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 reasons set out in the report.

It was proposed by Councillor Morrall and seconded by Councillor Scarborough 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 is as contrary to Policy 13 (l) North Northamptonshire Core Spatial Strategy because it would result in further detriment to the existing standard of amenity of nearby residential neighbours by way of unacceptable levels of noise and smell.

**13. PLANNING APPLICATION WP/15/00803/FUL – 420 KETTERING ROAD, ORLINGBURY**

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/15/00803/FUL, for the erection of single storey building to be used as pre-school nursery- replacing existing one. New vehicular access off Redhouse Road leading to car parking spaces with associated landscaping and outdoor play area at 420 Kettering Road, Orlingbury for Mr A Badiani.

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 Morrall and seconded by Councillor Bell 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 S51 of the Planning and Compulsory Purchase Act 2004.

2. 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 13 (h) of the North Northamptonshire Core Spatial Strategy.

3. Before development commences a landscaping scheme shall be submitted to the local planning authority for approval in writing. The approved scheme shall be carried out prior to the occupation of any part of the development and any plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased or are dying shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation.

Reason: To enhance the development in the interests of visual amenity and biodiversity in accordance Policies 13 (h) and 13 (o) of the North Northamptonshire Core Spatial Strategy.

4. Before the development is first occupied, the first 5m of private access driveways 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 13 (n) of the North Northamptonshire Core Spatial Strategy.

5. Before the development is first occupied measures to prevent surface water from draining onto the highway from the access shall be implemented and thereafter retained.

Reason: In the interests of highway safety and sustainable urban drainage in accord with Policies 13 (n) and (q) of the North Northamptonshire Core Spatial Strategy.

6. Within six months of the first use of the approved building as a nursery the existing nursery building shall be demolished and the ground surface of the site shall be laid to grass to the satisfaction of the local planning authority.

Reason: In the interests of preventing a proliferation of buildings in the open countryside in accord with Policy 1 of the North Northamptonshire Core Spatial Strategy and Policy G6 of the Borough of Wellingborough Local Plan.

#### **14. PLANNING APPLICATION WP/15/00810/FUL – 23 – 25 CEDAR WAY, WELLINGBOROUGH**

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/15/00810/FUL, for the proposed extension to nursery garden at the site of 25 Cedar Way to include replacement fencing (1828mm high) and access gate at 23 – 25 Cedar Way, Wellingborough for Mr M Wilsher.

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.

Requests to address the meeting had been received from an objector on behalf of 4 local residents.

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.

In light of the comments made by the objector relating to ownership of the land and the increase in traffic and parking in Cedar Way, it was proposed by Councillor Scarborough and seconded by Councillor Griffiths that the planning application be deferred for a site visit to be arranged.

On being put to the vote, the motion was carried by 7 votes for deferral for a site visit to be arranged.

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

**15. PLANNING APPLICATON WP/16/00019/VAR – 59 HIGH STREET, FINEDON**

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/16/00019/VAR, for a variation of condition 4 of planning permission dated 22/08/2002 reference WP/2002/0527/F to allow the ground floor A3 use to operate between 10.30 hours to 23.00 hours from Monday to Sunday - change of description 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 be approved subject to the conditions set out in the report.

Requests to address the meeting had been received from 3 objectors and the applicant. The applicant did not speak at the meeting 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.

Objectors expressed concerns about the noise levels and asked for a deferment for further negotiation of the opening hours.

The applicant's daughter advised that the boundary dispute relating to the car park spaces was still ongoing. Councillor G Lawman asked if the condition for the car parking spaces could be enforced by the Council. The Head of

Planning and Local Development advised that the condition may not be enforceable if the applicant did not own the land. The legal adviser stated that a variation to the condition would need to be sought if the applicant did not own the land but the members were not required at this meeting to determine a situation between land owners.

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

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

**RESOLVED** that the planning application 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 (as amended). 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 ground floor of the premises shall only be open between 10:30 hrs and 23:00 hours 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 (l) 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.

## **16. APPLICATIONS OUTSIDE THE BOROUGH**

### **1. WP/16/00038/EXT**

The annexed circulated report of the Head of Planning and Local Development was received, for a S.73 Application: Variation of Conditions 4, 18, 21, 22, 23 of KET/2014/0357 in respect of Code levels for Sustainable Homes in relation to parcels R8, R11, R12, R13 and R14 at Hanwood Park, Barton Road, Warkton Lane and Cranford Road (land off), Kettering for Hallam Land Management.

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

It was proposed by the Chairman to the members that no objection be raised.

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

**RESOLVED** to note that in the circumstances and having regard to the ministerial statement and the latest sustainability requirements within Policy 9 of the JCS it is considered that the Council offers no objection as a consultee to the proposed application.

## **17. APPLICATIONS FOR INFORMATION**

### **1. WP/14/00669/EXT**

The annexed circulated report of the Head of Planning and Local Development was received, for a food store (use class A1) and petrol filling station, recycling facilities and associated parking, servicing, drainage, landscaping, access and highway works on land at corner of Lavendon Road and Warrington Road, Olney for Sainsbury's Supermarkets 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 the planning permission was refused by Milton Keynes Council on 15/02/2016.

(Councillor G Lawman left the room for the following applications having declared a registerable interest).

### **2. WP/15/00472/CRA**

The annexed circulated report of the Head of Planning and Local Development, was received, for the erection of two industrial buildings, open storage bins/bays and an ancillary building and WCs, for processing of waste wood at 3 – 4 Bevan Close, Wellingborough for Mr D McEwan for Larner Timber Recycling 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 the planning application was approved by Northamptonshire County Council on 18/01/2016, subject to conditions.

### **3. WP/15/00791/CRA**

The annexed circulated report of the Head of Planning and Local Development, was received, for a variation of conditions 2, 16, 17 and 43 of planning permission 10/00066/MINEXT to amend working scheme at Earls Barton Spinney Quarry, Grendon Road, Earls Barton for Breedon Aggregates England 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 the planning application was approved by Northamptonshire County Council on 24/02/2016, subject to conditions.

(Councillor G Lawman returned to the room).

### **18. 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.

### **19. PLANNING APPEAL DECISION**

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

- (i) 17/02/2016, in respect of 12 The Green, Orlingbury in respect of a proposal to reconfigure a front hip roof to form a gable, addition of roof windows, rear first floor extension over ground floor flat and ground floor extension at 12 The Green, Orlingbury, be allowed.

Chairman

The meeting closed at 9:35 pm.



## COUNCIL MEETING – 19 APRIL 2016

### REPORT OF THE STANDARDS ASSESSMENT SUB-COMMITTEE

25 February 2016

**Present:** Councillor Maguire, chairman and Councillors Graves and Stevenson.

**Officers present:** Miss S Lyons, Monitoring Officer, Mrs C A Mundy, Democratic Services Officer, Mr D Smith, Independent Person Standards.

(Miss K Denton, Principal Corporate Support Manager, as an observer.)

#### 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, the following interest was declared:

Graves	Planning Committee 11 February 2015	Other - attended the planning meeting as an observer would withdraw when discussed.
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#### 3. EXCLUSION OF THE PUBLIC

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 the following item as 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. APPOINTMENT OF CHAIRMAN

**RESOLVED** that Councillor Maguire be appointed as chairman for this Standards Assessment Sub-Committee meeting.

#### 5. CONSIDERATION OF THE MONITORING OFFICER'S ASSESSMENT REPORT IN RESPECT OF A COMPLAINT AGAINST A COUNCILLOR

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 no further action was required.

**RESOLVED** that no further action be taken on the allegation.

Chairman

The meeting closed at 1.50pm.

## COUNCIL MEETING – 19 APRIL 2016

### REPORT OF THE LICENSING SUB-COMMITTEE

29 March 2016

Present: Councillors Simmons (Chairman), Emerson and M Waters.

Also present: Mr G Hollands, Solicitor District Law, Mrs A Wilcox, Principal Environmental Health Manager/Licensing Manager and Miss K Denton, Principal Corporate Support Manager.

(The hearing commenced at 2pm.)

#### 1. APPOINTMENT OF CHAIRMAN

**RESOLVED** that Councillor Simmons 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.

<b>Min. no.</b>	<b>Item</b>	<b>Paragraph of Schedule 12A</b>
3	Application for private hire driver's licence – Mr A	E1 and E2

#### 3. APPLICATION FOR A PRIVATE HIRE DRIVERS 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 a private hire 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 was a fit and proper person to hold a private hire driver's licence as prescribed by The Local Government (Miscellaneous Provisions) Act 1976.

In summary the application process for the licence included the requirement for an enhanced disclosure from the Disclosure and Barring Service. This had revealed that Mr A had two convictions dating back to March 2008 that had occurred whilst he was living in London. One was relating to the use of a

vehicle whilst uninsured and one was for soliciting persons for hire car services whilst not holding a Hackney Carriage driving licence.

The licensing authority's key objective was to ensure public safety. The council's operational policy states that convictions for offences under the legislation will always be relevant and all applications will be determined by the Licensing Sub-Committee.

The committee therefore needed to decide if the applicant was considered a fit and proper person to hold a private hire driver's licence.

The chairman thanked the licensing manager for her report.

Members probed Mr A about the use of a vehicle whilst he was uninsured. Mr A explained that his vehicle was insured at the time of the incident but that he had picked up a passenger at the roadside who hadn't made a booking, which wasn't permitted. As a result this invalidated his insurance. Mr A advised that it was at a time when one of his children had been diagnosed with a serious condition and he was feeling desperate.

The chairman asked Mr A if he wished to say anything else before the sub-committee adjourned to consider his application. Mr A advised that he didn't wish to apply for benefits and pleaded for the sub-committee to approve his application.

The chairman adjourned the meeting at 2.25pm.

The chairman reconvened the meeting at 2.30pm.

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

**Decision:**

That the application for a private hire driver's licence be granted.

**Reasons for decision:**

1. The committee noted the report and heard from the applicant.
2. The committee noted that the offences referred to in the report happened over 8 years ago. It also noted that Kettering Borough Council had granted a similar licence to the applicant.
3. In the circumstances, there was a reason to conclude that the applicant – Mr A – was a fit and proper person to hold a private hire licence in Wellingborough. Accordingly the licence is granted.

Chairman

The chairman closed the meeting at 2.35pm.