

COUNCIL MEETING – 11 JULY 2017

REPORT OF THE PLANNING COMMITTEE

5 April 2017

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

Miss J Thomas, (Head of Planning and Local Development), Ms M Simmons, (Principal Planning and Building Control Manager), Mrs E Buchanan, (Assistant Principal Development Management Officer), Mr J Udall (Design and Conservation Officer), Mrs F Webber (Landscape Officer), Mr S Aley, (Legal Adviser) and Mrs F Hubbard, (Democratic Services Officer).

(Councillors Carr and L Lawman attended the meeting as observers - Councillor L Lawman arrived at the meeting during item 8).

1. APOLOGIES FOR ABSENCE

RESOLVED to note that no apologies were received.

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
Bell	11	Urgent Action	Other – my daughter lives near to Oxford House
Lawman	8	WP/16/00778/FUL	Other – I am a Board Member of the Victoria Centre and so is the applicant. I also got married at the church

3. CONFIRMATION OF MINUTES – 8 MARCH 2017

RESOLVED that the minutes of the meeting held on 8 March 2017, be confirmed and signed.

4. TREE PRESERVATION ORDER – 9 ORCHARD ROAD, FINEDON

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 (9 Orchard Road, Finedon) Tree Preservation Order (TPO) and whether or not the TPO should be confirmed.

9 Orchard Road is within the conservation area. Notice was served of the proposed removal of two trees on 09/11/2016. The maple was considered to be of sufficient visual amenity value to justify making a TPO. The objections of the owners have not been resolved. Notice was given of the proposed removal of the maple tree from within Finedon conservation area in November 2016 because the owners wanted more light in the garden and considered that the tree had outgrown its position. A TPO was made before the six week period expired because it was considered its removal would constitute a loss of visual amenity in a part of the road where there are few trees.

On 26/12/2016, a letter was received from the owner objecting to the TPO. In the ensuing conversation the landscape officer did not succeed in persuading the owner to withdraw the objections.

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

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

RESOLVED that the Tree Preservation Order (TPO) for one maple tree at 9 Orchard Road, Finedon, should be confirmed.

5. REPORT OF THE HEAD OF PLANNING AND LOCAL DEVELOPMENT

RESOLVED that the annexed circulated report of the Head of Planning and Local Development, be received on the applications for planning permission, listed building consent, building regulation approvals and appeals information.

6. PLANNING APPLICATION WP/16/00646/FUL – 36C ORCHARD ROAD (LAND TO REAR OF 39 HIGH STREET) FINEDON

The annexed circulated report of the Head of Planning and Local Development was received, including late letters, on planning application WP/16/00646/FUL, for the residential development of 4 no. dwellings consisting of 2 no. four bedroom three storey and 2 no. three-bedroomed single storey dwellings. Amended Plans at 36C Orchard Road (land to rear of 39 High Street), Finedon for Mr D Hartwell.

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

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

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

The chairman allowed the speaker to address the meeting and the committee was given the opportunity to ask questions of clarification.

The agent stated that it was a low density development. The size of the site had actually increased, reducing the amount of garden for number 39. In addition, the size of one bungalow had been increased in order to comply with

the national minimum space standards. The ground levels had been taken into account and there was limited overlooking. Parking is provided for the residents and visitors and at no time was there any provision made for parking for number 39, nor does he have rights over the land, as it would be a convoluted access. The agent considers it to be a quality development.

The chairman then invited the committee to determine the application.

A low boundary wall was being proposed but the Ward Councillor would like to see the boundary wall remain at the height it currently stands. Whilst it had been acknowledged that the wall would re-use as much of the stone as possible, it should reflect the existing character in its new position. He also commented that he didn't agree with the agent's comments regarding ample on street parking in the High Street.

A few members commented that the scheme was better than before but still felt it was overdevelopment on some plots. However, given that planning permission had previously been granted for four houses this did make it difficult to refuse.

It was proposed by Councillor Griffiths and seconded by Councillor Ward that the planning application be approved on the proviso that the boundary wall be no lower than it currently stands. This would require a slight amendment to condition 4.

On being put to the vote, the motion for approval was carried by 10 votes for the application and 1 against.

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

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

Reason: Required to be imposed pursuant to S51 of the Planning and Compulsory Purchase Act 2004.

2. The development shall be carried out in accord with the following plan numbers: 16-106-01 B, 16-106-02 A, 16-106-03 A, 16-106-04 A.

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

3. Before construction of the hereby approved dwellings 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 8 of the North Northamptonshire Joint Core Strategy.

4. Before construction commences detailed plans of the intended boundary treatment shall be submitted to the local planning authority for approval in writing. The front boundary shall re-use as much of the existing front boundary stone wall as possible, and shall be constructed to the same height as the existing wall. The development shall be carried out in accordance with the approved details and shall be completed before the development is first occupied.

Reason: In the interests of protecting the appearance of the Finedon Conservation Area, security and residential amenity in accord with policy 8 of the North Northamptonshire Joint Core Strategy.

5. Before construction of the dwellings 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 policy 8 of the North Northamptonshire Joint Core Strategy.

6. Before construction of the buildings commences, the developer shall submit:

1. A preliminary risk assessment.

Should the preliminary risk assessment identify the need for further investigation;

2. A site investigation scheme to provide a detailed assessment of the risk to all receptors, including off site receptors.

3. A remediation proposals based on the results of the site investigation and risk assessment in 2. above giving full details of remediation required. The preliminary risk assessment, site investigation and remediation proposals shall be agreed with the local planning authority. On completion of the remediation but before the site is first occupied the developer shall;

4. Provide a verification report to demonstrate the completion of the works set out in the agreed remediation proposals in 3. above.

Reference shall be had to Environment Agency Guide CLR11 Model procedures for the management of land contamination available at <https://www.gov.uk/government/publications/managing-land-contamination>.

Reason: In order to protect future occupiers of the development and ground or surface and waters in accord with policy 6 of the North Northamptonshire Joint Core Strategy.

7. Before construction of the dwellings commences, details of the intended method of construction around the tree on the site which is subject to a Tree Preservation Order shall be submitted to the local planning authority for approval in writing. The development shall thereafter be carried out in accordance with the approved details and a verification statement from a suitably qualified person shall be submitted to the local planning authority to confirm that the works have been completed in accordance with the approved details before the development is first occupied.

Reason: In the interests of protecting a tree on the site which is the subject of a Tree Preservation Order in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

8. Before construction of the dwellings commences, details of the intended BS5837 compliant root protection scheme around the tree on the site which is subject to a Tree Preservation Order shall be submitted to the local planning authority for approval in writing. The development shall thereafter be carried out in accordance with the approved details and the protection scheme shall remain in place until all construction works on the site have ceased.

Reason: In the interests of protecting a tree on the site which is the subject of a Tree Preservation Order in accordance with policy 8 of the North Northamptonshire Joint Core 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), the hereby approved dwellings shall not be extended without the express planning permission of the local planning authority.

Reason: To prevent overdevelopment of the site and to protect the amenities of adjacent residential occupiers and the future occupiers of the development in accord with policy 8 of the North Northamptonshire Joint Core Strategy.

10. 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 outbuildings shall not be erected within the curtilages of the hereby approved dwellings without the express planning permission of the local planning authority.

Reason: To prevent overdevelopment of the site and to protect the amenities of adjacent residential occupiers and the future occupiers of the development in accord with policy 8 of the North Northamptonshire Joint Core Strategy.

7. PLANNING APPLICATION WP/16/00677/FUL – 24 AND 32 GOLD STREET, WELLINGBOROUGH

The annexed circulated report of the Head of Planning and Local Development was received, including late letters, on planning application WP/16/00677/FUL, for the demolition of an existing house and the construction of a new 7 unit apartment building – amended plans – further amended plans at 24 and 32 Gold Street, Wellingborough for Mr Barker and Smart.

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

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

The chairman announced that the applicant had requested that the planning application be deferred for a parking survey to be carried out and proposed to the committee that the planning application be deferred. This was then seconded by Councillor Morrall. It was then proposed by Councillor Griffiths that the planning application be site viewed. This was seconded by Councillor Scarborough. The motion for the deferral and site viewing then became the substantive motion.

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

RESOLVED that the planning application be deferred for a parking survey to be carried out and a site visit to be arranged.

8. PLANNING APPLICATION WP/16/00778/FUL – UNITED REFORMED CHURCH, HIGH STREET, WELLINGBOROUGH

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP16/00778/FUL, for slight alterations to the existing paths and steps to the site frontage to improve access. Infilling of aperture of inner porch with glazing sliding doors at the United Reformed Church, High Street, Wellingborough for Reverend Martha McInnes.

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 two supporters, the applicant and the agent.

The chairman allowed the speakers to address the meeting and the committee was given the opportunity to ask questions of clarification.

The speakers stated that the changes would enhance and make the unique building fit for this generation and future generations making the building more viable, user friendly and accessible to all.

The chairman then invited the committee to determine the application.

Members welcomed the new ramp access making it more welcoming and accessible for wheelchair users. Another member commented that it would be viable and user friendly making it alive and vibrant. Further comments were made stating that it was a good improvement and the glass doors were a way forward and it was important to improve our heritage buildings. It was felt that things have to be progressed as time goes on and hope the church achieves this in making full use of the building in the future. Whilst Councillor Scarborough felt that on balance, the proposals were acceptable in this instance, any further changes that were more radical than the current proposal including altering the internal access arrangements away from the dual entrance, the moving of the war memorial, and the rebuilding of the steps, would be concerning. If officers had previously expressed concerns on more fundamental changes to those currently proposed, then he shared their concerns, as it would be going too far. The building has listed status and this had to be respected. He noted the comments made by Historic England, which should be taken into account for any future plans.

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

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

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. Representative samples of the drain cover, railings and ramp surface materials shall be submitted to and approved in writing by the local planning authority prior to construction.

Reason: In the interest of the visual amenity of the area in accordance with policy 8 (d) (i) of the North Northamptonshire Joint Core Strategy.

3. The steps shall be constructed with materials of the same type, texture and colour as the existing steps using existing relocated materials.

Reason: To ensure that the steps match the external appearance of the existing building and thereby maintains the visual quality of the area in accordance with policy 8 (d) (i) of the North Northamptonshire Joint Core Strategy.

4. The development shall be carried out in accord with the following plan numbers:
SK28 RevA, SK25, SK24.

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

9. PLANNING APPLICATION WP/16/00786/OUT – FORMER H M PRISON, MILLERS PARK, WELLINGBOROUGH

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/16/00786/OUT, for outline planning application for the demolition of existing buildings and construction of a prison (Use Class C2A) (max floorspace of 62,868 sqm gross external area) within a secure perimeter fence together with access, parking, energy centre, landscaping and associated engineering works for the former H M Prison, Millers Park, Wellingborough for the Ministry of Justice.

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 and the agent.

The objector when called by the Chairman to speak was not present at the meeting. The Chairman allowed the agent to address the meeting and the committee was given the opportunity to ask questions of clarification.

The agent stated that it was a significant planning application which would have a capacity for 1,600 Category C places and would bring around 800 jobs to the town. A new roundabout, access and bus stops would be sited on Doddington Road. There would also be a temporary access for construction vehicles from this location. The new vehicular access to the site and the proposed car park would mean traffic would not use the current Millers Park entrance to gain access to the prison, which would be an improvement for residents.

The chairman then invited the committee to determine the application.

Members wanted to ensure that the hours of construction were conditioned with a Construction Management Plan and would also require a wheel wash condition. Councillor Scarborough referred to the quality of the landscaping on the Eastern boundary in relation to the visual impact and effect on the Nene Wildlife area for a better boundary treatment and to the lighting implications when the prison was operational.

The Principal Planning and Building Control Manager confirmed to the committee a Construction Management Plan including hours of work and wheel washing are already included in the conditions and an existing condition could be amended with regard to lighting.

With regard to the Crematorium boundary landscaping next to the site, Councillor Graves asked if it would be possible for planting to start early. The Head of Planning and Local Development replied stating that a condition could be altered to seek planting in a phased manner over the next couple of planting seasons and we could talk to the applicant about this to start during the Autumn months.

A member asked that all construction vehicles use the A45 and Turnells Mill Lane and do not go through Great Doddington.

Several comments were made by members about the planning application stating that it was overdue and liked the design and welcomed the return of a prison to this site. They felt it would be a great improvement compared to what is currently there which is becoming more derelict by the day. The site was in a poor state and it would be best to start again, as is being proposed. Members welcomed the consultation that took place with the public and the new access to the site and the job opportunities it would bring.

A comment was made by a member that we must be vigilant at the reserved matter stage.

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

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

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

1. Application for approval of reserved matters must be made not later than the expiration of three years beginning with the date of this permission and the development must be begun not later than whichever is the later of the following dates:
 - (a) the expiration of three years from the date of this permission; or
 - (b) the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: Required to be imposed pursuant to section 92 of the Town and Country Planning Act 1990.

2. Before any development is commenced, detailed plans, drawings and particulars of the siting, design, lighting, screen walls/fences, drainage and external appearance of the proposed development together with a phased landscaping scheme, shall be submitted to and approved by the local planning authority and the development shall be carried out in accordance therewith.

Reason: To secure satisfactorily planned development.

3. No development shall commence (other than operations consisting of site clearance and demolition) until the following components of a scheme to deal with the risks associated with contamination of the site have each been submitted to and approved, in writing, by the local planning authority:
 - i A preliminary risk assessment which has identified:
 - all previous uses;
 - potential contaminants associated with those uses;
 - a conceptual model of the site indicating sources, pathways and receptors;
 - potentially unacceptable risks arising from contamination at the site.
 - ii A site investigation scheme, based on (i), to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 - iii The results of the site investigation and detailed risk assessment referred to in (ii) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 - iv A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (iii) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To protect groundwater from potential contamination on the site in accordance with policy 6 of the Joint Core Strategy.

4. Prior to development a Dust Management Plan shall be submitted and approved in writing by the local planning authority. The Dust Management Plan should include how the impacts of dust is reduced during construction and demolition.

Reason: To protect the amenities of neighbouring properties in accordance with policy 8 (e) (i and ii) of the Joint Core Strategy.

5. The proposed energy centre and any building service plant should be subject to a full noise impact assessment.

Reason: To protect the residential amenity of neighbouring properties and the occupiers of the approved development from harmful levels of noise in accordance with policy 8 (e) (i and ii) of the Joint Core Strategy.

6. No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the

local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 1in100 year plus climate change will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The details of the scheme shall include:

- a) Details (i.e. designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls / inlets and attenuation basins.
- b) Cross sections of all control chambers (including site specific levels mAOD) and manufacturers' hydraulic curves for all hydro brakes and any other flow control devices.
- c) The actual attenuation volume based on FEH rainfall data to be calculated by using a total brownfield discharge rate (315 l/s) and a better of 50% to be provided on this discharge rate not the Greenfield rate.

Reason: To reduce the risk of flooding both on and off site in accordance with policy 5 (b and c) of the Joint Core Strategy and the National Planning Policy Framework by ensuring the satisfactory means of surface water attenuation and discharge from the site.

7. No development shall take place until a detailed scheme for the maintenance and upkeep of every element of the surface water drainage system proposed on the site has been submitted to and approved in writing by the Local Planning Authority and the maintenance plan shall be carried out in full thereafter. This scheme shall include details of any drainage elements that will require replacement within the lifetime of the proposed development.

Reason: In order to ensure that the drainage systems associated with the development will be maintained appropriately and in perpetuity, to reduce the risk of flooding due to failure of the drainage system in accordance with policy 5 (b) of the Joint Core Strategy.

8. No occupation of any part of the development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation has been submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: To ensure that any remediation, if required, is verified as completed to the agreed standards for the protection of controlled waters in accordance with policy 6 of the Joint Core Strategy.

9. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination will be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that any unforeseen contamination encountered during development is dealt with in an appropriate manner for the protection of controlled waters in accordance with policy 6 of the Joint Core Strategy.

10. No development shall take place other than the demolition of the existing buildings, 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 policy 2 (d) of the Joint Core Strategy.

11. The onsite energy centre once operational should be subject to an air quality assessment and confirmation that any necessary measures which have been identified by the report have been implemented shall be submitted to the local planning authority before the approved development is first occupied.

Reason: In order to protect the amenity of the nearby residents and future occupiers of the development from unacceptable levels of air pollution in accordance with policy 8 (e) (i and ii) of the joint Core Strategy.

12. Prior to development commencing a detailed Construction Environmental Management Plan shall be submitted and approved in writing. The plan must demonstrate the adoption and use of best practicable means to reduce the effects of noise, vibration, dust and lighting. The plan should include, but not be limited to:

- Procedures for maintaining good public relations including complaint management, public consultation and liaison.
- Arrangements for liaison with the Councils Environmental Protection Team.
- All works and ancillary operations which are audible at the site boundary should only be carried out only between the following hours:
0800 Hours and 1800 Hours on Mondays to Fridays and 0800 and 13:00 Hours on Saturdays and; at no time on Sundays and Bank Holidays.
- Deliveries to and removal of plant, equipment, machinery and waste from the site should only take place within the permitted hours detailed above.

- Mitigation measures as defined in BS5528: Parts 1 and 2: 2009 Noise and Vibration Control on Construction and Open Sites should be used to minimise noise and disturbance from construction works.
- Procedures for emergency deviation of the agreed working hours.
- The Borough Council of Wellingborough encourages all contractors to be 'Considerate Contractors' when working in the borough by being aware of the needs of neighbours and the environment.
- Control measures for dust and other air-borne pollutants.
- Measures for controlling the use of site lighting whether required for safe working or for security purposes.
- Mitigation measures to prevent pollution run off - such as silt traps, to Wellingborough Pit Local Wildlife Site which could be significantly impacted by the demolition and construction phases of this proposal.

The approved Construction Management Plan should be adhered to throughout the construction period and the approved measures should be retained for the duration of the construction works

Reason: To protect the amenities of neighbouring occupiers and to mitigate the impact on the wildlife site in accordance with policies 4 (a) and 8 (e) (i and ii) of the Joint Core Strategy.

13. Prior to commencement of development the temporary construction access on Doddington Road, shown indicatively on Atkins drawing 5147337-ATK-WOO-SPA002 Rev. B, shall be implemented in accordance with highways agreement.

Reason: To provide temporary access to the site during demolition and construction phases in accordance with policies 8 (b) (ii) and 10 (d) of the Joint Core Strategy.

14. Prior to commencement of development the developer is to submit a Construction Management Plan to the Local Planning Authority for agreement. The construction of the development shall thereafter be implemented in accordance with the approved Construction Management Plan. The Construction Management Plan is to include the following measures:
- a. Routing agreement for deliveries and construction traffic
 - b. Timings of deliveries and construction traffic movements
 - c. Wheel washing facilities to prevent mud and other debris being deposited on the public highway
 - d. Street cleaning of the public highway
 - e. Signage and traffic management details
 - f. Measures to rectify any damage caused to the public highway as a result of construction vehicles associated with this development

Reason: In the interest of highway safety in accordance with policy 8 (e) (ii) of the Joint Core Strategy.

15. The measures contained within the approved Travel Plan by Atkins (dated January 2017) are to be implemented throughout the life of the development, in accordance with the triggers contained within the Travel Plan document.

Reason: To encourage sustainable modes of transport in accordance with policy 8 (a) (ii) and (b) (i) of the Joint Core Strategy.

16. Prior to opening of any part of the new development hereby approved a new roundabout junction to access the development from Doddington Road, shown indicatively on Atkins drawing number 5417337-ATK-WOO-SK001 Rev. G, shall be implemented in accordance with details submitted and agreed with the Local Planning Authority to include full engineering and construction details, which include the following measures:
- a. Roundabout with pedestrian crossing facilities;
 - b. New and improved footpaths;
 - c. 2 x new bus stops on Doddington Road to include raised bus boarders, shelters, flag and pole;
 - d. The reduction in the speed limit on Doddington Road from 40mph to 30mph.

Reason: To provide the necessary infrastructure to access the site in accordance with policies 8 (a) (i), (b) (ii) and 10 (c) of the Joint Core Strategy.

17. Prior to the opening of any part of the new development hereby consented a new mini-roundabout at the junction of Doddington Road and Turners Mill Lane and shown indicatively of Atkins Drawing number 5147337-ATK-WOO-SK004 Rev.E, shall be implemented in accordance with details of the full engineering and construction details of the scheme to be submitted to and agreed with the Local Planning Authority.

Reason: To provide the necessary infrastructure resulting from the development in accordance with policy 10 (a) of the Joint Core Strategy.

10. APPLICATIONS FOR PLANNING PERMISSION, BUILDING REGULATION APPROVALS AND APPEALS INFORMATION

RESOLVED that the decisions on applications for planning permission, and building regulation approvals determined by the Head of Planning and Local Development in accordance with delegated powers and appeal information as set out in the report of the Head of Planning and Local Development, (Minute 5), be noted.

11. ANY OTHER ITEMS THAT THE CHAIRMAN DECIDES ARE URGENT

The Head of Planning and Local Development referred the committee to a circulated paper requesting urgent action to send a letter to the owner of Oxford House in Oxford Street, Wellingborough asking the owners to remove a dead ivy covered tree which is leaning sharply over the east boundary and is considered to pose a danger to the neighbouring property. If the owner fails to

carry out the work this can be authorised by the Council and the costs recovered from the owner.

It was proposed by Councillor Griffiths and seconded by Councillor Scarborough that the request for urgent action be approved.

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

RESOLVED that the request for urgent action be approved.

12. ANOTHER OTHER BUSINESS

At the end of the meeting Councillor Griffiths announced that he would be standing down as a Member of the planning committee in the next municipal year, after 10 years in this role. Councillor Griffiths stated it had been an absolute pleasure to serve on the committee but he would now be looking at more strategic matters.

The chairman on behalf of the committee members thanked Councillor Griffiths for his considered comments and measured decisions during his time on the planning committee.

Chairman

The meeting closed at 8:34 pm.

COUNCIL MEETING – 11 JULY 2017

REPORT OF THE PLANNING COMMITTEE

10 May 2017

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

Miss J Thomas (Director), Ms M Simmons, (Principal Planning and Building Control Manager), Mrs E Buchanan, (Assistant Principal Development Management Officer), Mr S Aley, (Legal Adviser) and Mrs F Hubbard, (Democratic Services Officer).

(Councillors Carr, L Lawman and Skittrall attended the meeting as observers).

1. APOLOGIES FOR ABSENCE

RESOLVED to note that an apology of absence was received from Councillor Aslam.

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
Graves	5	WP/16/00677/FUL	Other – one of the objectors is known to me
Griffiths	5	WP/16/00677/FUL	Other – one of the objectors is known to me
Hallam	8	WP/17/00094/VAR	Other – Ward Councillor I know the applicant and Neighbours and live 150 yards away – there is no material interest in my property at all
	10	WP/17/00154/FUL	Other – Ward Councillor I know residents and people involved with Friends of the Lilacs - there is no material interest

Councillor	Minute No	Item	Description of Interest
Lawman	5	WP/16/00677/FUL	Other – one of the objectors is known to me Other – Council representative on Wellingborough Homes Board who own land nearby
	7	WP/17/00121/FUL	Other – Another Conservative Councillor lives immediately adjacent in Tebbutts Yard
Lloyd	5	WP/16/00677/FUL	Other – Council representative on Wellingborough Homes Board who own property nearby in Knights Court
Morrall	7	WP/17/00121/FUL	Other – Another Conservative Councillor lives immediately adjacent in Tebbutts Yard

3. CONFIRMATION OF MINUTES – 5 APRIL 2017

RESOLVED that the minutes of the meeting held on 5 April 2017, be confirmed and signed. The Chairman announced that the minutes of the meeting on 5 April 2017 will be reported to Full Council on 11 July 2017 and not 23 May 2017, as stated at the top of the circulated minutes.

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/16/00677/FUL – 24 AND 32 GOLD STREET, WELLINGBOROUGH

The annexed circulated report of the Head of Planning and Local Development was received, including late letters, on planning application WP/16/00677/FUL, for the demolition of an existing house and the construction of a new 6 unit apartment building at 24 and 32 Gold Street, Wellingborough for Mr Barker and Smart.

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

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

The application was deferred at the Planning Committee on 5 April 2017 for the applicant to carry out a parking survey as requested by the Highway Authority to ascertain the level of available parking accommodation in the area and for a site visit to be arranged.

The site viewing group visited the site on 09/05/2017 and a record of the visit was set out in the circulated notes.

Requests to address the meeting had been received from 5 objectors, the architect and Councillor Abram (Ward Councillor).

The chairman allowed the speakers to address the meeting and the committee was given the opportunity to ask questions of clarification.

The objectors raised the following concerns:

- The size of the development;
- Inadequate parking on the site;
- Traffic issues on an awkward bend;
- Three car parking spaces proposed on the site being not adequate for 6 four bed roomed flats;
- Parking on both sides of Gold Street;
- Incidents with cyclists and car wing mirrors;
- Highway safety issues;
- A very busy road with Gold Street being a main bus route and persons using the fish and chip shop, other shops and school drop off and pick-ups;
- The potential of 48 cars if the planning application was approved and the increase in residents would contribute to the congestion of parking in Gold Street, North Street and Knights Court which is already an issue;
- Concerns about the outcome of the parking survey;
- No protection measures for nearby trees on the site – 4 Silver Birches and a mature Rowan Tree;
- Unachievable access for visibility splay;
- Increase of pollution in the area with additional vehicles particularly in the rush hour in the Broad Green area.

The chairman then invited the committee to determine the application.

Members commented that the application was overdevelopment being too large for the site with its design and massing. They stated that Gold Street often comes to a standstill due to the volume of traffic in that area and manoeuvring cars in Gold Street was extremely difficult. They felt there was inadequate parking on the site and surrounding areas and there was very limited vision to the right of the access. Another comment was made that consideration needs to be given to the street scene with regard to flats already in Knights Court and the former Dun Cow Site and felt the site would be better suited with some town houses. They considered the amount of amenity space was inadequate and the proposed building was too tall adjacent to the listed

building next to the site making it completely out of character and did not comply with the Joint Core Strategy (JCS) Policy 8. Members also added that it overlooked Knights Court and would be detrimental to the amenity of the area.

It was proposed by Councillor Morrall and seconded by Councillor Graves that the planning application be refused and this then became the substantive motion.

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

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

1. The proposals incorporate inadequate on-site parking, resulting in cumulative harm by increasing the demand for limited on-street parking to the detriment of the amenity of the area, thereby contrary to policy 8 (i) and (ii) and 8 (e) (i) of the North Northamptonshire Joint Core Strategy.
2. The proposal, by reason of its size, bulk and scale, represents overdevelopment of the site, which would have a harmful effect on the street scene by way of introducing a building that would overly dominate the street frontage and would be out of scale and keeping with the character of the area, contrary to policy 8 (d) (i) of the North Northamptonshire Joint Core Strategy.
3. The lack of private amenity space is inadequate to accommodate the range of family activities that might be expected for six four bedroomed apartments, detrimental to their living conditions. As a result the proposal is contrary to policy 8 (e) (i) of the North Northamptonshire Joint Core Strategy which seeks to provide an adequate standard of amenity for future occupiers.
4. The application fails to assess the impact of the proposal on the existing trees on the adjacent public amenity space and due to its location would result in the loss of at least one tree, the proposal is therefore contrary to policy 8 (d) (i) the North Northamptonshire Joint Core Strategy which seeks development to respond to its landscape setting.

6. PLANNING APPLICATION WP/17/00061/FUL – LAND ADJACENT 36 VICTORIA STREET, EARLS BARTON

The Chairman announced at the commencement of the meeting that the applicant had withdrawn the planning application.

7. PLANNING APPLICATION WP/17/00121/FUL – LAND AT MERCERS FARM, 9 HIGH STREET, EARLS BARTON

The annexed circulated report of the Head of Planning and Local Development was received, including late letters, on planning application WP/17/00121/FUL, for a new open fronted agricultural building. Additional plans on land at Mercers Farm, 9 High Street, Earls Barton for Miss J Barker.

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

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

The site viewing group visited the site on 09/05/2017 and a record of the visit was set out in the circulated notes.

The chairman then invited the committee to determine the application.

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

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

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

1. The development shall be carried out in accord with the following plan numbers: G (1) AND (2) as augmented by G (1) received on 31 March 2017.

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

2. Before construction recommences 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 using the approved materials.

Reason: In the interests of visual amenity of the area in accord with policy 8 of the North Northamptonshire Joint Core Strategy.

3. Before the development recommences details of the intended method of surface water drainage shall be submitted to the local planning authority for approval in writing. The development shall be carried out in accordance with the approved drainage details.

Reason: To ensure there is satisfactory surface water drainage arrangements in accord with policy 5 of the North Northamptonshire Joint Core Strategy.

4. The barn shall only be used for the storage of equipment and machinery associated with the farm business operating from 9 High Street Earls Barton.

Reason: To protect the amenities of the nearby residential occupiers in accord with policy 8 of the North Northamptonshire Joint Core Strategy.

5. The barn shall not be lit by way of any floodlighting or similar lighting scheme without the express planning permission of the local planning authority.

Reason: In the interests of protecting the visual amenity of the area and protecting the amenities of the nearby residential occupiers in accord with policy 8 of the North Northamptonshire Joint Core Strategy.

8. PLANNING APPLICATION WP/17/00094/VAR – 86 ORLINGBURY ROAD, ISHAM

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/17/00094/VAR, for a variation of condition 2 of planning permission ref: WP/2014/0093 for amendment to improve appearance of property. The development shall be carried out in accordance with the amended plans 04.15-01C at 96 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 the planning application be approved subject to the conditions set out in the report.

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

The chairman allowed the speaker to address the meeting and the committee was given the opportunity to ask questions of clarification.

The applicant stated that there was no objection to his application from his immediate neighbours.

The chairman then invited the committee to determine the application.

Members wanted clarification as to what they were approving which they thought was 2 dormer windows and 2 velux windows but there seemed to be some confusion as to whether the gable elements were also included in the application. Officers confirmed that the plans for the previous planning application that had been approved were displayed as part of the presentation and did not include any gable elements or dormer and velux windows and that the decision was now for Members to decide at this meeting. The footprint remained the same as the previous planning application. Councillor Hallam (Ward Councillor) had negative feelings towards the proposal and felt it would result in a 3 storey 7 bedroom dwelling, rather than a 5 bedroom house which did not have rooms in the roof. It was also confirmed that it was partially a retrospective planning application. A concern was also raised about the temporary accommodation on the site at the rear of the plot (which is not part of this application) with permission being issued in February 2016 which was still in use. The accommodation at the rear was granted temporary approval for use whilst construction was taking place which will cease once the house is completed.

It was proposed by Councillor Scarborough and seconded by Councillor Hallam that the planning application be deferred for site viewing due to the confusion over what was being applied for, and to look at the house in its context and see how much of the house has been built. This then became the substantive motion.

The legal advisor stated that it was not a planning reason to defer the application due to members' confusion around the application. Officers have the previously approved plan and have shown the new elements so the decision needs to be made on what is before committee. It should either be approved or refused, based on what has been submitted. If it is not considered acceptable, then this would be a refusal, and consideration needs to be given about enforcement action.

It was then proposed by Councillor Scarborough and seconded by Councillor Hallam that the planning application be refused. This then became the substantive motion.

Further comments were made and it was then proposed by Councillor Griffiths that the planning application be refused due to its overbearing nature, resulting in overdevelopment and that enforcement action be taken, as the work carried out was not in accordance with what had been approved. This was seconded by Councillor Hallam. This then became the substantive motion and on being put to the vote, the motion for refusal was carried by 9 votes.

RESOLVED that the planning application be refused as the proposed roof alterations will result in an overbearing feature to the elevation on adjoining premises representing overdevelopment. As a result, the proposal is contrary to policy 8 (d) (i) of the North Northamptonshire Joint Core Strategy which seeks to respond to the site's immediate and wider context and local character.

9. PLANNING APPLICATION WP/17/00138/ADV – VERGE BETWEEN WILLIAMS WAY

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/17/00138/ADV, for a 2x v-shaped tenant directory signs (retrospective application) on the verge between Williams Way and Raymond Close, Hinwick Road, Wollaston for Mr N Heard.

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 to grant advertisement consent be approved subject to the conditions set out in the report.

The chairman then invited the committee to determine the application.

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 for approval was carried unanimously.

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

1. This consent shall expire at the end of a period of 5 years from the date of this decision.

Reason: To comply with the requirements of the Town and Country Planning (Control of Advertisements) Regulations 2007.

2. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the local planning authority.

Reason: To comply with the requirements of the Town and Country Planning (Control of Advertisements) Regulations 2007.

3. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.

Reason: To comply with the requirements of the Town and Country Planning (Control of Advertisements) Regulations 2007.

4. Where an advertisement is required under these regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the local planning authority.

Reason: To comply with the requirements of the Town and Country Planning (Control of Advertisements) Regulations 2007.

10. PLANNING APPLICATION WP/17/00154/FUL – LAND TO THE REAR OF THE LILACS, 39 CHURCH STREET, ISHAM

The annexed circulated report of the Head of Planning and Local Development was received, including late letters, on planning application WP/17/00154/FUL, for the erection of one pair of semi-detached three bedroom houses, together with boundary walls, cycle parking, refuse storage and alterations to car park served by improved access from Church Street on land to the rear of the Lilacs, 39 Church Street, Isham for Hawthorne Leisure 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.

Requests to address the meeting had been received from two objectors, two planning consultants who were also objectors, and the agent. (Two of the speakers also represented Friends of the Lilacs Inn).

The chairman allowed the speakers to address the meeting and the committee was given the opportunity to ask questions of clarification.

The objectors raised the following concerns:

- The red line on the site plan being around the whole site not just the access and houses footprint;
- The loss of the post office, shop and Monk and Minstrel Public House in the village and would like to safeguard the Lilacs Public House;
- Protection of amenity impact on existing and future residents;
- Noise disturbance;
- A shared access was unacceptable and widening of the access would make no difference;
- Loss of a significant part of the car park which is used for various events;
- Impact on amenity and not sustainable;
- Harms the use of the Lilacs Public House for a community building and could result in the loss of a community asset;
- Contrary to Planning Policy;
- Would reduce parking in the area which would affect amenity and safety;
- Loss of car park could potentially close the Lilacs due to limited parking;
- Impact and harm on habitats;
- Proposal was considered to be a 'Trojan Horse'.

The agent stated there was no intention to close the Lilacs Public House and the proposal would bring investment to include general refurbishment of the Lilacs. A question was asked by a Member to the agent if the application was not approved what would be the future of the public house. The agent was not in a position to comment on this.

The chairman then invited the committee to determine the application.

Several comments were made by Members about the application. They did not like the shared access and the loss of the car park for events and lack of parking for villagers. The Chairman commented that the configuration of the remaining 18 car parking spaces on the plan would not all be usable due to the design layout. They felt it was overdevelopment and the access was dangerous being shared and with no footpath on one side. Concerns were also raised about the noise to future residents. A member made a comment that he liked the idea of retaining an asset for the community in the village. The Head of Planning and Local Development clarified that whilst an application had been made to nominate the public house as an Asset of Community Value, a decision on this had not yet been made. This is a separate process to the consideration of this planning application.

It was proposed by Councillor Lawman and seconded by Councillor Graves that the planning application be refused. This then became the substantive motion.

The chairman then summarised the refusal reasons to the committee stating highways, lack of car parking spaces and loss of a community asset. The legal adviser and the Head of Planning and Local Development clarified that the 'loss of a community asset' was not a reason for refusal as the building is not

listed as a community asset although an application to do so had been received but had yet to be determined.

On being put to the vote, the motion for refusal due to highway safety and lack of car parking spaces was carried unanimously.

RESOLVED that the planning application be refused as the proposal, by reason of its shared access, and car parking configuration of the retained public house car park, has failed to assess and mitigate the highway safety and capacity effects of the development and as such is contrary to policy 8 (b) (i) and (ii) of the North Northamptonshire Joint Core Strategy.

11. APPLICATIONS FOR PLANNING PERMISSION, BUILDING REGULATION APPROVALS AND APPEALS INFORMATION

RESOLVED that the decisions on applications for planning permission, and building regulation approvals determined by the Head of Planning and Local Development in accordance with delegated powers and appeal information as set out in the report of the Head of Planning and Local Development, (Minute 4), be noted.

Chairman

The meeting closed at 9:24 pm.

COUNCIL MEETING – 11 JULY 2017

REPORT OF THE PLANNING COMMITTEE

31 May 2017

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

Miss J Thomas (Director), Ms M Simmons, (Principal Planning and Building Control Manager), Mrs E Buchanan, (Assistant Principal Development Management Officer), Ms E Granger, (Legal Adviser) and Mrs F Hubbard, (Democratic Services Officer).

1. APOLOGIES FOR ABSENCE

RESOLVED to note that no apologies were received.

The Chairman took the opportunity to welcome two new members onto the Planning Committee, Councillors Stevenson and York.

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
York	12	WP/17/00228/FUL	Other – I know the applicant
Lawman	5	WP/17/00177/FUL	Other – Ownership of NCC - I am a County Councillor
	6	WP/17/00024/FUL	Other – objector known to me as an acquaintance
	7	WP/17/00118/FUL	Other – applicant employed by Wellingborough Homes – I am a Council representative on Wellingborough Homes Board
	12	WP/17/00228/FUL	Other – know the applicant

Councillor	Minute No	Item	Description of Interest
Hallam	8	WP/17/00145/FUL	Other – Ward Councillor – know the applicant and people in the area
	10	WP/17/00210/FPD	Other – Ward Councillor – know people in that area
Lloyd	7	WP/17/00118/FUL	Other – I am a Council representative on Wellingborough Homes Board
Aslam	7	WP/17/00118/FUL	Other – Wellingborough Homes Board Member

3. CONFIRMATION OF MINUTES – 10 MAY 2017

Councillor Hallam commented that he felt some of the comments made during the discussion for Minute 8 had not been included in the minutes and also wanted to know what enforcement action had been taken. The Principal Planning and Building Control Officer confirmed that no enforcement action had been taken at present due to discussions taking place with the applicant regarding potentially submitting amended plans or the applicant potentially appealing against the refusal. There is guidance and legislation in the planning process in relation to enforcement action and when it is reasonable to instigate enforcement action. It has to be as a last resort when all other efforts to resolve the situation have been exhausted. The council has to be shown to be reasonable and cannot leap into enforcement action after a refusal if it would be unreasonable to do so. Enforcement notices have a right of appeal. If on taking enforcement action, the council were found not to have acted in a reasonable way, this could expose the council to an award of costs to the appellant in an appeal situation. This advice was confirmed by the legal adviser.

With regard to Minute 10 Councillor Hallam also commented on some points that he felt were unclear regarding loss of amenity space and this was clarified to the committee by the officers. It was clarified that the reason for refusal related to an unsatisfactory highway layout and inadequate parking and highway arrangements within the site.

Councillor Scarborough proposed that an additional paragraph be added to the resolution for Minute 8 stating that enforcement action be authorised when appropriate by officers. This was seconded by Councillor Lloyd.

RESOLVED that the minutes of the meeting held on 10 May 2017, be confirmed and signed, but an additional paragraph should be added to the resolution of Minute 8, that enforcement action be authorised when appropriate by officers.

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/17/00177/OUT – LAND SOUTH OF HEALTH CENTRE, AGGATE WAY, EARLS BARTON

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/17/00177/FUL, for an outline application with all matters reserved for residential development (3 dwellings). Illustrative layout plan on land south of Health Centre, Aggate Way, Earls Barton for Twenty Ten 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 refused for the reasons set out in the report.

The site viewing group visited the site on 30/05/2017.

Requests to address the meeting had been received from 2 objectors (one on behalf of Earls Barton Parish Council and the other a local resident and representative of the Neighbourhood Plan Team).

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

The objectors stated that the plot of land was outside the village boundary as defined in the Earls Barton Neighbourhood Plan. Concerns were also raised about the loss of critical parking in the Sunnyside area and also loss of amenity of public green space.

The Chairman then invited the committee to determine the application.

The Site Viewing Group gave a verbal report about the site visit and it was proposed by Councillor Maguire and seconded by Councillor Scarborough that the planning application be refused.

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

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

1. The proposed development site lies outside of the village boundary as defined in the Earls Barton Neighbourhood Plan, and as such is defined as a rural exception site and must meet the criteria set out in policy 13 of the North Northamptonshire Joint Core Strategy and policy EB.GD2 of the Earls Barton Neighbourhood Plan. Both of the above policies require rural exception schemes to be purely affordable unless some market housing is required to make the scheme viable. This scheme is

entirely market housing and the proposed development fails to adhere to these policies. Policy 29 JCS sets out the housing requirements for North Northamptonshire up to 2031. Earls Barton has a requirement for 250 houses. The Neighbourhood Plan allocates sites to meet in excess of this requirement. Since 2011, 133 dwellings have been completed in Earls Barton and there are net commitments for a further 358 dwellings. No additional development is required to meet housing requirements in the village. The proposed development would be contrary to policies 13 and 29 of the North Northamptonshire Joint Core Strategy and policy EB.GD2 of the Earls Barton Neighbourhood Plan.

2. The principle of developing the site with residential development would not conserve or enhance the character and qualities of local landscape through design and management and would result in the loss of an important area of open space and hedgerow along the eastern boundary which currently acts as a transition between built development and the open countryside. The proposed development would be contrary to policy 3 (a) (b) and (c) of the Joint Core Strategy.
3. No appropriate mitigation measures have been put in place to ensure that the proposed development would have no significant effects on the Upper Nene Valley Gravel Pits Special Protection Area. The proposed development would be contrary to policy 4 of the Joint Core Strategy.

6. PLANNING APPLICATION WP/17/00024/FUL – 23 HOLCOT CLOSE, WELLINGBOROUGH

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/17/00024/FUL, for a single storey front extension – re-submission at 23 Holcot Close, Wellingborough for Mr and Mrs Patel.

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 Chairman then invited the committee to determine the application.

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

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

RESOLVED that the planning application be refused as the proposed extension, by virtue of its siting would create an awkward and contrived addition to the existing dwelling house which would not respond to the character, form and appearance of the street scene. The proposed development would be contrary to policy 8 (d) (i) and (ii) of the North Northamptonshire Joint Core Strategy.

7. PLANNING APPLICATION WP/17/00118/FUL – LAND BETWEEN 33 AND 67 MILNER ROAD, FINEDON

The annexed circulated report of the Head of Planning and Local Development was received, including late letters, on planning application WP/17/00118/FUL, for a new residential development to provide 50 dwellings on vacant site on land between 33 and 67 Milner Road, Finedon for Mrs R Samrai.

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

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

The Chairman then invited the committee to determine the application.

The Ward Councillor stated that Finedon had been waiting for the application to come forward but was disappointed to see that flats have also been proposed within the development site.

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

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

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

1. The development shall be carried out in accordance with the following drawing numbers:
 - 2117 310 (location plan scale 1:1250) received 23rd February 2017
 - 2117 312 Rev B (proposed site plan) received 3rd April 2017
 - 2117 324 Rev A (highways details) received 3rd April 2017
 - 5822 01 Rev A (vehicle tracking sheet 1) received 6th March 2017
 - 5822 01 Rev A (vehicle tracking sheet 2) received 6th March 2017
 - 2117 323 Rev A (street elevations) received 3rd April 2017
 - 2117 313 (1b/2p flat type A plans & elevations) received 23rd February 2017
 - 2117 314 Rev B (1b/2p bungalow type B plans & elevations) received 8th May 2017
 - 2117 315 Rev A (2b/3p bungalow type C plans & elevations) received 3rd April 2017
 - 2117 316 Rev A (2b/3p house type D plans & elevations) received 3rd April 2017
 - 2117 317 (2b/4p house type E plans & elevations) received 23rd February 2017
 - 2117 318 Rev A (3b/5p house type F plans and elevations) received 8th May 2017
 - 2117 319 (3b/5p house type G plans & elevations) received 23rd February 2017
 - 2117 320 (3b/5p house type H plans & elevations) received 23rd February 2017

2117 321 (3b/5p house type J plans & elevations) received 23rd February 2017

2117 322 (2b/3p house type K plans & elevations) received 23rd February 2017

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

2. 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.

3. Representative samples of all external facing and roofing materials shall be submitted to and approved in writing by the local planning authority prior to construction.

Reason: In the interest of the visual amenity of the area in accordance with policy 8 (d) (i) of the North Northamptonshire Joint Core Strategy.

4. Before construction of the buildings commences, the developer shall submit a preliminary risk assessment. Should the preliminary risk assessment identify the need for further investigation a site investigation scheme to provide a detailed assessment of the risk to all receptors, including off site receptors. A remediation proposal based on the results of the site investigation and risk assessment in the above giving full details of remediation required. The preliminary risk assessment, site investigation and remediation proposals shall be submitted to and agreed in writing with the local planning authority. On completion of the remediation but before the site is first occupied the developer shall provide a verification report to demonstrate the completion of the works set out in the agreed remediation proposals to the Local Planning Authority. Reference shall be had to Environment Agency Guide CLR11 Model procedures for the management of land contamination available at <https://www.gov.uk/government/publications/managing-land-contamination>.

Reason: In order to protect future occupiers of the development and ground or surface and waters in accord with policy 6 of the North Northamptonshire Joint Core Strategy.

5. No construction shall take place until a scheme and timetable detailing the provision of a mix of affordable housing to meet the housing needs of Finedon has been submitted to and approved in writing by the Local Planning Authority. The affordable housing and associated infrastructure shall thereafter be provided in accordance with the approved scheme and timetable.

Reason: To ensure adequate affordable housing provision is made on site for affordable housing in accordance with policy 30 (e) and (f) of the North Northamptonshire Joint Core Strategy.

6. No construction shall take place until full details of the surface water drainage scheme for the site, based on the approved Flood Risk Assessment (prepared by BCAL Consulting dated April 2017) have been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details. The details of the scheme shall include details (i.e. designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets and attenuation structures (if required). Additionally cross sections of control chambers and manufacturers hydraulic curves should be submitted for all hydrobrakes and flow control devices. Details of the drainage system are to be accompanied by full and appropriately cross-referenced supporting calculations.

Reason: To reduce the risk of flooding both on and off site in accordance with the NPPF and policy 5 of the Joint North Northamptonshire Core Strategy by ensuring the satisfactory means of surface water attenuation and discharge from the site

7. No construction shall take place until a scheme for the maintenance and upkeep of the surface water drainage system proposed for that development site has been submitted to and approved in writing by the Local Planning Authority. The maintenance plan shall be carried out in full thereafter. This scheme shall include details of any drainage elements that will require replacement within the lifetime of the proposed development.

Reason: To ensure the future maintenance of drainage systems associated with the development.

8. Notwithstanding the approved drawings, no development shall take place above slab level until full details of both soft landscape works have been submitted to and approved in writing by the local planning authority. These details shall include existing trees and/or hedgerows to be retained and/or removed accurately shown with root protection areas; include a replace semi-mature tree for the tree protected by a tree preservation order which is to be removed; existing and proposed finished levels or contours; means of enclosure; visibility splays; areas of hard surfacing materials; proximity between street lights and tree planting; pedestrian access and circulation areas; public open space/public park furniture, bins etc.; proposed and existing functional services above and below ground such as cables, pipelines, substations. Soft landscape works shall include planting plans at a minimum scale of 1:200 with schedules of plants noting species, plant supply sizes and proposed densities; written specifications including cultivation and other operations associated with tree, plant and grass establishment; and the implementation programme. Development shall be carried out in accordance with the approved details. If within a period of five years from the date of the planting of any tree or shrub, that tree or shrub, or any tree and shrub planted in replacement for it, is removed, uprooted or destroyed, dies, becomes severely damaged or diseased, shall be

replaced in the next planting season with trees and shrubs of equivalent size, species and quantity.

All hard and soft landscape works shall be carried out prior to the occupation of the building(s) or the completion of the development whichever is the sooner or in accordance with a programme agreed in writing with the local planning authority.

Reason: To protect the appearance and character of the area and to minimise the effect of development on the area in accordance with policy 8 (d) (ii) and 3 (e) of the North Northamptonshire Joint Core Strategy.

9. No development shall take place including any works of demolition until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include site procedures to be adopted during the course of construction including:
- working hours
 - procedures for emergency deviation of the agreed working hours
 - routes for construction traffic
 - method of prevention of mud being carried onto highway
 - location of site compound
 - lighting and security
 - control of dust and other emissions
 - proposed temporary traffic restrictions
 - parking of vehicle of site operatives and visitors

The development shall be carried out in accordance with the approved CEMP.

Reason: To ensure there is adequate mitigation measures in place and in the interests of amenities of existing and future residents in accordance with policy 8 (e) (i) of the North Northamptonshire Joint Core Strategy

10. Notwithstanding the approved details, no development shall take place above slab level until details of the proposed boundary treatments have been submitted to and approved in writing by the Local Planning Authority. The details shall include a boundary treatment plan (at a minimum scale of 1:500) detailing the position of all proposed boundary treatment and annotated or accompanied by a schedule specifying the type, height, composition, appearance and installation method of boundary treatment throughout the site. The approved boundary treatment shall be erected before the occupation of each associated plot or in accordance with a timetable agreed in writing with the local planning authority. Development shall be carried out in accordance with the approved details and thereafter retained in that form.

Reason: To provide adequate privacy, to protect the external character and appearance of the area and to minimise the effect of development on the area in accordance with policy 8 (e) (i) of the North Northamptonshire Joint Core Strategy.

11. No development shall take place above slab level until samples and trade descriptions of the materials to be used in the areas of hardstanding within the development hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: To protect the character and appearance of the area and to minimise the effect of development on the area in accordance with policy 8 (d) (ii) of the North Northamptonshire Joint Core Strategy.

12. No development shall take place above slab level shall take place until a Biodiversity Enhancement Scheme and Management Plan has been submitted to, and approved in writing by the Local Planning Authority. The scheme shall include the incorporation of roosting opportunities for bats and the installation of bird nest boxes/bricks and the development shall thereafter be carried out in accordance with the approved details prior to the occupation of the development.

Reason: To maintain and enhance local biodiversity and ecology in accordance with policy 4 (b) (c) of the North Northamptonshire Joint Core Strategy.

13. No dwelling hereby permitted shall be occupied until the car/vehicle parking area shown on the approved plans has been constructed, surfaced and permanently marked out. The car parking area so provided shall be maintained as a permanent ancillary to the development and shall be used for no other purpose thereafter.

Reason: To ensure adequate parking provision at all times so that the development does not prejudice the free flow of traffic or the safety on the neighbouring highway in accordance with policy 8 (b) (ii) of the North Northamptonshire Joint Core Strategy.

14. No dwelling hereby permitted shall be occupied until the refuse store, and area/facilities allocated for storing of recyclable materials, as shown on the approved plans has/have been completed in accordance with the approved plans. Thereafter, all refuse and recyclable materials associated with the development shall either be stored within this dedicated store/area, as shown on the approved plans, or internally within the building(s) that form part of the application site. No refuse or recycling material shall be stored or placed for collection on the public highway or pavement, except on the day of collection.

Reason: To safeguard the amenity of the occupiers of adjoining premises, protect the general environment, and prevent obstruction to pedestrian movement, and to ensure that there are adequate facilities for the storage and recycling of recoverable materials in accordance with policy 8 (b) (i) and (e) (i) of the North Northamptonshire Joint Core Strategy.

15. Prior to the first occupation of the development hereby permitted details of the proposed bicycle parking shall be submitted to and approved in writing by the local planning authority and the scheme approved shall be provided and be retained thereafter.

Reason: To ensure the provision and availability of adequate cycle parking in accordance with policy 8 (b) (ii) of the North Northamptonshire Joint Core Strategy.

16. All existing trees, woodlands and hedgerows to be retained as shown on Steve Jowers Associates drawing number SJA366.02 A shall be fully protected in accordance with the latest British Standards (currently BS 5837:2012 'Trees in relation to design, demolition and construction-Recommendations') by the time construction begins. All protective measures must be in place prior to the commencement of any building operations (including any structural alterations, construction, rebuilding, demolition and site clearance, removal of any trees or hedgerows, engineering operations, groundworks, vehicle movements or any other operations normally undertaken by a person carrying on a business as a builder). The Root Protection Area (RPA) within the protective fencing must be kept free of all construction, construction plant, machinery, personnel, digging and scraping, service runs, water-logging, changes in level, building materials and all other operations. All protective measures shall be maintained in place and in good order until all work is complete and all equipment, machinery and surplus materials have been removed from the site.

Signs informing of the purpose of the fencing and warning of the penalties against destruction or damage to the trees and their root zones shall be installed at minimum intervals of 10 metres and a minimum of two signs per separate stretch of fencing.

Reason: To protect significant trees and hedgerows, safeguarding the character of the area and preserving habitat and to minimise the effect of development on the area in accordance with policy 3 (d) of the North Northamptonshire Joint Core Strategy.

17. No development shall take place until details of finished ground floor levels for each dwelling and finished ground levels have been submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: To protect the character and appearance of the area and to minimise the effect of development on the area in accordance with policy 8 (d) (ii) of the North Northamptonshire Joint Core Strategy

18. No construction shall take place until a scheme and timetable detailing the provision of an education to meet the needs of primary education in Finedon has been submitted to and approved in writing by the local planning authority. The education needs shall thereafter be provided in accordance with the approved scheme and timetable.

Reason: To ensure a timely delivery of education facilities in accord with policy 10 (a), (c) and (d) of the North Northamptonshire Joint Core Strategy.

8. PLANNING APPLICATION WP/17/00145/FUL – LAND ADJACENT BOBTAIL LODGE, FINEDON SIDINGS, FURNACE LANE, LITTLE HARROWDEN

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/17/00145/FUL, to demolish and remove existing workshop/storage building. Construct new steel portal frame building on land adjacent to Bobtail Lodge, Finedon Sidings, Furnace Lane, Little Harrowden for C Goddard Holdings 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.

Requests to address the meeting had been received from the applicant and also the applicant's colleague/supporter.

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

The applicant referred to condition 5 in the report relating to hours of operation stated there was no restriction on the site currently and did not see why there is now a restriction. It was explained by an officer that this was due to a residential property being adjacent to the site and this was normal practice. Even though current occupiers of the adjacent property may not object, consideration and protection has to be given to any future residents. The applicant's colleague/supporter stated that the units on the other side of Bobtails don't appear to have any restrictions on them. The officer explained that this depends on when planning permission was granted and sometimes it is a historic use which may not have had conditions imposed at that time. Planning legislation changes over time. When new applications come forward, conditions now tend to be imposed to protect amenity.

The Chairman then invited the committee to determine the application.

Several members made comments about the opening times and it was commented that there was an error in the wording of the condition that omitted Saturday opening times. There was a discussion whether or not to have a condition at all, or if it was legitimate to restrict Sunday or Bank Holiday working. The officer stated that the condition should state Monday to Saturday 08:00 hours to 18:00 hours and not what was detailed in the report, but it could be amended if required.

Classic cars would be stored on the site and there was some discussion on whether or not it would be appropriate to have a personal permission associated with the applicant. A comment was made that would it be deemed

as work if the applicant wanted to take the cars out on a Sunday and felt it was legitimate to consider this as it could potentially cause problems for the applicant.

The legal adviser recommended that condition 5 be redrafted. She did not recommend a personal condition to the applicant but to re-draft condition 5 carefully to separate out the use for the storage of cars (which can occur continuously) and any noise related working and maintenance of the cars. She recommended to restrict maintenance working and the movement of vehicles. Consideration needs to be given for not working outside certain hours and also restricting heavy goods vehicles.

It was proposed by Councillor Aslam and seconded by Councillor Graves that the planning application be approved and that condition 5 be amended by officers in accordance with the advice given by the legal adviser. This then became the substantive motion.

RESOLVED that the planning application be approved subject to the following conditions and an amendment to condition 5:

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 accordance with the following plan numbers and information:

Proposed location plan scale 1:1250 received 6th March 2017

Proposed block plan received 6th March 2017

1266- 17- 2 plans as proposed ground floor plan and elevations received 6th March 2017

Email dated 5th May 2017 from Martin Rice to Kelly McDermott regarding crime prevention and security measures

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 prior to construction.

Reason: In the interest of the visual amenity of the area in accordance with policy 8 (d) (i) of the North Northamptonshire Joint Core Strategy.

4. The areas allocated for vehicle parking, loading and unloading, circulation and manoeuvring on the approved plans shall only be used for the said purpose and not for any other purposes.

Reason: To ensure the provision and availability of satisfactory off-street parking and servicing/loading/unloading facilities for the

development in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

5. The maintenance and repair of vehicles or any other noise generating works, together with any HGV movements associated with the lawful use of the site shall not operate outside the hours of 8.00am to 6.00pm Monday to Saturday and not at all on Sundays or Bank Holidays without the express permission of the local planning authority.

Reason: To safeguard the residential amenity of nearby occupiers in accordance with policy 8 (e) (i) of the North Northamptonshire Joint Core Strategy.

6. No building hereby permitted shall be occupied until a report detailing the lighting scheme and predicted light levels at the neighbouring residential property has been submitted to and approved in writing by the local planning authority.

Artificial lighting to the development must conform to requirements to meet the 'Obtrusive Light Limitations for Exterior Lighting Installations for Environmental Zone - E2' contained within Table 1 of the 'Institute of Light Engineers Guidance Notes for the Reduction of Obtrusive Lighting, GN01', dated 2005.

Reason: In order to safeguard the amenities of adjoining residential occupiers in accordance with policy 8 (e) (i) of the North Northamptonshire Joint Core Strategy.

(Councillor Maguire left the room).

9. PLANNING APPLICATION WP/17/00204/FUL – 57 HIGH STREET, BOZEAT

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/17/00204/FUL, for twin dormers with pitched and tiled roofs above C/L of existing rear windows. Flat pivot roof lights above C/L of existing front windows – re-submission at 57 High Street, Bozeat for Mr D Edwards.

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

(Councillor Maguire returned to the room).

The Head of Planning and Local Development recommended that the planning application be approved.

The Chairman then invited the committee to determine the application.

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

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

(Councillor Maguire refrained from voting as he had been out of the room for part of the planning application introduction and discussion).

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

Reason: 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 8 (d) (i) of the North Northamptonshire Joint Core Strategy.

3. The development shall be carried out in accordance with the following plan numbers:

Location Plan Scale 1:1250 received on 13th March 2017

PR.16.818.002 Rev D Proposed Layout and Details received on 13th March 2017

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

10. PLANNING APPLICATION WP/17/00210/FPD – DIVERSION OF FOOTPATHS TM13 AND TM16 IN THE PARISH OF ISHAM

The annexed circulated report of the Head of Planning and Local Development was received, including late letters, on planning application WP/17/00210/FPD, for an application for a diversion of public footpaths TM13 and TM16 in the Parish of Isham to enable planning permission to be implemented – amended plan received 15/05/2017 on street record Footpath TM16 Junction with TM1 (north end of The Sorrels), West to TM13 and Footpath TM16 Junction with TM1 (north end of The Sorrels), West to TM13 Isham, Wellingborough for A P Lewis and Sons.

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

The application site is part of an irregularly shaped rectangular parcel of land located outside of the north-eastern corner of the village.

The site is bounded on two sides by open countryside and the remaining sides are bounded by properties along the Sorrels, Sorrel Close and Kettering Road (A509).

The site is crossed by public rights of way: TM001, TM013 and TM016 which link into the wider network of public rights of way.

The original TM001 at the end of The Sorrels has now been re-numbered as TM018.

Planning permission was granted on appeal for the erection of 16 dwellings (5 of which are to be affordable) along with vehicular access on land off The Sorrels.

The current application is to make an order under section 257 of the Town and Country Planning Act 1990 to divert the public rights of way TM013 and TM016. The proposed diversions are necessary to align with the new highway layout when the approved scheme is implemented.

The local planning authority has the power to make the order if it is satisfied that the order is necessary.

As a result of the fact that the layout of the approved scheme overlays the existing footpaths, it is considered necessary to amend the footpath routes to enable them to traverse the estate following the approved highway layout. The proposed diversion of the Public Rights of Way TM013 and TM016 is therefore considered necessary to create a logical route through the approved scheme.

The Head of Planning and Local Development recommended that:

- (1) The application be granted and a diversion Order is made;
- (2) The Head of Planning and Local Development is authorised to give the requisite notices and to do anything that is required to publicise the making of the Order;
- (3) If no objections are received or if received and withdrawn, the Head of Planning and Local Development to confirm the Order;
- (4) If objections are received and not withdrawn, subject to the applicant agreeing to pay the council's costs associated with a public inquiry and seeking confirmation of the Order by the Secretary of State, the Head of Planning and Local Development in consultation with the solicitor to the council be authorised to take any action necessary for the Order to be confirmed by the Secretary of State.

The Chairman then invited the committee to determine the application.

The Ward Councillor stated that he had received some complaints about this but they have now been dealt with.

It was proposed by Councillor Hallam and seconded by Councillor Aslam that the application be granted.

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

RESOLVED that:

- (1) The application be granted and a diversion Order is made;
- (2) The Head of Planning and Local Development is authorised to give the requisite notices and to do anything that is required to publicise the making of the Order;
- (3) If no objections are received or if received and withdrawn, the Head of Planning and Local Development to confirm the Order;
- (4) If objections are received and not withdrawn, subject to the applicant agreeing to pay the council's costs associated with a public inquiry and seeking confirmation of the Order by the Secretary of State, the Head of Planning and Local Development in consultation with the solicitor to the council be authorised to take any action necessary for the Order to be confirmed by the Secretary of State.

11. PLANNING APPLICATION WP/17/00227/FUL – 18 HAVELOCK STREET, WELLINGBOROUGH

The annexed circulated report of the Head of Planning and Local Development was received, including late letters, on planning application WP/17/00227/FUL, for the erection of 6 flats on land to the rear of 18 Havelock Street with associated curtilage including communal area, car, cycle parking and waste storage area. Partial demolition of wall and garages at 18 Havelock Street, Wellingborough for Mr R Langley.

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.

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

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

The agent considered the location to be highly sustainable and a substantial improvement with adequate parking.

The Chairman then invited the committee to determine the application.

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

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

RESOLVED that the planning application be refused as the creation of a block of flats on the site would not respond to the site's or the town centre conservation area's immediate or wider context and the overall form, character, details and landscape setting and would constitute a cramped form of development with inadequate on-site parking, manoeuvring space, and private amenity space and negative impacts on neighbouring residential amenity. As

such the proposed development would constitute overdevelopment of the site and would be contrary to the North Northamptonshire Joint Core Strategy policies 8 (b) (i), (ii), (d) (i) (ii) and (e) (i) and (vi), 2 (a), (b) and (d) and 30 (a) (ii) and advice contained within the National Planning Policy Framework 2012.

12. PLANNING APPLICATION WP/17/00228/FUL – 69 HARVEY ROAD, WELLINGBOROUGH

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/17/00228/FUL, for the removal of existing conservatory. Single storey rear extension at 69 Harvey Road, Wellingborough for Miss S Scanlon.

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 be approved.

The Chairman then invited the committee to determine the application.

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

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

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

Reason: 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 8 (d) (i) of the North Northamptonshire Joint Core Strategy.

3. The development shall be carried out in accordance with the following plan numbers:

Proposed Location Plan Scale 1:1250 received 6th April 2017

SS-P-05 Existing & Proposed Block Plans received 6th April 2017

SS-P-03 Proposed Ground Floor Plan and Roof Plan received 6th April 2017

SS-P-04 Proposed Elevations received 6th April 2017

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

13. APPLICATION OUTSIDE THE BOROUGH

1. WP/17/00329/EXT

The Chairman referred members to the additional circulated report on planning application WP/17/00329/FUL, for a scoping opinion for outline planning for a Sustainable Urban Extension to the east of Rushden at Rushden East Urban Extension, Liberty Way, Rushden for BDW Trading Ltd and Taylor Wimpey UK Ltd.

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 reported back from the Joint Planning Unit that East Northants are looking at connectivity and members are asked if this was before this committee what issues would we see addressed as part of an environmental impact statement.

It was proposed by Councillor Scarborough and seconded by Councillor Maguire that, in principle, no objection be raised and that consideration in the traffic analysis TA should include the residential development at Stanton Cross.

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

RESOLVED that, in principle, no objection be raised and that consideration in the TA should include the residential development at Stanton Cross.

14. APPLICATIONS FOR PLANNING PERMISSION, BUILDING REGULATION APPROVALS AND APPEALS INFORMATION

RESOLVED that the decisions on applications for planning permission, and building regulation approvals determined by the Head of Planning and Local Development in accordance with delegated powers and appeal information as set out in the report of the Head of Planning and Local Development, (Minute 4), be noted.

15. PLANNING APPEAL DECISION

RESOLVED to note the following annexed circulated decision letter dated:

- (i) 12/05/2017, in respect of the development of a proposed dormer house with integral garage at the rear of Pioneer House, 10 Wellingborough Road, Isham, should be allowed.

Chairman

The meeting closed at 8:15 pm.

COUNCIL MEETING – 11 JULY 2017

REPORT OF THE LICENSING COMMITTEE

20 April 2017

Present: Councillors Simmons (Chairman), Harrington (Vice-Chairman), Aslam, Griffiths, Maguire, Morrall, Scarborough, M Waters, V Waters, Ward, Walia,

Also present: Mrs A Wilcox, (Principal Environmental Health Manager), Mr M O'Donnell, (Team Leader, Health Protection) and Mrs C A Mundy, (Democratic Services Officer).

1. APOLOGIES

RESOLVED that an apology be received from Councillor Bell.

2. DECLARATIONS OF INTEREST

RESOLVED to note that no declarations were made.

3. DELEGATION OF FUNCTIONS BY LICENSING COMMITTEE

The annexed circulated report of the head of planning and local development was received to request that delegation be given to officers to act as a responsible authority, within the Licensing Act 2003, on behalf of the licensing authority.

The principal environmental health manager presented her report to committee.

In 2012 the Police Reform and Social Responsibility Act 2011 amended the Licensing Act 2003 to make the licensing authority a responsible authority enabling the licensing authority to comment and respond to applications as a consultee and request reviews of licences where it is deemed necessary to promote any or all of the licensing objectives.

Licensing authorities were not expected to act as responsible authorities on behalf of other parties such as local residents or community groups. Such parties could make representation in their own right.

Under section 10 of the Licensing Act 2003, the licensing committee could discharge certain functions to an officer of the licensing authority.

It was considered necessary to separate the role of responsible authority from the process of handling applications and servicing the licensing committee to protect the impartiality of the licensing authority and reduce any possible conflict of interest to ensure a fair hearing.

These duties were currently undertaken by the principal environmental health manager and it was considered that the team leader health protection and

team leader environmental protection would be best placed to carry out the responsible authority duties on behalf of the licensing authority.

RESOLVED that the team leader health protection and team leader environmental protection make representations on behalf of the licensing authority as a responsible authority under the Licensing Act 2003.

4. OPERATIONAL POLICY AND CONDITIONS GOVERNING TAXI AND PRIVATE HIRE LICENSING

The principal environmental health manager referred to the amended operational policy and conditions governing taxi and private hire licensing, approved by services committee, which had come into force on 1 April 2017.

The policy documents were circulated to members along with a summary of the main changes which members discussed and gave their support to.

RESOLVED that the information provided be noted.

Chairman

The chairman closed the meeting at 11.05am.

COUNCIL MEETING – 11 JULY 2017

REPORT OF THE LICENSING SUB-COMMITTEE

20 April 2017

Present: Councillors Scarborough (Chairman), Simmons and Harrington

Also present: Mrs A Wilcox, (Principal Environmental Health Manager), Mr M O'Donnell, (Team Leader, Health Protection) and Mrs C A Mundy, (Democratic Services Officer).

1. APPOINTMENT OF CHAIRMAN

RESOLVED that Councillor Scarborough be appointed as chairman.

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.

Minute No.	Item	Exemption
3	Application to revoke or suspend private hire driver's licence	E1 and 2
4	Application to revoke, suspend or introduce new conditions to a private hire driver's licence	E1 and 2

3. APPLICATION TO REVOKE OR SUSPEND PRIVATE HIRE DRIVER'S LICENCE

The annexed circulated exempt report of the head of planning and local development was received in relation to a potential revocation or suspension of a private hire driver's licence.

The principal environmental health manager presented her report to the sub-committee.

She explained that the authority participated in the National Fraud Initiative (NFI) annually which is a data matching exercise to prevent and detect fraud.

This involved matching licensing data with Home Office immigration data, to identify potential cases of interest for the Home Office. The Home Office had notified the council that one of the council's licensed drivers had no right to work in the country and recommended that the driver's licence be revoked. The sub-committee was therefore asked to decide whether the licence holder remained a 'fit and proper person' to hold a private hire driver's licence. The licence holder failed to attend the meeting.

Members discussed the information at length and considered that the licence holder was not a 'fit and proper person' to hold a licence.

Decision:

RESOLVED that the private hire driver's licence for Mr C, be revoked.

Reason:

The sub-committee was not satisfied that the driver was a fit and proper person, due to his failure to inform the council about his immigration status and rights to work in the United Kingdom.

4. APPLICATION TO REVOKE, SUSPEND OR INTRODUCE NEW CONDITIONS TO A PRIVATE HIRE DRIVER'S LICENCE

The annexed circulated exempt report of the head of planning and local development was received in relation to the possible amendment, revocation or suspension of a private hire driver's licence.

The principal environmental health manager presented her report to committee.

Notification had been received from the police in October 2016 that the licence holder was the subject of a criminal investigation and was on police bail conditions, as further detailed within the report.

In March 2017 the bail conditions had been removed but the driver remained the subject of a criminal investigation and the case was to be considered by the Crown Prosecution Service.

Licensing officers had now been invited to attend a joint evaluation meeting with the local authority designated officer (LADO) on 5 May 2017.

The sub-committee was asked to decide whether the driver remained a 'fit and proper person' to hold a private hire driver's licence or whether they wished to consider adding conditions to the licence, suspension of the licence or revocation of the licence during the criminal investigation.

The licence holder failed to attend the meeting.

Members discussed the information before them and considered that with the small amount of information available to them, that they could not make a decision until after the multi-agency meeting had been held.

Decision:

RESOLVED that the hearing be adjourned until further information was received.

Reason:

The sub-committee considered that it did not have sufficient information to be able to make a final determination.

The sub-committee did, however, impose a condition on the driver's licence that he should not have any unsupervised contact with any child under the age of 18 whilst acting as a private hire driver until such time as the matter is brought back before a sub-committee.

The reason for imposing this condition is that the sub-committee heard evidence from licensing officer, Mr M O'Donnell, that the driver was prepared to accept such a condition on his private hire vehicle driver's licence having discussed the issue via telephone prior to 20 April 2017.

This matter is to be brought back before the sub-committee at the earliest available opportunity following the resolution of the criminal proceedings at issue.

Chairman

The chairman closed the meeting at 11.45am.

COUNCIL MEETING – 11 JULY 2017

REPORT OF THE LICENSING SUB-COMMITTEE

7 June 2017

Present: Councillors Scarborough (Chairman), Harrington and Morrall.

Also present: Mrs A Wilcox, (Principal Environmental Health Manager), Mr R Essex, (Solicitor, District/Law) and Mrs C A Mundy, (Democratic Services Officer).

The meeting commenced at 12 noon.

1. APPOINTMENT OF CHAIRMAN

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

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 description shown in schedule 12A to the Act.

Minute No.	Item	Exemption
3	Application to revoke or suspend a private hire driver's licence	E1 and 2

3. APPLICATION TO REVOKE OR SUSPEND PRIVATE HIRE DRIVER'S LICENCE

The annexed circulated exempt report of the director was received for the sub-committee to determine whether to revoke or suspend a private hire driver's licence.

The principal environmental health manager presented her report to the sub-committee. She explained that the private hire driver had been granted his licence in June 2016. Relevant information had come before the authority and the sub-committee needed to determine whether he remained a 'fit and proper' person to hold such licence.

The sub-committee had received a report on 20 April 2017 and at that meeting had concluded that it did not have sufficient information to make a determination. A condition was imposed on the licence to prevent the driver having any unsupervised contact with a child under the age of 18, whilst acting as a private hire driver.

The principal environmental health officer had attended a joint evaluation meeting with the local authority designated officer (LADO), Police and Social

Care on 5 May 2017 – details of which were appended to the report. The meeting concluded that the allegation against the driver was proved on the balance of probability.

The licence holder was not in attendance and had not attended the previous sub-committee meeting on 20 April 2017.

Members considered the information before them, noting that the licence holder had consistently denied any wrong doing. The findings of the Joint Evaluation meeting indicated that the complainant's account of what had happened had remained constant throughout and the drawings that the complainant had made supported the allegations. The sibling of the complainant had confirmed that the allegations were true, but had declined to make a formal statement to that effect. Social Care workers and Police considered that this was sufficient to substantiate the allegation and to raise concerns about the behaviour of the licence holder in the future.

Members debated the options before them.

DECISION:

Resolved that the private hire driver's licence held by Mr M be revoked 21 days from the date of this meeting.

Reasons for decision:

Taking into account the decision of the LADO meeting and the fact that one child substantiated the evidence of her sibling, on the balance of probabilities the committee found that he is not a fit and proper person to hold a private hire driver's licence.

Chairman