

COUNCIL MEETING – 16 JANUARY 2018

REPORT OF THE LICENSING SUB-COMMITTEE

23 November 2017

Present: Councillors Simmons, (Chairman), Ekins and Scarborough.

Also present: Mrs A Wilcox, (Principal Environmental Health Manager), Mr G Hollands, (Solicitor/ DistrictLaw), and Mrs C A Mundy, (Democratic Services Officer).

The meeting commenced at 3.10pm.

1. APPOINTMENT OF CHAIRMAN

RESOLVED that Councillor Simmons 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 licences	E1 & 2

3. APPLICATION TO REVOKE OR SUSPEND HACKNEY CARRIAGE DRIVER AND VEHICLE LICENCES

The annexed circulated exempt report of the director was received in relation to a request received for the sub-committee to reconsider the decision to revoke a hackney carriage driver and vehicle licenses made at the licensing sub-committee hearing on 23 October 2017.

The report detailed the evidence that had been before the sub-committee on 23 October 2017 and the decision made of the sub-committee to revoke all licences held with immediate effect.

The licence holder and his representative Mrs S attended the sub-committee. The chairman introduced the sub-committee members and officers to them.

Mrs Wilcox, Principal Environmental Health Manager, reported that following the decision of the sub-committee on 23 October 2017, the

licence holder's representative had contacted the council to say that the licence holder had failed to attend the sub-committee hearing as he had not received the letter inviting him to attend until after the date of the meeting. The licence holder had submitted an appeal to the magistrates' court against the revocation and his representative had requested that the sub-committee reconsider the decision for immediate revocation to enable the licence holder to continue with his livelihood whilst awaiting the appeal hearing.

Members agreed to reconsider the decision made on 23 October 2017 as to whether the licence holder remained a fit and proper person to hold a hackney carriage drivers licence and two hackney carriage vehicle licences as prescribed by the Local Government (Miscellaneous Provisions) Act 1976.

The principal environmental health manager explained that the licence holder had been brought before the sub-committee as a number of complaints had been received and the council had taken a prosecution against the licence holder for not using the meter fitted to his Hackney Carriage on a test purchase journey. One complaint was regarding the over-charging of a small group of school girls when taking them from the railway station in Wellingborough to McDonalds in the town centre, had been reported against the licence holder.

Further complaints and counter complaints about the licence holder were also received in 2015 and 2016 and related to damage to his and other vehicles.

In 2016 there was a further complaint about his failure to take the shortest route on a journey, which was against policy.

Again in 2016 there was a complaint that the licence holder drove dangerously, whilst drinking a drink and was slowing down unnecessarily causing a following car to brake sharply.

In September 2017 a further complaint regarding the failure to activate the taximeter and subsequently overcharging the passenger was received.

In December 2017 a test purchase operation, in conjunction with Northamptonshire Police, resulted in two special constables in plain clothes approaching a taxi. The driver did not activate the meter before starting the journey. He was subsequently taken to court and fined for this.

A further complaint was received in March 2017 where a member of the public said that the licence holder had been rude and shouted and swore at her. It was also alleged that he had attempted to drive off whilst the customers legs were hanging out of the side door of the car. The licence holder had denied the use of bad language but had admitted to driving a short distance with the door open.

Following this incident a subsequent inspection of the vehicle had taken place in March 2017 and it was found to be below the standard expected of a licensed vehicle, as such its licence was suspended and remedial work undertaken.

The chairman thanked the principal environmental health manager for the information and asked Mrs S if she wished to address the meeting.

Mrs S spoke on behalf of the licence holder. She presented the chairman with a bundle of documents which she asked the sub-committee to use as a reference to various points she wished to make.

The chairman accepted the bundle but informed Mrs S that it should have been presented prior to the meeting to enable the members to read it in good time for the hearing.

Mrs S informed the sub-committee that the purpose of her request for a further hearing had been made as she was hopeful that the decision for immediate suspension could be revoked whilst the appeal was processing through the court. She also wanted to ensure that 'due process' had been followed during the hearing on 23 October 2017.

Mr Hollands, Solicitor, explained that the decision had already been made at the hearing on 23 October 2017, in the absence of the licence holder, which was permissible. This sub-committee had been called to ascertain why the licence holder had failed to attend and why matters should be looked at differently.

Mrs S explained that the licence holder had not received the letter as he had been at his family home in Blackburn only returning to the house he shared with others in Wellingborough on the evening of the meeting. He had therefore not been able to attend the meeting. She believed the licence holder to be a fit and proper person and he had a number of character references, which were contained in the bundle in front of members. He had no driving offences or penalty points and no criminal record. He was very polite, well-dressed and was professional at all times to his customers.

The chairman thanked Mrs S and opened the debate to members.

Members noted the reason why the licence holder had failed to attend the meeting but considered that he should have ensured that his post was regularly opened.

They also asked why the licence holder had failed, on a number of occasions, to use his taxi meter. The licence holder responded and said that he had simply forgotten to put his meter on. This was deemed unsatisfactory as it was a legal requirement to do so. A letter had been written to the licence holder clearly explaining the consequences of a failure to use his meter.

Members also queried the damage to another vehicle. The licence holder denied causing any damage and said that he had been in Blackburn as it had been his daughter's birthday.

Mrs S addressed the meeting and said that a number of issues that had been raised had been unsubstantiated.

Members raised further queries regarding the incident where the licence holder had driven with a passenger's legs hanging out of the door and asked him to explain the reason why he had done this.

The licence holder said that the passenger had been rude and abusive and had failed to leave the vehicle at the end of the journey. As they had refused to leave the vehicle he threatened to take them to the police station and only driven a little way. Mrs S said that the licence holder was remorseful about this incident.

The licence holder denied the accusation of driving erratically whilst drinking a drink and said this was something that he would not do.

With regard to other complaints against him, he considered that these had been unsubstantiated and there was no evidence that the incidents had occurred.

Members asked if he had driven to the council offices for the sub-committee. The licence holder confirmed that he had and that his vehicle was in the car park.

He was reminded that his licence had been revoked with immediate effect and that therefore he should not be driving under any circumstance.

Mrs S on behalf of the licence holder apologised for this and explained that he had not understood that he was not permitted to drive the vehicle whilst awaiting the appeal.

She asked that the sub-committee to take into account his good record, the fact that he was a good driver with a clean licence, that he owned good and reliable vehicles, he was polite and courteous to his customers and of good character. He promised to remember to use his meter in future.

The chairman adjourned the meeting at 5.05pm.

The hearing was reconvened at 5.35pm.

DECISION:

RESOLVED that:

1. it was in the interests of justice and fairness that the decision made in the absence of the licence holder on 23 October 2017, be reconsidered;
2. having heard in detail from the licence holder and his representative, Mrs S, the decision to revoke both the licence holder's driver's licence and his vehicle licence should be affirmed;
3. the decision that the revocation should be immediate on the grounds of public safety should be affirmed for the reasons set out below.

REASONS FOR DECISION:

In arriving at its decision the committee considered the following:

1. oral representation by the principal environmental health manager, responsible for licensing, Mrs S on behalf of the licence holder and the licence holder himself.
2. the committee report;
3. a bundle of testimonials and other material submitted by Mrs S at commencement of the hearing.

Decision to reconsider:

The licence holder explained that he had not seen the notice of the meeting on 23 October 2017 but accepted that he had found the notice at his premises after that date. There was no evidence that the documents had been returned by the post office.

Accordingly the committee concluded that he had either failed to open the envelope or failed to make adequate arrangements for his post to be forwarded to him. The decision to proceed in his absence on 23 October 2017 was therefore justified.

In view of the seriousness of the consequences of that decision and the detailed representations made on behalf of him by Mrs S in writing prior to the meeting it was in the interests of justice that the whole of the decision made on 23 October 2017 be reconsidered.

Decision to revoke licences:

In order to arrive at the decision the committee considered each of the six matters in paragraphs 6.23 to 6.20 of the report to the committee meeting on 23 October 2017

6.2 – Alleged failure to use a taxi meter in September 2014.

The committee noted the letter dated 23 September 2014 recording an interview with the licence holder and an acceptance by him of the failure. However at the hearing the licence holder maintained that he had not accepted this failure. Mrs S further explained that he did not challenge the letter at the time because he did not realise the possible consequences of not doing so.

6.3 – Allegations of damage to taxi drivers' vehicles both by and against the licence holder

The committee noted the letters of 24 July 2015 and 11 April 2016 to the licence holder concerning these matters. He stated that he did not accept that any of the conduct complained of arose from his behaviour. Mrs S again stated that he did not consider at the time that there was any reason for him to take further action in relation to his dealings with other drivers.

6.4 Allegation of failure to use shortest route in February 2016.

The committee again noted the letter of 11 April 2016 on this subject. The licence holder said that he could not recall the incident but that he always endeavoured to use the shortest route. Mrs S again said that he did not consider it necessary to make further representations at the time.

6.5 Allegation of dangerous driving on 23 February 2016.

The committee again noted the letter of 11 April 2016 on this subject. The licence holder stated to the committee that he never drove dangerously and drew attention to the testimonials as to the quality of his driving in the bundle.

6.6 to 6.8 Failures to use taximeter – September and December 2016

The licence holder accepted that he had pleaded guilty to the offence of failing to use his taximeter on 9 December 2016 and ordered to pay the total sum of £526 by the court. He continued to maintain that he had used his meter on 27 September. The committee nevertheless took into account the evidence in paragraph 6.6 that a complainant had reported a failure to use a taximeter and overcharged that person on that date. It also noted that the charge in relation to that matter had not been proceeded with.

6.9 to 6.10 Driving whilst passenger's leg outside taxi and taxi in unsatisfactory condition in March 2017.

The committee noted the letter of 20 March 2017 sent to the licence holder about this incident, the absence of further representations at the time and Mrs S's explanation, representations that he thought that unnecessary at the time. The licence holder maintained to the committee that he had not driven dangerously, that he was satisfied at the time that it was safe to move and that he had only moved a very short distance. He had been concerned at the behaviour of the passenger and her failure to cooperate with his reasonable requests.

The licence holder accepted that the licensing officer had required his vehicle to be rectified following the interview in relation to this matter in respect of a defect that would have amounted to an MOT failure had it been subjected to such a test at that point. He stated that the vehicle had been rectified.

Conclusions on evidence

(a) Generally

the committee were unsatisfied with the licence holder's explanations and his representations that the licensing officers of the council had made unfounded allegations of fact and treating him unfairly. It did not consider him to be reliable in relation to the matters alleged.

(b) There was no dispute that he had been convicted of a criminal offence of failing to use his taximeter on 9 December 2016.

(c) The committee noted the withdrawal of the charge of failure to use a taximeter on 27 September 2016. However the committee was not bound to conclude for the purposes of its decision on his licenses that he had used the taximeter because it needed to make a reasonable decision based on the evidence and was not bound to be satisfied beyond reasonable doubt. In view of the precise nature of the allegations and its view of the reliability of the licence holder's own evidence in general it concluded that he had failed to use the taximeter on that date in accordance with his obligations.

(d) The committee noted the withdrawal of the no insurance charge and took no account of that allegation.

(e) In relation to the allegation of imperilling the safety of his passenger in March 2017 the committee considered that the licence holder's representation of being able to be sure that the position of the passenger from his driver's seat was safe implausible. It was satisfied that he had conducted himself in a manner putting his passenger at risk.

(f) Having regard to the overall evidence of less than adequate behaviour the committee considered that it was likely that the remaining incidents had occurred. In particular it was satisfied that the licence holder had driven dangerously on 23 February 2016 by undercutting a vehicle and not having adequate control of it by reason of drinking an unknown liquid whilst driving.

Conclusions:

The sub-committee considered that its factual conclusions recited above meant that the licence holder was not a fit and proper person to hold a hackney carriage driver's licence. He did not comply with the council's bylaws and condition of licence in relation to the use of a taximeter for charging his passengers; he had driven in an unsafe manner and failed to behave in a manner appropriate for the holder of such a licence. The sub-committee considered that there was a very real risk of there being other similar incidents that had not come to light and of further such incidents occurring in the future. In arriving at that conclusion it noted the various testimonials submitted by Mrs S but in the absence of any of the persons concerned being present and the two and half year period over which there had been reports of serious inadequate behaviour it considered the conclusion justified.

Further the sub-committee considered that a holder of a driver's licence that had been revoked for these reasons was unfit to hold vehicle

licences, particularly when a vehicle had been found to be unfit. Accordingly it was appropriate to revoke the vehicle licences.

(a) Immediate revocation

The sub-committee took into account its conclusions on the facts in considering whether to exercise its powers under section 61(2B) of the Local Government (Miscellaneous Provisions) Act 1976 to make the revocation immediate pending the appeal. It considered that a driver who was prepared to drive with passengers whilst holding a drink in his hand, to undercut other vehicles and to move his vehicle whilst a passenger's leg was outside the vehicle was a risk to public safety. Accordingly it determined that this power should be exercised and the licence revoked immediately.

Chairman

COUNCIL MEETING – 16 JANUARY 2018

REPORT OF THE PLANNING COMMITTEE

6 December 2017

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

Miss J Thomas (Director), Mrs E Buchanan, (Assistant Principal Development Management Officer), Mrs D Kirk, (Interim Senior Development Management Officer), and Mrs F Hubbard, (Democratic Services Officer).

(Councillor Griffiths attended the meeting as an observer).

1. APOLOGIES FOR ABSENCE

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

2. DECLARATIONS OF INTERESTS

RESOLVED to note that no declarations were received.

3. CONFIRMATION OF MINUTES – 8 NOVEMBER 2017

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

4. REPORT OF THE DIRECTOR

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

5. PLANNING APPLICATION WP/17/00575/FUL – 2 PARSONS CLOSE, GRENDON

The annexed circulated report of the director was received, including late letters, on planning application WP/17/00575/FUL, for extensions and associated alterations. First floor side extension to include dormer windows on east and west elevation and increased roof height of main dwelling. Amended plan at 2 Parsons Close, Grendon for Mr M Bamford.

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

The site viewing group visited the site on 05/12/2017 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 considered that the proposal would not affect the light to 1 Parsons Close and it was proposed by Councillor Aslam 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 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 drawings/details;

Drawing: 14-17-02 Rev B - Proposed Plans (registered 1 November 2017) Drawing: 14-17-01 - Existing Plans (registered 14 September 2017)

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

3. 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.

6. PLANNING APPLICATION WP/17/00656/FUL – 62 HIGH STREET, IRCHESTER

The annexed circulated report of the director was received, on planning application WP/17/00656/FUL, for a proposed change of use/conversion of former St John Ambulance property to 2 no one bedroom apartments at 62 High Street, Irchester for Mr Noghan.

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

The site viewing group visited the site on 05/12/2017 and a record of the visit was set out in the circulated notes.

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

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

The applicant stated that there is the need for affordable property and this former St John Ambulance property had been vacant since 2015, and there had been no interest in the building. In relation to the parking for the minimum of two cars to the rear of the property, the applicant is not aware of any nuisance to others in the past or any accidents. He added that he wanted to bring the property back into use and keep the building's characteristics.

The chairman then invited the committee to determine the application.

A member asked the applicant about the roller shutter door on the garage. The applicant responded that it would be removed for safety reasons together with the electronic mechanism.

The chairman asked the applicant if he would consider removing the pedestrian door into the garage and also the small wall near to the door to enable a car to be parked closer. The applicant confirmed to the committee that he would be more than willing to remove both.

Comments were made that there was plenty of room for a car to manoeuvre, it would tidy up the site and that one bedroom flats were needed.

Councillor Maguire would like the wall of this property to look more fitting to complement the neighbouring stone house and vicarage.

It was added that attention also needs to be given to the colour of the rendering to cover the sign space.

Councillor Scarborough stated that he would not vote against the planning application but did feel that it was a minimum level of acceptability and was a poor scheme.

Delegation was given to officers to agree the rendering and this would be added as an additional condition.

It was proposed by Councillor Morrall 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 should accord with the following drawing numbers: 17/N66/3a (location plan scale 1:1250 and block plan scale 1:500) received 19 October 2017; 17/N66/5 (site plan scale 1:100) received 9 November 2017; 17/N66/2c (site plan scale 1:200, ground and first floor plan and elevations) received 9 November 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. Parking within the development site is to be restricted to the areas allocated on the approved plans and shall not encroach onto the pedestrian/vehicular right of way.

Reason: To control the level of parking on the site and to safeguard the uses of other areas in accordance with policy 8 (b) (ii) of the North Northamptonshire Joint Core Strategy.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification) no door, barrier, bar, gate or other such means of enclosure shall be erected or constructed on the front elevation of the carport serving apartment 2 without the specific grant of planning permission from the local planning authority.

Reason: To prevent harm being caused to the amenity of the area and ensure that adequate on-site parking is provided for apartment 2 in accordance with policy 8 (b) (ii) of the North Northamptonshire Joint Core Strategy.

5. The dwellings hereby approved shall be built to meet the requirements of the national Accessibility Standards in category 2 (accessible and adaptable dwellings) in accordance with the schedule of the Approved Document M of the Building Regulations (2015).

Reason: To ensure that the development complies with the national accessibility standards and policy 30 (c) of the North Northamptonshire Joint Core Strategy.

6. The dwellings hereby approved shall incorporate measures to limit water use to no more than 105 litres per person day within the home and external water use of no more than 5 litres per day in accordance with the optional standard 36(2b) of Approved Document G of the Building Regulations (2015).

Reason: To ensure that the development complies with policy 9 of the North Northamptonshire Joint Core Strategy.

7. A representative sample of the external facing render to be used on the front elevation including the colour shall be submitted to and approved in writing by the local planning authority prior to construction works commencing. The approved sample shall thereafter be implemented and retained in that form unless otherwise agreed in writing with the local planning authority.

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.

7. PLANNING APPLICATION WP/17/00515/OUT – DUCKMIRE, 1 DUCK END, WOLLASTON

The annexed circulated report of the director was received, on planning application WP/17/00515/OUT, for an outline application with some matters reserved for the erection of 2 no new dwellings (access and layout to be determined at this stage). Amended plan at Duckmire, 1 Duck End, Wollaston for Mr K Woodrow.

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 director recommended that the planning application be refused for the reasons set out in the report.

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

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

The objectors who lived in Bramley Court had the following concerns about the planning application:

- Increase in traffic;
- Lack of parking as parking and delivery vans are already an issue and the residents pull together to make it work and manage the best they can;
- At present there is only a small area for turning and it is difficult to reverse out of the drives;
- Delivery vans experience problems turning around and have to reverse out;
- Possible overdevelopment in the future;
- The planning application would aggravate the situation to the detriment and safety to the residents in Bramley Court;
- Closeness of the proposal of unit 1 being overbearing to the bungalow at number 6 Bramley Court and the gradient of the land should be taken into account;
- Insufficient public benefit and contrary to the Wollaston Neighbourhood Plan;

- A piece of land owned by the applicant which is believed to be the access has been maintained by one of the objectors for many years.

The applicant addressed the committee and informed them that the land to be used was orchard land and a former tennis court. He felt that it would not impact on the conservation area but would enhance it. The unattractive fence would be removed and more stone walls built and there would be no earth works. The applicant invited the committee to site view the proposal and informed them that the parish council had discussed the planning application at length and approved it.

The chairman then invited the committee to determine the application.

Councillor Scarborough felt in his view that the planning application would be worth site viewing in the interest of fairness having heard the discussions and being able to view it on the ground.

It was proposed by Councillor Scarborough and seconded by Councillor Maguire that the planning application be deferred for a site visit. This became the substantive motion.

On being put to the vote, the motion to defer for a site visit was carried by 9 votes.

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

8. PLANNING APPLICATION WP/17/00638/VAR – FIGHTING FIT ACADEMY, 2 TROJAN CENTRE, WELLINGBOROUGH

The annexed circulated report of the director was received, on planning application WP/17/00638/VAR, for a variation of condition 1 of planning permission ref: WP/14/00372/COU, to allow the temporary use to become permanent at Fighting Fit Academy, 2 Trojan Centre, Wellingborough for Mr R Phillips.

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 director 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 a representative on behalf of the applicant.

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

The speaker addressed the committee and informed them how much the business had grown in size since moving into the premises 3 years ago. They have 200 members and serve children, exercise programmes for women's groups and a programme for over 65s. They also run programmes for life skills, safety and first aid and work with the council's guidelines working against anti-

social behaviour. He summarised by adding that they would like to stay in the accommodation and build on what they have already achieved and need a permanent home.

The chairman then invited the committee to determine the application.

It was proposed by Councillor Aslam 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. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order) the premises shall only be used for the purposes specified in the application (community gym for kickboxing, boxing and fitness) and for no other purpose (including any other purpose in Class D2 on the Schedule to the Town and Country Planning (Use Classes) Order 1987 or any provision equivalent to that Class in any Statutory Instrument revoking and/or re-enacting that Order).

Reason: This use only is permitted and other uses, either within the same Use Class, or permitted by the Town and Country Planning (GPD) Order 2015 are not acceptable to the local planning authority in this location because they need to be assessed on a case by case basis with policies of the North Northamptonshire Joint Core Strategy and the requirements of emerging policy E1 of the Plan for the Borough of Wellingborough Publication Plan (Part 2 Local Plan).

9. 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 director, in accordance with delegated powers; and appeal information as set out in the report of the director, (Minute 4), be noted.

10. PLANNING APPEAL DECISIONS

RESOLVED to note the following annexed circulated decision letters dated:

- (i) 09/11/2017, in respect of an outline application for residential development on land south of Health Centre, Aggate Way, Earls Barton, which was dismissed;
- (ii) 20/11/2017, in respect of a development proposed for a two storey rear extension to create an additional flat including single storey rear extension at 40 Wollaston Road, Irchester, which was dismissed.

The meeting closed at 7:45pm

Chairman

COUNCIL MEETING – 16 JANUARY 2018

REPORT OF THE PLANNING COMMITTEE

20 December 2017

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

Mrs V Jessop (Assistant Director), Mrs E Buchanan (Assistant Principal Development Management Officer), Ms K Skingley (Development Management Officer) and Mrs F Hubbard (Democratic Services Officer).

(Councillor Griffiths attended the meeting as an observer and left the meeting during minute 7).

1. APOLOGIES FOR ABSENCE

RESOLVED to note that apologies for absence were received from Councillors Lloyd and Maguire.

2. DECLARATIONS OF INTERESTS

RESOLVED to note that in accordance with the Localism Act 2011 and the council's code of conduct and rules of procedure, the under-mentioned councillor declared an interest in the following items:

Councillor	Minute No	Item	Description of Interest
Lawman	8	WP/16/00271/VAR	Other – aware of objectors
	10	WP/17/00686/CRA	Registerable – County Councillor

3. CONFIRMATION OF MINUTES – 6 DECEMBER 2017

RESOLVED that the minutes of the meeting held on 6 December 2017, be confirmed and signed.

4. REPORT OF THE DIRECTOR

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

5. PLANNING APPLICATION WP/17/00649/FUL – 10 CHURCH VIEW, ECTON

The annexed circulated report of the director was received, including late letters, on planning application WP/17/00649/FUL, for a detached dwelling at 10 Church View, Ecton for Mr D Weekes.

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

The site viewing group visited the site on 19/12/2017 and a record of the visit was set out in the circulated notes.

Requests to address the meeting had been received from 4 objectors and the agent. One of the registered objectors decided not to address the committee.

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

An objector who lives to the rear of the proposal wished to object on the grounds of amenity, parking and design. He commented that the original bungalow on the site was a 2 bed but now with the dormer was a 4 bed and falls short of parking spaces. He would like to see a condition for a landscaping scheme for the whole site and not just the new development to mitigate the impact of overlooking, and use trees of a height to help with screening; in addition, he felt there should be a condition to manage the trees to ensure no future loss of light and the trees should fit in with the conservation area.

The owner of Ecton House whose garden shares a boundary with 10 Church View had concerns of loss of amenity. He also had concerns for the Ash Trees in his garden that are within 1 metre of the boundary and the effect the foundations could have on the trees, which are a key feature to his garden and also the view from Church View. He also stated that the trees would overhang and result in blocked gutters. Concerns were also raised for the modern boundary brick wall, which he considered would bring significant harm and loss to neighbours with the loss of a view, the open sky and woodlands. The objector wanted to see the trees protected from the foundations in the form of piles. He referred to the Northamptonshire stone wall to the rear of the site and felt that the boundary wall should also be a stone wall to fit in with the surroundings. The objector also considered the proposal should have a pitched roof.

Another objector spoke who lives in Church View who had concerns in relation to parking arrangements for the future occupiers and felt that the proposal did not satisfy parking standards. He stated that a high degree of cooperation would be needed from one another in relation to parking and reversing off the drive as it is a shared drive way with the existing property. He considered it likely that the occupants and visitors to the two dwellings would park in the cul-de-sac, outside the entrance to 10 Church View, or in Church View, either on the road or road and kerb, bringing loss of amenity to neighbours and visitors trying to park their cars, leave their properties or use the turning circle at the end of the cul-de-sac. He added that this was critical as Church View is only one car wide and with cars parked on the road this causes problems for residents reversing out onto the road.

He also stated that refuse vehicles, emergency service vehicles, delivery van and lorry drivers all need to use the cul-de-sac and if cars are parked in the cul-de-sac you would have to reverse up Church View.

The agent stated that it was a substantial plot. The driveway would be widened to 4.5 metres. They are proposing 3 spaces for the existing property and also the proposed property. With regard to overlooking, he stated that the first floor dormer window on the rear of the proposed property is 21 metres to the rear boundary.

The chairman then invited the committee to determine the application.

Several members made comments about the application recognising the narrow road up to the turning head. A comment was made that it was a large plot but parking was clumsily designed and could have been better thought out. Another member commented that the trees were a concern but a trench had been dug which was visible at site viewing and there were no visible roots. Another member made a comment that he didn't feel that overlooking was an issue whereas another member felt there was oblique overlooking to the rear property.

A member commented that there was an informative to cover working hours but not deliveries. The planning officer stated that this was very difficult to enforce as delivery drivers are not under the control of the applicant and that she wouldn't recommend it goes on as a condition, but rather as an informative.

A comprehensive landscaping scheme was also requested for the whole of the site and the planning officer confirmed that this could be done as the red line on the plan is for the whole site. Councillor Scarborough formally proposed an amendment to that effect. He then asked about the stone wall that had been raised by an objector and if that request could be included in relation to the finish and materials. The planning officer confirmed that it could be covered in condition 2 in relation to samples and materials and also the boundary treatment.

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

On being put to the vote, the motion 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 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.

3. The development hereby permitted shall be carried out in accordance with the following details:
 - Proposed location site plan drawing number 17.61.10A received 16 November 2017.
 - Proposed elevations and floor plans drawing number 17.61.11A received 4 December 2017 (amended plan).

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

4. The site outlined in red shall be landscaped and planted with trees and shrubs in accordance with a comprehensive scheme which shall be submitted to and approved in writing by the local planning authority before construction commences. The scheme shall be implemented concurrently with the development and shall be completed not later than the first planting season following the substantial completion of the development. Any trees and shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees and shrubs of similar size and species to those originally required to be planted or other species as may be agreed.

Reason: In the interests of visual amenity and to comply with policy 8 (d) (ii) and 3 (e) of the Joint Core Strategy.

5. Prior to occupation of the development hereby approved, the driveway and access area must be paved with a hard bound surface for a minimum of 5 metres from the edge of the highway boundary in order to prevent loose material being carried onto the public highway.

Reason: In the interests of highway safety in accordance with policy 8 (b) of the North Northamptonshire Joint Core Strategy.

6. Prior to the occupation of the development hereby approved a positive means of drainage must be installed to ensure that surface water runoff from the driveway does not discharge onto the highway.

Reason: In the interests of highway safety in accordance with policy 8 (b) of the North Northamptonshire Joint Core Strategy.

7. Prior to the occupation of the development hereby approved, pedestrian to vehicle visibility of 2.0m x 2.0m above a height of 0.6 metres must be provided and maintained on both sides of the vehicular access.

Reason: In the interests of highway safety in accordance with policy 8 (b) of the North Northamptonshire Joint Core Strategy.

8. The development hereby permitted shall not be occupied until the means of vehicular access has been constructed and completed in

accordance with the approved plans and the said means of vehicular access shall thereafter be retained for access purposes only.

Reason: In the interests of highway safety in accordance with Policies 8 (b) of the North Northamptonshire Joint Core Strategy.

9. Prior to the construction of the development hereby approved, a scheme showing the proposed boundary treatment shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall show the type and height of fences, hedges, walls or other means of enclosure, and these shall be provided in accordance with the approved scheme before the approved dwellings is first occupied. The approved fence, hedge or wall shall subsequently be retained thereafter.

Reason: To ensure a suitable form of boundary treatment is constructed in accordance 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/or re-enacting that Order) no extension or enlargement (including additions to roofs) under Class A, B, C, D or E shall be made to the dwelling house hereby permitted, or any detached building erected, without the express permission in writing of the council.

Reason: The further extension of this dwelling or erection of detached building requires detailed consideration to safeguard the amenities of the surrounding area in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

11. The development hereby permitted shall only be carried out in accordance with the recommendations and findings of the arboricultural method statement (3449B and 3449C) received on 16 October 2017 and tree plan reference number 17.61.17 received 28 Nov 2017 and in accordance with BS5837:2012.

Reason: In order to protect the adjacent ash trees and conserve the local visual amenity of the area in accordance with policy 3 and 8 of the North Northamptonshire Joint Core Strategy.

12. The window within the west (principal) elevation of the dwelling hereby approved as shown on the ground floor layout plan (to the bathroom) shall be glazed with obscure glass. The level of obscurity shall be a minimum level 3 of the Pilkington range of textured glass or equivalent. The window shall not be altered to clear glazing without the specific grant of planning permission from the local planning authority.

Reason: In the interests of protecting privacy for the future occupiers of the development and in the interests of residential amenity in accordance with policy 8 (e) of the North Northamptonshire Joint Core Strategy.

13. The dwelling hereby approved shall be built to meet the requirements of the national Accessibility Standards in category 2 (accessible and adaptable dwellings) in accordance with the schedule of the Approved Document M of the Building Regulations (2015).

Reason: To ensure that the development complies with the national accessibility standards and policy 30 (c) of the North Northamptonshire Joint Core Strategy.

14. The dwelling hereby approved shall incorporate measures to limit water use to no more than 105 litres per person day within the home and external water use of no more than 5 litres per day in accordance with the optional standard 36(2b) of Approved Document G of the Building Regulations (2015).

Reason: To ensure that the development complies with policy 9 of the North Northamptonshire Joint Core Strategy.

6. PLANNING APPLICATION WP/17/00602/FUL – FIELD SOUTH EAST OF SUB-STATION, STATION ROAD, GRENDON

The annexed circulated report of the director was received, including late letters, on planning application WP/17/00602/FUL, for a development of a 49.99 MW Battery Storage facility with associated infrastructure and landscaping at field south east of sub-station, Station Road, Grendon for Miss K Cassie.

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 director recommended that the planning application be approved subject to the conditions set out in the report. An updated condition 2 was also included in the late letters' list.

The site viewing group visited the site on 19/12/2017 and a record of the visit was set out in the circulated notes.

Requests to address the meeting had been received from 2 local residents 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 local resident who lives adjacent to Hall Farm which is at the entrance to the proposed access track informed the committee that he did not object to the application but his real concerns were with construction and the use of the access track and its future development of the unit. The access track will pass within 15 metres of his property and he would like to see a mitigation plan to be included as part of any planning approval in relation to noise, dust and vibration. The working hours stated are from 7 am until 8 pm which he felt would be a detriment to the enjoyment of his garden and home. He considered there to be no justification for the long working hours and would expect with

good management, these could be reduced to normal working day hours and also meet the 6 month construction period. He would like to see the offer made by the applicant to manage deliveries outside the peak traffic times and that a planning condition be applied that limits any heavy goods vehicle movement times, to and from the site, between 9 am and 4 pm. He added that the gates to the entrance of the farm are left open and felt this could lead to the environment being blighted by unauthorised vehicles using the track and is likely to increase once the track has been upgraded, if the access to the farm remains unrestricted. He would like to see a planning condition to improve the gates and lock them at all times. He also had concerns about future industrial expansion.

The other local resident who spoke also had no objection to the application but had concerns about the traffic management plan and road safety and how the large vehicles would be managed on the main road with speeding traffic. He also had concerns of mud and debris being deposited on the highway. The local resident was concerned about the visibility splays as there is blind spot to the south of the junction, and to the north, sight lines are obscured by existing trees and vegetation. He also had safety concerns for users of the public footpath and how the right of way would be maintained. In addition he had concerns for the damage to the existing trees that overhang the main road and the access track which could be caused by the equipment being delivered to the site. The local resident also had concerns about flooding and the environmental impact. He added that he would like to see an alternative access.

The applicant spoke and stated that this site had the right sort of grid connection to allow import, as well as export, for the battery system. He stated that the maintenance access once operational is minimal, as it is a remote site with no one working there, requiring very little traffic but obviously has to be constructed and the applicant would look to work with the community the best they can, to manage any problems to the local area.

The chairman asked the applicant if he had to restrict the delivery times, how would this effect the project. The applicant stated that in relation to the national grid and funding you only have a small six month window to build. Deadlines imposed by the national grid make it challenging, therefore they look to try and get as much flexibility as possible. The applicant is not unwilling to work with the community and he stated that the idea was not to industrialise the area at all and would only be building what is necessary for the scheme and would not be tarmacing the green path. It will only be upgraded to accommodate deliveries.

Several questions were asked of the agent. He confirmed that they are very willing to control the mud debris and dust concerns and looked to use a bund to help with the visual impact, particularly from Grendon parish, with planting on the top to provide screening and for the visual impact to be mitigated the best it can be. In relation to the housing of the units, the big agricultural buildings have a greater visual impact than the type of shipping containers being used for this project. The containers are quick to deploy and can be installed quicker. A member asked what loss it would have on the borough if this application was declined. The agent stated that it is a national problem due to closing coal power stations and nuclear is a long way down the line and 30 percent of

energy comes from wind and solar, which is intermittent, and the national grid struggles to keep everything at the right frequency. He added that these types of facilities at this scale are very important to meet the country's energy needs and lots of them are needed to make a difference.

The chairman then invited the committee to determine the application.

A member commented that the hedgerow on the boundary should be managed and pruned as it does cut out the view of the entrance and during the construction 'Beware Traffic Construction Signs' be put up. Members note the speeding problem but commented that things could be done to improve this by maybe petitioning highways to move the 30mph sign and take up the offer of speed watch to help with the speeding.

Members would like to see the issues regarding mud, noise, dust and vibration, the hedge cut back to aid visibility and HGV deliveries being restricted to after 9am and before 4pm be dealt with under informatives, or conditioned. Councillor Lawman queried whether the planning application was supported by an Environmental Impact Assessment (EIA). The planning officer responded to say that after screening and consultation as to what is needed to be submitted, and as a result of the consultations, it was deemed not necessary to have an EIA assessment submitted with the application.

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

On being put to the vote, the motion for approval was carried by 8 votes 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: 209_CS_01, GP_AF_01, GP_CC_01, GP_CR_01, GP_DNO_01, GP_EH_01_, GP_MV_01, GP_SS_01, SL177_100, SL177_500, JNY9418 - 02, JNY9418 – 03.

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

3. Before construction commences details of the intended colours of all the permitted buildings and equipment shall be submitted to the local planning authority for approval in writing. The development shall be carried out in accordance with the approved details.

Reason: In order to protect the appearance of the landscape character in accordance with policy 3 of the North Northamptonshire Joint Core Strategy.

4. Before construction commences details of the intended crime prevention measures to be included into the development shall be submitted to the local planning authority for approval in writing. The development shall thereafter be carried out incorporating the approved measures.

Reason: In the interests of preventing crime in accordance with policy 8 (e) (iv) of the North Northamptonshire Joint Core Strategy.

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

Reason: To enhance the development in the interests of visual amenity and biodiversity in accordance policies 4 (a) (iii) and 8 (d) (ii) of the North Northamptonshire Joint Core Strategy.

6. Before construction commences a tree protection scheme in accord with BS5837:2012 shall be submitted to the local planning authority for approval in writing. The tree protection scheme shall identify significant trees adjacent/present on the proposal site and it shall be implemented before construction works start and shall be maintained until all construction works on the site have ceased.

Reason: To prevent harm being caused to the adjacent trees which are subject to a tree preservation order in accord with policy 8 of the North Northamptonshire Joint Core Strategy.

7. Before construction commences the applicant (or their agents or successors in title) has submitted to and had approved in writing by the local planning authority a programme of archaeological work consisting of a written scheme of investigation (WSI) and a timetable for that work. The development shall thereafter proceed in accordance with the approved WSI and timetable.

Reason: To secure the provision of archaeological investigation and the subsequent recording of the remains, to comply with policy 2 of the North Northamptonshire Joint Core Strategy.

8. In connection with condition no. 7 above and before the development is first occupied the applicant (or their agents or successors in title) shall submit to the local planning authority for its written approval an

archaeological report comprising of an analysis, preparation of site archive and completion of an archive report together with details of the store at which this is to be deposited.

Reason: To secure the provision of archaeological investigation and the subsequent recording of the remains in accord with policy 2 of the North Northamptonshire Joint Core Strategy.

9. Within three months of commencement of the operation of the facility a report shall be submitted to and approved by the local planning authority which demonstrates that the sound levels due to the operational facility do not significantly exceed those predicted in the noise report 'JAT9473-REPT-17-R0' dated 22 September 2017 and subsequent email dated 08.11.18. In the event that any significant exceedances of the predicted sound levels are identified the report will include recommendations for remedial mitigation measures to reduce noise emissions at the affected receptor locations. Any mitigation measures required will be implemented within 3 months of the report and maintained thereafter.

Reason: In the interests of protecting local amenity in accordance with policy 8 (e) (ii) of the North Northamptonshire Joint Core Strategy.

10. Before construction commences a surface water drainage scheme for the site, based on Flood risk assessment Report reference number JER 1293 Revision V1 dated September 2017 and drainage Impact Assessment Report reference number NK018770 / DIA06 Revision P03 dated 30th November 2017, prepared by RPS Consultant 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) An explanation confirming that how the drainage discharge hierarchy have been followed. For any infiltration, the applicant will need to supply details of BRE 365 compliant infiltration testing to confirm that such a method of surface water disposal is viable and if not they can go the next discharge hierarchy.

b) The current site's outfall facility is located outside of the application boundary. Hence a confirmation is required that the land required for these assets is under the control of the applicant; or that the required permission and wayleave are in place.

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

11. The development shall not become operational until the Verification Report for the installed surface water drainage system for the site has been submitted to and approved in writing by the Local Planning

Authority based on the approved Flood risk assessment document reference Flood risk assessment Report reference number JER 1293 Revision V1 dated September 2017 and drainage Impact Assessment Report reference number NK018770 / DIA06 Revision P03 dated 30th November 2017, prepared by RPS Consultant. These shall include:

- a) Any departure from the agreed design is keeping with the approved principles
- b) Any As-Built Drawings and accompanying photos
- c) Results of any Performance Testing undertaken as a part of the application process (if required / necessary)
- d) Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges etc.

Reason: To ensure the installed Surface Water Drainage System is satisfactory and in accordance with the approved reports for the development site in accordance with policy 5 of the North Northamptonshire Joint Core Strategy.

12. Before construction commences details of the intended lighting for the site shall be submitted to the local planning authority for approval in writing. The lighting shall be installed and operated in accordance with the approved details.

Reason: To ensure the lighting does not have a harmful effect on the visual amenity of the open countryside and to protect wildlife in accordance with policies 3 and 4 of the North Northamptonshire Joint Core Strategy.

(Councillor Griffiths left the meeting during the following planning application).

7. PLANNING APPLICATION WP/17/00515/OUT – DUCKMIRE, 1 DUCK END, WOLLASTON

The annexed circulated report of the director was received, including late letters, on planning application WP/17/00515/OUT, for an outline application with some matters reserved for the erection of 2 no. new dwellings (access and layout to be determined at this stage). Amended plan at Duckmire, 1 Duck End, Wollaston for Mr K Woodrow.

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 director recommended that the planning application be refused for the reasons set out in the report.

The application had been deferred at the planning committee held on 6 December 2017, for a site visit to be arranged.

The site viewing group visited the site on 19/12/2017 and a record of the visit was set out in the circulated notes.

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 the parish council were in favour of the planning application. The agent felt certain that the formation of 3 parking bays along Duck End, with an attractive one metre high stone wall and a sympathetic landscaping design, would be an improvement to the existing and would be a more suitable solution and not result in the loss of any historic assets. He stated that the proposal to remove the existing 3.6 metre high leylandii to the western boundary would dramatically improve the levels of daylight to 6 Bramley Court, and the two houses would help the parish achieve its housing requirements, and improve the perceived safety for pedestrians in Duck End, which is a relatively dark and isolated road. He added that each house would have 3 parking bays each and would accord with the Northants highways department standards and would not have any impact on the neighbouring properties.

The chairman then invited the committee to determine the application.

Members made several comments in relation to the application which is on two levels with two accesses neither of which they felt were particularly favourable with the access off Duck End being particularly difficult on such a narrow lane and the amount of excavation required. A comment was also made that Bramley Court was already a very congested small area. A member also had concerns in relation to the massing of the building to 6 Bramley Court and being overbearing to neighbours and also concern for the damage to the conservation area digging into the bank. They felt there was potential for a project to be had on this site but not this one. One member suggested maybe the access could be in Bramley Court with a more limited scheme or maybe further up the top of Duck End.

It was proposed by Councillor Hallam 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 for the following reasons:

The proposal for two detached dwellings on garden land would adversely impact upon the character and appearance of Wollaston conservation area by introducing development that would have a deleterious effect on garden land and orchard of the property 'Duckmire'. The earthworks required to be carried out as part of the development proposals along Duck End would negatively alter the look and feel of this historical part of the village and have a detrimental impact upon its verdant environment through the introduction of an access point and parking area. Cumulatively, the development of two dwellings in this location would result in the erosion of the quality of Wollaston conservation area. There is insufficient public benefit arising from this proposal to offset the identified harm to Wollaston conservation area as per the requirements of paragraph 134 of the National Planning Policy Framework.

The application is therefore contrary to policy 2 of the North Northamptonshire Joint Core Strategy and policy H5 of the Wollaston Neighbourhood Plan.

8. PLANNING APPLICATION WP/16/00271/VAR – LAND OFF NIORT WAY NORTHANTS LIP, NIORT WAY, WELLINGBOROUGH

The annexed circulated report of the director was received, on planning application WP/16/00271/VAR, for a S73 application to vary conditions 1-20, 24-30, 32-33 and 37 of application reference number: WP/2012/0525/XEIA – see covering letter and schedule of variations for the conditions - amended parameter plans on land off Niort Way Northants Llp, Niort Way, Wellingborough for Mr M Best.

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

The director recommended that the planning application be approved subject to the conditions set out in the report and the signing of the section 106 legal agreement.

The chairman then invited the committee to determine the application.

Councillor Hallam has concerns for the residents of Little Harrowden with all the traffic coming onto the road and up to the A509.

Councillor Lawman had several queries in relation to the amended conditions.

It was proposed by Councillor Scarborough that the planning application be deferred due to the many points that Councillor Lawman wished to raise which Councillor Scarborough said were substantive. This was seconded by Councillor Aslam. It was agreed that Councillor Lawman writes to the planning officer with his queries and the planning application would then return to committee with the responses to the questions. This became the substantive motion.

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

RESOLVED that the planning application be deferred to enable the queries to the conditions to be responded to and then return to committee.

9. PLANNING APPLICATION WP/17/00495/ADV – 29 – 30 SHEEP STREET, WELLINGBOROUGH

The annexed circulated report of the director was received, on planning application WP/17/00495/ADV, for proposed signage at 29 – 30 Sheep Street, Wellingborough for Mr R Hart.

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 director 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 an objector/supporter. The speaker decided not to address the committee.

The chairman then invited the committee to determine the application.

Councillor Scarborough proposed the approval for the planning application but did comment that the committee does not like retrospective planning applications and this be noted to the applicant. He stated that the signage was discrete and unlikely to cause any offence. He understands why the applicant wanted to get the signage up but nonetheless it did require planning approval. The approval was seconded by Councillor Aslam.

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

RESOLVED that the planning application 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. 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.

4. The development shall be carried out in accord with the following plan numbers: Signage details as submitted 9 November 2017.

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

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

10. PLANNING APPLICATION WP/17/00686/CRA – LAND TO THE EAST OF GREAT BILLING WATER RECYCLING CENTRE, NORTHAMPTON

The annexed circulated report of the director was received, on planning application WP/17/00686/CRA, for the extraction of sand and gravel, construction of concrete batching plant, processing plant, including ancillary weighbridge, office, workshop, recycling activities and access, plus importation of inert material and restoration to agriculture and nature conservation on land to the east of Great Billing Water Recycling Centre, Northampton for Anglian Water Services Limited.

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

The director recommended that no objection be made to the proposed development.

A request to address the meeting had been received from a resident from the borough.

The chairman informed the speaker before he came forward to speak that this committee is not the committee that makes the decision on this matter and that we are only a consultee. He added that the speaker was more than welcome to address the committee but that he needed to talk to the county council, as they are the ones that make the decision, but if he wanted to have his three minutes to speak he was welcome to do so.

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

The speaker as a resident of the borough stated that he expected this council to ask him and residents affected in Ecton, Great Doddington and other parishes within this borough what they may have thought before it was decided there were no objections.

He informed members that he has family in Ecton and Great Doddington who had asked him to stress their concerns that they would like the council to mention to the county council before it makes its final determination, considering that they were never consulted but would like to thank the ward councillor for Ecton, for having this brought to this committee's attention. The speaker informed the committee that the concerns were in relation to flooding as the area is susceptible to this, as was the A45. He felt the residents needed to know more and ask that this council asks the county council what feasibility studies they have done.

The speaker's second point was in relation to biodiversity enhancement and stated that the eco system in that area had been hammered not just by the traveller's site or billing sewerage but also by the recycling plant. He considered the biodiversity would be substantially affected by this application and those in Ecton would possibly see those affects themselves. He added that biodiversity and flooding have no boundaries and considered that this

council should have a better look before what the speaker felt was a rubber stamp exercise.

He added that noise, air pollution etc., will affect people in Ecton and the surrounding area and felt there did not seem to be an amenable position from this council to ask the county council how they are going to deal with this and commented that this council should do more than just rubber stamp what is put in front of them.

After addressing the committee the speaker left the meeting. The chairman stated that the parish councils of Ecton, Great Doddington and Earls Barton have been informed and consulted.

The chairman then invited the committee to determine the application.

Councillor Hallam stated to the committee that this was discussed at length by the parish council and there had been a number of residents present. The only concern the residents had was the traffic leaking up to Ecton but the parish have accepted it.

It was proposed by the chairman that no objection be made to the proposed development and this was seconded by Councillor Scarborough.

On being put to the vote, the motion that no objection be made to the proposed development was carried unanimously.

RESOLVED that no objection be made to the proposed development.

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 director, in accordance with delegated powers; and appeal information as set out in the report of the director, (Minute 4), be noted.

12. ANY OTHER ITEMS THAT THE CHAIRMAN DECIDES ARE URGENT

The chairman announced that it was Erica Buchanan's last planning committee meeting as she was leaving the authority. The chairman and committee thanked her for all her work and wished her all the very best with her new employment.

Councillor Aslam wished the committee members and the staff a merry Christmas and all the very best for the new year.

The chairman also added his best wishes to the committee and staff for a peaceful and successful new year and that Wellingborough continues to grow and prosper.

(Councillor Lawman returned to the room).

Chairman

The meeting closed at 8.40pm

