

COUNCIL MEETING – 17 JULY 2018

REPORT OF THE PLANNING COMMITTEE

18 April 2018

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

Miss J Thomas (Director), Mrs L Jelley (Interim Development Management Officer), Ms K Skingley (Development Management Officer), Mr M Barrett (Legal Adviser) and Mrs C A Mundy (Democratic Services Officer).

(Councillors Anslow, Bone, Carr, Griffiths, L Lawman, M Waters, V Waters attended as observers and Councillor Ekins as a speaker.)

1. APOLOGIES FOR ABSENCE

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

2. DECLARATIONS OF INTERESTS

RESOLVED to note that in accordance with the Localism Act 2011 and the council's code of conduct and rules of procedure, no declarations were made.

3. CONFIRMATION OF MINUTES – 14 MARCH 2018

RESOLVED that the minutes of the planning committee held on 14 March 2018, 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/18/00080/FUL – 36 VICTORIA STREET, EARLS BARTON

The annexed circulated report of the director was received, including late letters, on planning application WP/18/00080/FUL, for a proposed new dwelling with off road parking – re-submission of planning application WP/17/00061/FUL at 36 Victoria Street, Earls Barton for Mr and Mrs Rands-Allen.

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 site viewing group visited the site on 17/04/2018 and a record of the visit was set out in the circulated notes.

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 first objector declined to speak; the second objector raised his, and other residents concerns, on the proposed development particularly in relation to parking, which he said was always a major issue in this area, he considered that the proposal did not fit with the current street scene as the dwelling would be set back from the roadway unlike other homes in the area.

The applicant then addressed the meeting stating that she had submitted the application with a view to providing a nice secure home to care for the future needs of her elderly family. This land had been previously used as a workshop and garage for many years, and was now used as parking for the adjacent property. A new access was proposed with parking for two vehicles. Highways had not raised any issues regarding parking.

The chairman then invited the committee to determine the application.

Three councillors who had attended the site viewing group commented on the proposal, and the small size of the plot, potential parking congestion, the impact on the street scene and overbearing on the adjacent property. They concurred with officers advice that the application be refused.

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

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

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

1. The new dwelling as a result of its siting will result in a harmful impact on the appearance of the street scene. The siting does not reflect the overall form and character of the street and wider area, and would result in an inappropriate infill development. This would be contrary to policy 8 (d) (i) and (ii) of the North Northamptonshire Joint Core Strategy and policy EB.GD1 of the Earls Barton Neighbourhood Plan.
2. The proposed new dwelling will result in an overbearing and visually intrusive development which will have an unacceptable impact upon the amenity of the occupiers of number 34 Victoria Street. This would be contrary to policy 8 (e) (i) of the JCS and policy EB.GD1 of the Earls Barton Neighbourhood Plan.

Link to Policies:

<http://www.nnjpu.org.uk/docs/Joint%20Core%20Strategy%202011-2031%20High%20Res%20version%20for%20website.pdf>

6. PLANNING APPLICATION WP/14/00175/FUL – CAR PARK WELLINGBOROUGH BOROUGH COUNCIL, JACKSONS LANE, WELLINGBOROUGH

The annexed circulated report of the director was received, including late letters, on planning application WP/14/00175/FUL, for the demolition of an existing building at 48 West Street and redevelopment of part of car park on High Street, Wellingborough for 114 dwellings consisting of 85 houses, 29 apartments, roads, car parking, landscaping and boundary treatments. (Changes to layout, number of dwellings, house types and elevations, amended plans and updated documents) at the car park, Wellingborough Borough Council, Jacksons Lane, Wellingborough for Mr A Staley.

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

It was recommended to delegate to the head of planning and local development to approve subject to the conditions set out in the report and following the completion of a Section 106 planning agreement.

Requests to address the meeting had been received from an objector and a councillor speaking on behalf of those who would be affected.

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

The first objector raised concern over the considerable reduction in the number of car parking spaces that would be available. The car park currently served, amongst others, the congregation of the United Reformed Church, who were mostly elderly. Weddings, funerals and other events, such as large events for the Royal British Legion, were regularly held at the church and the suggestion of parking in the multi storey car park and walking to the church was not feasible for most who attended. The council had also assisted with the provision of a ramp to access the church. He considered that without sufficient car parking the survival of the church would be in doubt.

Councillor Ekins also addressed the meeting following requests to do so from his constituents, residents and local businesses who he was speaking on behalf of.

He referenced the officer's report which stated that the number of objections received since 21 February 2018, totalled 47, which included 28 from nearby residents and 19 from other interested parties not living nearby. He believed that over the years the number of responses was higher with a total number of objections being 201, with 181 being from the public.

The report failed to refer to the serious concerns and objections received from High Street businesses, the United Reformed Church, Town Centre Partnership, Chamber of Commerce and Wellingborough BID. All considered that the loss of parking would affect the retail and other businesses located to the north and west of the town centre. It was felt that the loss of car parking

had not been assessed by officers and that such loss was not sustainable. The impact on businesses would be severe.

Since receipt of the application in February, there had been 30 additional plans and documents submitted which he sought clarification on whether these had been consulted on.

Within the last 10 days, and in response to the objections raised, the applicant had submitted, an addendum to the Transport Assessment. This included a plan showing how the existing retained spaces and new parking spaces might be accommodated to provide a total of 75 spaces, not the 116 or 200 spaces in the officer's report. A re-modelling of the retained car parking areas would be required to achieve the 75 spaces required.

It had been suggested in the 'new' report that the council would need to determine whether to redevelop some or all of the land to provide additional parking. Off-site parking was not part of the application site, and there was therefore no guarantee, future plans or budget costings, for this. There would only be 61 public parking spaces retained for public use.

The development would result in the loss of 505 public parking spaces in this area of the town centre and there was serious concern over where people would be able to park. Whilst recent surveys indicated that 15% of the town centre trade had moved to Rushden Lakes, creating 15% spare capacity in the remaining town centre car parking areas, this development would have a significant impact on the parking provision in the north of the town centre.

Over 350 cars would need to relocate on a daily basis to use other parking spaces in the town centre. The multi storey car park was not suitable for many vehicles as the spaces were not large enough. He expressed concern for those who drove large vehicles, such as vans or people carriers, and Market Traders, where the use of alternate parking areas in the south of the town was not possible due to access constraints.

Parking would become a further issue upon completion of the housing developments at Stanton Cross and Glenvale Park with more residents wishing to use the town centre to shop. They would not do so if there was inadequate parking.

He also referred to the impact that this development would have on education provision. There was no capacity to accommodate this development in the local town schools at present. Section 106 monies, of £508,000, to mitigate the impact, would be contributed and the report suggested that this could help with the construction of schools at Stanton Cross. Both Park Junior and St Barnabas Schools were the local schools to this development and it was considered that this is where the section 106 monies should go.

Further concern was expressed over parking for those working and attending Tresham College, or the doctor's surgeries in the area.

The chairman then invited the committee to determine the application.

Members asked questions for clarity from officers in regard to the number of

spaces which would be lost, and whether consultation on the new information provided had taken place. Officers responded and the director clarified that consultation had taken place.

Councillor Scarborough considered that the scheme was not a particularly good one as there was a fundamental flaw as public parking spaces could not be guaranteed. This area of town needed parking, people would not park in the multi storey car park and walk up a relatively steep hill to use businesses in this vicinity. He was concerned over where local residents would park at night. Where those attending the Albany House Medical Centre would park to attend appointments; the users of the United Reformed Church, Reach Out Church and College would also have no parking. The parking spaces were 60 short of published standards and he considered this unacceptable.

Councillor Lawman also raised concern about the car parking and considered that whilst there was no adopted parking strategy, the adopted town centre area action plan required that 200 spaces be provided, which this application did not give, and was therefore against policy. He too had concerns in relation to the displacement of those attending Albany House and the college with the use of the multi-storey car park being prohibitive as it closed at night. Residents from Glenvale Park would chose to go to Kettering to shop if there was no available car parking. He also raised concern over the un-adopted lights and asked who would pay for them. He also found the design to be poor with little amenity area. Access via St. John Street was poor with the junction needing traffic lights. He felt that the public and businesses should be listened to and the application be rejected for a better scheme.

Councillor Graves supported the application he considered that the site had been in need of regeneration for many, many years. This was an opportunity to make improvements and provide much needed town centre accommodation. He believed this would enhance the night time economy and strengthen the town centre. He considered that the application could not be determined on car parking.

Councillor Aslam supported the comments of Councillors Scarborough and Lawman, as someone who lived in the town centre he was well aware of the difficulties created when insufficient parking had been allocated to a build and residents had to park a long way away from their home.

The chairman felt that the homes were needed in the town centre and considered that parking issues could be solved by possible demolition of a large number of redundant buildings with a view to using the land for car parking.

Councillor Hallam said he used the car park regularly as he travelled from the north into the town centre, however, he felt that town centre homes were needed.

Councillor Scarborough questioned the statement that parking could be provided elsewhere as there was no evidence or guarantee of that so there was therefore uncertainty over a remedy for the lack of parking.

Councillor Lawman clarified that he was not against developing the site, but that he considered that there needed to be further consideration given to the proposal.

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

On being put to the vote, there were five votes in favour and five votes against. The chairman used his casting vote and the motion for approval was carried.

RESOLVED to delegate to the head of planning and local development to approve subject to the following conditions and the completion of a Section 106 planning agreement:

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

Reason: To prevent the accumulation of planning permissions; to enable the local planning authority to review the suitability of the development in the light of altered circumstances; and to conform with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by section 51 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. The agreed scheme shall thereafter be implemented unless alternative material samples are agreed in writing by 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.

3. Prior to the commencement of any construction works the developer shall undertake a further site investigation scheme to provide a detailed assessment of the risk to all receptors, including off site receptors. Full details of any remediation required based on the results of the site investigation and risk assessment shall be included within the scheme. The 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 scheme. 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 safeguard the amenities of nearby occupiers and comply with policy 6 of the North Northamptonshire Joint Core Strategy.

4. No development shall take place until a site specific Construction Environmental Management Plan has been submitted to and approved

in writing by the Local Planning Authority. 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 shall 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 must 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 shall 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 our district 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. The approved Construction Management Plan shall be adhered to throughout the construction period and the approved measures shall be retained for the duration of the construction works.

Reason: In order to safeguard the amenities of nearby occupiers and comply with policy 8 (e) (i) of the North Northamptonshire Joint Core Strategy.

5. With the development site within a close proximity of one of the areas of the Borough with the highest figure of Nitrogen Dioxide for our passive monitoring therefore, before the commencement of any construction works, an air quality report shall be submitted to and agreed by the Local Planning Authority. The report shall detail:

- the area within the boundary of the site, which may exceed relevant national air quality objectives.
- specify how the detailed application will address any potential to cause relevant exposure to air pollution levels exceeding the national air quality objectives.
- identify areas of potential exposure.
- detail how the development will reduce its impact on local air pollution. Regard shall be had to the guidance from the Land - Use Planning & Development Control: Planning for AQ (IAQM) May, 2015, The Control of Dust and Emissions during construction and demolition (Supplementary Planning Guidance) July, 2014 and Guidance on the assessment of dust from demolition and construction version 1.1

(IAQM).

Reason: In order to safeguard the amenities of nearby occupiers and comply with policy 8 (e) (i) of the North Northamptonshire Joint Core Strategy.

6. Notwithstanding the details shown drawing number 52608 D900 Rev C (landscape plan) received on 10 August 2017 prior to any construction works commencing details of a comprehensive landscape scheme including a details planting plan stating the types, locations and numbers of plants to be planted in each area shall be submitted to and approved in writing by the local planning authority. 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. 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.

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 Joint Core Strategy.

7. The boundary treatments detailed on drawing number 52608 D02 Rev F received on 20 June 2017 (proposed boundary treatments) 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

8. 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

9. No construction works 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 JCS.

10. 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.

11. 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.

12. 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.

13. No construction works 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.

14. The development shall be carried out in accordance with the following approved plans:
- 526008 LP02 Rev B (site location plan) received 22 June 2017;
 - 52608 D01 Rev AL (proposed site layout) received 13 April 2018;
 - 52608 D02 Rev G (proposed boundary treatments) received 13 April 2018;
 - 52608 D03 Rev C (proposed materials schedule) received 13 April 2018;
 - 52608 D10 Rev E (site section) received 11 April 2018;
 - 52608 D20 (Plots M (4) category 2 compliant) received 28 March 2018;
 - 52508 D21 (retaining car parking spaces existing and redesigned) 13 April 2018;
 - 52608 D100 Rev B (house type 657) received 19 June 2017;
 - 52608 D101 Rev C (house type 692) received 13 April 2018;
 - 52608 D102 Rev C (house type 766) received 13 April 2018;
 - 52608 D103 Rev B (house type 816) received 19 June 2017;
 - 52608 D104 Rev C (house type 772) received 13 April 2018;
 - 52608 D105 Rev B (house type 915) received 19 June 2017;
 - 52608 D106 Rev D (house type 850) received 13 April 2018;
 - 52608 D108 Rev D (house type 867) received 13 April 2018;
 - 52608 D109 Rev D (house type 1028) received 13 April 2018;
 - 52608 D110 Rev C (house type 1149) received 13 April 2018;
 - 52608 D111 Rev C (house type 1149A) received 13 April 2018;
 - 52608 D112 Rev C (house type 1154) received 19 June 2017;
 - 52608 D113 Rev C (house type 1206) received 13 June 2018;
 - 52608 D114 Rev E (house type 1216) received 13 April 2018;
 - 52608 D115 Rev C (house type 1224) received 13 April 2018;
 - 52608 D116 Rev D (house type 327) received 13 April 2018;
 - 52608 D118 Rev B (house type 692) received 13 April 2018;
 - 52608 D119 Rev A (house type 1154 detached) received 19 June 2017;
 - 52608 D150 Rev B (flats plots 14-22 house type 657) received 31 May 2017;
 - 52608 D151 Rev B (flats plots 93-98 house type 538) received 31 May 2017;
 - 52608 D152 Rev C (flats plots 108-113 house type 538) received 13 April 2018;
 - 52608 D900 Rev D (planting plan) received 13 April 2018;
 - 52608 D10 Rev B (site sections) received 31st May 2017;
 - 52608 D200 Rev A (proposed street scenes 1-2) received 31st May 2017;
 - 52608 D201 Rev A (proposed street scenes 3-5) received 31st May 2017;
 - 52608 D202 Rev A (proposed street scenes 6-7) received 31st May 2017;
 - 5608 D203 Rev C (proposed street scenes 8-10) received 31st May 2017;
 - 52608 D204 Rev B (proposed street scenes 11-12) received 31st May 2017;
 - 52608 D300 (Block 1 plots 5-7 & 8-10 house type 1154 traditional elevations) received 19 June 2017;
 - 52608 D301 Rev A (Block 2 plots 11-13 house types 1149-657-1149 traditional elevations) received 13 April 2018;
 - 52608 D302 Rev A(Block 3 plots 24-25 house type 1149A-carport-1149

semi-contemporary elevations) received 13 April 2018;
 52608 D303 Rev A (Block 4 plots 30-35 semi/contemporary elevations) received 13 April 2018;
 52608 D304 Rev A (Block 5 plots 36-39 house types 1028-766-816-766 contemporary elevations) received 13 April 2018;
 52608 D305 Rev A (Block 6 plots 42-43 house types 867-772 contemporary elevations) received 13 April 2018;
 52608 D306 Rev A (Block 7 plots 44-48 house types 766-772-657-772 semi/contemporary elevations) received 13 April 2018;
 52608 D307 Rev A (Block 8 plots 52-53 house types 1216-carport-1216 contemporary elevations) received 13 April 2018;
 52608 D308 Rev A (Block 9 plots 59-60 house types 772-687 contemporary elevations) received 13 April 2018;
 52608 D306 Rev A (Block 7 plots 44-48 house types 766-772-657-772 semi/contemporary elevations) received 13 April 2018;
 52608 D306 (Block 10 plots 63-66 house types 766-816-766-1028 contemporary elevations) received 19 June 2017;
 52608 D310 rev A (Block 11 plots 67-71 semi/contemporary elevations) received 13 April 2018;
 52608 D311Rev A (Block 12 plots 73 house types 1028-carport traditional elevations) received 13 April 2018;
 52608 D312 Rev A (Block 13 plots 78-79 house types 1149A-carport-1028 traditional elevations) received 13 April 2018;
 52608 D313 Rev A (Block 14 plots 57-58 house types 772-657 semi-contemporary elevations) received 13 April 2018;
 52608 D314 Rev A (Block 15 plots 80-85 house types 850 contemporary elevations) received 13 April 2018;
 52608 D315 Rev A (Block 16 plots 86-87 house types 915-carport-772 contemporary elevations) received 13 June 2018;
 52608 D316 Rev A (Block 7 plots 89-91 house types 772-carport traditional elevations) received 13 June 2018;
 52608 D317 Rev A (Block 18 plots 102-104 house types 772-carport-915 traditional elevations) received 13 April 2018;
 52608 D318 Rev A (Block 19 plots 105-107 house types 772-carports contemporary elevations) received 13 April 2018;
 T15039 SK02 Rev B (visibility splays at the Oxford Street/Derek Hooton Way junction) received 4 August 2017;
 16137 500 Rev A (section 278 general arrangement) received 4 August 2017.

Reason: To ensure the development is constructed on accordance with the approved plans.

15. No building works which comprise the erection of a building required to be served by water services shall be undertaken in connection with any phase of the development hereby permitted until full details of a scheme including phasing, for the provision of mains foul sewage infrastructure on and off site has been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the works have been carried out in accordance with the approved scheme.

Reason: To prevent flooding, pollution and detriment to public amenity through provision of suitable water infrastructure and accord with policy

5 of the Joint North Northamptonshire Core Strategy.

16. No construction works shall take place until a detailed acoustic report on the existing noise climate at the development site has been submitted to and approved in writing by the Local Planning Authority. The report if required shall include a scheme of noise insulation measures for all residential accommodation. The noise insulation measures shall be designed to achieve noise insulation to a standard that nuisance will not be caused to occupiers of residential accommodation. The noise assessment shall be carried out by a suitably qualified acoustic consultant/engineer and shall take into account the provisions of BS4142: 2014 and BS8233:2014. The approved scheme shall be implemented prior to the commencement of use and be permanently maintained thereafter.

Reason: In order to safeguard the amenities of future occupiers of the residential units and comply with policy 8 (e) (i) of the North Northamptonshire Joint Core Strategy.

17. No hard-standing areas are to be constructed until the works have been carried out in accordance with the surface water strategy so approved unless otherwise agreed in writing by the local planning authority.

Reason: To prevent environmental and amenity problems arising from flooding and comply with policy 5 of the North Northamptonshire Joint Core Strategy.

18. Prior to the commencement of any demolition on site a 'Demolition Method Statement' shall be submitted to, and approved by, the Local Planning Authority. The Method Statement should include details of the following -
- Haulage routes
 - A demolition or refurbishment asbestos survey
 - Likely noise levels to be generated from plant
 - Details of any noise screening measures
 - Proposals for monitoring noise and procedures to be put in place where agreed noise levels are exceeded
 - Where works are likely to lead to vibration impacts on surrounding residential properties, proposals for monitoring vibration and procedures to be put in place if agreed vibration levels are exceeded.
- Note: it is expected that vibration over 1mm/s measured as a peak particle velocity would constitute unreasonable vibration
- Likely dust levels to be generated and any screening measures to be employed
 - Proposals for monitoring dust and controlling unacceptable releases such as asbestos
 - Wheel washing facilities and facilities for discharging the water

The approved scheme shall be implemented throughout the demolition of the building.

Reason: In order to safeguard the amenities of nearby occupiers and

accord with policy 8 (e) (i) of the North Northamptonshire Joint Core Strategy

19. No construction works shall take place until a scheme and timetable detailing the provision of fire hydrants and their associated infrastructure has been submitted to and approved in writing by the local planning authority. The fire hydrants and associated infrastructure shall thereafter be provided in accordance with the approved scheme and timetable.

Reason: To ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire.

20. No development shall take place within the indicated area of archaeological interest 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. This written scheme will include the following components, completion of each of which will trigger the phased discharging of the condition:

(i) Approval of a Written Scheme of Investigation;

(ii) Fieldwork in accordance with the agreed Written Scheme of Investigation;

(iii) Completion of a Post-Excavation Assessment report and approval of an approved Updated Project Design: to be submitted within six months of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority;

(iv) Completion of analysis, preparation of site archive ready for deposition at a store approved by the Planning Authority, production of an archive report, and submission of a publication report: to be completed within two years of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority.

Reason: To ensure provision is made for recording and the production of a suitable archive and report in accordance with policy 2 (d) of the North Northamptonshire Joint Core Strategy

21. No construction works shall take place until full details of the surface water drainage scheme for the site, based on the approved Flood Risk Assessment (prepared by Travis Baker dated 4th May 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 before the development is completed. 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). 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 National Planning Policy Framework and policy 5 of the North Northamptonshire Joint Core Strategy by ensuring the satisfactory means of surface water attenuation and discharge from the site.

22. No construction works shall take place until a detailed scheme for the ownership and maintenance for 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. The maintenance scheme should include:
- i) Details of the organisation or body responsible for vesting and maintenance of individual aspects of the drainage system.
 - ii) A maintenance schedule setting out which assets need to be maintained, at what intervals and what method is to be used including details of expected design life of all assets with a schedule of when replacement assets may be required.
 - iii) A site plan to include access points, maintenance access easements and outfalls. Maintenance operational areas are to be identified and shown on the plans

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

23. No construction works shall take place until a scheme detailing 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 person day has been submitted to and approved by the local planning authority. The approved scheme shall be implemented prior to the first occupation of each associated dwelling.

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

24. The plots outlined in green and blue on drawing number 52608 D20 received 28 March 2018 shall be constructed in accordance with category 2 of the national accessibility standards prior to the first occupation of each associated dwelling.

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

7. PLANNING APPLICATION WP/17/00665/OUT – LAND ADJACENT TO 31 HARDWICK ROAD, LITTLE HARROWDEN

The annexed circulated report of the director was received, including late letters, on planning application WP/17/00665/OUT, for an outline application with some matters reserved for the erection of 18 dwellings (access and layout to be determined at this stage) (amended site layout plan, location plan and description) on land adjacent to 31 Hardwick Road, Little Harrowden for

Blackjack Estates Limited and RW Beaty.

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

It was recommended to delegate to the head of planning and local development to approve subject to the conditions set out in the report and following the completion of a Section 106 planning agreement.

The chairman then invited the committee to determine the application.

Councillor Hallam, as ward councillor, gave his support to the application as did Councillor Aslam.

Councillor Scarborough asked for clarity on the number of affordable homes to be built on the land, to which officers responded explaining the requirements for an exception site such as this. Councillor Scarborough commented that this land had previously been allocated as a sports field and clubhouse and whilst it had been found that there was no requirement for this he considered the countryside needed to be protected.

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

On being put to the vote, the motion for approval was carried with nine votes in favour and one abstention.

RESOLVED to delegate to the head of planning and local development to approve subject to the following conditions and the completion of a Section 106 planning agreement:

1. The development shall be carried out in accordance with the following plan numbers:
C40-62A (location plan scale 1:1250) received 15 November 2017;
C40-60G (site plan scale 1:500) received 5 December 2017;
C40-63 (indicative plot boundaries) received 4 December 2017;
Flood risk assessment reference and surface water drainage strategy prepared by Plandescil Consulting Engineers dated September 2017 received 25 October 2017;
ST Consult Soakage Test Report dated 26 January 2018 received 29 January 2018;
C40-64 (phasing plan) received 12 March 2018.

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

2. The application for approval of all the reserved matters in relation to appearance, scale and landscaping in respect of phase 1 (as defined by the phasing drawing number C40-64 received on 12 March 2018) shall be made to the local planning authority before the expiration of two years from the date of this permission. The development for phase 1

hereby permitted shall be begun no later than the expiration of three years from the date of this permission.

Reason: To conform with the requirements of Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

3. The application for approval of reserved matters in relation to appearance, scale and landscaping in respect of phase 2 (as defined by the phasing drawing number C40-64 received on 12 March 2018) and the development to which this permission relates shall be made before the expiration of three years from the date of this permission in respect of the phase 2 and shall commence before the expiration of a period of four years from the date of this permission.

Reason: To conform with the requirements of Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004 and to prevent an accumulation of unimplemented planning permissions.

4. The application (s) for reserved matters approval submitted to the local planning authority pursuant to conditions 2 and 3 are not to exceed the following amount in total up to 18 residential units (Use Class C3).

Reason: to ensure the number of units accords with the approved layout plan and to accord with policies 8 (b) (ii), (d) (i) and (ii), 11 (2) (a) and (b) and 15 (d) of the North Northamptonshire Joint Core Strategy.

5. No construction works shall commence on in any phase until a site specific Construction Environmental Management Plan for that phase has been submitted to and approved in writing by the local planning authority. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site 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 council's environmental protection team;
- All works and ancillary operations which are audible at the site boundary or at such other place as may be agreed with the local planning authority shall be carried out only between the following hours: 08:00 Hours and 1800 Hours on Mondays to Fridays and 0800 and 1300 on Saturdays and at no time on Sundays and bank holidays; Deliveries to and removal of plant, equipment, machinery and waste from the time site must only take place within the permitted hours detailed above;
- Mitigation measures as defined in BS5228 Parts 1 and 2 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works;
- Procedures for emergency deviation of the agreed working hours.

- Control measures for dust and other air borne pollutant. This must also take into account the need to protect any local resident who may have a particular susceptibility to air borne pollutants;
- Measures for controlling the use of site lighting whether required for safe working or for security purposes;
- Method statements for great crested newts and reptiles;
- Provisions for a pre commencement check for badgers to ensure none have started excavating on site.

The construction of the development for each phase shall be carried out in accordance with the approved construction management plan for that phase.

Reason: In the interests of residential amenity and to accord with policies 4, 8 (b) (i), 8 (e) (i) and (ii) of the North Northamptonshire Joint Core Strategy.

6. Any subsequent reserved matters application for each phase shall include a detailed plan identifying which dwellings would meet the requirements of the national Accessibility Standards in category 2 (accessible and adaptable dwellings) and Category 3 (wheelchair use) in accordance with the schedule of the Approved Document M of the Building Regulations (2015). The approved scheme for each phase shall be implemented prior to the first occupation of each associated dwelling in that phase in accordance with the details thereby approved by the appointed building control body.

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

7. The dwellings hereby approved in each phase shall incorporate measures to limit water use to no more than 105 litres per person per 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.

8. No construction works shall commence on site in any phase until a programme of archaeological work in accordance with a written scheme of investigation has been submitted to and approved in writing by the local planning authority. The approved scheme for each phase shall be implemented in accordance with the timetable set out under the written scheme of investigation.

Reason: To ensure that features of archaeological interest are properly examined and recorded, in accordance with policy 2 (d) of the North Northamptonshire Joint Core Strategy and advice contained within paragraph 141 of the National Planning Policy Framework.

9. No construction works shall commence until a foul water strategy for each phase has been submitted to and approved in writing by the local planning authority. No dwellings shall be occupied until the works have been carried out in accordance with the foul water strategy so approved for that phase unless otherwise approved in writing by the local planning authority.

Reason: To prevent environmental and amenity problems arising from flooding and to accord with policy 10 (b), (c) and (d) of the North Northamptonshire Joint Core Strategy.

10. Details of the proposed finished floor levels of all buildings and the finished ground levels in relation to existing surrounding ground levels shall be submitted to and approved by the local planning authority prior to any construction works for that phase commencing on site. Development shall be undertaken in accordance with the approved levels for each phase.

Reason: To ensure that development is carried out at suitable levels and to accord with policy 8 (e) (i) of the North Northamptonshire Joint Core Strategy.

11. Sample panels of the external materials to be used in the development shall be erected on site and approved in writing by the local planning authority prior to any construction works for that phase commencing on site. The approved samples of external materials shall be thereafter implemented for that phase unless alternative external materials are approved in writing by the local planning authority for that phase.

Reason: To ensure that the development does not detract from the appearance of the locality and accord with policy 8 (d) (i) and (ii) of the North Northamptonshire Joint Core Strategy.

12. Prior to the commencement of any construction works for each phase a scheme showing the proposed boundary treatments for the development in that phase shall be submitted to and approved in writing by the local planning authority. The approved boundary treatments shall be in accordance with the approved details for that phase and be completed prior to the first occupation of associated each dwelling in each phase.

Reason: To ensure a satisfactory appearance for the development in the interests of visual amenity and privacy and accord with policy 8 (d) (i) and (ii) of the North Northamptonshire Joint Core Strategy.

13. No construction works shall commence in phase 1 until full engineering, drainage, street lighting constructional and timetabling details of the street proposed for adoption has been submitted to and approved in writing by the local planning authority. The development of phase 1, shall thereafter, be carried out in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the development and to accord with policy 8 (b) (ii) of the North Northamptonshire Joint Core Strategy.

14. The scale of plot numbers 1-13 (inclusive) shall be two-storey in height only and the scale of plot numbers 14 -18 shall be two and a half storey in height only.

Reason: To respect the character and appearance of the surrounding area and accord with policy 8 (d) (i) and (ii) of the North Northamptonshire Joint Core Strategy.

15. Prior to the construction of the development above slab in level in each phase details of a charging point for electric vehicles to be installed in each dwelling shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be installed prior to the first occupation of each associated dwelling in that phase.

Reason: To negate the impact of the development on local air quality and accord with policy 8 (e) (ii) of the North Northamptonshire Joint Core Strategy and advice contained within the Northamptonshire parking standards (2016).

17. Prior to the first occupation of each phase 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 in that phase 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.

18. No dwelling shall be occupied until a lighting plan for each phase has been submitted to and approved in writing by the local planning authority. If any lighting is required within the vicinity of existing or newly created bat features, it shall be low level, with baffles to direct the light away from the features, thus preventing severance of bat commuting and foraging routes. The development shall thereafter be carried out in accordance with the approved details prior to the first occupation of the any associated dwelling in that phase and shall be subsequently retained in that form thereafter.

Reason: To ensure the protected species are adequately protected and in accordance with policy 4 of the North Northamptonshire Joint Core Strategy.

19. The hedgerows along the western boundary of the site to be retained as shown on drawing number C40-60G (site plan) received on 5 December 2017 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 on that phase. All protective measures must be in

place on each phase prior to the commencement of any building operations (including any structural alterations, construction, and site clearance, removal of any section of the hedgerow, 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 on each phase and all equipment, machinery and surplus materials have been removed from the site at the end of each phase.

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 a significant hedgerow, safeguarding the character of the area and preserving habitat and to minimise the effect of development on the area in accordance with policy 3 (a), (b) and (e) of the North Northamptonshire Joint Core Strategy.

20. No construction works above slab level on each phase shall take place until details of new nesting opportunities for birds either integral to or mounted to the buildings or mounted on suitable trees has been submitted to, and approved in writing by the local planning authority. The scheme shall include details of six sparrow terraces, four swift boxes and eight general nesting boxes and the development of each phase shall thereafter be carried out in accordance with the approved details prior to the occupation of the development on that phase.

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

21. No building in phase 1 shall be occupied until details of the proposed arrangements for future management and maintenance of the proposed street within the development have been submitted to and approved in writing by the local planning authority in consultation with the highway authority. The street shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under section 38 of the Highways Act 1980 or a private management and maintenance company has been established.

Reason: To ensure satisfactory development of the site and to ensure estate roads are managed and maintained thereafter to a suitable and safe standard in accordance with policy 8 (b) (ii) of the North Northamptonshire Joint Core Strategy.

22. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking

and/or re-enacting that Order) the carport /car parking space(s) hereby permitted on the site plan in each phase shall be retained as such and shall not be used for any purpose other than the parking of private motor vehicles without the specific grant of planning permission from the local planning authority.

Reason: To ensure adequate parking is provided, in the interests of highway safety and in accordance with policy 8 (b) (ii) of the North Northamptonshire Joint Core Strategy.

23. Notwithstanding the details shown on drawing number C40-60G received on 5 December 2017 as part of any reserved matters application submitted for each phase of the development, the hereby approved new dwellings in each phase shall comply with the Department for Communities and Local Government 'Technical housing standards - nationally described space standards'.

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/524531/160519_Nationally_Described_Space_Standard____Final_Web_version.pdf

Reason: To ensure the future occupiers of the development reside in dwellings that have a satisfactory standard of residential space in accordance with policy 30 (b) of the North Northamptonshire Joint Core Strategy.

23. Before construction commences on each phase a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological context of the development, shall be submitted to and approved in writing by the local planning authority. The scheme for each phase 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, attenuation basins and soakaways;
 - b) cross referenced calculations;
 - c) infiltration/soakaways in accordance with CIRIA C753.

Reason: To reduce the risk of flooding both on and off site in accordance with policy 5 of the North Northamptonshire Joint Core Strategy and advice contained within the NPPF.

24. Before construction works take place on each phase until a detailed scheme for the ownership and maintenance 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. The maintenance plan shall be carried out in full thereafter on each phase.

Reason: To reduce the risk of flooding both on and off site in accordance with policy 5 of the North Northamptonshire Joint Core Strategy and advice contained within the NPPF.

25. No occupation of any dwelling shall take place within any phase until the verification report for the installed surface water drainage system for the site has been submitted in writing by a suitably qualified drainage engineer and shall be approved in writing by the local planning authority based on the approved flood risk assessment reference and surface water drainage strategy prepared by Plandescil Consulting Engineers dated September 2017. 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 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.

8. PLANNING APPLICATION WP/17/00784/REM – APPLEBY LODGE, 140 – 160 SYWELL ROAD, WELLINGBOROUGH

The annexed circulated report of the director was received, including late letters, on planning application WP/17/00784/REM, for reserved matters for access, appearance, landscaping, layout and scale of two buildings for employment use on Zone B Appleby Lodge at Appleby Lodge, 140 – 160 Sywell Road, Wellingborough for Prologis.

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 the agent.

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

The speaker referred to the success of the development at Appleby Lodge and the additional employment that this new development would also bring with improvements for access and additional landscaping.

The chairman then invited the committee to determine the application.

It was proposed by Councillor Scarborough 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 details hereby permitted shall be carried out in accordance with the following plans:
 - 10074 P124 Rev A Zone B Boundary Treatment Plan received 23 March 2018
 - 10074 P120 - 001C Zone B Plot 1 Illustrative site layout received 19 March 2018
 - 10074 P121 - 001B Zone B Plot 2 Illustrative site layout received 19 March 2018
 - 100749123 D Zone B Illustrative Master Plan received 19 March 2018
 - 10074 P120 - 008 Zone B Plot 1 Cycle shelter facilities received 19 March 2018
 - 10074 P120 - 009 Zone B Plot 2 Cycle shelter facilities received 19 March 2018
 - 10074 P120 - 006 Zone B Plot 1 - DC201 Elevations received 12 March 2018
 - 10074 P121 - 006 Zone B Plot 2 - DC390 Elevations received 12 March 2018
 - Concept soft landscape layout plan 1796-17-01 Drawing 01 received 29 December 2017
 - 1796 -17-01-02 Illustrative section received 29 December 2017
 - 10074 P122 Zone B Location Plan received 29 December 2017
 - 10074 P120 - 002 Zone B Plot 1 Building layout received 29 December 2017
 - 10074 P121 - 002 Zone B Plot 2 Building layout received 29 December 2017
 - 10074 P120 - 003 Zone B Plot 1 Office layouts received 29 December 2017
 - 10074 P121 - 003 Zone B Plot 2 Office layouts received 29 December 2017
 - 10074 P120 - 004 Zone B Plot 1 Hub Office layouts received 29 December 2017
 - 10074 P121 - 004 Zone B Plot 2 Hub Office layouts received 29 December 2017
 - 10074 P120 - 005 Zone B Plot 1 Roof Plan received 29 December 2017
 - 10074 P121 - 005 Zone B Plot 2 Roof Plan received 29 December 2017
 - 10074 P120 - 007 Zone B Plot 1 Gatehouse Plan and Elevations received 29 December 2017
 - 10074 P121 - 008 Zone B Plot 2 Gatehouse Plan and Elevations received 29 December 2017

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

2. Prior to the commencement of development hereby permitted details shall be submitted to and approved in writing by the local planning authority which demonstrate how the development will achieve BREEAM very good (2014 standards) or equivalent nationally recognised standards in relation to sustainable design principles. The development shall be carried out in accordance with the approved details and retained as such thereafter.

Reason: to ensure that the development incorporates sustainable design principles in accordance with Policies 9 and 24 of the North Northamptonshire Joint Core Strategy.

3. The external lighting details for the development hereby approved shall be designed, fitted and implemented in accordance with the approved plans reference Zone B Plot 1 External lighting P9310-686-P1-A and Zone B Plot 2 External lighting P9310-686-P2-A received 23 March 2018 and retained as such thereafter.

Reason: In the interests of minimising light pollution in accordance with paragraph 125 of the National Planning Policy Framework.

4. Prior to the first occupation of the first building hereby approved a detailed security scheme shall be submitted to and approved in writing by the local planning authority. The scheme shall include measures to reduce the opportunities for crime and enhance security and surveillance for the site. The details of the scheme must include but not be limited to the following provisions:

- security ratings for the proposed boundary treatments/fencing
- security standards for external doors which should demonstrate compliance with LPP1175 status
- glazing details which should comply with a security grade of P2A standard as a minimum requirement
- CCTV details - including location and specification (in line with the Home Office CCTV operational requirements manual)
- installation of restrictors to all ground floor windows to prevent direct access (rated to at least PAS 24 2016)
- details of the control, management and safeguarding of all HGV access points
- details of alarm systems for the site in compliance with the ACPO security alarm policy

The security measures shall be implemented in accordance with the approved scheme and retained as such thereafter.

Reason: In the interests of safety, security and planning out crime in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

9. PLANNING APPLICATION WP/17/00790/FUL – 1A MILNER ROAD, FINEDON

The annexed circulated report of the director was received, on planning application WP/17/00790/FUL, for the demolition of redundant ambulance station and erection of a terrace of three 3 bedroom dwellings - Amended Plans and parking survey at 1A Milner Road, Finedon for Mr J Harmon.

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 planning application had been deferred at the planning committee held on 14/03/2017 for a better scheme for the site with two reasonably sized

properties, but the applicant requested that the application be re-presented to the committee for determination as proposed, as it would not be financially viable to develop the site with two dwellinghouses.

The chairman then invited the committee to determine the application.

Councillor Ward, as ward councillor, considered that this was over-development of the site and that the application should be refused.

Councillors Aslam, Scarborough, and York agreed that the site was too small for the current proposal.

Councillor Hallam also agreed that the site was too small but considered that a better scheme could be brought forward.

It was proposed by Councillor Ward 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 reason:

1. The proposed creation of three dwellings is an overdevelopment of the site. The dwellings are at odds with the design and scale of existing dwellings within the immediate locality. The proposal would therefore result in a cramped and contrived form of development that would have a detrimental impact upon the character and appearance of the street scene. The proposal is therefore contrary to policy 8 (d) (i) of the North Northamptonshire Joint Core Strategy.

Link to Policies:

<http://www.nnjpu.org.uk/docs/Joint%20Core%20Strategy%202011-2031%20High%20Res%20version%20for%20website.pdf>

10. PLANNING APPLICATION WP/18/00041/CND – 10 CHURCH VIEW, ECTON

The annexed circulated report of the director was received, including late letters, on planning application WP/18/00041/CND, for details submitted pursuant to conditions 2 (external materials), 4 (landscaping) and 9 (boundary treatment) of planning permission WP/17/00649/FUL at 10 Church View, Ecton for Mr D Weekes.

The late letters informed the committee that a letter had been received asking the council to treat it as a 'Deemed Discharge Notice' in relation to conditions 2, 4 and 9, to take effect on 18 April 2018. The Development Management Procedure Order 2015 sets out a procedure for applicants to gain deemed consent if an application for consent, agreement or approval on a planning condition has not been determined by the local planning authority within eight weeks or an agreed extended period. The discharge of conditions application was validated on 13 February 2018 and the notice was submitted six weeks after the relevant date.

The report detailed the proposal, description of the site, the planning history,

relevant planning policies, outcome of consultations and an assessment of the proposal and was now before committee for information purposes only.

The director recommended that the planning application be approved to discharge conditions 2 (materials), 4 (landscaping) and 9 (boundary treatment) of planning decision WP/17/0649/FUL.

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

Before the objector addressed the meeting members made reference to the late letters and the information contained therein in relation to a Discharge Notice in respect of conditions 2, 4 and 9 and asked for legal advice and clarity on whether this meant that the decision had been made.

The legal adviser addressed the committee to clarify that the decision had been made but that this was an opportunity for the committee to consider what decision it would have made, had the Discharge Notice not been received.

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

The chairman asked the committee if it wished to determine the application. In the circumstances the committee declined to do so.

RESOLVED that the matter be noted.

11. PLANNING APPLICATION WP/18/00062/FUL – 24 GOLD STREET, WELLINGBOROUGH

The annexed circulated report of the director was received, on planning application WP/18/00062/FUL, for the demolition of an existing dwelling and the construction of a new apartment building containing 4 number one bedroom apartments and 2 number two bedroom apartments - re-submission – additional information at 24 Gold Street, Wellingborough for Mr 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 director 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.

It was proposed by Councillor Aslam 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: To prevent the accumulation of planning permissions; to enable the local planning authority to review the suitability of the development in the light of altered circumstances; and to conform with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following details:
 - Proposed location plan No 000 Rev P2 received 29 January 2018
 - Proposed site plan No 100 Rev P6 received 29 January 2018
 - Proposed elevations sheet 1 No 300 Rev P4 received 29 January 2018
 - Proposed elevations sheet 2 No 301 Rev P5 received 29 January 2018
 - Proposed roof plan No 112 Rev P1 received 29 January 2018
 - Proposed street elevation No 310 Rev P6 received 29 January 2018
 - Proposed ground floor plan No 110 Rev P2 received 26 March 2018 (amended plan)
 - Proposed first floor plan No 111 Rev P2 received 26 March 2018 (amended plan)

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

3. No development above slab level shall take place until samples of the external materials to be used in the construction of the development have been submitted and approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure that the development does not detract from the appearance of the locality in accordance with policy 8 (d) (i) of the North Northamptonshire Joint Core Strategy.

4. Notwithstanding the approved drawings, no development shall take place above slab level until full details of both hard and 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; 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; civic space/public park furniture, play equipment, 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 3 (a), (b) and (e) of the North Northamptonshire Joint Core Strategy.

5. 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 development is first occupied. The approved boundary treatment shall subsequently be retained thereafter.

Reason: In the interests of residential amenity and design in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

6. Prior to the construction of the development hereby permitted, the applicant shall submit details to the local planning authority for approval which demonstrate the security measures for the building and evidence to show how these measures will be adequately installed and maintained. The security measures shall be implemented in accordance with the approved details and retained as such thereafter.

Reason: In order to reduce crime and disorder and the fear of crime in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

7. No development shall take place on site unless or 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. The development shall be carried out in accordance with the approved programme details.

Reason: To ensure that features of archaeological interest are properly examined and recorded, in accordance with policy 2 of the North Northamptonshire Joint Core Strategy and paragraph 141 of the NPPF.

8. Prior to the occupation of the development hereby approved the shared driveway and access area must be constructed and laid out a minimum of 4.5 metres wide for a distance of 10 metres in rear of the highway boundary and paved with a hard bound surface for a minimum of 5 metres in rear of the highway boundary in order to prevent loose material being carried onto the public highway. The access point and shared driveway shall be retained as such thereafter.

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

9. Prior to the occupation of 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.

10. 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.

11. The development hereby approved shall incorporate measures to limit water use to no more than 105 litres per person per day for each residential unit 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 the development complies with policy 9 of the North Northamptonshire Joint Core Strategy.

12. The windows to all bathrooms and en-suites as identified on the approved ground floor and first floor layout plans 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 windows shall not be altered to clear glazing without the specific grant of planning permission from the local planning authority.

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

13. No development shall take place until a site specific Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. 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:
 - 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 shall 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 must 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 shall be used to minimise noise and disturbance from construction works.
- Procedures for emergency deviation of the agreed working hours.
- Control measures for dust and other air borne pollutants.
- Procedures for emergency deviation of the agreed working hours.
- Measures for controlling the use of site lighting whether required for safe working or for security purposes.

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

Reason: In the interests of protecting residential amenity in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

14. Prior to occupation of the development hereby approved the applicant shall submit details to show the location and provision of eight secure cycle spaces for the future occupiers of the building. The cycle facility shall be implemented in accordance with the approved details and retained as such thereafter.

Reason: In the interests of sustainable development and encouraging alternative modes of travel in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

15. The access, shared driveway and parking area hereby permitted as shown on the approved site plan ref No 100 Rev P6 received on 29 January 2018 shall be permanently made available and accessible for the occupier of No 32 Gold Street (land edged in blue on the approved site plan) for parking and access purposes.

Reason: To ensure the development provides adequate and suitable access and parking provision for the adjacent property No 32 Gold Street (edged in blue) which is within ownership of the applicant. This will ensure the development accords with highway safety and parking provision in line with policy 8 of the North Northamptonshire Joint Core Strategy.

12. 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 5), be noted.

13. ANY OTHER ITEM THAT THE CHAIRMAN DECIDES IS URGENT

The chairman had no other business.

Chairman

The meeting closed at 8.55pm

COUNCIL MEETING – 17 JULY 2018

REPORT OF THE PLANNING COMMITTEE

9 May 2018

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

Miss J Thomas (Director), Mrs D Kirk (Interim Senior Development Management Officer), Mr J Udall (Conservation Officer), Mr M Barrett (Legal Adviser) and Mrs F Hubbard (Democratic Services Officer).

(Councillors Carr, Griffiths and L Lawman attended as observers).

(Councillor Stevenson arrived at the meeting at 7:10pm).

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, no declarations were made.

3. CONFIRMATION OF MINUTES – 18 APRIL 2018

RESOLVED that the minutes of the planning committee held on 18 April 2018, 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/17/00167/FUL – DITCHFORD PIT, DITCHFORD LANE, WELLINGBOROUGH

The annexed circulated report of the director was received, on planning application WP/17/00167/FUL, for a retrospective application for the retention of 1) all individual sheds and containers on each member plot. 2) Additional main jetty. 3) Retention of club house and changing room buildings at Ditchford Pit, Ditchford Lane, Wellingborough for Nene Valley Water Ski Club.

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

The 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 08/05/2018 and a record of the visit was set out in the circulated notes.

Requests to address the meeting had been received from the applicant and four supporters.

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

The applicant stated that the club was like a family club that had been running for approximately 16 years, where members would spend time with their family and friends. Members follow the club rules and are all very respectable people.

Councillor Scarborough had concerns over the expense that condition 3 would bring for storage sheds and containers having to be raised above flood level (0.89 metres above the site level) and that the work needed doing within two months of the date of the planning permission. He asked the applicant if she was happy with this and she confirmed that she was.

The four supporters addressed the meeting and supported the words of the applicant. One supporter commented that during the last nine years he had experienced three floods, and the water had never damaged or been near his shed and said he was speaking for every member. Another supporter added that none of the sheds are permanent and there are no footings and are purely used for storage of equipment such as wet suits; there have been no issues with people trying to break in and during the closed season (November to March), the members are told to empty their sheds and they are all very conscious to abide by the club rules. One supporter stated that the land is shared with the horses and members are respectful of the special wildlife status in that area. All members clean and tidy up their areas and take their rubbish home. Another supporter who had been a member since approximately 2004 said it was a nice family run venture which was good for families.

The chairman then invited the committee to determine the application.

The site viewing group felt it was an idyllic spot and could see no problem with the sheds and would like to give the club more certainty for the future.

Councillor Maguire proposed that the planning application be approved and this was seconded by Councillor Lloyd.

Several members did comment that they do not like retrospective planning applications.

Councillor Scarborough stated that this was a group of people who for 16 years had caused no problem to anyone and it was now unfortunate that obligations are being put onto the club. He proposed that conditions two and three in the report, in relation to the Flood Risk Assessment and the scheme to demonstrate how all storage sheds and containers were to be raised above the flood level, be removed. The interim senior development management officer informed Councillor Scarborough that these conditions had been requested by the Environment Agency to mitigate the effects of the development on potential

flooding. Councillor Scarborough considered the two conditions to be unduly onerous for the club and its members.

Councillor Hallam stated that he was aware of changes that were being made by the Environment Agency.

Councillor Scarborough considered that condition three, if approved, would be a massive expense to members of the club to bring temporary structures into more permanent ones due to ramps, steps and pillars.

It was proposed by Councillor Scarborough that the planning application be approved but that condition three be deleted. Councillor Morrall seconded the proposal. This then became the substantive motion.

(Councillor Stevenson was informed by the director that she was unable to vote as she had not been present to listen to the whole planning application).

On being put to the vote, the motion for approval was carried by seven votes for approval and three votes against.

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

1. This consent is based on:
site location plan scale 1:2500 received on 6 April 2017;
Photographs of plot 33 shed; plot 34 container; plot 35 shed and plot 36 shed received on 6 April 2017;
Photographs of plot 29 shed; plot 30 shed and plot 31 shed received on 6 April 2017;
Photographs of plot 26 shed; plot 27 shed and plot 28 shed received on 6 April 2017;
Photographs of plot 23 shed and plot 24 shed received on 6 April 2017;
Photographs of plot 17 shed and plot 19 shed to be removed received on 6 April 2017;
Photographs of plot 13 shed; plot 15 shed and plot 16 shed received on 6 April 2017;
Photographs of plot 9 shed and plot 12 shed to be removed received on 6 April 2017;
Photographs of plot 5 container; plot 6 shed and plot 7 shed received on 6 April 2017;
Photographs of plots 1 to 4 (pergola to plot 4 only) received on 6 April 2017;
Photograph of changing room (no water or electricity) received on 6 April 2017;
Photograph of club house (no water or electricity) received on 6 April 2017;

Reason: To define the permission and to conform with the requirements of The Town and Country Planning (General Development Procedure) (Amendment No. 3) (England) Order 2009.

2. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) July 2017, 87168 Barramed Ditchford Pit prepared by UNDA Consulting Limited and the following mitigation measures detailed within the FRA:

- a. within two months of the date of this permission the owners and/or managers of the site shall submit and have approved by the local planning authority an evacuation plan;
- b. staff and visitors to the site will be made aware of the flood risk and arrangements that are required in the event of flooding;

The mitigation measures shall be fully implemented following the grant of this planning permission and subsequently in accordance with the timing/phasing arrangements embodied within the scheme or within any other period as may subsequently be agreed, in writing by the local planning authority.

Reason: to ensure safe access from and to the site and to reduce the risk of flooding to the proposed development and future occupants.

3. No additional jetty's or sheds/containers are to be installed anywhere on the north side of the lake.

Reason: To ensure birds within the Upper Nene Valley Gravel Pits Special Protection Area are not unacceptably impacted by structures used in association with the water ski club, by maintaining means of access to and from the lake.

6. PLANNING APPLICATION WP/17/00260/FUL – DITCHFORD PIT, DITCHFORD LANE, WELLINGBOROUGH

The annexed circulated report of the director was received, on planning application WP/17/00260/FUL, for a retrospective application for the retention of camping facility for existing members to camp for 2- 3 nights between April and November. Maximum of six at any one time at Ditchford Pit, Ditchford Lane, Wellingborough for Nene Valley Water Ski Club.

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

The 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 08/05/2018 and a record of the visit was set out in the circulated notes.

Requests to address the meeting had been received from the applicant and four supporters.

The applicant stated that there would only be six caravans at any one time on the site for two or three nights. Members would be required to book and would not be able to just turn up with a caravan. It would not be a facility where you could leave the caravan on the site and it would only extend to members of the club.

There is a permanent caravan on the site which the applicant stated English Nature had given her permission to be there permanently. It was explained to the applicant that she would have to make a new planning application if she wanted to keep the caravan on the site permanently.

The other four supporters declined to address the committee when invited to do so as the applicant had covered the topic when she spoke.

The chairman then invited the committee to determine the application.

Councillor Maguire proposed that the planning application be approved but condition one be amended to allow for the caravans to stay for up to three nights on the site and also to allow up to six caravans to stay during the Easter holiday weekend, if Easter falls within March. This was seconded by Councillor Aslam and became the substantive motion.

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

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

1. The site shall be used for a maximum of 6 caravans at any one time between the period of 1 April (or Easter whichever is the sooner) to 30 November each year and for no more than three consecutive nights. The caravans must belong to and be occupied by members of the water ski club only.

Reason: To restrict the use to a minimum so as to have minimal impact on the floodplain and the Upper Nene Valley Gravel Pits Special Protection Area in accordance with policies 4 (a) (i) - (v) and 5 (a) of the North Northamptonshire Joint Core Strategy.

2. This consent is based on the site location plan scale 1:2500 received on 25 April 2017;

Reason: To define the permission and to conform with the requirements of The Town and Country Planning (General Development Procedure) (Amendment No. 3) (England) Order 2009.

7. PLANNING APPLICATION WP/18/00006/FUL – 119 WESTFIELD ROAD, WELLINGBOROUGH

The annexed circulated report of the director was received, including late letters, on planning application WP/18/00006/FUL, for a 2-Storey side extension, single storey rear extension and conversion to create 4 no 1-bedroom apartments (2 x 2person and 2 x 1person). New dropped kerb, and re-instatement of existing dropped kerb at 119 Westfield Road, Wellingborough

for Mr Vaghela.

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 08/05/2018 and a record of the visit was set out in the circulated notes.

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

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

The first objector had concerns about the loss of on street parking and the impact it would have on the character of the area; he also felt the proposal had very low architectural quality and would bring a harmful appearance on the area. He asked, if the permission was approved, whether the boundary treatment around the refuse bins could be a 1.8 metre brick wall.

The second speaker had concerns about the loss of car parking spaces and felt the proposal was out of character. She also felt that it should be kept as a family house and should not be turned into single bed flats.

The chairman then invited the committee to determine the application.

Some of the site viewing members commented that it was not ideal to lose a few car parking spaces by bringing some of the boundary wall down and the design of the proposal was in the eye of the beholder.

It was commented that Northamptonshire Highways had not objected.

Councillor Scarborough felt the traffic and parking and the single storey proposal would have an effect on the character of the area and would vote against the scheme. Councillor Graves also stated that he disliked the proposal.

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

On being put to the vote, the motion for approval was lost with four votes for approval and seven votes against.

The legal adviser asked members for their reasons for refusal. Members proposed the effect on the character and appearance of the area and lack of private amenity space.

The reasons for refusal were proposed by Councillor Scarborough and then seconded by Councillor Aslam.

On being put to the vote, the reasons for refusal were carried by nine votes for and two against.

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

1. The proposed development, by reason of its size, bulk and scale, the removal of an existing historic boundary wall along Grove Street and the conversion of an existing area of garden to hardstanding for the parking of vehicles would have a harmful effect on the street scene by way of introducing development that would overly dominate the street frontages and would be out of scale and keeping with the character of the area, contrary to policy 8 (d) (i) and (ii) of the North Northamptonshire Joint Core Strategy.
2. The lack of private amenity space is inadequate to accommodate the range of activities that might be expected for 4 one 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.

8. PLANNING APPLICATION WP/18/00090/FUL – 5 KETTERING ROAD, ISHAM

The annexed circulated report of the director was received, on planning application WP/18/00090/FUL, for the demolition of a single storey side and rear extension. The conversion of an existing redundant public house into a single dwelling house including the construction of a single storey side extension and a detached double garage at 5 Kettering Road, Isham for Mr J Harmon.

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 from Isham Parish Council.

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

The speaker felt the proposal was against policies and rather than one single dwelling, Isham needed properties that were more suitable for young people to get onto the housing ladder, and more properties for the elderly to downsize.

The chairman then invited the committee to determine the application.

Councillor Hallam stated that more smaller properties were needed. He was pleased to see the building was being kept but preferred the original proposal for this dwelling which included one and two bedroom flats.

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

On being put to the vote, the motion for approval was carried by seven votes for approval, one against and three abstentions.

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

1. The development hereby approved shall be carried out in accordance with the following drawings/details: Location plan scale 1:1250 received 19 February 2018:
MM-2018 PLNG 1 Rev B (existing and proposed floor plans and elevations) received 12 April 2018:
MM-2018 PLNG 1.1 Rev B (block plan and street scenes) received 12 April 2018:

Reason: To define the permission and to conform with the requirements of The Town and Country Planning (General Development Procedure) (Amendment No. 3) (England) Order 2009.

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

Reason: To prevent the accumulation of planning permissions; to enable the local planning authority to review the suitability of the development in the light of altered circumstances; and to conform with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by section 51 of the Planning and Compulsory Purchase Act 2004.

3. The external surfaces of the development hereby permitted shall be constructed only of materials of a type and colour which match those of the existing building except where indicated otherwise on the approved drawings.

Reason: To ensure that the new work harmonises with the existing building and to ensure the development does not detract from the appearance of the locality in accordance with policy 8 (d) (ii) of the North Northamptonshire Joint Core Strategy.

4. No use 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.

5. Any ground floor doors and or windows shall be hung so as not to open outwards over the highway.

Reason: To ensure that the development does not prejudice the safety on the neighbouring footway in accordance with policy 8 (b) (ii) 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 per 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. All hard and soft landscape works shall be carried out in accordance with the approved details no later than during the first planting season following the date when the development hereby permitted is ready for occupation or in accordance with a programme to be agreed in writing with the local planning authority. If within a period of two 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.

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

8. 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 first use of the building as a residential dwelling. 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.

9. No building or use hereby permitted shall be occupied or the use commenced until the refuse storage area shown on the approved plans has 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 (e) (i) of the North Northamptonshire Joint Core Strategy.

9. PLANNING APPLICATION WP/18/00147/FUL – HIND HOTEL, 38 SHEEP STREET, WELLINGBOROUGH

The annexed circulated report of the director was received, including late letters, on planning application WP/18/00147/FUL, for replacement roofs to match the existing with support timber and framing reviewing to remove damaged or defective materials; the installation of an insulation material and vapour barrier at the rafter level; all lead valley ridge and flat roofs consisting of lead are to be replaced including support structures; brickwork chimneys are to be repaired or rebuilt; stone window frames are to be cleaned, repaired or refurbished; stone walls are to be repaired with new stone or joint repairs using lime mortar as required; all first and second floor windows to the function rooms and bedrooms are to be provided with secondary glazing to improve acoustic and thermal insulation; the rear bedrooms to ground and first floor are to be replaced complete with new thermal efficient timber windows with double glazed units; at the Hind Hotel, Sheep Street, Wellingborough. Additional plans at the Hind Hotel, 38 Sheep Street, Wellingborough for Mr M Holden.

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 interim senior development management officer referred members to the late letters' list and the minor amendments to the wording and reason for condition four.

The director 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.

Members welcomed the planning application and Councillor G Lawman asked that appreciation be given to council's conservation officer for his hard work.

It was proposed by Councillor Maguire and seconded by Councillor Lawman 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: To prevent the accumulation of planning permissions; to enable the local planning authority to review the suitability of the development in the light of altered circumstances; and to conform with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development shall be carried out in accord with the following plan numbers:
H099 11-20 as submitted 21 March 2018
H099 22-23 as submitted 19 April 2018

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

3. Samples of all materials; shall be submitted to and be approved in writing by the local planning authority before the relevant parts of the work are commenced. The development shall be completed in accordance with the approved samples before the building is occupied.

Reason: In order that the external appearance of the building is satisfactory in accordance with policy 8 (d) (i) of the North Northamptonshire Joint Core Strategy.

4. No development (including demolition) shall commence unless and until a series of nocturnal dusk emergence/dawn re-entry bat surveys has been carried out in accordance with sections 4.3 and 4.4 of Bat - Daytime Inspection Report, Hind Hotel, Wellingborough by Lockhart Garratt and dated 12/03/18, and has been submitted to and approved in writing by the local planning authority.

Should the survey(s) determine that the proposed development is likely to cause harm to bats then no works shall in any circumstances commence unless the local planning authority has been provided with either:

- a) A licence issued by Natural England pursuant to Regulation 55 of the Conservation of Habitats and Species Regulations; or
- b) Written confirmation from Natural England that the application site has been registered with the Bat Low Impact Class Licence scheme; or
- c) A statement in writing from Natural England to the effect that it does not consider that the specified activity/development will require a licence.

Reason: To comply with the requirements of the Wildlife and Countryside Act 1981 and The Conservation (Natural Habitats & c,) Regulations 1994 (as amended).

10. PLANNING APPLICATION WP/18/00148/LBC – HIND HOTEL, 38 SHEEP STREET, WELLINGBOROUGH

The annexed circulated report of the director was received, on planning application WP/18/00148/LBC, for Listed building consent for the replacement roofs to match the existing with support timber and framing reviewing to remove damaged or defective materials; the installation of an insulation material and vapour barrier at the rafter level; all lead valley ridge and flat roofs consisting of lead are to be replaced including support structures; brickwork chimneys are to be repaired or rebuilt; stone window frames are to be cleaned, repaired or refurbished; stone walls are to be repaired with new stone or joint repairs using lime mortar as required; all first and second floor windows to the function rooms and bedrooms are to be provided with secondary glazing to improve acoustic and thermal insulation; the rear bedrooms to ground and first floor are to be replaced complete with new thermal efficient timber windows with double glazed units; at the Hind Hotel, Sheep Street, Wellingborough. Additional plans at the Hind Hotel, 38 Sheep Street, Wellingborough for Mr M Holden.

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 listed building consent be granted subject to the conditions set out in the report.

The chairman then invited the committee to determine the application.

It was proposed by Councillor Maguire and seconded by Councillor Lawman that listed building consent be approved.

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

RESOLVED that listed building consent be granted 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 consent.

Reason: To prevent the accumulation of listed building consents; to enable the local planning authority to review the suitability of the works in the light of altered circumstances; and to conform with the requirements of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The works hereby approved shall be carried out in accordance with the following plans and drawings:
H099(00) 1-7 and 11-22

Reason: To define the consent and to conform with the requirements of The Planning (Listed Buildings and Conservation Areas) Act 1990.

3. Any hidden historic features which are revealed during the course of works shall be retained in situ, work in the relevant area of the building shall be suspended and the local planning authority notified immediately. Provision shall be made for their retention, relocation and/or proper recording, as required by the local planning authority.

Reason: To preserve the character and special interest of the listed building, in accordance with policy 2 (b) of the North Northamptonshire Joint Core Strategy.

4. Samples of all materials shall be submitted to and be approved in writing by the local planning authority before the relevant parts of the work are commenced. The development shall be completed in accordance with the approved samples before the building is occupied.

Reason: In order that the external appearance of the building is satisfactory in accordance with policy 8 (d) (i) of the North Northamptonshire Joint Core Strategy.

5. Prior to any repointing being carried out, a 1m² sample panel of repointing shall be provided on site and approved in writing by the local planning authority. The works shall thereafter be carried out in accordance with the approved sample panel.

Reason: To preserve the character and special interest of the in accordance with 2 (b) of the North Northamptonshire Joint Core Strategy.

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

Reason: To ensure that features of archaeological interest are properly examined and recorded, in accordance with the emerging North Northamptonshire Joint Core Strategy policy 2d) and the NPPF at paragraph 141.

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 5), be noted.

12. PLANNING APPEAL DECISIONS

RESOLVED to note the following annexed circulated decision letter, including a costs decision letter, both dated:

- (i) 19/04/2018, for proposed alterations from a one two bedroom flat to two one bedroom flats at Flat 3, Fellows Close, Wollaston, which was allowed and an award for costs be refused.

13. ANY OTHER ITEMS THAT THE CHAIRMAN DECIDES ARE URGENT

The chairman announced that the vice-chairman would be stepping down as a member of the planning committee as he is to be inaugurated as Mayor of the Borough of Wellingborough for the next municipal year. Appreciation of thanks was given to the vice-chairman by the members.

Chairman

The meeting closed at 8:25pm

COUNCIL MEETING – 17 JULY 2018

REPORT OF THE PLANNING COMMITTEE

6 June 2018

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

Miss J Thomas (Director), Mrs D Kirk (Senior Development Management Officer), Mr C Law (Development Management Officer), Mr M Barrett (Legal Adviser) and Mrs F Hubbard (Democratic Services Officer).

(Councillors Carr, L Lawman, M and V Waters attended as observers).

1. APOLOGIES FOR ABSENCE

RESOLVED to note that an apology for 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
Bell	6	WP/17/00378/FUL	Other – in light of a petition against the scheme handed to me when I was mayor I will withdraw from voting on this planning application
G Lawman	5	WP/18/00254/VAR	Registerable – is a director and governor of Hatton Academy Trust
	6	WP/17/000378/FUL	Other – former member of Wellingborough Town Cricket Club and one of the supporting speakers is an acquaintance
Morrall	6	WP/17/000378/FUL	Other – some of the objecting speakers are known to me

3. CONFIRMATION OF MINUTES – 9 MAY 2018

RESOLVED that the minutes of the planning committee held on 9 May 2018, 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.

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

5. PLANNING APPLICATION WP/18/00254/VAR – SIR CHRISTOPHER HATTON SCHOOL, THE PYGHTLE, WELLINGBOROUGH

The annexed circulated report of the director was received, including late letters, on planning application WP/18/00254/VAR, for a variation of condition 1 (approved plans) of planning permission ref: WP/17/00682/FUL - for the construction of a new teaching block and one additional classroom/store at ground floor, one additional classroom/store at first floor level and associated staircase, two additional car parking spaces and associated ground works at Sir Christopher Hatton School, The Pyghtle, Wellingborough for Hatton Academy.

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 local resident but was not present at the meeting.

The chairman then invited the committee to determine the application.

Councillor Griffiths stated that the council are aware of the parking conditions in that area and councillors are working with Northamptonshire County Council highways on this matter.

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

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

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

1. The development hereby permitted should accord with the following drawing numbers:
6671 01 Rev B (topographical survey received 10 May 2018;
6671 02 Rev A (location plan scale 1:1250) received 2 November 2017;
6671 10 Rev B (proposed ground floor plan) received 23 April 2018;
6671 11 Rev B (proposed first floor layout plan) received 23 April 2018;
6671 12 Rev B (proposed roof layout) received 23 April 2018;
6671 14 Rev B (proposed elevations) received 23 April 2018;
6671 15 Rev A (sketch section) received 2 November 2017;
6671 16 Rev B (proposed site layout) received 23 April 2018;
6671 17 Rev B (block plan scale 1:500) received 10 May 2018;
6671 18 Rev B (external works 1) received 23 April 2018;
6671 19 Rev B (external works 2) received 23 April 2018;
6671 20 Rev A (internal works to existing science block) received 2 November 2017;
6671 21 Rev B (sections 1) received 10 May 2018 ;
6671 22 Rev B (sections 2) received 10 May 2018;

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

2. The development hereby permitted shall be begun not later than 21 February 2021.

Reason: To prevent the accumulation of planning permissions; to enable the local planning authority to review the suitability of the development in the light of altered circumstances; and to conform with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by section 51 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. The approved samples shall thereafter be implemented unless alternative external samples are agreed in writing by 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.

4. 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;
- the hours of working for construction deliveries;

- 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 are adequate mitigation measures in place and in the interests of amenities of existing and future residents in accordance with policy 8 (b) (ii), 8 (e) (i) and (ii) of the North Northamptonshire Joint Core Strategy.

5. Notwithstanding the approved drawings, no development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. These details shall include existing and proposed finished levels or contours; areas of hard surfacing materials; details of the siting, area, height and covering of the landscaped bund; pedestrian access and circulation areas; 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 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 in the first planting season after the first occupation of the hereby approved extension.

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) (i) and (ii) of the North Northamptonshire Joint Core Strategy.

6. No building or use hereby permitted shall be occupied or the use commenced 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 parking area 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.

7. The hereby approved extension to the school shall not be occupied until an updated full Travel Plan comprising immediate, continuing and long-term measures to promote and encourage alternatives to single-occupancy car use has been prepared, submitted to and approved in writing by the local planning authority. The approved updated Travel Plan shall then be implemented, monitored and reviewed in accordance with the agreed Travel Plan Targets to the satisfaction of the Local Planning Authority.

Reason: To support sustainable transport objectives including a reduction in single occupancy car journeys and the increased use of public transport, walking and cycling in accordance with policy 8 (b) (i) of the North Northamptonshire Joint Core Strategy.

8. Construction works above slab level shall not commence until there has been submitted to and approved in writing, by the local planning authority, details of the means of ventilation for the extraction and dispersal of odorous smells/fumes, including details of its method of construction, odour control measures, noise levels, its appearance and finish. The approved scheme shall be installed before the use of the extension to the school hereby permitted commences and thereafter shall be permanently retained and maintained in accordance with the specified scheme.

Reason: To safeguard the amenity of nearby premises and the area generally in accordance with policy 8 (e) (ii) of the North Northamptonshire Joint Core Strategy.

9. The hereby approved extension to the school shall not be occupied until a report detailing the extended lighting scheme and predicted light levels at neighbouring residential properties has been submitted to and been 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) (ii) of the North Northamptonshire Joint Core Strategy.

10. No construction works shall take place above slab level 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 details of a bird and bat mitigation strategy and details of native planting of trees and shrubs on the proposed bund

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 of the North Northamptonshire Joint Core Strategy.

11. No hardstanding-areas shall be constructed until the works have been carried out in accordance with the surface water drainage strategy approved under condition 1 of this planning permission.

Reason: To prevent environmental and amenity problems arising from flooding in accordance with condition 5 of the North Northamptonshire Joint Core Strategy.

(Councillor G Lawman re-joined the meeting).

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

6. PLANNING APPLICATION WP/17/00378/FUL – REDWELL LEISURE CENTRE, BARNWELL ROAD, WELLINGBOROUGH

The annexed circulated report of the director was received, including late letters, on planning application WP/17/00378/FUL, for the installation of new 106 x 70m external sports pitch with 3G artificial grass including the installation of a 4.5m high perimeter stop fencing, new pitch perimeter barrier (1.20m and 2.0m high). Installation of new adjoining hard standing areas, spectator viewing space and vehicular maintenance access. Installation of 6 no. 15m columns and 16 no. 2 kw floodlights. Installation of new maintenance/sports equipment store within the fenced enclosure. Installation of new hard standing pedestrian access with lighting at Redwell Leisure Centre, Barnwell Road, Wellingborough for Mr P Burnett.

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 senior development management officer referred members to the late letters' list and changes to conditions 5 and 8 in relation to the change of operating times and also timings to when the floodlights would be operating. She then summarised correspondence received from the council's environmental health officer (EHO) stating that she did not have any concerns with regard to the assessment methodology of the applicant's noise consultants. It was explained that it was normal practice in acoustic reports if the development was not already in place to utilise representative noise studies from locations in existence.

The model from the information provided took into account local topographical conditions to provide the results and mitigation measures were outlined. Attempting to recreate such a scenario would provide unrealistic results.

To date the EHO was not aware the council had received noise complaints from either spectators or activity itself from that site.

A recording would not assist in determining the suitability of a site if not taken during a real occurrence, without the context, the location and consideration of any mitigation measures to be employed.

The EHO recommended that the hours of use of the sports pitch are reduced, that conditions in relation to the mitigation measures outlined within the noise report and the noise management plan are conditioned.

In relation to the lighting report, the EHO did not have any concerns from the report that the lights would have a detrimental impact on residential amenity. A condition in relation to the lighting levels was recommended so that there was no spill into residential property and also conditioned the hours of use.

Councillor Scarborough asked if there was no cause of concern then why was there the need to amend the conditions 5 and 8 in relation to operating hours and floodlighting operating times; he also asked if light pollution was not a concern then why was there a need for the condition.

The senior development management officer responded that there would be no unacceptable pollution and the lights would be focussed on the pitch and the imposition of condition was good practice; the director added that this was a standard condition that would be used, and had been used on other similar applications.

Councillor Scarborough stated that further mitigation may be needed at a later date and the director used an example of the Appleby Lodge planning application where residents had concerns with regard to noise and this had been conditioned for that planning application.

Requests to address the meeting had been received from 19 objectors and 5 supporters.

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 proposal development would ruin local residents' human rights and would have a damaging impact should this be approved;
- Stated that the Football Association's consultants produce standardised 3G reports which are generic and biased;
- A previous planning application in 1992 was refused for less floodlights than in this planning application and if it was detrimental to residents in 1992 why has this changed;
- The close proximity of the sports pitch to the properties in White Delves;

- Noise, light spillage into gardens and homes, potential for contamination and increase in traffic;
- Drain on economy and an adverse affect on the community;
- How many hours will the facility be used? - a substantial sum in a residential area that needs to be covered;
- Concern to long term health;
- Excessive noise;
- Disturbance of sleep to children;
- That a speaker was forbidden to bring equipment to the meeting to provide noise levels to the committee members where they used a sample of 20 people inside the line of the proposed pitch and measured the noise from a property in White Delves;
- The risk to health believing that the rubber crumb can cause cancer with the toxic substances being inhaled and absorbed;
- The risk and safety of the young children at nearby Redwell School in relation to the effects of dust particles from the rubber crumb;
- Contrary to planning policy in relation to the council's statement of community engagement, and disagreement in relation to the size of the site quoted in the officer's report and that proposed condition 9 was wholly inadequate;
- Impact on those that use the area for cycling, picnics, practicing cricket, basketball and other activities;
- Concerns that the proposal would bring anti-social behaviour;
- The young people would not be able to afford to hire the pitch;
- Concerns where the children will play and loss of safe open space;
- They don't want their children on the streets and they need space to play outside;
- The site is used for walking, jogging, cycling and is also used by the Redwell Runners for practice and also the scouts several times a year;
- Scout groups use it as an integral part of their groups for badges, sports and amenity and there is no danger of traffic;
- Concerns that the site is the heart of where young people play which means they are safe;
- Who will maintain the site as the tennis courts are not a very good record;
- Does not promote inclusiveness with just a few who have funds to use the proposed 3G pitch;
- The chairman of Wellingborough Town Cricket Club stated that he objected to the proposal in July 2017 as it was detrimental to their club and they had never been consulted;
- Impact on Wellingborough Town Cricket Club 3rd team who used to use the site. He considered there to be a lack of safe facilities in the borough and the team have to play 35-40 minutes away outside the borough. He added that with local demand they could have a 4th team but there was no space available;
- Family memories of using the site;
- Loss of free football and family picnics;
- Site doesn't lead to a road;
- Loss of a site enjoyed by many;
- Green grass must be maintained;
- Green space for wellbeing and mental health;

- A 3G artificial pitch would encourage drugs and alcohol and children getting into bad company;
- Concerns relating to the children climbing onto the big bund (mound);
- Problems with regard to traffic movements, dangerous parking and poor visibility; access concerns for emergency service vehicles;
- Lack of car parking spaces with the overspill from the school and parents that use the car park, which will worsen with Redwell School accepting more children and the wider catchment attending the school will bring more vehicles and then the additional cars users using the 3G pitch;
- Impact of flooding in this area and the toxic affect of rubber crumb contaminating water;
- Floodlighting being an alarming impact on the site - should be treated differently in residential areas – brings unreasonable disturbance, a curfew for hours of operation from 9am until 8pm as it would light up bedrooms and gardens disturbing sleep to individuals – height of the floodlights;
- Light pollution;
- Unviable in a residential area;
- Intrusive proposal in a residential area;
- Contrary to Policy 7(d) of the Joint Core Strategy in relation to fencing/floodlights/grass bund and changing one form to another being not valid and Policy 7(c) of the Joint Core Strategy in respect of development and enhancement for loss of half of the site and no space for another pitch;
- Loss of a pleasant environment used by all manner of people – children run around and in the winter slide down covered banks and young people play football;
- Lights expensive and bad environmentally;
- Site being replaced by plastic turf;
- Disruption to the education of young people;
- Traffic issues;
- Risk to the health of young people;
- Floodlights affecting bees;
- Destroying lovely open space;
- It would look like a prison camp;
- The proposed development should be in another location;
- Loss of enjoyment of garden and may have to move home.

The president of Wellingborough Town Football Club addressed the committee as a supporter. He advised that the 3G pitch would serve their purpose as they have no training facility other than a small pitch which can't be used when it is wet. He advised that a wide sector of the community play football including girls/ladies football adding that the sport is a physical activity with a level of discipline and helps against obesity. He stated that the other two all weather pitches in Wellingborough at Wellingborough School and Wrenn Academy did not meet the requirements for match training.

Councillor Griffiths proposed to adjourn the meeting for a comfort break under rule 4.2.11(k) of the constitution and this was seconded by Councillor Morrall and carried by committee members.

RESOLVED that the meeting be adjourned for a comfort break.

The meeting was adjourned at 9:05am and re-convened at 9:15pm.

The sports project manager for Northamptonshire Sport then addressed the committee and considered the proposed development to be an accessible football provision. He added that Redwell Leisure Centre was an asset belonging to the council with existing management. He had concerns for childhood obesity and the increase in this. He was asked by a member if the pitch would be similar to the one at Manor School in Raunds and he confirmed that it would be a similar pitch.

A concern was raised by a member about the shortage of cricket pitches in the borough. The sports project manager responded to say that he was working with Northants Cricket to find a better option.

A comment was made about the state of the cricket pitch and the massive cost it is to maintain.

A representative from Vicarage Farm Youth, local football team, came to support the application and advised that football players are missing out and are desperate for this facility.

A speaker from Consultant Labosport Ltd (formerly Surfacing Standards Limited) addressed the committee and stated that by conditioning a traffic management plan, parking can be shared adequately with other functions, which take place within the Redwell Leisure Centre.

He added that the artificial lighting complies fully and would not result in glare to residential areas; and that the artificial grass risk would not result in flooding. He suggested that other infill materials such as virgin rubber crumb, encapsulated rubber, which resists breakdown, or other natural infill such as cork crumb could be chosen.

He explained that a two metre bund was included on the north side of the site, as a mitigation measure, to reduce the noise to those on that side of the site due to the noise report identifying that as an issue. He advised that the membrane has a surface run off and there was a separate membrane for the rubber crumb. Separation membrane would be installed so no crumb materials could seep into the ground.

At 9:45pm, the chairman proposed to waive standing orders under rule 4.2.11(l) of the constitution so that the meeting could continue beyond 3 hours and this was seconded by Councillor Griffiths and carried by the committee members.

RESOLVED that standing orders be waived so that the meeting could continue beyond 3 hours in duration.

A representative then read out a statement on behalf of Northamptonshire Football Association in support of the proposed development. It explained that football clubs are having to travel into other areas and Wellingborough has shown year on year growth in teams. It also stated that the Football

Association's strategic plan due to come into effect from 1 July 2018 brings a significant push to engage the whole population into football through recreational approaches and using football for wellbeing, but without the facility the residents of Wellingborough would miss out. Wellingborough is a priority area for investment by Northamptonshire Football Association. They also stated that the Northamptonshire Football Association tries to provide the best quality access and experience of football to the residents of Wellingborough and wholly support the proposal. They added that they understand the concerns people have but certainly the community impact at other sites they have invested in locally are well documented to be much wider than football alone.

The chairman then invited the committee to determine the application.

Councillor Maguire was against the planning application as it would be similar to the one at Raunds Manor, the loss of open space and felt a better location could be found. He then proposed an amendment to the motion that the planning application be refused.

Councillor Scarborough felt the proposal development was taking away significant sporting facilities in relation to cricket where cricket groups have to travel outside the borough. He also added that it cannot be guaranteed that a cricket pitch is positioned on Glenvale Park sometime in the future. He considered the floodlights would affect neighbouring properties and there would be more noise, traffic and disturbance and felt that Policies 3, 7 and 8 of the adopted Joint Core Strategy were breached. He then seconded Councillor Maguire's proposal for refusal.

Councillor G Lawman added that we had already lost other sports facilities within the borough including the tennis club, indoor cricket and we had no athletic facility. He had concerns with regard to the lights, traffic and parking issues. He didn't know who was right or wrong about the rubber crumb but wouldn't want to take the risk. He also had concerns about the noise issues and the intrusive bund in the landscape. He stated that the storage for equipment was similar to a ship container and that he would be voting against the planning application.

Councillor Graves supported the application stating that demand for cricket was dropping but football demand was on the up. He added that this was a sports and leisure centre and was designed with a sports field and commented that health and wellbeing was a massive problem that was increasing and this controlled sport should be encouraged. He would be supporting the planning application.

Councillor Griffiths commented there was no evidence for the surface type causing problems and the lighting would be conditioned. In relation to letting down cricket we would also be letting down other sports by refusing the proposed development. He also added that if the proposed development was in another place, what about the changing rooms that this site already has. He stated that we are duty bound to the 78,000 residents, not just in the town but in the borough. He added that he would be supporting the planning application.

Under rule 4.2.13 (d) of the constitution, Councillor Griffiths proposed a recorded vote. This request which required three councillors to support was carried.

RESOLVED that a recorded vote be taken.

Councillor Morrall added that this site was built as a sports complex and designed to take that. He considered the conflict of traffic was to do with the nearby school and this would continue and that he was not an expert in relation to the rubber crumb but this has been used on safety surfaces in play areas and is sealed and was also in tyres. He commented that the centre had been there for 30 years and the nearby 'Badger field' could be an alternative for picnics. In relation to the cricket pitch this was screened in the past but it was destroyed and the site has now been used for people riding their bikes over it.

Discussions took place with regard to the conditions in relation to a traffic management plan, limiting noise levels to accord with the mitigation set out in the noise report and details of the infill. It was suggested that the wording 'rubber' be taken out of the condition and replaced with cork or something else suitable and cork could be stated in the informative. It was agreed that the infill material would be delegated to the director to resolve.

The legal adviser stated that the recorded vote for the amendment to the original motion which was proposed for refusal by Councillor Maguire and seconded by Councillor Scarborough be taken first:

The following votes were cast:

For: Councillors G Lawman, Maguire, Scarborough and York (No:4);

Against: Councillors Graves, Griffiths, Lloyd, Morrall and Stevenson (No:5);

Absent: Councillor Aslam (No.1). Councillor Bell had left the room following his declaration of interest (No.1).

The motion for refusal was declared lost by 4 votes for refusal and 5 votes against.

The original motion for approval which had been proposed by Councillor Graves and seconded by Councillor Griffiths was then put to the vote.

The following votes were cast:

For: Councillors Graves, Griffiths, Lloyd, Morrall and Stevenson (No:5);

Against: Councillors G Lawman, Maguire, Scarborough and York (No:4);

Absent: Councillor Aslam (No.1). Councillor Bell had left the room following his declaration of interest (No.1).

The motion for approval was declared carried by 5 votes for approval and 4 votes against.

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

1. The proposed development shall be constructed in accordance with the following plans:
 - SS2170 01 Rev 01 (site location plan) received on 13 June 2017
 - SS2170 02 Rev 01 (block plan of site) received on 13 June 2017
 - SS2170 03 Rev 04 (proposed site plan) received on 13 June 2017
 - SS2170 04 Rev 04 (proposed AGP plan) received on 13 June 2017
 - SS2170 05 Rev 00 (proposed elevations) received on 13 June 2017
 - SS2170 06 Rev 00 (proposed floodlights) received on 13 June 2017
 - SS2170 08 Rev 00 (proposed cross section) received on 8 July 2017
 - Proposed materials and appearance received on 13 June 2017
 - 9147/H 100 (drainage layout) received on 3 August 2017
 - 9147/H 101 (drainage construction details) received on 3 August 2017

Reason: to ensure the development is constructed in accordance with the hereby approved plans.

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

Reason: To prevent the accumulation of planning permissions; to enable the local planning authority to review the suitability of the development in the light of altered circumstances; and to conform with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by section 51 of the Planning and Compulsory Purchase Act 2004.

3. No development shall take place until a detailed design of 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 is submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed and first brought into use. Details of the scheme shall include:
 - i) Details of BRE 365 infiltration testing;
 - ii) 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). 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 policy 5 of the North Northamptonshire Joint Core Strategy and advice contained within the National Planning Policy Framework by ensuring the satisfactory means of surface water attenuation and discharge from the site.

4. No development shall take place until a detailed scheme for the ownership and maintenance for 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. The maintenance and/or adoption proposal for every element of the surface water drainage system proposed on the site should be considered for the lifetime of the development and a maintenance schedule setting out which assets need to be maintained, at what intervals and what method is to be used including details of expected design life of all assets with a schedule of when replacement assets may be required, should be submitted. A maintenance schedule should be accompanied by a site plan to include access points, maintenance access easements and outfalls. Maintenance operational areas to be identified and shown on the plans, to ensure there is room to gain access to the asset, maintain it with appropriate plant and then handle any arising's generated from the site. Once approved the scheme shall be complied with and use of the development shall cease if the maintenance of the system is not carried out in accordance with that approved scheme.

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

5. The floodlit external sports pitches shall only operate between the hours of 09:00 and 21:00 hours Monday to Friday; 09:00 - 20:00 hours on a Saturday and 09:00 and 16:00 on Sundays and bank holidays unless prior alternative arrangements are otherwise agreed in writing with the local planning authority.

Reason: To protect the amenities of neighbouring residential properties and to accord with policy 8 (e) (i) of the North Northamptonshire Joint Core Strategy.

6. Prior to the commencement of any construction works details of the two metre high sculpted grass bund along the northern boundary of the artificial grass pitches shall be submitted to and approved in writing by the local planning authority. The scheme shall include cross section from north to south and east to west in relation to existing and proposed ground levels and adjacent buildings and features. The approved scheme shall be implemented prior to the first use of the artificial grass pitches.

Reason: to protect the amenities of neighbouring residential properties and to accord with policy 8 (e) (i) of the North Northamptonshire Joint Core Strategy.

7. Light trespass shall not exceed a level of 5 lux beyond 5 metres from the boundary of the site.

Reason: In the interests of the amenities of neighbouring light-sensitive development and to accord with policy 8 (e) (i) of the North Northamptonshire Joint Core Strategy

8. The hereby approved floodlights shall not be switched on after 21:00 hours on Mondays to Fridays. The floodlights shall not be illuminated before 09:00 hours on Monday to Fridays. On Saturdays the flood lights shall not be illuminated until 09:00 and the floodlights shall not be switched on after 20:00 hours. On Sundays and bank holidays the floodlights shall not be illuminated until 09:00 and shall not be switched on after 16:00 unless alternative arrangements are otherwise agreed in writing with the local planning authority.

Reason: To protect the amenities of neighbouring residential properties and to accord with policy 8 (e) (i) of the North Northamptonshire Joint Core Strategy.

9. The means of illumination of the floodlights shall be screened so that no glare or direct rays of light are visible to drivers of the adjacent highways including Barnwell Road, Holcot Close, White Delves and Harrowden Road or public rights of way.

Reason: to ensure that the floodlights would not cause a distraction to users of the adjacent highways in the interests of highway safety and to accord with policy 8 (b) (i) of the Joint North Northamptonshire Core Strategy.

10. Prior to the first use of the artificial grass pitch a noise management plan shall be submitted to and agreed in writing by the local planning authority. The noise management plan should include a method of informing users that the use of bad language and anti-social behaviour is unacceptable and includes details of the action will be taken. The noise management report shall also detail how neighbours to the facility report noise or anti-social behaviour and the procedure that any complaints will follow. The approved scheme shall be implemented once use of the artificial grass pitch commence and shall be retained in that form unless an alternative noise management plan is agreed in writing by the local planning authority.

Reason: To protect the amenities of neighbouring residential properties and to accord with policy 8 (e) (i) of the North Northamptonshire Joint Core Strategy.

11. 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 between 08:00 - 18:00 Monday to Friday and 08:00 - 13:00 Saturday and at no time on a Sunday or Bank holidays;
 - procedures for emergency deviation of the agreed working hours;
 - routes for construction traffic;
 - the hours of working for construction deliveries;
 - 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 are adequate mitigation measures in place and in the interests of amenities of existing and future residents in accordance with policy 8 (b) (ii), 8 (e) (i) and (ii) of the North Northamptonshire Joint Core Strategy.

12. Prior to the commencement of any construction works details of the type of infill materials to be installed into the 3G artificial grass pitch surface which may comprise of recycled SBR with adequate chemical testing evidence in compliance with REACH findings, or EPDM, or TPE, or Encapsulated SBR or natural materials (such as cork / vegetable) shall be submitted to and approved in writing by the local planning authority. The approved surface shall be implemented prior to the first use of the pitch and no other alternative surface shall be used without the prior written consent of the local planning authority.

Reason: To ensure that the surfacing of the pitch would comply with the industry guidance that has considered the findings of Registration, Evaluation, Authorisation and Restriction of Chemicals.

13. The level of noise emitted from the development hereby permitted shall not exceed 50 dB LAeq (1 hour) in accordance with the threshold for community noise above which moderate community annoyance in outside living areas could occur, as stated in World Health Organisation 1999, during the permitted hours of use and when measured at the boundary of the nearest noise sensitive properties.

Reason: To protect the amenities of neighbouring residential properties and to accord with policy 8 (e) (i) of the North Northamptonshire Joint Core Strategy.

14. Prior to the development hereby permitted being first brought into use, a traffic management plan establishing how use of the artificial grass pitch, the leisure centre and car parking would be managed and controlled to avoid unacceptable congestion to the local highway network, shall be submitted to and agreed in writing by the local planning authority. The approved scheme shall be subsequently implemented once the hereby approved artificial grass pitch is first brought into use.

Reason: To protect residential amenity and in the interest of highway safety and accord with policy 8 (b) (i) and (ii) of the North Northamptonshire Joint Core Strategy.

(Councillor Bell did not re-join the meeting).

7. 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.

Chairman

The meeting closed at 10.28pm

COUNCIL MEETING – 17 JULY 2018

REPORT OF THE LICENSING SUB-COMMITTEE

7 June 2018

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

Also present: Mrs A Wilcox (Principal Environmental Health Manager), Mr M O'Donnell (Health Protection Team Leader), Mrs A Walton-Miller (Solicitor/DistrictLaw) and Miss N Harewood (Governance Officer).

The meeting commenced at 1pm.

1. APPOINTMENT OF CHAIRMAN

RESOLVED that Councillor Ekins 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 consider private hire driver's licence.	E1 & 2
4	Application to consider private hire driver's licence and private hire vehicle	E1 & 2
5	Application to consider hackney carriage driver licence and hackney carriage vehicle licence.	E1 & 2
6	Application to consider hackney carriage driver, private hire driver and hackney carriage vehicle licence.	E1 & 2

3. APPLICATION TO CONSIDER PRIVATE HIRE DRIVER'S LICENCE

The annexed circulated exempt report of the director was received in relation to a request to consider the application for private hire driver's licence.

The chairman welcomed the licence holder and introduced the sub-committee members and those present to them.

The principal environmental health manager presented the report to the sub-committee. She explained that the council had recently received a complaint concerning the licence holder whilst acting as a licensed driver. After reviewing the licence holders compliance the sub-committee was invited to determine whether the private hire driver's licence should remain in place.

Preceding complaints over the last two and a half years raised the question as to whether the licence holder remained a 'fit and proper' person to hold such licence.

The first complaint in October 2015 received from the Police stating that an off duty police officer observed the licence holder speeding, driving with a defective brake light and reversing the wrong way up a one way street. A letter sent to the licence holder regarding this matter was presented to the sub-committee.

In November 2016 the licence holder notified the licensing officer that he had received three penalty points for a speeding contravention. A copy of the DVLA disclosure was presented to the sub-committee.

In January 2018 a complaint was received alleging that the licence holder was speeding, and undertaking other vehicles with school children in his vehicle. The licence holder denied the allegation.

The final complaint was received in April 2018 where the licence holders had parked on zig zag lines. The complainant took a photograph of the incident. The licence holder admitted to parking on zig zag lines.

The licence holder explained that due to a requirement as per his contract that children must be dropped off in visibility of their properties coupled with the traffic at the time meant this had been the only visible place to stop his vehicle.

The licensing authority's key objective is to ensure public safety and council policies reflect this overriding concern. If there was any doubt about the suitability of an individual to be licensed, the committee should be mindful of the need to protect the public and caution should be exercised.

Members considered the three separate complaints which all concerned unsafe driving/parking by the licence holder and his speeding contravention, when deciding whether he remains a 'fit and 'proper' person to hold a private hire driver's licence.

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

The chairman adjourned the meeting at 1.10pm.

The meeting reconvened at 1.25pm.

DECISION:

RESOLVED that the private hire driver's licence be suspended for a period of eight weeks and that during this period the applicant must take and pass the Practical Driving Standards Assessment with one of the borough council's nominated test providers. Should the licence holder not pass the test within the eight week suspension period the suspension will continue until the test has been successfully passed.

REASONS FOR DECISION:

- (i) The sub-committee heard from the licence holder and took into account the report to the sub-committee;
- (ii) The sub-committee takes very seriously the fact that there have been four reported incidents within a two and half year period and the sub-committee therefore concluded that a period of suspension of the applicant's licence was justified in these circumstances.

The legal adviser informed the applicant of his right to appeal and the process to do so.

4. APPLICATION TO CONSIDER PRIVATE HIRE DRIVER'S LICENCE AND PRIVATE HIRE VEHICLE LICENCE.

The annexed circulated exempt report of the director was received in relation to an application to consider the private hire driver's licence and private hire vehicle licence.

The chairman welcomed the applicant and his brother-in-law to the sub-committee and introduced everyone present.

The principal environmental health manager presented the report to the sub-committee. She explained that the council had recently received a complaint concerning the licence holder's conduct whilst acting as a licensed driver. After reviewing the licence holders compliance history it had become apparent that a number of complaints had been received over the last 14 months, raising the question over whether he remained a 'fit and proper' person to hold a private hire driver licence and vehicle licence. The complaints were as follows.

- In March 2017 a complaint was received from the police stating that the licence holder had parked his vehicle on a pedestrian crossing. A letter was sent to the licence holder and presented to the sub-committee. The licence holders explained that due to a number of passengers opening the vehicle doors to exit whilst the vehicle was in motion the licence holder had to stop the vehicle as it would have been unsafe to continue driving in this situation.
- In June 2017 a complaint was received alleging that the licence holder drove unsafely outside Park School on the zebra crossing. It is alleged that the licence holder drove around a bin lorry and narrowly missed pedestrians on the zebra crossing. The licence holder claims that he applied his brakes in sufficient time. The complainant was advised to report the incident to the police and no further action was taken. The licence holder explained that due to a bin lorry obstructing his view that he was forced to go round the lorry with limited view.
- In October 2017 a complaint was received of the licence holder plying for hire on Silver Street, Wellingborough. It is alleged that the licence holder took passengers who had not pre-booked through a licensed private hire operator. This is a contravention and all private hire journeys must be pre-booked through a licensed operator. The licence holder denied the allegation. ⁸¹ A

letter was sent to the licence holder and presented to the sub-committee.

- A further complaint was received in May 2018. The complainant claims that the licence holder was seen urinating against a house near to his parked private hire vehicle. The complainant took photographs of the incident which were appended to the report, the licence holder admitted the incident upon questioning and a letter was sent to the licence holder and presented to the sub-committee. The licence holder apologised repeatedly and advised that it was not something he had ever done previously or would ever do again in the future. He explained that it was an emergency but agreed that it was not an appropriate place.

Members considered the four separate complaints regarding the licence holder received over the last 14 months in deciding whether he remained a 'fit and 'proper' person to hold a private hire driver's licence.

He asked the licence holder if he considered that he had received a fair hearing.

The licence holder confirmed that he had.

The chairman adjourned the meeting at 14.25pm.

The chairman reconvened the meeting at 2.45pm.

DECISION:

RESOLVED that the licence holder's licenses be suspended for a period of six months and that during this period the licence holder must take and pass the Practical Driving Standards Assessment with one of the borough council's nominated test provider. Should the licence holder not pass the test within the six month suspension period the suspension will continue until the test has been successfully passed.

REASONS FOR DECISION:

- (i) The sub-committee heard from the licence holder and took into account the content of the report;
- (ii) The sub-committee takes very seriously the fact that there have been four reported incidents within a 14 month period, particularly the urinating without medical justification. The sub-committee therefore concluded that the licence holder had not acted in a fit and proper manor and the suspension was reasonable and proportionate in the interests of public safety.

The legal adviser informed the licence holder of his right to appeal and the process to do so.

5. APPLICATION TO CONSIDER HACKNEY CARRIAGE DRIVER LICENCE AND HACKNEY CARRIAGE VEHICLE LICENCE.

The annexed circulated exempt report of the director was received in relation to an application to consider the licence holders hackney carriage driver and vehicle licence.

The chairman welcomed the licence holder and his legal representative to the sub-committee and introduced everyone present.

The principal environmental health manager presented the report to the sub-committee. She explained that the council had recently received a complaint concerning unsafe driving by the licence holder. Given the serious nature of the complaint it was decided that the matter should be referred to the sub-committee for decision. After reviewing the licence holder's history it had become apparent that this was not the first complaint received. The complaints are detailed below.

- In January 2016 a complaint was received stating that the licence holder entered the roundabout on Turnells Mill Lane, Wellingborough by Tesco, travelling at high speed. The complainant claims that his vehicle was already on the roundabout and he had to brake hard to avoid a collision with the licence holder's licensed vehicle. A copy of the letter sent to the licence holder was presented to the sub-committee.
- During 2015 and 2016, the council received a number of complaints and counter complaints regarding a small number of drivers working at the station. Complaints were received about the licence holder, alleging that he was involved in incidents of damage to another licensed driver's vehicle. The police and licensing officers were involved in investigating these incidents and met with the drivers concerned. The police did not charge any person as a result of the complaints and the council did not take any formal action, since there was insufficient evidence to substantiate the complaints. Letters were sent to all the licensed drivers involved, and a copy of the letter sent to the licence holder was presented to the sub-committee.
- In February 2018 a complaint was received that the licence holder was displaying credit card sized stickers in the windows of his licensed vehicle, contrary to council policy. The licence holder was reminded of the requirement to only display council approved signs. The licence holder was unaware of the requirement and apologised. No further action was taken.
- In March 2018 the council received a complaint of unsafe driving by the licence holder. The complainant claims that the licence holder had overtaken his and other vehicles in a queue at temporary traffic lights and had travelled through a red light. The complainant captured the incident on his dash cam and has completed a witness statement. This witness statement was presented to the sub-committee and the dash cam footage taken was played. A licensing officer discussed the complaint with the licence holder who remembered the incident, but claims that the light was amber when he passed through it and claimed that he only drove on to avoid a collision with the vehicle behind him.

Three character references were read out by his legal representative including one from the passenger in the vehicle at the time of the March 2018 incident.

Members considered the complaints concerning the licence holder's conduct as a licensed driver and his non-compliance with council policy in deciding whether he remained a 'fit and 'proper' person to hold a hackney carriage licence and a private hire driver's licence.

The chairman asked the licence holder if he considered he had received a fair hearing. The licence holder confirmed this was the case.

The meeting was adjourned at 3.30pm.

The meeting reconvened at 3.40pm.

DECISION:

RESOLVED that the licence holder's licenses be suspended for a period of six months and that during this period the licence holder must take and pass the Practical Driving Standards Assessment with one of the borough council's nominated test providers. Should the licence holder not pass the test within the six month suspension period the suspension will continue until the test has been successfully passed.

REASONS FOR DECISION:

- (i) The sub-committee heard from the licence holder and his legal representative and took into account the contents of the report, the dash cam footage and the three character references that were read out by his legal representative.
- (ii) The sub-committee considered that the actions of the licence holder demonstrated a safety risk to himself, to his passengers and to members of the public and that a period of suspension was justified in these circumstances.

The legal adviser informed the licence holder of his right to appeal and the process to do so.

6. APPLICATION TO CONSIDER HACKNEY CARRIAGE DRIVER LICENCE, PRIVATE HIRE DRIVER AND HACKNEY CARRIAGE VEHICLE LICENCE.

The annexed circulated exempt report of the director was received in relation to an application to consider the licence holders hackney carriage driver and vehicle licence and private hire driver licence.

The chairman welcomed the licence holder, his wife and his legal representative to the sub-committee and introduced everyone present.

The principal environmental health manager presented the report to the sub-committee. She explained that the council had recently received a complaint concerning the licence holder's conduct whilst acting as a licensed driver. After reviewing the licence holders compliance history it became apparent that a number of complaints had been received since the licence holder attended committee in 2015, which raised a question over whether he remained a 'fit and proper' person to hold a hackney carriage and private hire driver's licence in addition to a hackney carriage vehicle licence. The complaints were as follows.

- In November 2016 a complaint was received from one of the licence holder's passengers, claiming that he had attempted to overcharge him and a fellow passenger and threatened to leave them on the roadside if they did not agree to the fare. It is alleged that a fare was not agreed before the journey commenced and the licence holder switched off his meter. This is in contravention to council policy. A copy of the letter sent to the licence holder was presented to the sub-committee. The licence holder explained that he had already agreed a fixed price with both passengers prior to setting off on the journey. He also advised that due to this the meter was not switched on from the outset. The licence holder denied saying he would leave the passengers by the road side.
- In December 2016, during a test purchase operation the licence holder was witnessed using a hand held phone mobile phone whilst driving. The licence holder was reminded that it is an offence to use a hand held phone whilst driving. A copy of the letter sent to the licence holder was presented to the sub-committee. The licence holder admitted that he was at fault and he answered his phone and pressed the speaker button to continue his conversation. He stated that he was not aware that this did not constitute as has free.
- In August 2017 a complaint was received of allegations of unsafe driving. It is alleged by the complainant that the licence holder drove his vehicle with one hand and swerved at the Elsdon Road/Mill Road junction to such an extent that the driver on other side of the road had to swerve to avoid a collision. The licence holder denied the allegation and stated that the other driver was on his side of the road due to a parked car and that both vehicles had to swerve. He denied unsafe driving. No further action was taken following this complaint.
- A complaint was received in September 2017 alleging that the licence holder was driving in an unsafe manner whilst driving in the dark. The complainant claimed that the licence holder repeatedly slowed down every time a car drove past in the opposite direction. The licence holder denied the allegation. A copy of the letter sent to the licence holder was presented to the sub-committee.
- In March 2018 a complaint was received alleging that the licence holder and another licensed driver refused to take a passenger in a wheelchair. The passenger claims that the licence holder offered to take a passenger standing behind them in the hackney carriage rank at the station and when he declined, the licence holder shook his head at the passenger in a wheelchair refusing to take her or her daughter without attempting to identify their requirements. A copy of the complainant's statement is attached as appendix F. The licence holder denies refusing to take the passengers, but claimed that he could not recollect the incident. A copy of the letter sent to the licence holder was presented to the sub-committee. The licence holder advised that he was unable at the time to take the passenger and tried to contact a colleague to take the passenger instead. Five character references that were read out by his legal representative including those who are wheelchair users.

Members will need to consider the six separate complaints concerning the licence holder that were received over the last 18 months, and the previous complaints considered at the last committee hearing in 2015, when deciding whether he remained a 'fit and 'proper' person to hold a hackney carriage licence and a private hire driver's licence.

The chairman asked the licence holder if he considered he had received a fair hearing. The licence holder confirmed this was the case.

The meeting was adjourned at 16.50pm.

The meeting reconvened at 17.10pm.

DECISION:

RESOLVED that the licence holder's licenses be suspended for a period of three months and that during this period the licence holder must take and pass the Practical Driving Standards Assessment with one of the borough council's nominated test providers. Should the licence holder not pass the test within the three month suspension period the suspension will continue until the test has been successfully passed.

REASONS FOR DECISION:

- (i) The sub-committee heard from the licence holder and his legal representative and took into account the contents of the report and the five character references that were read out by his legal representative.
- (ii) The sub-committee takes seriously the fact that there have been five complaints reported within a 16 month period and was concerned that the licence holder's accounts of the incidents were not consistent. The committee felt that the licence holder had not heeded the warning letters that he had been issued with previously and therefore a period of suspension was justified in these circumstances.

The legal adviser informed the licence holder of his right to appeal and the process to do so.

Chairman

The meeting concluded at 5:15pm.