

**COUNCIL**

**1 December 2015**

**The following are the minutes to note.**



## COUNCIL MEETING – 1 DECEMBER 2015

### REPORT OF THE PLANNING COMMITTEE

7 October 2015

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

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

(Councillor Carr attended the meeting as an observer).

#### 1. APOLOGIES FOR ABSENCE

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

#### 2. DECLARATIONS OF INTERESTS

**RESOLVED** to note that in accordance with the Localism Act 2011 and the Council's Code of Conduct and rules of procedure, the under-mentioned Councillors declared an interest in the following items:

Councillor	Minute No	Item	Description of Interest
Ekins	5	WP/15/00127/OUT	Other - close friend of applicant (Mr C Armstrong)
Hallam	6	WP/15/00381/FUL	Other – knows people who live in South Street and Green Lane
Lawman	5	WP/15/00127/OUT	Other – applicant/ speaker is an acquaintance
Lawman	11	WP/15/00434/FUL	Speaker is a fellow governor at Sir Christopher Hatton Academy

#### 3. CONFIRMATION OF MINUTES – 9 SEPTEMBER 2015

**RESOLVED** that the minutes of the meeting held on 9 September 2015, be confirmed and signed.

#### **4. REPORT OF THE HEAD OF PLANNING AND LOCAL DEVELOPMENT**

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

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

#### **5. PLANNING APPLICATION WP/15/00127/OUT – LAND ADJACENT 199 NORTHAMPTON ROAD, WELLINGBOROUGH**

The annexed circulated report of the Head of Planning and Local Development was received, including late letters, on planning application WP/15/00127/OUT, for an outline planning application with all matters reserved except for access, for the development of land for residential purposes, to provide up to 102 residential dwellings, with associated vehicular access onto Northampton Road, open space, creation of footpath and biodiversity mitigation (Environmental Statement has been submitted) on land adjacent 199 Northampton Road, Wellingborough for Hampton Brook Limited.

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

The Head of Planning and Local Development recommended that the planning application be refused for the reasons set out in the report.

The application had been deferred at the Planning Committee meeting held on 09/09/2015 for the site viewing group to visit the site.

The Site Viewing Group visited the site on 06/10/2015 and a record of the visit was set out in the circulated notes.

Requests to address the meeting had been received from 3 objectors, a local resident, 2 supporters, the applicant and Councillors Allebone, Anslow, Scanlon and Skittrall. (One of the objectors, a local resident and Councillor Allebone were unable to attend the meeting).

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

Objectors had concerns about traffic, highway and access issues, increased foot-fall through the Wilby Way estate and the environmental impact and loss of open space and mature trees. One of the supporters welcomed the development for more affordable housing. The applicant stated the application would restore the landscape in nature conservation terms and associated habitats for wildlife.

Members commented that the development would be against Council policy, considered the site should be retained as a green infrastructure corridor, with mature landscaping in places and were concerned about the loss of open space and whether the remaining strip of land with enhanced biodiversity was wide enough in proximity with the built up area, recognising that the submitted layout was indicative. There were queries as to whether or not the biodiversity measures could be adequately monitored and enforced in reality, and concerns over some of the details of the indicative drawing (such as fencing) were voiced. It was considered that the policy designations associated with open space and green infrastructure and their strategic importance outweighed the need to develop the site for housing.

Councillor Griffiths proposed an amendment to amend reason 1 of the refusal reasons to alter the wording, strengthening the importance of the site as a Green Infrastructure corridor.

(During the debate Councillor Scarborough arrived at the meeting).

It was proposed by Councillor Griffiths and seconded by Councillor Maguire that the planning application be refused and the refusal reasons be amended as proposed by Councillor Griffiths.

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

(Due to Councillor Scarborough arriving late, due to unforeseen circumstances, he was unable to vote on the application as he was not been present for the whole debate. Councillor Scarborough asked that this be recorded in the minutes).

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

1. The proposed development, by reason of its location and scale would represent unsustainable development that would lead to the irretrievable loss of Environmentally Important Open Space and an Important Amenity Area. In the absence of any material considerations of sufficient weight the proposed development is therefore considered to be in conflict with saved Policies G19 of the (Environmentally Important Open Space) and L5 (Important Amenity Areas) of the Borough Council of Wellingborough Local Plan (adopted 1999 and alteration adopted 2004).
2. The site is located within a green infrastructure corridor and as such the proposal conflicts with Policy 5 of the 2008 Core Spatial Strategy and Policy 19 of the North Northamptonshire Joint Core Strategy 2011-2031 (submission version) which states that development should be managed to secure a net gain in green infrastructure through establishing multi-functional greenspaces within the GI network, provide new wildlife habitat facilities and routes to enhance assets and the linkages between them, and safeguard green infrastructure corridors by not permitting development that compromises their integrity. In addition, the proposal conflicts with Policy 13 (o) of the 2008 Core Spatial Strategy and Policy 3 of the North Northamptonshire Joint Core Strategy 2011-2031 (submission version) which seek to preserve and enhance landscape

character, environmental assets and biodiversity. The proposal also conflicts with Policy 8 (a) (iii) which seeks to improve or create open green spaces which tie into the wider network of public green spaces that respond to place shaping principles and routes to allow for movement across the settlement through its green infrastructure.

3. The proposed development by reason of its location and scale would represent unsustainable development that would lead to the irretrievable loss of a Nature Conservation Value, and in the absence of any material considerations of sufficient weight the proposed development is therefore considered to be in conflict with saved Policy G18 (Site of Nature Conservation Value) of the Borough Council of Wellingborough Local Plan (adopted 1999 and alteration adopted 2004) and in conflict with Policy 13 (o) (General Sustainable Development Principles) of the North Northamptonshire Core Spatial Strategy.

(Councillor Ekins returned to the meeting).

## **6. PLANNING APPLICATION WP/15/00381/FUL – LAND ADJACENT 16 SOUTH STREET, ISHAM**

The annexed circulated report of the Head of Planning and Local Development was received, including late letters, on planning application WP/15/00381/FUL, for the erection of a 3 bedroom chalet style bungalow (outline planning permission ref WP/2013/0299) and temporary siting of a mobile home for six months – amended plans on land adjacent 16 South Street, Isham for Mr D Collings.

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

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

The Site Viewing Group visited the site on 06/10/2015 and a record of the visit was set out in the circulated notes.

Requests to address the meeting had been received from an objector and Isham Parish Council.

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

Members felt the proposal was overdevelopment of the site resulting in loss of amenity to neighbours with a detrimental effect on the street scene. It would also bring loss of light and overshadowing to The Brambles in Green Lane. Concerns were also raised about the access when there was already a shared drive with 16 South Street, which could be utilised rather than forming a new access onto a narrow road to the side. A smaller bungalow, perhaps with two bedrooms with a lower roof and smaller footprint would be more favoured for the site.

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

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

**RESOLVED** that the proposal would result in an adverse effect upon residential amenity to surrounding properties by reason of overdevelopment, overshadowing and loss of outlook. As a result the proposal is considered to be out of scale and character with the surrounding area, adversely affecting the street scene as a result of its design, bulk and massing. As such it is contrary to Policy 13 (h) and (l) of the North Northamptonshire Core Spatial Strategy and the National Planning Policy Framework which requires new development to respect and enhance the character of the area.

**7. PLANNING APPLICATION WP/15/00462/FUL – 2 KINGS STREET AND 1B GEORGE STREET, WELLINGBOROUGH**

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/15/00462/FUL, for change of use of the land at the corner of Kings Street and George Street, proposing the erection of 2 no one bed flats, a bedsit and the refurbishment of a single storey building to the rear (1B George Street) to form one bedroomed flat – re-submission at 2 Kings Street and 1B George Street, Wellingborough for Mr S James.

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

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

The Site Viewing Group visited the site on 06/10/2015 and a record of the visit was set out in the circulated notes.

Members felt the proposal would overlook the owners of 1A George Street/37 Havelock Street and 35 Havelock Street, particularly from the habitable rooms on the top floor and direct overlooking from the kitchen window. Whilst there has been a reduction in height from the previous scheme of 1 metre, the bulk and massing of the structure could still cause loss of amenity to adjoining occupiers. It may be possible to re-design this scheme so that a smaller development, perhaps 2 stories could remove the detriment to neighbours, but at present the scheme is still not acceptable. This is a particularly important and prominent site and it is essential that the right scheme is approved.

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

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

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

1. The proposed flats by virtue of their location, scale and massing on this restricted plot is considered to be an overdevelopment of the site as it would appear as a visually discordant feature in the street scene, contrary to Policy 13 (h) of the North Northamptonshire Core Spatial Strategy and the National Planning Policy Framework which requires new development to respect and enhance the character of the area.
2. The proposed flats due to the height and location and restricted amenity space would be detrimental to the amenities of the occupiers of neighbouring properties in terms of overlooking. This is considered contrary to Policy 13 (l) of the North Northamptonshire Core Spatial Strategy and the National Planning Policy Framework which requires development not to adversely affect the amenities of neighbouring occupiers.

**8. PLANNING APPLICATION WP/15/00465/FUL – LAND ADJACENT 43 PRINCESS WAY, WELLINGBOROUGH**

The annexed circulated report of the Head of Planning and Local Development was received, including later letters, on planning application WP/15/00465/FUL, for the erection of a two storey detached house and associated works – amended and additional plans on land adjacent 43 Princess Way, Wellingborough for Mr D Brown.

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

The Head of Planning and Local Development recommended that the planning application be refused for the reasons set out in the report.

(Councillor Carr arrived at the meeting as an observer).

Requests to address the meeting had been received from 2 objectors, the agent and Councillor Scanlon.

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

Members considered the proposal was overdevelopment of the site, would have a detrimental effect on 64 St Andrews Crescent and also on the street scene. It was also felt that a precedent could be set for similar sites in the area given that the estate is comprised of numerous corner plots with generous amenity space. Development of this site could set a dangerous precedent that would encourage similar developments and erode these corner plots and reduce the space between buildings, adversely affecting the character of the estate as designed.

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



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

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

1. The proposal would be an incongruous feature in the street scene by way of its irregular location and its prominent elevated position and would be harmful to the appearance of the area, contrary to Policy 13 (I) of the North Northamptonshire Core Spatial Strategy.
2. The proposal would detrimentally affect the amenities of the neighbouring residential occupiers by way of: loss of light, loss of privacy and harmful massing effect, contrary to Policy 13 (I) of the North Northamptonshire Core Spatial Strategy.

**9. PLANNING APPLICATION WP/2010/0347 – AREA 16 IRTHLINGBOROUGH ROAD, STANTON CROSS, WELLINGBOROUGH**

The annexed circulated report of the Head of Planning and Local Development was received, including late letters, on planning application WP/2010/0347, for an application for approval of reserved matters pursuant to outline planning permission WP/2004/0600/O (granted 09/08/2004) – additional documentation and amended plans received 21/07/2015 – further amended plans received 14/08/2015 and 19/08/2015 for Area 16, Irthlingborough Road, Stanton Cross, Wellingborough for Bovis Homes Limited.

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

The Head of Planning and Local Development recommended that the planning application be approved subject to the conditions set out in the report and to the reserved matters relating to layout, scale, external appearance, means of access and landscaping are hereby approved.

The Chairman announced that he was delighted that we were now talking about the details for Stanton Cross.

As part of the Council's Constitution there is a threshold that allows for delegated powers to be given to the Head of Planning and Local Development to deal with the application. Due to an objection by Finedon Parish Council the application was brought before the committee.

A member suggested that members of the committee be given an informal briefing on Stanton Cross, as an overview, since the outline approvals were made some time ago. Several members welcomed the suggestion. The Head of Planning and Local Development was happy to arrange for this.

It was proposed by Councillor Morrall and seconded by Councillor Griffiths that the planning application be approved, together with the rewording of conditions 3 and 4, as stated in the late letters' list, and circulated at the meeting.

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

**RESOLVED** that the planning application be approved subject to the following conditions and to the reserved matters relating to layout, scale, external appearance, means of access and landscaping are hereby approved:

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

1) Location Plan 17410/1008C  
Planning Layout 17410/1007J  
Boundary Treatment Plan 17410/1009D  
Edge Typology Plan 17410/1011C  
Tracking Layout 17411 1092B  
Preliminary Levels & Drainage Layout 17411 1152C & 1153B

Proposed Landscaping Details 1316 01A, 02A & 03

House Types (Market):

P202 17410/100 & 101  
P302 (& V1) 17410 102A  
P303 & P303DET (& V1) 17410/103 & 104  
P306 17410/105  
P308 17410/106  
P401 (& V1) 17410/107  
P403 (& V1) 17410/108A  
P404 17410/109B  
P409 17410/110  
P410 17410/111  
P502 17410/112A  
P503 17410/113A  
P503V1 17410/114C  
P506 17410/115A  
P508 17410/116B  
PF01 17410/117  
PF01V1 17410/118A  
Block of Apartments (SA2) 17410/119A & 120

House Types (Affordable):

S241 17410/121  
S351 17410/122  
S461 17410/123

Ancillary Details:

Garage & Car Port Details 17410/124D  
Street-Scenes 17410/125G

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

2. This approval relates to the submitted samples for all external facing and roofing materials and identified on plan ref 17410/1010G.

Reason: In the interests of amenity.

3. The site shall be landscaped and planted with trees and shrubs in accordance with the submitted scheme and shall be implemented concurrently with the development and not later than the first planting season following the substantial completion of the development.

Reason: In the interests of visual amenity.

4. Any trees and shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees and shrubs of similar size and species to those originally required to be planted or other species as may be agreed.

Reason: In the interests of visual amenity.

**10. PLANNING APPLICATION WP/15/00510/REM – AREA 15 BOVIS, OFF IRTHLINGBOROUGH ROAD, IRTHLINGBOROUGH ROAD, WELLINGBOROUGH**

The annexed circulated report of the Head of Planning and Local Development was received, including late letters, on planning application WP/15/00510/REM, for a reserved matters application pursuant to outline planning permission ref WP/2004/0600, to determine appearance, landscaping, layout and scale for the erection of 230 dwellings for residential use along with all roads, sewers, garages, open space, landscaping and all ancillary works for Area 15 Bovis, off Irthlingborough Road, Irthlingborough Road, Wellingborough for Bovis Homes (Central) Limited.

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

The Head of Planning and Local Development recommended that the planning application be approved subject to the condition set out in the report and the reserved matters relating to layout, scale, external appearance, means of access and landscaping are hereby approved. It is advised that the remaining conditions imposed on the outline planning consent WP/2004/0600 remain relevant to the approval.

It was proposed by Councillor Griffiths and seconded by Councillor Maguire that the planning application be approved, together with the rewording of conditions 3 and 4, as stated in the late letters' list, and circulated at the meeting.

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

**RESOLVED** that the planning application be approved subject to the following conditions and the reserved matters relating to layout, scale, external appearance, means of access and landscaping are hereby approved. It is advised that the remaining conditions imposed on the outline planning consent WP/2004/0600 remain relevant to the approval:

1. The development shall be carried out in accordance with the approved plans ref: Location Plan 17410/1014  
Planning Layout 17410/1013C  
Boundary Treatment Plan 17410/1015A  
Materials Layout 17410/1016A  
Edge Typology Plan 17410/1017A  
Tracking Layout 17411/1091  
Preliminary Levels & Drainage Layout 17411/1150 & 1151

Landscaping:

Proposed Landscaping Details 1316 04

House Types (Market):

P202 17410/126 & 127  
P302 V1 (& V2) 17410 128  
P303 (& V1) & P303DET (& V1) 17410/129 & 130  
P306 17410/131  
P308 17410/132  
P401 (& V1) 17410/133A  
P403CT V2 (& V3) 17410/134A  
P404 17410/135  
P409 17410/136A  
P502 17410/137  
P503VT1 17410/148B  
P506 17410/139  
P508 17410/140  
PF01 17410/141A  
PF01V1 17410/149A  
PF01V2 17410/153  
Block of Apartments 17410/146A & 147A  
P403 V1 17410/152

House Types (Affordable):

S241 17410/142A  
S351 17410/143A  
S461 17410/144A  
1 Bed Maisonette 17410/145

Ancillary Details:

Garage & Car Port Details 17410/124D  
Street-Scenes 17410/150 & 151

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

2. This approval relates to the submitted samples for all external facing and roofing materials and identified on plan ref: 17410/1016A

Reason: In the interests of amenity.

3. The site shall be landscaped and planted with trees and shrubs in accordance with the submitted scheme and shall be implemented

concurrently with the development and not later than the first planting season following the substantial completion of the development.

Reason: In the interests of visual amenity.

4. Any trees and shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees and shrubs of similar size and species to those originally required to be planted or other species as may be agreed.

Reason: In the interests of visual amenity.

5. 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 should be 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:

A demonstration that the outlined drainage strategy is able to mimic original run-off rates from the site across a range of storm events with an allowance for long-term storage. E.g. QBAR, 3.3% (1 in 30), 1% (1 in 100), 1% (1 in 100) plus climate change; or discharge is limited across all events to the flow predicted by the QBAR event.

Reason: To reduce the risk of flooding both on and off site in accordance with the NPPF and Policy 13 (q) of the Core Strategy for North Northamptonshire by ensuring the satisfactory means of surface water attenuation and discharge from the site.

6. No development shall take place until a detailed scheme for the 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.

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

#### **11. PLANNING APPLICATION WP/15/00434/FUL – GLAMIS HALL, GOLDSMITH ROAD, WELLINGBOROUGH**

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/15/00434/FUL, for the erection of a new security boundary fence at Glamis Hall, Goldsmith Road, Wellingborough for Mr G Saunders.

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

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

Requests to address the meeting had been received from a representative on behalf of the applicant and County Councillor Coombe.

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

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

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

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

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

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

2. This consent is based on drawing SCH/106/2015/01 Rev B received 01 July 2015.

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

**12. PLANNING APPLICATION WP/15/00473/FUL – 203 WELLINGBOROUGH ROAD, IRCHESTER**

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/15/00473/FUL, for the proposed demolition of defective bungalow and erection of a replacement dwelling – amended plans at 203 Wollaston Road, Irchester for Mr M Evans.

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

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

Councillor Maguire considered the proposal to be out of character due to its size in relation to bungalows in that area and proposed that the application be deferred for a site inspection to be arranged. This was seconded by Councillor Griffiths.

On being put to the vote, the motion to defer the application for a site inspection was unanimously carried.

**RESOLVED** that the planning application be deferred to enable a site inspection to be arranged.

### **13. APPLICATIONS OUTSIDE THE BOROUGH**

#### **1. WP/15/00543/CRA**

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/15/00543/CRA, for a S73 application: Variation of Conditions 18 (Code for Sustainable Homes, 19 (Lifetime Homes) of KE/2013/0695, in respect of code levels on parcels R23 and R26 Cranford Road, Barton Seagrave for My Lord Persimmon Homes.

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

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

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

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/15/00552/EXT, for the construction of a solar development to generate renewable electricity, to include the installation of solar panels, underground cabling, inverter/transformer stations, DNO and client sub-station, spare parts container, landscaping and other associated works including connection to the electricity distribution network at Hyde Farm, Warrington Road, Olney for Mrs J Cook.

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

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

#### **3. WP/14/00376/EXT – FOR INFORMATION**

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/14/00376/EXT, for an Outline application of up to 2000 dwellings, with access, appearance, layout and scale unreserved for the first phase of 200 dwellings; a new section of A43 dual carriageway road; up to 3.83ha for a local centre incorporating provision for a Use Class A1 foodstore (up to 2,000 sq m), Class A4 public house (up to 650 sq m), Class C2 care home (up to 2,800 sq m), Class D1 day nursery (up to 465 sq m), Class D1 medical centre (up to 750 sq m), a parade of 5 retail units (Classes A1, A2, A3, A5 and D1) (up to 450 sq m), Class B1(c) light industry (up to 5,000 sq m); a new primary school (up to 3,150 sq m); public open space provision to include outdoor sports pitches, allotments and children's play space; structural landscape planting; associated infrastructure, including drainage features and access at Overstone Leys, Overstone Lane, Overstone for Barratt Developments plc.

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

**RESOLVED** to note that this was approved by Daventry District Council on 27/08/2015, subject to conditions.

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

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

Chairman

The meeting closed at 9:29 pm.



## COUNCIL MEETING – 1 DECEMBER 2015

### REPORT OF THE PLANNING COMMITTEE

11 November 2015

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

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

(Councillors Emerson and Harrington attended the meeting as observers).

#### 1. APOLOGIES FOR ABSENCE

**RESOLVED** to note that apologies for absence were received from Councillors G Lawman and Lloyd.

#### 2. DECLARATIONS OF INTERESTS

**RESOLVED** to note that no declarations were received.

#### 3. CONFIRMATION OF MINUTES – 7 OCTOBER 2015

**RESOLVED** that the minutes of the meeting held on 7 October 2015, be confirmed and signed, with an amendment to minute 12, correcting the heading of the minute to read 203 Wollaston Road.

#### 4. REPORT OF THE HEAD OF PLANNING AND LOCAL DEVELOPMENT

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

#### 5. PLANNING APPLICATION WP/15/00556/FUL – 39 TORRINGTON CRESCENT, WELLINGBOROUGH

The chairman announced that this application would be deferred and referred members to the late letters' list, with a statement from the agent relating to amended drawings. The amended drawings were not received until 04/11/2015, giving no time for any consultation.

**RESOLVED** that the application be deferred for further consultation regarding the amended plans.

**6. PLANNING APPLICATION WP/15/00473/FUL – 203 WOLLASTON ROAD, IRCHESTER**

The annexed circulated report of the Head of Planning and Local Development was received, including late letters, on planning application WP/15/00473/FUL, for a proposed demolition of defective bungalow and erection of a replacement dwelling – amended plans at 203 Wollaston Road, Irchester for Mr M Evans.

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

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

The application had been deferred at the Planning Committee meeting held on 07/10/2015 for the site viewing group to visit the site.

The Site Viewing Group visited the site on 10/11/2015 and a record of the visit was set out in the circulated notes.

Councillor Scarborough arrived at the meeting.

There was a factual error on page 3 of the agenda/report. The report stated in the 'Background and the application proposal' section that the proposal is 'set forward from the adjacent building by 0.9 metres'. It is set forward from the adjacent building line by 1.75 metres.

Members raised concerns about whether the proposal was out of character. The ward councillor would not be concerned with a bungalow in this location or if the scheme was across the road. He felt that the proposal was forward of the building lines. A comment was made that this was a difficult area, as building lines varied in this area. Other concerns related to queries regarding the difference in plans as it was originally a garage, the small amount of parking for the size of the dwelling, overlooking and being out of character with the surrounding area.

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

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

**RESOLVED** that the planning application be refused as the proposed dwelling, by reason of its siting forward of the building line, represents a discordant element in the street scene, which is out of keeping and character with the surrounding area, thereby contrary to Policy 13 (h and l) of the North Northamptonshire Core Spatial Strategy.

## **7. PLANNING APPLICATION WP/15/00542/FUL – 13 THE HEADLANDS, WELLINGBOROUGH**

The annexed circulated report of the Head of Planning and Local Development was received, including late letters, on planning application WP/15/00542/FUL, for the erection of an attached garage to dwelling at 13 The Headlands, Wellingborough for Mr R Coles.

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

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

The site viewing group visited the site on 10/11/2015 and a record of the visit was set out in the circulated notes.

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

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

The objector who lives next door to the proposal (15 The Headlands) had concerns over the impact that the proposal would bring to his property, making it dark and oppressive.

Whilst members did have sympathy for the neighbour they did not feel the proposal would significantly impact on his property with loss of light, as the main light into the kitchen would come through the kitchen window, from the back garden.

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

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

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

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

Reason: Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004.

2. This consent is based on amended drawing 15/058/01a received 15 October 2015.

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

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

Reason: In the interests of amenity.

**8. PLANNING APPLICATION WP/15/00556/FUL – 39 TORRINGTON CRESCENT, WELLINGBOROUGH**

This application had been deferred at the start of the meeting but Councillor Bell asked that it be recorded in the minutes, that the 'Reason(s) for Committee consideration' on page 13 of the agenda/report stating that 'the leader of the council requests, if recommended for approval, then the application should go before committee', should have stated 'ward councillor requested consideration by committee' and not 'leader of the council'. The chairman responded and said that this had been noted before the agenda/report had been published but unfortunately had not been amended.

**9. PLANNING APPLICATION WP/15/00578/REM – BOVIS AREA 14, IRTHLINGBOROUGH ROAD (IN THE PARISH OF FINEDON), WELLINGBOROUGH**

The annexed circulated report of the Head of Planning and Local Development was received, on a reserved matters application pursuant to outline planning permission ref: WP/2004/0600, to determine appearance, landscaping, layout and scale for the erection of 142 dwellings for residential use along with all roads, sewers, garages, open space, landscaping and all ancillary works. Additional plan at Bovis Area 14, Irthlingborough Road (in the Parish of Finedon), Wellingborough for Bovis Homes (Central) Limited.

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

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

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

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

The applicant clarified several questions from members regarding area 14. A discussion took place about amenity space within the scheme, as 5 apartments had no amenity space but overlook parkland instead. Some members felt houses were being crammed in. One member felt that infrastructure should be built first. It was confirmed that infrastructure was going in – Route 4.

Members have waited for the development of Stanton Cross for many years, since planning permission had been granted and welcome the opportunity to scrutinise and concentrate in detail, the appearance, landscaping, layout and scale, as the planning applications come before the committee. A comment

was made that the Stanton Cross development, with its range of housing, protected the villages of the borough against unwanted housing developments and the council the opportunity to re-build the borough.

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

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

**RESOLVED** that the reserved matters relating to layout, scale, external appearance, means of access and landscaping are hereby approved. It is advised that the remaining conditions imposed on the outline planning consent WP/2004/0600 remain relevant to this approval:

1. This consent is based on drawings ref:-

Layouts:

Location Plan 17410/1022

Planning Layout 17410/1018B

Boundary Treatment Plan 17410/1019

Edge Typology Plan 17410/1021

Tracking Layout 17411/1090

Preliminary Levels & Drainage Layout 17411/1154

Landscaping:

Proposed Landscaping Details 1316 10 - 12

House Types (Market):

P202 17410/156 & 157

P302 V1 (& V2) 17410/158

P303 (& V1) & P303DET (& V1) 17410/159 & 160

P306 17410/161

P308 17410/162

P401 (& V1) 17410/163

P403CT V2 (& V3) 17410/164

P404 17410/165

P409 17410/166

P410 17410/167

P502 17410/168

P503V1 17410/169

P506 17410/170

P508 17410/171

PF01 17410/172

PF01V1 17410/173

Block of Apartments 17410/174 & 175

House Types (Affordable):

S241 17410/176

1 Bed Maisonette 17410/177

Ancillary Details:

Garage & Car Port Details 17410/124D  
Street-Scenes 17410/178

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

2. This approval relates to the submitted samples for all external facing and roofing materials and identified on plan ref 17410/1020.

Reason: In the interests of amenity.

3. The site shall be landscaped and planted with trees and shrubs in accordance with the submitted scheme and shall be implemented concurrently with the development and not later than the first planting season following the substantial completion of the development.

Reason: In the interests of visual amenity.

4. Any trees and shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees and shrubs of similar size and species to those originally required to be planted or other species as may be agreed.

Reason: In the interests of visual amenity.

## **10. APPLICATIONS OUTSIDE THE BOROUGH**

### **1. WP/15/00610/EXT**

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/15/00610/EXT, for reserved matters: Details of appearance, landscaping, layout, and scale for plot substitution of 56 no. plots (Plots 112-162 and 212-216) pursuant to planning permission 11/01747/OUT - 'Outline: Proposed sustainable urban gateway to Raunds comprising employment (Use Classes B1,B2 and B8); residential (Use Class C3); new vehicular and pedestrian access and associated road infrastructure, public open space and landscaping, including flood alleviation measures. (All matters reserved except for access)' dated 07/12/2014 at West End Land, North of Brick Kiln Road, Raunds for Mr Z Croft.

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

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

### **2. WP/15/00639/EXT**

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/15/00639/EXT, for the installation of ground mounted solar photovoltaic panels on land at White Lodge Farm, Kettering Road, Walgrave for Mr A J Middleton

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

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

### **3. WP/15/00649/EXT**

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/15/00649/EXT, for a Hybrid Planning Application comprising: 1) Outline application for the demolition of existing buildings and erection of up to 426,000 sq m Storage and Distribution (B8) with ancillary offices (B1a), up to 3,700 sq m for a Logistics Institute of Technology (D1) with associated playing field, up to 9,000 sq m small business space (B1a, B1b), up to 300 sq m estate office with conference facility and exhibition centre (D1), the creation of a Country Park, other open space and landscaping works on land to the north of Mere Lane, formation of access road from Magna Park, creation of roundabouts, partial realignment of Mere Lane, upgrading of A5 to dual carriageway, creation of roundabout access on A5, creation of SuDS facilities and associated infrastructure and landscaping works (siting, extent and use of the defined parcels, the maximum quanta and height of buildings, the restriction on the siting of yards, demolitions and means of access to be considered only); and 2) Detailed application for the creation of a 140 space HGV parking facility, associated gatehouse and HGV Driver Training Centre, vehicle wash and fuelling facilities, and a rail freight shuttle terminal, with associated hardstanding, landscaping works and SUDS facilities on land adjacent to Asda George Headquarters A4303, land at Mere Land, Bittesby, Leicestershire for IDI Gazeley Limited.

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

**RESOLVED** to note that no objections are raised against the planning application and that Harborough District Council is advised to consult directly with the North Northamptonshire Joint Planning Unit.

### **4. WP/15/00650/EXT**

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/15/00650/EXT, for the erection of 100,844sqm Storage and Distribution centre (B8) with ancillary B1(a) offices on land adjoining and linked to Magna Park, including formation of access road from Magna Park, erection of gatehouse, creation of roundabouts, partial realignment of Mere Lane and upgrading of A5 to dual carriageway, creation of SuDS facilities and associated infrastructure and landscaping works – additional information on land at Mere Lane, Bittesby, Leicestershire for IDI Gazeley Limited.

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

**RESOLVED** to note that no objections are raised against the additional information and that Harborough District Council is advised to consult directly with the North Northamptonshire Joint Planning Unit.

## **11. APPLICATIONS INSIDE THE BOROUGH - FOR INFORMATION**

### **1. WP/15/00412/CRA**

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/15/00412/CRA, for a rail served concrete block making facility with associated infrastructure and ancillary uses at Nielson's Railway Sidings, 53 Meadow Close, Wellingborough for A Jansen.

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

**RESOLVED** to note that this was approved by Northamptonshire County Council on 23/09/2015, subject to conditions.

## **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 Head of Planning and Local Development in accordance with delegated powers and appeal information as set out in the report of the Head of Planning and Local Development, (Minute 4), be noted.

## **13. TREE PRESERVATION ORDER - REAR OF 39 HIGH STREET, FINEDON**

The annexed circulated report of the Head of Planning and Local Development was received, to consider the objections which had been made to the Borough Council of Wellingborough (rear of 39 High Street, Finedon) Tree Preservation Order (TPO).

A Tree Preservation Order was made on a walnut tree at the rear of 39 High Street, Finedon on the 07/08/2015, when it became apparent that the tree was under threat. The future of the tree could only be secured if the Tree Preservation Order is confirmed within 6 months from the date on which it was made.

Members felt it was a significant tree that should be kept. It may be possible to explore the possibility of some sympathetic low pruning on the one side in future and further advice could be obtained from the landscape officer.

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

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

**RESOLVED** that the Tree Preservation Order (TPO) for a walnut tree at the rear of 39 High Street, Finedon, be confirmed.



**14. ANY OTHER ITEMS THAT THE CHAIRMAN DECIDES ARE URGENT**

The chairman announced that an additional Planning Committee will be held on Tuesday 22 December 2015 at 7:00 pm.

Chairman

The meeting closed at 8:00 pm.



**COUNCIL MEETING – 1 DECEMBER 2015**  
**REPORT OF THE LICENSING SUB-COMMITTEE**

9 October 2015

Present: Councillors Scarborough (chairman), Lloyd and Simmons.

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

(The hearing commenced at 10.00am.)

**1. APPOINTMENT OF CHAIRMAN**

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

**2. EXCLUSION OF PRESS AND PUBLIC**

**RESOLVED** that the press and public be excluded from the meeting during consideration of the following item in accordance with Section 100A(4) to the Local Government Act 1972 on the grounds that they would involve the likely disclosure of exempt information of the descriptions shown in schedule 12A to the Act.

<b>Min. no.</b>	<b>Item</b>	<b>Paragraph of Schedule 12A</b>
3	Application for a private hire driver's licence Mr W R.	E1 and 2
4	Application to revoke hackney carriage licence Mr T M.	E1 and 2
5	Application for private hire driver's licence Mr P.	E1 and 2
6	Application to revoke or suspend Hackney Carriage driver's licence Mr C.	E1 and 2

**3. APPLICATION FOR A PRIVATE HIRE DRIVER'S LICENCE – MR R**

The chairman welcomed the applicant to the sub-committee and introduced those present to him.

The exempt circulated report of the head of planning and local development was received in relation to an application for a private hire driver's licence for Mr R.

The licensing manager explained that relevant information had come before the authority from the Disclosure and Barring Service which may affect the committee's decision on whether the applicant was a fit and proper person to hold a private hire driver's licence. The committee was informed of the details within the enhanced disclosure.

The chairman asked the applicant if he wished to address the sub-committee. He explained how the incidents referred to in the enhanced disclosure had occurred and accepted that he had been punished for his mistakes. With regard to one of the incidents he had been driving the vehicle for a company and had assumed they were insured and that it was the company who had failed to insure the vehicle not himself.

Members asked questions for clarification.

The chairman adjourned the meeting at 10.30am.

The meeting was reconvened at 10.45am.

**RESOLVED** that a private hire driver's licence be refused.

**Reasons for decision:**

- (i) the sub-committee took into account the policy relating to convictions and in particular that an applicant should be free from dishonesty convictions for three to five years.
- (ii) The applicant accepted that he had been convicted of an offence in 2010 and been sentenced to two years imprisonment;
- (iii) The sub-committee also noted traffic convictions in 2014 and an offence relating to drugs in 2008;
- (iv) Taken together the sub-committee considered this matter justified a conclusion that the applicant was not a fit and proper person to hold a licence at the present time.

Mr Hollands explained that the applicant had a right of appeal if he so wished.

The applicant left the meeting.

**4. APPLICATION TO REVOKE OR SUSPEND HACKNEY CARRIAGE LICENCE – MR M**

(The hearing commenced at 11am.)

The exempt circulated report of the head of planning and local development was received to consider whether to revoke or suspend a hackney carriage licence for Mr M.

The licensing manager explained that Mr M was in prison following sentencing and that although he had been informed of the meeting he was not in attendance. She explained the reason why Mr M was in prison and the sub-committee was asked to decide if he remained a fit and proper person to hold a hackney carriage driver's licence.

The sub-committee discussed the information before them.

**RESOLVED** that the licence be revoked.

**The reason for this was as follows:**

- (i) The committee noted the information from the Police that the applicant had been sentenced to six years in prison following conviction for distribution of heroin.
- (ii) It also noted the information from the licensing manager that the applicant had not responded to a letter sent to him in prison notifying him of the hearing.
- (iii) In the circumstances the sub-committee decided to proceed in the absence of the applicant;
- (iv) The sub-committee was satisfied of the reliability of the information from the Police. The offence was so serious that revocation was justified.

**5. APPLICATION FOR A PRIVATE HIRE DRIVER'S LICENCE – MR P**

(The hearing commenced at 11.15am.)

The exempt circulated report of the head of planning and local development was received to decide on an application for a private hire driver's licence by Mr P.

The licensing manager explained that the applicant was not in attendance despite having been served with the papers in the normal way.

The sub-committee decided to deal with the application in the absence of the applicant and heard from the licensing manager details of the enhanced disclosure from the Disclosure and Barring Service along with the applicant's failure to pass the comprehension test.

**RESOLVED** that the licence be refused. The applicant had failed to attend and was not represented. Having heard from the licensing manager that papers had been properly sent by post, and that other applicants sent papers at the same time had attended, and that this was not a reason to rebut the prescription of receipt, the committee decided to proceed.

**The reasons for the decision were as follows:**

- (i) the sub-committee heard from the licensing manager that the applicant had failed his comprehension test. He also had difficulty communicating with licensing officers;
- (ii) the sub-committee did not consider that the driving offences were sufficient to reduce the licence because of their age;
- (iii) the applicant, however, could not be considered a fit and proper person because of his lack of understanding of English and accordingly the licence was refused.

**6. APPLICATION TO REVOKE OR SUSPEND HACKNEY CARRIAGE DRIVER'S LICENCE – MR C**

(The hearing commenced at 11.30am.)

The annexed circulated exempt report of the head of planning and local development was received to consider the potential revocation or suspension of Mr C's hackney carriage driver's licence following a conviction on 1 September 2015.

The chairman welcomed Mr C, his wife, his interpreter and a character witness to the meeting and introduced everyone in attendance.

The licensing manager informed the sub-committee of a prosecution that had taken place under the Council's Byelaws for hackney carriages for his failure to use his taxi-meter. Failure to use the meter invalidated his insurance and he was also prosecuted for driving with invalidated insurance as well. The court found him guilty of both offences and he was fined a total of £450 with £350 costs and a £45 victim surcharge. This was considered a serious conviction under the licensing policy where revocation could be considered.

The chairman asked if Mr C or his interpreter wished to address the committee. The interpreter spoke on Mr C's behalf expressing his remorse and dismay that he had been prosecuted. He did not recall the incident and considered himself to be honest and trustworthy. He considered that the fine he had received was very harsh and was worried about his livelihood. He informed the sub-committee that he intended to appeal the decision to the Magistrates court.

Mr C's character witness also addressed the meeting. He had known the family for a number of years and had always found them to be honest and hardworking. He considered that revocation of the current licence would be extremely harsh considering the large fine that he had already had to pay.

The chairman adjourned the meeting at 11.50am.

The chairman reconvened the meeting at 12.10pm.

**RESOLVED** that no action be taken.

**Reasons for decision:**

- (i) the sub-committee heard detailed representations of good character from two witnesses;
- (ii) the sub-committee noted the serious consequences of the driver's actions in terms of the criminal convictions that had resulted;
- (iii) the sub-committee also noted the small amount of money involved and the driver's previous good record;

- (iv) in the circumstances the sub-committee concluded that there was insufficient evidence to justify revocation.

Chairman

The chairman closed the meeting at 12.20pm.

