

**COUNCIL MEETING –20 DECEMBER 2016**  
**REPORT OF THE LICENSING COMMITTEE**

11 October 2016

**Present:** Councillors Simmons, Maguire and M Waters.

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

**1. APPOINTMENT OF CHAIRMAN**

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

The meeting commenced at 9.15am.

**2. APPLICATION FOR AN EXEMPTION FROM THE VEHICLE AGE POLICY RELATING TO PRIVATE HIRE VEHICLES**

The annexed circulated report of the Head of Planning and Local Development was received in relation to an application for an exemption from the council's vehicle age restriction policy relating to private hire vehicles.

The applicant had been delayed in attending the meeting and the sub-committee agreed to adjourn to await his arrival.

**RESOLVED** that the sub-committee meeting be adjourned at 9.20am.

**3. EXCLUSION OF PRESS AND PUBLIC**

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

| <b>Min. no.</b> | <b>Item</b>                           | <b>Paragraph of Schedule 12A</b> |
|-----------------|---------------------------------------|----------------------------------|
| 4               | Application to revoke or suspend PHDL | E1 and 2                         |

**4. APPLICATION TO REVOKE OR SUSPEND PRIVATE HIRE DRIVER'S LICENCE – MR H**

The annexed circulated exempt report of the Head of Planning and Local Development was received in relation to a potential revocation or suspension of Mr H's private hire driver's licence.

Mr H did not attend the meeting.

The sub-committee agreed that in his absence, and following his failure to attend previous sub-committee meetings, they would hear the case.

After a full discussion, which referred to confidential matters regarding alleged medical issues, the chairman adjourned the meeting to enable a decision to be made.

The chairman reconvened the meeting at 9.35am.

**Decision:**

**RESOLVED** that the private hire driver's licence be revoked.

**Reasons for decision:**

1. The committee considered the report in the absence of Mr H.
2. The committee heard from the licensing manager that the papers had been served by delivery to the address of Mr H and that he had failed to respond to the anonymous allegations regarding medical issues other than a denial by telephone.
3. He had failed to permit the licensing authority to make further enquiries of the medical practitioner.
4. He had also failed to attend two committee meetings to the disappointment of the committee.
5. His alleged medical issue was a serious condition affecting the ability to act as a private hire driver safely and to hold a DVLA driving licence. Accordingly in the absence of any co-operation by Mr H or further medical information the committee had no alternative but to revoke the licence.

**5. APPLICATION FOR AN EXEMPTION FROM THE VEHICLE AGE POLICY RELATING TO PRIVATE HIRE VEHICLES**

The chairman reconvened the meeting and welcomed Mr Youssef who was going to drive the vehicle on behalf of the applicant Mr Aslam. Mr Aslam was still delayed in traffic.

The Principal Environmental Health Manager presented the report to the sub-committee.

The application was to licence a Vauxhall Zafira, first registered on 7 February 2005 which made it over 11 years old. The council policy states that vehicles shall be no older than five years from the first day of registration on the initial application. There is no upper age limit once a vehicle is licensed. The sub-committee was being asked to make a decision regarding whether this vehicle should be licensed taking into account the safety of the public.

Councillor Maguire asked Mr Youssef if the vehicle would be sprayed yellow to comply with the council policy. Mr Youssef confirmed that it would.

Councillor Waters asked Mr Youssef how long he intended to use the vehicle for. Mr Youssef said he expected to keep it for three or four years as it had reasonably low mileage.

Councillor Maguire explained that vehicles had to be tested under the licensing policy. Mr Youssef confirmed that he had already had the vehicle tested by the council's garage and it had passed.

The chairman asked Mr Youssef why he considered the council should agree to licence the vehicle.

Mr Youssef explained that he had been a driver for some time but had experienced some issues with vehicles being damaged outside his home over the last few months. Without a vehicle he could not drive and was therefore unable to provide for his family. He explained that Mr Aslam had purchased the vehicle but that he would be looking after it, insuring it and would be the only person driving it.

The chairman adjourned the meeting at 9.50am so that members could view the vehicle.

The chairman reconvened the meeting. Mr Aslam joined the meeting.

Councillors commented on the vehicle and the various issues with the bodywork and a broken rear light. Mr Aslam confirmed that the light would be replaced and that the bodywork would be sprayed yellow.

The chairman adjourned the meeting at 10.05am.

The chairman reconvened the meeting at 10.20am.

**Decision:**

**RESOLVED** that the application for a private hire vehicle licence be refused.

**Reasons for decision:**

1. The sub-committee noted the report and heard from Mr Youssef on behalf of Mr Aslam and Mr Aslam himself when he arrived during the hearing.
2. The sub-committee inspected the vehicle and noted a large amount of minor bodywork damage and a broken rear light.
3. The sub-committee noted Mr Youssef's need for a vehicle and his difficult circumstances.
4. The council's policy, however, is clear that vehicles more than five years old will not be licensed on first application unless there are good reasons to depart from the policy. There was no evidence for any vehicle related reason for a departure from policy.

5. Accordingly the licence is refused.

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Chairman

The chairman closed the meeting at 10.25am.

## COUNCIL MEETING –20 DECEMBER 2016

### REPORT OF THE LICENSING COMMITTEE

28 November 2016

**Present:** Councillors Aslam, Bell and Morrall

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

#### 1. APPOINTMENT OF CHAIRMAN

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

The meeting commenced at 1pm.

#### 2. APPLICATION FOR A PREMISES LICENCE

The annexed circulated report of the Head of Planning and Local Development was received in relation to an application received for a premises licence for Benthorn Lodge, 48 Wellingborough Road, Finedon for the retail sale of alcohol, the provision of live music and the provision of recorded music.

Neither the applicant nor objectors were present at the meeting. The Principal Environmental Health Manager informed the sub-committee that representations had been received from five interested parties objecting to the licence on the grounds that the licensing objective, of the prevention of public nuisance, as prescribed by Section 4(2) (c) of the Licensing Act would not be met.

The report detailed the application which was also appended to the report.

The Health Protection Team Leader had spoken to the applicant and suggested that an additional condition be placed on the licence. The applicant had provided the Principal Environmental Health Manager with a statement to be provided to Committee Members. The statement confirmed that the applicant was agreeable to the condition being added onto the licence. The additional condition was as follows:

“The DPS or another competent staff member shall make regular external checks for noise levels when live or recorded music is being played at the premises, with the aim of complying with the licensing objective the prevention of public nuisance. Checks shall be carried out at least once per hour during live or recorded music or other similar entertainment of the volume of noise emanating from the premises in the street; outside nearby properties and control measures will be immediately implemented if an issue is identified, or if complaints are received.”

The sub-committee discussed the application.

**Decision:**

**Resolved** that the licence be granted subject to the conditions attached to the report.

**Reasons for decision:**

1. The applicant did not attend but the committee took into account her additional representations;
2. Having considered the report and the representations from the interested parties the committee considered that the licence could be granted on the conditions attached to the report consistent with upholding the licensing objectives.

## COUNCIL MEETING – 20 DECEMBER 2016

### REPORT OF THE PLANNING COMMITTEE

12 October 2016

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

#### 1. APOLOGIES FOR ABSENCE

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

#### 2. DECLARATIONS OF INTERESTS

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

| Councillor | Minute No | Item            | Description of Interest               |
|------------|-----------|-----------------|---------------------------------------|
| Hallam     | 6         | WP/16/00356/FUL | Other – know people in the village    |
| Hallam     | 9         | WP/16/00456/REM | Other – know people close to the site |

#### 3. CONFIRMATION OF MINUTES – 14 SEPTEMBER 2016

**RESOLVED** that the minutes of the meeting held on 14 September 2016, be confirmed and signed.

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

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

#### 5. PLANNING APPLICATION WP/16/00315/FUL – TOWER CARAVANS, 101C IRTHLINGBOROUGH ROAD, FINEDON

The annexed circulated report of the Head of Planning and Local Development was received, including late letters, on planning application WP/16/00315/FUL, for a change of use of land to extend caravans sales/storage area, the erection of Class B2 caravan services units, conversion of existing workshop and associated landscaping and access improvements at Tower Caravans, 101C Irthlingborough Road, Finedon for Mr A Scott.

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 11/10/2016 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 applicant and the agent. The objectors were not present at the meeting.

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

Members commented that part of the site was outside the village policy line but welcomed employment in the area and the pragmatic use of the waste land. They considered there was a scheme to be had on the site but members were concerned about the close proximity of the scheme, to residents in the bungalows to the rear of the development at 20A and 20B Tower Close, bringing overshadowing, loss of considerable light and amenity, due to the scale of the building.

It was proposed by Councillor Scarborough to move an amendment that the planning application be deferred for further discussions with the applicant regarding the treatment of the boundary and the extent of the building, in relation to reducing the adverse impact upon the bungalows at 20A and 20B Tower Close. This was seconded by Councillor Graves.

Members appreciated that the workshops needed to be a certain height for working above the height of a caravan, also suggesting that a lighter shade of colour be used for the building, and that the building be arranged so that the lower sections are located towards the boundary edge, to lessen the impact on the bungalows or for the building to be relocated.

On being put to the vote, the amendment for deferral was unanimously carried and the substantive motion was carried.

**RESOLVED** that the planning application be deferred for further discussions with the applicant to reduce the impact of the building on the bungalows at 20A and 20B Tower Close, to enhance the living conditions of the owners of the bungalows.

**6. PLANNING APPLICATION WP/16/00356/FUL – LAND OPPOSITE 2A NEAR JUNCTION WITH EARLS BARTON ROAD, GLEBE ROAD, MEARS ASHBY**

The annexed circulated report of the Head of Planning and Local Development was received, including late letters, on planning application WP/16/00356/FUL, for the construction of affordable and market homes including access roads and services on land adjacent 2A near junction with Earls Barton Road, Glebe Road, Mears Ashby for East Midlands Housing Group.

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

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

The site viewing group visited the site on 11/10/2016 and a record of the visit was set out in the circulated notes.

Requests to address the meeting had been received from four objectors, a representative on behalf of Northamptonshire Rural Housing Association and Mears Ashby Parish Council.

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

(Mr S Aley, Legal Adviser, arrived at the meeting).

The objectors had concerns about being outside of the village policy line, safety, affordability, use of agricultural land, sustainability due to the lack of local amenities, policy grounds and the archaeological impact, pedestrian and highway safety due to blind bends and the junction, the proposal being in the open countryside, the need to cross the road to gain access to the development and the dangerous crossing point to the proposed play area. Objectors felt there were other suitable sites within the village and a suggestion was made that Site 3B was more appropriate. Other comments were made as to why the farmyard to Hill House Farm was not used for an affordable homes scheme and that another suitable site had been suggested but the landowner had not been traced.

The representative from Northants Rural Housing Association and the representative from Mears Ashby Parish Council addressed the committee. They stated that the proposal identified local needs following a Housing Needs Survey and there had been no other willing land owners found for an alternative site within the village. In response, a comment was made that we could not set aside policy just because a willing landowner could not be found.

The Chairman then invited the committee to determine the application.

A lengthy debate ensued in relation to the speakers' comments. Members had every sympathy with the Parish Council trying to find a suitable site and a willing land owner but felt the site was not suitable, due to its location and for policy reasons. A comment was made that the conversion of existing large properties could also be explored to accommodate housing needs.

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

On being put to the vote, the motion for refusal was carried by 8 votes, with 1 vote in favour of the application.

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

1. The proposed scheme would result in development that breaches the settlement boundary resulting in unacceptable loss of open countryside resulting in a detrimental impact on the established landscape character of this edge of village settlement site. The detrimental impact of the proposal on the open countryside outweighs the identified housing need in this instance. As such the proposal is contrary to policies 3, 8, 11 and 29 of the North Northamptonshire Joint Core Strategy 2011-2031 and The National Planning Policy Framework March 2012.
2. The applicant has failed to undertake the required archaeological evaluation on a site with archaeological potential. As such the proposal is contrary to policy 2 (d) of the North Northamptonshire Joint Core Strategy 2011-2031 and the National Planning Policy Framework March 2012.

**7. PLANNING APPLICATION WP/16/00395/FUL – YOUTH CLUB, 50 HARROWICK LANE, EARLS BARTON**

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/16/00395/FUL, for a proposed single storey extension at the Youth Club, 50 Harrowick Lane, Earls Barton for Earls Barton Youth 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 Head of Planning and Local Development recommended that the planning application be approved subject to the conditions set out in the report.

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

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

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

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

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

2. This consent is based on Drawing Nos. EBYC/01 and EBYC/02 received on the 28 July 2016.

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

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

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

## **8. PLANNING APPLICATION WP/16/00444/REM – LAND REAR OF 1 TO 27 THORPE ROAD, OFF STATION ROAD, EARLS BARTON**

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/16/00444/REM for a reserved matters application pursuant to conditions 1, 2, 4, 5, 6, 7, 8, 10 and 11 of appeal decision APP/H2835/A/14/2221102 for 39 dwellings - Amended Plan on land rear of 1 to 27 Thorpe Road, off Station Road, Earls Barton, Northampton for Mr S Aran.

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.

Councillor Morrall informed the committee that it had been agreed that before the application got to this stage, a meeting would be held between the Developer and the Parish Council. This meeting had not taken place and he therefore moved an amendment that the application be deferred for a meeting with the Developer and the Parish Council to take place.

(Councillor Graves left the room).

Members felt that the Parish Council deserved to be consulted. A concern was also raised that there is insufficient information available from the Developer to enable the NCC Surface Water Assessment Team, to comment on the acceptability of the proposed surface water drainage scheme.

It was proposed by Councillor Morrall and seconded by Councillor Griffiths that the planning application be deferred for a Parish Meeting to be arranged with the Developer, and in addition, further information be provided, in relation to the acceptability of the proposed surface water drainage scheme.

On being put to the vote, the motion for deferment was unanimously carried and this became the substantive motion.

**RESOLVED** that the planning application be deferred for a Parish Meeting to be arranged with the Developer and further information be provided in relation to the acceptability of the proposed surface water drainage scheme.

(Councillor Graves returned to the room).

**9. PLANNING APPLICATION WP/16/00456/REM – 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/16/00456/REM, reserved matters application pursuant to part of condition 2 (access only) of outline planning permission ref: WP/2013/0299/O - Amended/additional plans and information on land adjacent 16 South Street, Isham for Mr D Collings.

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

The Head of Planning and Local Development recommended that the planning application be approved subject to the condition 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 Chairman then invited the committee to determine the application.

The agent stated that it was proposed to widen the access from 4 metres wide to 4½ metres wide with part removal of the hedge by 20 metres, for highway visibility splay. Members did not want to see the removal of 20 metres of the hedge. They preferred to see a minimal reduction to the hedge, as Green Lane is a dead end with less than 5 houses. It was suggested the hedge be cut back, and be properly maintained and trimmed, to maintain the 'Green Lane' that has been there for many years.

It was proposed by Councillor Morrall and seconded by Councillor Lawman that the planning application be approved, subject to conditions, but the determined final solution of the hedge be delegated to officers to determine, in consultation with the Chairman and Vice-Chairman.

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

**RESOLVED** that the planning application be approved subject to the following condition, and the determined final solution of the hedge be delegated to officers to determine, in consultation with the Chairman and Vice-Chairman:

1. The development shall be carried out in accordance with the following plan numbers: 16-103-01B, 16-103-02B.

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

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

### **1. WP/16/00536/EXT**

The Principal Planning and Building Control Manager announced to the committee that the application was not a County Matter, as stated in the report, but an 'Other Borough' application.

The annexed circulated report of the Head of Planning and Local Development was received, including late letters, on planning application WP/16/00536/EXT, for erection of a leisure building to include a cinema, other leisure uses and restaurant units and erection of retail units, cycle hire facilities together with proposals for access, parking and servicing space, hard and soft landscaping and other associated works on land adjacent Skew Bridge Ski Slope, Rushden Lakes, Rushden for LXB RP (Rushden) Limited and Shoemaker Gp.

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

It was proposed by Councillor Griffiths and seconded by Councillor Scarborough that the planning application be given full support, as had been the case in all previous planning applications.

On being put to the vote, the motion was carried unanimously for full support of the planning application.

**RESOLVED** to note that full support be given to the planning application.

## **11. APPLICATIONS FOR INFORMATION**

### **1. WP/16/00819/EXT**

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/16/00819/EXT, for Rushden Lakes: Erection of a leisure building to include a cinema, restaurant and retail units and other leisure uses and erection of a cycle hire facility together with proposals for access, parking and servicing space, hard and soft landscaping and other associated works on land adjacent Skew Bridge Ski Slope, Northampton Road, Rushden.

**RESOLVED** to note that the planning application was approved by East Northamptonshire Council on 09/08/2016, subject to the conditions contained in the report.

### **2. WP/16/00342/EXT**

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/16/00342/EXT, for Outline: Demolition of existing football stadium and associated infrastructure and erection of new retail and leisure development including retail (A1), cinema (D2), hotel (C1), restaurants (A3/A5) and new community football facility along with access and parking (All matters reserved except access) (Re-submission

of 14/02310/OUT) (see also 15/02199/OUT) (application accompanied by amended Environmental Statement - EIA) at Nene Park, Station Road, Irthlingborough for Conalgen Estates SA.

**RESOLVED** to note that the planning application was refused by East Northamptonshire Council on 14/07/2016, for the reasons contained in the report.

**3. WP/16/00376/EXT**

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/16/00376/EXT, for the installation of mezzanine floor; erection of security fence and gate; air conditioning plant; and smoking shelter at 2 Express Business Park, Shipton Way, Rushden for Mr S Wall.

**RESOLVED** to note that the planning application was approved by East Northamptonshire Council on 04/08/2016, subject to the conditions contained in the report.

**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 – LAND ADJACENT TO 30 BURTON ROAD, FINEDON**

The annexed circulated report of the Head of Planning and Local Development was received, to consider the objections which had been made to the Borough Council of Wellingborough (Land adjacent to 40 Burton Road, Finedon) and whether or not the Tree Preservation Order should be confirmed.

A Temporary Tree Preservation Order was made on two horse chestnut trees on land adjacent to 30 Burton Road, Finedon on 3 May 2016, due to their visual amenity when plans were being considered to build on the adjacent site, as this would have an impact on the trees.

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

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

**RESOLVED** that the Tree Preservation Order (TPO) for two horse chestnut trees on land adjacent to 30 Burton Road, Finedon should be confirmed.

#### **14. PLANNING APPEAL DECISION**

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

- (i) 12/09/2016, in respect of the development proposed for up to 150 houses (including the option of a retail unit), with accesses off Station Road (including a roundabout at the Eastern end of the site), public open space, play area, footpaths, new footbridges across stream, drainage attenuation and landscaping on land North of Station Road, Irchester, which was dismissed.

#### **15. ANY OTHER ITEMS THAT THE CHAIRMAN DECIDES ARE URGENT**

Members were reminded of the seminar taking place for members on 7 November 2016, from 6 pm to 8 pm, for an update on the High Street development in the town. Cllrs Aslam and Scarborough gave their apologies and the Head of Planning and Local Development stated she would be happy to talk to and circulate a power point presentation to members who were unable to attend.

Following the informal workshop for members held on 3 October 2016 by NCC Highways, members asked that a letter of thanks and feedback from the presentation be sent to Highways. Members would welcome more regular meetings with the first being sometime early in 2017.

Chairman

The meeting closed at 8:46 pm.



## COUNCIL MEETING – 20 DECEMBER 2016

### REPORT OF THE PLANNING COMMITTEE

16 November 2016

Present: Councillors Ward (Chairman), Morrall (Vice-Chairman), Aslam, Bell, Graves, Griffiths, Hallam, G Lawman, Lloyd 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 L Lawman attended the meeting as an observer and also Councillor Carr from item 6).

#### 1. APOLOGIES FOR ABSENCE

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

#### 2. DECLARATIONS OF INTERESTS

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

| Councillor | Minute No | Item   | Description of Interest  |
|------------|-----------|--|--|
| Graves     | 8 & 9     | WP16/00490/FUL<br>WP/16/00491/FUL &<br>WP/16/00498/FUL | Other – live close by to application site                      |
| Hallam     | 10        | WP/16/00274/FUL  | Other – aware of business and live close to the area           |
| Lawman     | 13        | WP/16/00520/FUL  | Other – aware of applicants during a function when I was Mayor |
|            | 17        | WP/16/00503/CAR  | Other – County Councillor                                      |

#### 3. CONFIRMATION OF MINUTES – 12 OCTOBER 2016

**RESOLVED** that the minutes of the meeting held on 12 October 2016, be confirmed and signed.

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

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

**5. PLANNING APPLICATION WP/16/00430/FUL – 89 LONDON ROAD, BOZEAT**

The annexed circulated report of the Head of Planning and Local Development was received, including late letters, on planning application WP/16/00430/FUL, for a proposed new dwelling at land to rear of 89 London Road and division of site – amended plans at 89 London Road, Bozeat for Mr C Howkins.

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 15/11/2016 and a record of the visit was set out in the circulated notes.

Requests to address the meeting had been received from an objector, Bozeat Parish Council and the agent.

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

The objector raised concerns about the leylandii trees that provide screening at the rear, highway safety with pedestrians using the lane and suggested a condition in relation to waste collection areas. The Parish Council opposed the application as it conflicts with the prevailing development plan and could set a precedent, if approved. They considered it to be a back land development not consistent with other surrounding properties.

The Chairman then invited the committee to determine the application.

A member asked if an order could be imposed to retain the eucalyptus tree on the site. With regard to the landscaping members requested a landscaping condition be added for the monitoring and screening of the trees. In addition to that a member also stated that there was little parking on the road for tradesmen vehicles and it was suggested that a condition be added for a Construction Management Plan to ensure a safe passage for pedestrians during construction work.

It was proposed by Councillor Morrall and seconded by Councillor Graves that the planning application be approved with extra conditions relating to the tree, landscaping and a Construction Management Plan.

On being put to the vote, the motion for approval was carried by 7 votes for approval and 3 against.

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

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

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

2. This consent is based on amended drawing 15-006-02A received 07 September 2016 and drawings 15-006-01, 15-006-02A and 15-006-03 received 22 July 2016.

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

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

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. Prior to the construction of the dwellinghouse, a plan and elevation indicating the positions, design, materials and type of boundary treatments to be erected has been submitted and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

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

5. Prior to the construction of the dwellinghouse, a scheme to ensure the protection of the trees to be retained within the development during construction shall have been submitted to and approved in writing by the local planning authority and shall include a method statement and tree protection plan, with particular reference to construction phasing and exclusion zones. The development shall thereafter be carried out in accordance with these approved details.

Reason: To facilitate proper consideration of the provision made for trees on the site in accordance with BS:5837 (2012) in accordance with policy 3 and 8 (d) (ii) of the North Northamptonshire Joint Core Strategy.

6. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification) no development shall be carried out which falls within Classes A, B, E of Part 1 of Schedule 2 to the Order without the prior express consent of the local planning authority.

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

7. To prevent loose material being carried onto the public highway the driveway must be paved with a hard bound surface for a minimum of 5m in rear of the highway boundary.

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

8. A positive means of drainage must be installed to ensure that surface water from the driveway does not discharge onto the highway.

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

9. Pedestrian to vehicle visibility of 2.0m x 2.0m above a height of 0.6m 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) (i) of the North Northamptonshire Joint Core Strategy.

10. Prior to the development commencing the developer shall undertake:

1. A preliminary risk assessment which may require further investigation.
2. A site investigation scheme to provide a detailed assessment of the risk to all receptors, including off site receptors.
3. A remediation proposal based on the results of the site investigation and a risk assessment as required by the site investigation scheme.

The latter should give full details of the remediation required.

The preliminary risk assessment, site investigation and remediation proposals shall be agreed in writing by the local planning authority.

On completion of the remediation but before the site is first occupied the developer shall:

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

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

Reason: In order to safeguard the amenities of nearby occupiers in accordance with policy 8 (e) (i) of the NNJCS.

11. The development hereby approved shall be compliant with the 'Technical housing standards - nationally described space standard'

dated March 2015, by the Department of Communities and Local Government.

Reason: In order to comply with policy 30 (b) of the Joint Core Strategy.

12. The development hereby approved shall be compliant with category 2 of part M (2) (accessible and adaptable dwellings) of the Building Regulations.

Reason: In order to comply with policy 30 (c) of the Joint Core Strategy.

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

Reason: In the interests of visual amenity in accordance with policy 3 of the Joint Core Strategy.

14. Prior to the commencement of any part of the development hereby permitted, a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall include and specify the provision to be made for the following:
- i. Proposed construction works including information on operating hours and construction traffic routes.
  - ii. Local environmental effects (including noise, dust and vibration) of those works
  - iii. Identified sensitive human receptors within the vicinity
  - iv. Suitable mitigation measures to control or mitigate all of the identified environmental impacts (noise, air quality etc).
  - v. An Environmental Risk Assessment
  - vi. Details of the site management of environmental impacts, including control of subcontractors, contact details, public relations and information systems.
  - vii. Site waste management plan

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 interest of amenities of neighbouring properties in accordance with policy (8) (i) of the Joint Core Strategy.

**6. PLANNING APPLICATION WP/16/00496/REM – 129 LONDON ROAD, BOZEAT**

The annexed circulated report of the Head of Planning and Local Development was received, including late letters, on planning application WP/16/00496/REM, for a reserved matters application pursuant to conditions 1 and 2 of outline planning permission ref: WP/15/00163/OUT – amended plan at 129 London Road, Bozeat for Mrs D Zhang.

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 15/11/2016 and a record of the visit was set out in the circulated notes.

A request to address the meeting had been received from Bozeat Parish Council.

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

The Parish Council opposed the application due to highway safety on impact and capacity, lack of detail about the right of way to the rear and loss of light to 127A London Road.

The Chairman then invited the committee to determine the application.

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

Members had concerns about the loss of light and shading the proposal would bring to the neighbouring property (127A London Road), upstairs and downstairs. In addition, concerns were raised about the lack of parking.

It was proposed by Councillor Lawman and seconded by Councillor Scarborough that the planning application be deferred for further negotiations.

On being put to the vote, the motion for deferment was carried by 6 votes to defer and 3 votes against.

The deferral then became the substantive motion and on being put to the vote, the motion for deferral was carried by 7 votes to 3 votes.

**RESOLVED** that the planning application be deferred for further negotiations to modify the loss of light/shading to 127A London Road and highway issues.

**7. PLANNING APPLICATION WP/16/00497/FUL – LAND REAR OF 129 LONDON ROAD (FRONTING LITTLE CLOSE), BOZEAT**

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/16/00497/FUL, for the construction of a pair of semi-detached houses with garages and associated works – amended design following approval of WP/15/00164/OUT (Outline application with some matters reserved) at land rear of 129 London Road (fronting Little Close), Bozeat for Mrs D Zhang.

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 had walked by the proposal when site viewing two other planning applications in the area on 15/11/2016.

A request to address the meeting had been received from Bozeat Parish Council.

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

The Parish Council considered the application to be overdevelopment, the design and materials not to be in keeping with the houses in Little Close, the garages being too small, insufficient off road parking for 2 vehicles and highway issues with the village already experiencing parking problems.

The Chairman then invited the committee to determine the application.

Members raised concerns about the inadequate and unusable size of the narrow garages which did not meet adequate dimensions.

It was proposed by Councillor Lawman and seconded by Councillor Ward that the planning application be deferred for further negotiations in relation to the size of the garage and consideration be given to the proposal being set back slightly to accommodate parking issues. This then became the substantive motion.

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

**RESOLVED** that the planning application be deferred for further negotiations in relation to the size of the garage and consideration be given to the proposal being set back slightly to accommodate parking issues.

**8. PLANNING APPLICATIONS WP/16/00490/FUL AND WP/16/00491/LBC – THE GEORGE, 117 MAIN ROAD, WILBY**

The committee were informed that the planning applications had been withdrawn.

The Chairman asked the committee if they wished for appropriate enforcement action to be taken if negotiations proved to be unacceptable, to stop anymore unauthorised works to the building in the conservation area.

Members unanimously agreed to this.

**RESOLVED** that appropriate enforcement action be taken if negotiations proved to be unacceptable, to stop anymore unauthorised works to the building in the conservation area.

**9. PLANNING APPLICATION WP/16/00498/FUL – THE GEORGE, 117 MAIN ROAD, WILBY**

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/16/00498/FUL, for a change of use of agricultural land for proposed 3 no. log cabins (12 month temporary consent) – works have commenced at The George, 117 Main Road, Wilby for Mr T Fairfield.

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

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

The site viewing group visited the site on 15/11/2016 and a record of the visit was set out in the circulated notes.

Requests to address the meeting had been received from an objector, the agent and a representative on behalf of the applicant.

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

The objector had concerns that the log cabins had been installed without planning permission and that they were intruding on agricultural land, that had been used for arable crops for many years, up until the last few years.

The agent and the representative on behalf of the applicant stated that the applicant currently resides in one of the log cabins, whilst works are being carried out in the George and that 12 month's rent from the log cabins, would provide a financial contribution. The log cabins would be available for families and would be needed for the George to be sustainable. The log cabins would be screened with high trees which could be kept at 6 foot high.

The Chairman then invited the committee to determine the application.

Comments were made as to why the log cabins had not been left on the car park where they had originally been positioned. Other comments were made that this was a severe breach of the Town and Country Planning Act, and was not acceptable, and no attempt had been made to seek planning permission therefore action should be taken to remove the cabins.

It was proposed by Councillor Morrall and seconded by Councillor Bell that the planning application be refused and action be taken to remove the log cabins.

On being put to the vote, the motion for refusal was carried unanimously and appropriate action be taken.

**RESOLVED** the site is located within open countryside and it is considered that the application fails to respond positively to its local context in terms of its impact upon the character and appearance of the rural area and visual amenity. The open nature of the site, the log cabins negatively impact upon the appearance of the area which neither respects or reinforces the character of area and overall compromises the protection of the open countryside. The application is therefore in conflict with policies 3, 8 (e), 11, 13 and 25 of the North Northamptonshire Joint Core Strategy.

#### **10. PLANNING APPLICATION WP/16/00274/FUL – 5 KETTERING ROAD, ISHAM**

The annexed circulated report of the Head of Planning and Local Development was received, including late letters, on planning application WP/16/00274/FUL, for the retrospective application for change of use of part of the car park to a car wash (6 spaces) including barn for storage at 5 Kettering Road, Isham for Mr C Pruden.

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 temporarily approved subject to the conditions set out in the report.

The Chairman invited the committee to determine the application.

Several comments were made by Members stating that there was no justification for this proposal on a major trunk road and it was not a suitable location. A member reported that the car park already struggles with the discharge of water, which runs into the village and there are general sewer concerns in the area. Reference was also made to Anglian Water's comments in the late letters.

It was proposed by Councillor Bell and seconded by Councillor Griffiths that the planning application be refused and the car wash be removed.

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

**RESOLVED** that the planning application be refused as no details have been submitted for a surface water management strategy to prevent environmental and amenity problems arising from flooding and no evidence has been provided to show that the surface water hierarchy has been followed therefore the proposal has not addressed the potential for contaminated water runoff from the facility into the ground or local surface water drains. The proposal is therefore contrary to policy 5 (e and f) of the Joint Core Strategy.

**11. PLANNING APPLICATION WP/16/00452/REM – LAND REAR OF 11 BERRY CLOSE, EARLS BARTON**

The annexed circulated report of the Head of Planning and Local Development was received, including late letters, on planning application WP/16/00452/REM, for details submitted pursuant to conditions 1 and 2 of appeal decision APP/H2835/A/14/2224195 to determine appearance, landscaping and scale for four dwellings. Amended Plan at land rear of 11 Berry Close, Earls Barton for Mr D Mallard.

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 Principal Planning and Building Control Manager reported that Earls Barton Parish Council asked that the committee be informed, that their comments of 15/08/2016 still stand, and asked that members take this into account during the decision making process.

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 Chairman then invited the committee to determine the application.

The Ward Councillor had health and safety concerns about the development being close to the recreation ground and asked if the area could be secured/fenced off during non-working hours. The agent confirmed that it was fenced and this could be conditioned.

A concern was also raised about the grassed area in Berry Close which could potentially be damaged during building works, due to usage by construction vehicles. The grassed area is not part of the application and belongs to Northamptonshire County Council. It was asked if Northamptonshire County Council could take this into consideration to ensure the grassed area was put back to its original state, following completion of the development.

It was proposed by Councillor Lawman and seconded by Councillor Griffiths that the planning application be approved and additional conditions be added regarding the developer securing the site for health and safety reasons, and a Construction Management Plan be submitted.

On being put to the vote, the motion for approval was carried by 9 votes and 1 abstention.

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

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

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

2. The development hereby permitted shall be carried out in complete accordance with the following approved plans and documents:
  - (i) Drawing no. 15-13-01; received 25/07/2016
  - (ii) Drawing no. 15-13-02; received 25/07/2016
  - (iii) Drawing no. 15-13-03; received 25/07/2016
  - (iv) Drawing no. 15-13-04; received 25/07/2016
  - (v) Drawing no. 15-13-05D; received 25/10/2016
  - (vi) Design and Access Statement; received 23/07/2016

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

3. Representative samples of all external facing and roofing materials shall be submitted to and approved in writing by the local planning authority before the development is commenced.

Reason: 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 dwelling shall be occupied until details of the siting, height, design and materials of the treatment of all boundaries including gates, fences, walls, railings and piers have been submitted to and approved in writing by the local planning authority. The screening as approved shall be constructed prior to the first use/occupation of the development to which it relates and be retained as such thereafter.

Reason: To ensure the use of appropriate details to safeguard the character and appearance of the area in accordance policy 8 of North Northamptonshire Joint Core Strategy and guidance contained in the National Planning Policy Framework.

5. Within the first available planting season (October to March inclusive) following the commencement of the development the landscaping works as shown on the approved plan(s) drawing number(s) 15-13-05D and specifications attached to and forming part of this permission shall be fully implemented. If within a period of five years from the date of the planting of any tree or plant, or any tree or plant planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or plant of the same species and size as that originally

planted shall be planted at the same place, unless the local planning authority gives its written consent to any variation.

Reason: To secure appropriate landscaping of the site and in the interest of visual amenity and the character of the area in accordance with policy 8 of North Northamptonshire Joint Core Strategy and guidance contained in the National Planning Policy Framework.

6. No development shall commence until details of the materials and construction specifications to be used for the driveways and footpaths within the site have been submitted to and approved in writing by the local planning authority. Such details shall ensure that a permeable surface treatment is provided to prevent compaction and allow water penetration of the sub-soil.

Reason: To ensure the use of appropriate details to safeguard the character and appearance of the area in accordance with policy 8 of North Northamptonshire Joint Core Strategy and guidance contained in the National Planning Policy Framework.

7. All existing hedges or perimeter vegetation shall be retained, unless shown on the approved plans as being removed. All hedges or perimeter on and immediately adjoining the site shall be protected from damage for the duration of works on the site. This shall be to the satisfaction of the Local Planning Authority in accordance with relevant British Standards BS5837:2012. Any parts of hedges or perimeter removed without the Local Planning Authority's consent or which die or become, in the opinion of the Local Planning Authority, seriously diseased or otherwise damaged within five years following contractual practical completion of the approved development shall be replaced as soon as is reasonably practicable and, in any case, by not later than the end of the first available planting season, with plants of such size and species and in such positions as may be agreed with the Authority.

Reason: To ensure the continuity of amenity afforded by existing hedges or hedgerows.

8. The development hereby approved shall be compliant with the 'Technical housing standards - nationally described space standard' dated March 2015, by the Department of Communities and Local Government.

Reason: In order to comply with policy 30 (b) of the Joint Core Strategy.

9. The development hereby approved shall be compliant with category 2 of part M (2) (accessible and adaptable dwellings) of the Building Regulations.

Reason: In order to comply with policy 30 (c) of the Joint Core Strategy.

10. Prior to the commencement of any part of the development hereby permitted, a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Construction

Management Plan shall include and specify the provision to be made for the following:

- i. Proposed construction works including information on operating hours and construction traffic routes.
- ii. Local environmental effects (including noise, dust and vibration) of those works.
- iii. Identified sensitive human receptors within the vicinity.
- iv. Suitable mitigation measures to control or mitigate all of the identified environmental impacts (noise, air quality etc).
- v. Details of the site management of environmental impacts, including control of subcontractors, contact details, public relations and information systems.
- vi. Site waste management plan.

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 interest of amenities of neighbouring properties in accordance with policy 8 (i) of the Joint Core Strategy

11. Details of the construction boundary shall be submitted to the local planning authority to include details of security fencing. The site should be secured and the fencing maintained throughout the construction period.

Reason: In accordance with the requirements for Health and Safety.

**12. PLANNING APPLICATION WP/16/00467/FUL – REAR OF 10 WELLINGBOROUGH ROAD, ISHAM**

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/16/00467/FUL, for a dormer house with integral garage at rear of 10 Wellingborough Road, Isham for Mr J Cornwell.

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

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

The Chairman then invited the committee to determine the application.

Members made several comments about the application encroaching onto open countryside and conflicts with the development plan.

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

On being put to the vote, the motion for refusal was carried by 8 votes, with 2 abstentions.

**RESOLVED** that the planning application be refused as the site lies in a prominent location partially outside the village boundary in open countryside and would have an adverse effect on the setting of the village and as such the proposal represents an unacceptable development in the open countryside contrary to policy 11 (network of urban and rural areas) (2) (b) of the Joint Core Strategy and saved policy G4 (villages) which require developments to be within the village policy lines.

**13. PLANNING APPLICATION WP/16/00520/FUL – 9 – 11 OXFORD STREET AND WATERLOO YARD, WELLINGBOROUGH**

The annexed circulated report of the Head of Planning and Local Development was received, including late letters, on planning application WP/16/00520/FUL, for the construction of 9 no. flats and 1 no. retail unit following demolition of numbers 9 and 10 Oxford Street, Wellingborough together with associated works - additional information. Further additional information at 9 – 11 Oxford Street and Waterloo Yard, Wellingborough for Mr B & J Johal.

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 Councillor Anslow (Ward Councillor) and a representative on behalf of the applicant.

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

Councillor Anslow was not against the application but had concerns about the lack of parking in the development and the impact on the surrounding areas.

The representative reported that the development was on a shared space with Waterloo Yard that had been un-kept and restricted with ad-hoc parking. Improvements would be made to the yard to tidy up the area and provide parking facilities. The representative on behalf of the applicant stated that they were unable to comply with condition 9 in the report and asked if this could be amended for all to use the car parking spaces in an unallocated manner, which would be more beneficial to the development.

The Chairman then invited the committee to determine the application.

Members made several comments welcoming the scheme to the conservation area. They wanted assurance that the stone on the gable end would be protected as a feature. They were pleased to know the development would have gates and that the white goods currently stored in that area would be removed, to tidy up the area. A comment was also made that Condition 9 needs addressing, following the speaker's comments in relation to this.

It was proposed by Councillor Griffiths and seconded by Councillor Scarborough that the planning application be approved but agreement regarding the stone within the development and the car parking, be delegated to officers, in consultation with the Chairman and Vice-Chairman.

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, and the determined final solution of the stone and the car parking, be delegated to officers, in consultation with the Chairman and Vice-Chairman:

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

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

2. The development shall be carried out in accord with the following plan numbers: 0252/11A, 0252/12, 0252/13, 0252/14 sheets 1 - 3, 0252/15A, 14740-MBS-1-A, 14740-TOPO-1-A, location plan.

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

3. Before construction of the building commences, representative samples of the intended exterior facing materials shall be submitted to the local planning authority for approval in writing. The development shall be carried out in accord with the approved details.

Reason: In the interests of protecting the appearance of the Wellingborough Town Centre Conservation Area in accordance with policy 8 of the North Northamptonshire Joint Core Strategy and policy WTC12 of the Wellingborough Town Centre Area Action Plan.

4. Before construction of the building commences, details of the intended crime prevention measures to be included into the development shall be submitted to the local planning authority for approval in writing. The development shall be carried out incorporating the approved measures and evidence that the measures have been included into the development shall be submitted to the local planning authority before the development is first occupied.

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

5. Before construction of the building commences an Environmental Risk Assessment which shall contain details of any necessary contamination remediation works shall be submitted to the local planning authority for approval in writing. Any identified remediation works shall be implemented before the dwelling is first occupied. Proof of the remediation shall be submitted to the local planning authority for approval in writing before the dwelling is first occupied.

Reason: To prevent harm to the environment in accordance with policy 6 of the North Northamptonshire Joint Core Strategy.

6. Before construction of the building commences a written scheme of investigation shall be submitted to the local planning authority for approval in writing to secure the implementation of a programme of archaeological work. The approved programme of works shall be completed before development commences and evidence of the completion of the works shall be submitted to the local planning authority.

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

7. Before construction of the building commences details of the intended noise prevention measures to be included into the development shall be submitted to the local planning authority for approval in writing. The development shall be carried out incorporating the approved measures and evidence that the measures have been included into the development shall be submitted to the local planning authority before the development is first occupied.

Reason: In the interests of mitigating the effects of noise on the residential occupiers of the development in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

8. Before construction of the building commences a surface water management strategy shall be submitted to the local planning authority for approval in writing. The development shall thereafter be carried out in accordance with the approved drainage details.

Reason: To prevent environmental and amenity problems arising from flooding in accord with policy 5 of the North Northamptonshire Joint Core Strategy and policy G2 of the Borough of Wellingborough Local Plan.

9. Before the development is first occupied a scheme for resurfacing of the car parking spaces illustrated on plan number 0252/15A shall be submitted to the local planning authority for approval in writing. The approved scheme shall thereafter be completed before the development is first occupied.

Reason: In the interests of achieving and maintaining an acceptable level of off-road car parking provision in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

10. Before works commence, details of the intended treatment of the wall on the north-eastern elevation of the existing building shall be submitted to the local planning authority for approval in writing. The development shall thereafter be carried out in accord with the approved details.

Reason: To enable the local planning authority to adequately assess the effect of the hereby approved development on the appearance of the Wellingborough Town Centre Conservation Area in accord with policy 2 of the North Northamptonshire Core Spatial Strategy and policy WTC12 of the Wellingborough Town Centre Area Action Plan.

#### **14. PLANNING APPLICATION WP/16/00565/OUT – 37 WINDMILL CLOSE, WOLLASTON**

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/16/00565/OUT, for the outline application with all matters reserved for one single storey dwelling at 37 Windmill Close, Wollaston for Mr D 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.

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 members could not see much difference to the previous planning application for this property which had previously been refused by the committee. They considered it to be cramped, overdeveloped and detrimental to the appearance of the street scheme and the surrounding area. The proposal would result in an unacceptably harmful impact of residential amenity, in relation to visual intrusion and overbearing impact to neighbouring occupiers.

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

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

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

1. The proposal development is cramped and represents an over-development of the site, detrimental to the appearance of the street scene and the surrounding area, in conflict with policies 8 (d) (i and ii) and 11 (2) (b) of the Joint Core Strategy and saved policy G4 of the adopted Borough of Wellingborough Local Plan.
2. The proposal is contrary to policy 8 (e) (i) of the Joint Core Strategy. The proposed dwelling by reasons of its siting in relation to the adjacent dwelling and scale, would result in an unacceptably harmful impact on the existing standard of residential amenity currently enjoyed by the

neighbouring occupiers in relation to visual intrusion and overbearing impact.

**15. PLANNING APPLICATION WP/16/00575/FUL – LAND AT POPLARS FARM, 80 SHEPHERDS HILL, WOLLASTON**

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/16/00575/FUL, for the construction and improvement of existing farm track and construction of new access onto A509, with associated highways works at land at Poplars Farm, 80 Shepherds Hill, Wollaston for Mr M Varley.

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

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

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

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

The Chairman then invited the committee to determine the application, and it was noted with pleasure that the applicant had produced a much better scheme in accordance with the committee's comments when the application was last considered.

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

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

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

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

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

2. This consent is based on drawings 15-46-100, 15-46-101, 15-46-102, 15-46-103 received 21 September 2016.

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

3. 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 North Northamptonshire Joint Core Strategy policy 2 (d) and the NPPF at paragraph 141.

4. The vehicular crossing must be constructed and all highway surfaces affected by the proposals reinstated in accordance with the specification of the local highway authority.

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

5. The hedges adjacent to the proposed road construction are to be protected in accordance with BS3998 for the duration of the works on site. In the event that hedges become damaged or otherwise defective during such period, the Local Planning Authority shall be notified as soon as reasonably practicable and remedial action agreed and implemented.

Reason: To preserve the amenity value in accordance with policy 8d) (i) of the Joint Core Strategy.

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

### **1. WP/16/00561/EXT**

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/16/00561/EXT, for an outline application: Up to 214,606 sqm gross external area for B8 warehousing and distribution, ancillary B1(a) offices, with associated access, internal roads, parking and sustainable drainage at Kettering South (land at) Kettering for D B Symmetry Ltd.

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

A lengthy debate took place regarding the site access, flooding in Isham and in addition the impact down-stream into the Borough, traffic on the A509 coming to a complete standstill if the application was approved, highway safety, the size of the units, the application being contrary to Policy 37 (g, h, i, j, k, l) and the impact on Isham and the visual harm it would bring. They considered the application premature as the infrastructure for the A509 Isham by-pass is not yet in place and that a business needs infrastructure to enable it to operate effectively. Questions were asked if the Section 106 monies for the application could be assigned to the A509 Isham by-pass. Members were disappointed that this had been approved by the Joint Planning Unit. They fully supported the comments made by Isham Parish Council in their letter dated 04/10/2016, addressed to Kettering Borough Council.

It was proposed by Councillor Lawman and seconded by Councillor Griffiths that very strong objections be raised against the planning application.

On being put to the vote, the motion was carried unanimously for a strong letter of objection to be sent from the Head of Planning and Local Development to Kettering Borough Council, listing the committee's objections.

**RESOLVED** to note that a strong letter of objection with the committee's objections be sent from the Head of Planning and Local Development as concerns are raised from the likely visual impact of the proposed development on the village of Isham, and the wider countryside, as well as potential highway impacts in relation to the A509.

## **2. WP/16/00632/EXT**

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/16/00632/EXT, reserved matters: appearance, landscaping layout and scale pursuant to planning permission 13/00077/OUT dated 15.10.13 - Outline: Up to sixty houses, public open space and associated access and other necessary infrastructure (all matters reserved) at rear of Green Close, Wellingborough Road, Irthlingborough for Mr R Hazelton.

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

It was proposed by Councillor Morrall and seconded by Councillor Griffiths that no objection be raised in relation to the reserved matters.

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

**RESOLVED** to note that no objection be raised in relation to the reserved matters.

## **3. WP/16/00648/EXT**

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/16/00648/EXT, for outline application for the erection of up to 278,709sqm of Storage, Distribution buildings (B8) with ancillary B1(a) offices, creation of access onto A4303 and emergency services only access onto A5, formation of a Lorry Park, creation of SuDS facilities and other associated infrastructure and the demolition of Glebe Farmhouse (Means of access only to be considered) – additional information on land adjacent Glebe Farm, Coventry Road, Lutterworth for D B Symmetry.

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

It was proposed by Councillor Scarborough and seconded by Councillor Morrall that no objection be raised against the planning application.

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

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

#### **4. WP/16/00649/EXT**

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/16/00649/EXT, for scoping consultation and notification of the applicant's contact details and duty to make available information to the applicant if requested at Northampton Gateway Strategic Rail Freight Interchange Eastern And Western Sides Of The M1 Junction 15 South Of Northampton Northamptonshire for Roxhill (Junction 15) Ltd.

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

It was proposed by the Chairman to the members that the committee recommends that the comments contained in the report be sent to the Planning Inspectorate.

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

**RESOLVED** to note that that the comments contained in the report be sent to the Planning Inspectorate.

### **17. APPLICATIONS FOR INFORMATION**

#### **1. WP/16/00503/CRA**

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/16/00503/CRA, for a waste transfer station to bulk up dry recyclable waste, including a new building at 30 Sanders Park, Sanders Road, Wellingborough for Mr B Gallyot.

**RESOLVED** to note that the planning application was approved by Northamptonshire County Council on 14/10/2016, subject to the conditions contained in the report.

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

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

## **19. PLANNING APPEAL DECISIONS**

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

- (i) 21/10/2016, in respect of the erection of 12 number supported living apartments with associated bin store and external works on land at the rear of 30 High Street, Wellingborough. Land access via gateway through listed wall on Salem Lane at 30 High Street, Wellingborough, which was allowed;
- (ii) 05/10/2016, in respect of the development proposed for a new single storey front extension, two storey side extension and rear extension (single storey), two storey/single storey rear extension and internal modifications at 7 Fairfield Road, Isham, which was dismissed.

## **20. ANY OTHER ITEMS THE CHAIRMAN DECIDES ARE URGENT**

The Chairman announced that an update meeting would be held for members week commencing 28/11/2016, relating to the High Street and Appleby Lodge.

Councillor Griffiths proposed that the Appleby Lodge Liaison Group be reformed and this was seconded by Councillor Ward.

**RESOLVED** that arrangements be made for the Appleby Lodge Liaison Group to be reformed.

In relation to the Appleby Lodge application, Councillor Lawman thanked the Environment Protection team for their clear and comprehensive responses to applications, particularly the Contaminated Land, Construction Method Statements (including promoting Construction Management Plans), Demolition Impacts and Noise conditions. He stated it was a welcome development that enhanced protection for those affected by building works.

Chairman

The meeting closed at 9:32 pm.