

**COUNCIL MEETING – 23 FEBRUARY 2017**  
**REPORT OF THE LICENSING SUB-COMMITTEE**

16 December 2016

**Present:** Councillors Aslam, Morrall and Simmons.

**Also present:** Mrs A Wilcox, (Principal Environmental Health Manager), Mr J Chadwick, (Solicitor District Law), Mrs C Mundy, (Democratic Services Officer) and Miss N Harewood, (Governance Officer).

The meeting commenced at 9.30am

**1. APPOINTMENT OF CHAIRMAN:**

**RESOLVED** that Councillor Simmons 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 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>Minute no.</b>	<b>Item</b>	<b>Exemption</b>
3	Application to renew private hire driver's licence	E1 and 2
4	Application to renew private hire driver's licence	E1 and 2

**3. APPLICATION TO RENEW PRIVATE HIRE DRIVER'S LICENCE**

The annexed circulated report of the Head of Planning and Local Development was received in relation to an application for renewal of a Private Hire Driver's Licence for Mr E.

The chairman welcomed Mr E and his associate Ms S, a regular customer of his, to the meeting.

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

The application was for the renewal of the private hire driving licence for Mr E, whose licence had expired on the 30 November 2016. A temporary licence had been issued which would expire on 16 December 2016. The sub-

committee was being asked to make a decision as to whether Mr E's licence should be renewed.

Mr E had failed to notify the licensing authority of endorsements received since obtaining the licence. Mr E had a total of four endorsements on his licence in relation to exceeding the statutory speed limit on a public road. Of the four listed, two had been issued three years ago with a further two being acquired in 2016. The Licensing Policy clearly states that the council should be informed of any such endorsement within 14 days.

The chairman asked Mr E why he considered that the council should agree to the renewal of his licence.

Mr E was apologetic and explained why he had failed to notify the licensing authority of the endorsements which he said was due to an oversight because of the demands and pressures of his employment, and the process of recently obtaining an operator's licence. He stressed the importance of retaining his licence as this was his only source of income.

Councillor Morrall asked Mr E to explain how the endorsements came about and the speed at which he was travelling at the time.

Mr E proceeded to explain each endorsement on his licence. The initial endorsements occurred whilst Mr E was working as a delivery driver. The more recent convictions had happened on the same day and he had been exceeding the limit by 6mph. Mr E advised that he would take more care in the future to ensure that he did not gain another speeding sanction.

Councillor Aslam asked Mr E why he believed that he would be more careful as a taxi driver as opposed to being a delivery driver.

Mr E replied by explaining that the safety of his passengers, along with the rest of the community and to that of himself was paramount and that he would ensure that he was more cautious within speed limits and responsible. He was also conscious that he could risk losing his livelihood which he did not want.

The chairman adjourned the meeting at 9.35am.

The chairman reconvened the meeting at 9.45am.

**Decision:**

**Resolved** that the application for a private hire vehicle be granted, subject to Mr E taking, and passing, a D.S.A. test.

**Reasons for decision:**

- Mr E failed under paragraph 3.43 of the Borough Council of Wellingborough's Operational Policy and conditions governing taxi and

private hire licensing to notify the council of the offences for which he received Fixed Penalty Notices;

- he needed to assure the council that he remained a fit and proper person to hold a PHV driver's licence.

Following the decision Mr E pleaded with the sub-committee not to take the temporary licence away as he was worried that he would have to wait several months in order to take the test.

He was advised by the Principal Environmental Health Manager to use a company called Diamond, registered by the DVLA, who would be able to book his test within a matter of weeks.

#### **4. APPLICATION TO RENEW PRIVATE HIRE DRIVER'S LICENCE**

The annexed 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 A.

The meeting commenced at 10am.

The chairman welcomed Mr A to the sub-committee meeting.

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

The application was to consider whether Mr A was a 'fit and proper' person to be granted a private hire driving licence following the disclosures highlighted in the Disclosure and Barring Service (DBS) report. There were three convictions which the chairman asked Mr A to expand on.

Mr A explained each of the convictions one of which had taken place in 2002 and two in 2005.

There were no further questions and the chairman adjourned the meeting at 10am.

The chairman reconvened the meeting at 10.15am.

#### **Decision:**

**Resolved** that the application for a private hire driver's licence for Mr A be granted.

#### **Reasons for decision:**

The sub-committee believed that, having heard from the applicant, he was a fit and proper person notwithstanding his previous convictions from 2002 and 2005.

The chairman closed the meeting at 10.25am.

Chairman

**COUNCIL MEETING – 23 FEBRUARY 2017**  
**REPORT OF THE LICENSING SUB-COMMITTEE**

27 January 2017

**Present:** Councillors Maguire, Morrall and Simmons.

**Also present:** Mrs A Wilcox,(Principal Environmental Health Manager), Mr J Chadwick, (Solicitor District Law), Mrs C Mundy, (Democratic Services Officer) and Miss N Harewood, (Governance Officer).

The meeting commenced at 9.30am

**1. APPOINTMENT OF CHAIRMAN:**

**RESOLVED** that Councillor Simmons 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 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>Minute no.</b>	<b>Title</b>	<b>Exemption</b>
3	Application for private hire driver's licence	E1 and 2
4	Application to revoke or suspend a private hire driver's licence and Hackney Carriage driver's licence	E1 and 2

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

The annexed 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 L.

The chairman welcomed Mr L to the meeting.

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

The application was for a private hire driving licence. Relevant information had come before the authority which may affect the decision as to whether Mr

L was a 'fit and proper' person to hold a private hire driver's licence, as prescribed by the Local Government (Miscellaneous Provisions) Act 1976.

The chairman asked the applicant if he wished to address the meeting.

The applicant confirmed that the information on the Disclosure and Barring Services records related to incidents, the majority of which had happened over 25 years ago. He had previously held a licence for 15 years driving in Wellingborough, which had lapsed due to serious illness. During the period he held such licence there had been no issues.

The Principal Environmental Health Manager confirmed that this was correct and that there had been no issues during the time the applicant held a licence.

The chairman adjourned the meeting at 9.50am. The meeting reconvened at 9.55am.

**Decision:**

**Resolved** that the private hire driver's licence be granted.

**Reason:**

The sub-committee was satisfied that the applicant was a fit and proper person.

4. **APPLICATION TO REVOKE OR SUSPEND A PRIVATE HIRE DRIVER'S LICENCE AND HACKNEY CARRIAGE DRIVER'S LICENCE**

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

The chairman welcomed Mr S and his representative and colleague to the meeting

The Principal Environmental Health Manager presented her report to committee. She informed the meeting that Mr S held both a private hire and hackney carriage driver's licences which had both been issued on 29 November 2016 and would expire on 30 November 2019. At the time of renewal, information was awaited from the Disclosure and Barring Service. As Mr S was an existing licence holder the licenses were issued on the basis that he was a 'fit and proper' person to hold such licenses. When the DBS information was received it highlighted an incident from August 2015 which officers had not been notified of and the sub-committee was now being asked to make a decision as to whether Mr S remained a fit and proper person to hold such licences.

The chairman asked Mr S if he understood why he was before the sub-committee. He confirmed that he did and asked that his representative speak on his behalf. This was agreed by the chairman.

Mr S's representative addressed the meeting. He explained that he had recently met Mr S and had ascertained that he had purchased a business in August 2015, becoming a Director thereof and employing a manager to run it on his behalf. Within a few days of purchasing the business Trading Standards had visited and found some safety issues for which he had subsequently been prosecuted. He had then sold the business. He had not notified the Licensing Section as he did not realise that any conviction needed to be reported, he thought this only related to driving convictions.

Councillors asked questions of Mr S, including whether he had realised that on buying the company that he could be personally liable. Mr S confirmed that he had not been aware of this and following the issue had immediately sold the company.

He was also asked whether he had fully read and understood the council's policy. Mr S confirmed that he could read English well but did not always fully understand.

The Principal Environmental Health Manager addressed Mr S and clarified that it was of great importance that he had read and understood the policy; if he was having difficulty in doing so he needed to speak to the Licensing Section who would help him.

The chairman adjourned the meeting at 10.30am. The meeting was reconvened at 10.45am.

**Decision:**

**Resolved** that no further action be taken.

**Reason:**

The sub-committee was satisfied that the driver remained a fit and proper person notwithstanding the offences disclosed by the Disclosure Barring Service check and the failure to disclose those offences in his renewal application.

The sub-committee strongly urged the driver to read the driver conditions and policies as they apply to drivers and to discuss these issues with a Licensing Officer in the near future so as to demonstrate his understanding of the same.

The chairman closed the meeting at 11am.

Chairman



## COUNCIL MEETING – 23 FEBRUARY 2017

### REPORT OF THE PLANNING COMMITTEE

14 December 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).

#### 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
Bell	25	WP/16/00595/TCA	Other – the applicant is my landlord
Griffiths	23	WP/16/00536/EXT	Other – as Leader of the Council I have had discussions with the applicant with regard to our town centre
Hallam	6	WP/16/00614/FUL	Other – I know the applicant

#### 3. CONFIRMATION OF MINUTES – 16 NOVEMBER 2016

**RESOLVED** that the minutes of the meeting held on 16 November 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/16/00630/FUL – BOWLING GREEN ROAD BETWEEN 12 AND 14 HATTON AVENUE, WELLINGBOROUGH**

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/16/00630/FUL, for the demolition of existing pavilion and erection of 3 no. two storey, 4 bedroom dwelling houses and two no. single storey 3 bedroom dwelling houses and associated garages and landscape works at Bowling Green between 12 and 14 Hatton Avenue, Wellingborough for Mr R Nash.

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 13/12/2016 and a record of the visit was set out in the circulated notes.

Requests to address the meeting had been received from an objector, a local resident 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 lives opposite the proposed site and had concerns about the height of the roof lines of the 3 dwelling houses and the impact this would bring. He noted that the roof lights had been removed but asked if it could be conditioned that they could not be installed in the future due to the overall impact this would have on the street scene.

A resident who lives at the rear of the development (11A Hatton Street) had concerns that his property would be overlooked and wouldn't want to see any bedrooms in the roof space but pleased that the bungalow to the rear would be set down slightly. The speaker stated that the applicant had been very helpful and he had been promised that new fences would be installed and also planting to hide the development and hoped that these promises would be kept.

The agent felt the development complemented the surrounded buildings and stated that the applicant had engaged with residents. In response to the comment made by the resident from Hatton Street, he confirmed that there would be landscaping along side the boundary and that part of the development would be graded and lowered.

The Chairman then invited the committee to determine the application.

Members welcomed the scheme but asked that several conditions be added as follows:

- (i) remove future permitted development rights on the site relating to extensions and alterations to roofs and dormers (Classes A, B and C);
- (ii) a landscaping scheme;
- (iii) ensure adequate ground levels are in place for the bungalow in the rear corner.

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

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

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

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

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

2. This consent is based on drawings 0600-000-P2, 0600-010-P1, 0600-030-P1, 0600-340-P1, 0600-341-P1, 0600-350-P1 received 17 October 2016, amended drawings 0600-100-P2, 0600-110-P2, 0600-111-P2, 0600-120-P2, 0600-121-P2, 0600-130-P2, 0600-131-P2, 0600-300-P2, 0600-310-P2, 0600-311-P2, 0600-320-P2, 0600-321-P2, 0600-330-P2, 0600-331-P2 received 14 November 2016 and amended drawings 0600-140-P2, 0600-150-P2, 0600-351-P2 received 17 November 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 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. The means of access must be laid out as a shared private drive having a width of no less than 4.5m for a distance of 10m in rear of the highway boundary.

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

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

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

6. 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 interest of highway safety in accordance with policy 8 (b) (i) of the Joint Core Strategy.

7. Pedestrian to vehicle visibility of 2m x 2m above a height of 0.6m must be provided and maintained in both directions at the point of vehicular access into the site.

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

8. The development hereby approved shall be compliant with requirement M4 (2) (accessible and adaptable dwellings) of the Building Regulations.

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

9. Before construction site begins the developer shall undertake:
  1. A preliminary risk assessment.  
Should the preliminary risk assessment identify the need for further investigation.
  2. A site investigation scheme to provide a detailed assessment of the risk to all receptors, including off site receptors.
  3. A remediation proposals based on the results of the site investigation and risk assessment in 2. above giving full details of remediation required.

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

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

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

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

Reason: In order to safeguard the amenities of nearby occupiers in accordance with policy 8 (e) (i) of the North Northants joint Core strategy.

10. 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.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that order with or without modification) no development falling within Schedule 2, Part 1, classes A, B and C other than those expressly authorised by this permission shall be carried out without planning permission first being obtained from the local planning authority.

Reason: In order that the local planning authority can control any further development within the residential curtilage of the site to safeguard the privacy of nearby occupiers, the character and appearance of the locality and to comply with policy 8 (d) (i) and (e) (i) of the North Northamptonshire Joint Core Strategy.

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

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

13. Prior to construction details of the levels of the buildings in relation to the adjoining land and any other changes proposed in the levels of the site, have been submitted to and approved in writing by the local planning authority. Finished ground levels shall be carried out in accordance with the agreed details and shall not be varied without the approval of the local planning authority in writing.

Reason: In order to comply with policy 8 (e) (i) of the Joint Core Strategy which protects the amenity of adjoining occupiers.

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

**6. PLANNING APPLICATION WP/16/00614/FUL – THE BRAMBLES, 3 GREEN LANE, ISHAM**

The annexed circulated report of the Head of Planning and Local Development was received, including late letters, on planning application WP/16/00614/FUL, to demolish a garage and erect a detached dwelling at The Brambles, 3 Green Lane, Isham for Mr and Mrs B Hobbs.

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 13/12/2016 and a record of the visit was set out in the circulated notes.

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

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

The Chairman referred the applicant to the comment in the late letters from the Council's landscape architect relating to root protection of an apple tree to the rear of the garage. The applicant confirmed that he was happy to accommodate the condition.

The Chairman then invited the committee to determine the application.

It was proposed by Councillor Morrall and seconded by Councillor Lawman that the planning application be approved subject to the conditions in the report and also to the condition relating to root protection of the apple tree to the rear of the garage.

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

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

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

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

2. The development shall be carried out in accord with the following plan numbers: 01A, 02, 03, 04, 05, 06.

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 policy 2 (d) of the North

Northamptonshire Joint Core Strategy and paragraph 141 of the National Planning Policy Framework.

4. Before development commences, the developer shall undertake:
  - a. A preliminary risk assessment and should the preliminary risk assessment identify the need for further investigation,
  - b. A site investigation scheme to provide a detailed assessment of the risk to all receptors, including off site receptors.
  - c. A remediation proposals based on the results of the site investigation and risk assessment in 2. above giving full details of remediation required. The preliminary risk assessment, site investigation and remediation proposals shall be agreed with the local planning authority. On completion of the remediation but before the site is first occupied the developer shall;
  - d. Provide a verification report to demonstrate the completion of the works set out in the agreed remediation proposals in 3. above.

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

Reason: In order to safeguard the environment in accord with policy 6 of the North Northamptonshire Joint Core Strategy.

5. Before the development is first occupied provision shall be made for the access surface water to be drained within the curtilage of the hereby approved dwellinghouse to prevent it from flowing onto the public highway.

Reason: In the interests of promoting sustainable urban drainage in accord with policy 5 of the North Northamptonshire Joint Core Strategy.

6. Before demolition of the existing garage commences details of a root protection scheme in accord with the provisions of BS5837:2012 shall be submitted to the local planning authority for approval in writing. The approved protection measures shall be implemented before demolition of the garage commences and shall be retained until construction works on the site have ceased.

Reason: In order to protect the trees on the site that are nearest to the hereby approved development in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

(Councillor Hallam returned to the room).

## **7. PLANNING APPLICATION WP/16/00191/FUL – 145 AND REAR OF 145 DODDINGTON ROAD, EARLS BARTON**

The annexed circulated report of the Head of Planning and Local Development was received, including late letters, on planning application WP/16/00191/FUL, for 14 new detached dwellings including garages and amenity space – flood risk assessment at 145 and rear of 145 Doddington Road, Earls Barton for Mr

S Chalcraft.

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 recommended that the planning application be delegated to the Head of Planning and Local Development to approve subject to the conditions set out in the report and also following the completion of a Section 106 Agreement.

The Chairman then invited the committee to determine the application.

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

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

**RESOLVED** that the planning application be delegated to the Head of Planning and Local Development to approve subject to the conditions set out in the report and also following the completion of a Section 106 Agreement:

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 plans reference GEO0023 DSL1 revB, 1, 015-020-002 rev C, 015-020-003 rev C, 015-020-004, 015-020-005 revC, 015-020-006 revC, 015-020-007 revA, 015-020-008 revA.

Reason: To ensure 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 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 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 should include the following,

- a) Details of BRE 365 compliant infiltration testing to confirm that such a method of surface water disposal is viable. If the infiltration test results will be lower you will need to provide details demonstrating that

soakaway's can be emptied from full to half volume within 24 hours, in order to allow for the subsequent storm inflow.

b) A confirmation of the allowable rate of discharge and point of discharge should be provided from the Highway authority. The rate and point of discharge set by the water company may have implications on the overall drainage scheme for the site and may need to be revised based on their requirements.

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

5. No development shall take place until a site specific Construction Environmental Management Plan has been submitted to and been approved in writing by the Local Planning Authority. The plan must demonstrate the adoption and use of best practicable means to reduce the effects of noise, vibration, dust and lighting. The plan should include, but not be limited to:

- Procedures for maintaining good public relations including complaint management, public consultation and liaison.
- Arrangements for liaison with the Councils Environmental Protection Team.
- All works and ancillary operations which are audible at the site boundary shall be carried out only between the following hours:  
Saturdays and; at no time on Sundays and Bank Holidays.
- Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above.
- Mitigation measures as defined in BS5528: Parts 1 and 2: 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise and disturbance from construction works.
- Procedures for emergency deviation of the agreed working hours.
- The Borough Council of Wellingborough encourages all contractors to be 'Considerate Contractors' when working in our district by being aware of the needs of neighbours and the environment.
- Control measures for dust and other air-borne pollutants.
- Measures for controlling the use of site lighting whether required for safe working or for security purposes.

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

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

6. Prior to construction of the dwellings 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: To secure appropriate landscaping of the site in the interest of visual amenity and security in accordance with policy 8 of North Northamptonshire Joint Core Strategy and guidance contained in the National Planning Policy Framework.

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

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

Shared private drives serving parking areas and any more than a single dwelling must be no less than 4.5m wide for a distance of 10m in rear of the prospectively adoptable highway boundary.

Pedestrian to vehicle visibility of 2.0m x 2.0m above a height of 0.6m must be 2 provided and maintained on both sides of vehicular accesses.

Footways no less than 1.8m wide must be provided on both sides of the access road.

Vehicle to vehicle visibility of 2.4m x 43m must be provided and maintained in both directions at the junction between the proposed access road and Doddington Road.

Reason: In the interest of highways safety in accordance with policy 8 of the Joint Core Strategy.

## **8. 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 caravan sales/storage area, the erection of Class B2 caravan services units, conversion of existing workshop and associated landscaping and access improvements - amended plans - updated noise report 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 application had been deferred by the Planning Committee Meeting on 12/10/2016 to allow for an amended scheme to be submitted.

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

Requests to address the meeting had been received from an objector, the applicant and the agent.

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

The objector who lives at 20B Tower Close still had concerns about the overall height and the proximity of the proposal to his property and his neighbours and also the security cameras that would shine into their gardens. He also had concerns about the volume of traffic using the A6 and the additional traffic the proposal would bring to the area.

The agent commented that following the members' comments at the Planning Committee on 12/10/2016, significant improvements had been made to the proposal with a mass reduction of 62% from the previous application.

The Chairman then invited the committee to determine the application.

Members appreciated the effort the applicant had gone to in accordance with the committee's comments when the application was last considered. A comment was made that the cameras on the site would be infra-red and therefore wouldn't affect the occupiers of the bungalows in Tower Close. A member raised a query regarding an informative in relation to condition 2 concerning noise and contamination.

It was proposed by Councillor Morrall and seconded by Councillor Griffiths that the planning application be approved, subject to conditions, and delegation be given to the Head of Planning and Local Development to agree the informative relating to noise and contamination with the Council's Environmental Protection Team.

On being put to the vote, the motion for approval was carried by 9 votes for approval 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 sound insulation scheme to be implemented prior to first occupation in accordance with the noise mitigation measures submitted in the Noise Assessment Report 21376/05-15/3856 REV A and the Noise Addendum REF: 21376/10-16/4592.

Reason: In order to safeguard the amenities of nearby occupiers in accordance with policy 8 (e) (i and ii) of the Joint Core Strategy.

3. No building or use hereby permitted shall be occupied or the use commenced until there has been submitted to and approved in writing by the local planning authority a scheme of hard and soft landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for

their protection, in the course of development. The approved scheme shall be implemented so that planting is carried out no later than the first planting season following the occupation of the building or the completion of the development whichever is the sooner. All planted materials shall be maintained for five years and any trees or plants removed, dying, being damaged or becoming diseased within that period shall be replaced in the next planting season with others of similar size and species to those originally required to be planted unless the council gives written consent to any variation.

Reason: To protect and enhance the character of the site and the area, and to ensure its appearance is satisfactory in accordance with policy 3 of the Joint Core Strategy.

4. No drainage works shall commence until a surface water management strategy has been submitted to and approved in writing by the local planning authority. No hard-standing areas to be constructed until the works have been carried out in accordance with the surface water strategy so approved unless otherwise agreed in writing by the local planning authority.

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

5. The subject land including any building(s) falls within the sui generis use class of the Schedule of the Town and Country Planning (use classes) order 1987, or in the provision equivalent of that class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: In the interests of residential amenity to accord with Policy 8 (e) of the Joint Core Strategy.

6. The development hereby permitted shall be carried out in accordance with the approved amended plans ref: 250/FIN/16/001A, 250/FIN/16/002A, 250/FIN/16/010A, 250/FIN/16/011A and 250/FIN/16/014A deposited on 26 October 2016.

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

7. The sound insulation scheme to be implemented between the development and the adjoining premises shall be designed to ensure that noise from within the building (plant or operational) does not cause a disturbance to surrounding occupiers.

The noise measured at the boundary of the site shall be at least 10dB below the existing background levels at the nearest sensitive receptor.

Therefore, the developer shall certify to the local planning authority that the noise mitigation measures proposed in the summary of the Addendum Report reference 21376/10-16/4592 prepared by Mewies Engineering Consultants Ltd (M - EC) dated October, 2016 have been

installed or completed prior to occupation of the development and shall be permanently maintained thereafter.

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

**9. PLANNING APPLICATION WP/16/00422/CND – 5 KETTERING ROAD, ISHAM**

The annexed circulated report of the Head of Planning and Local Development was received, for planning application WP/16/00422/CND, for details submitted pursuant to conditions 1, 2, 3 (external materials), 4 (details of parts of site not covered by buildings), 4, 5 (tree protection), 6, 7 (visibility splays) and 8 (programme of archaeological work/WSI) of planning permission ref: WP15/00304/FUL. Amended plans at 5 Kettering Road, Isham for Mr T Linnell.

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 conditions 3, 4 and 5 of the planning application be discharged.

The Chairman then invited the committee to determine the application.

The Ward Councillor stated that he would like to see the development built entirely of stone. Another member supported this suggestion. In relation to the design a member raised a query as to why Plot 1 had cream windows whereas Plots 2 to 5 had white windows.

The Head of Planning and Local Development informed the members if stone was wanted this may affect viability and it would be prudent to go back to the applicant to discuss.

Councillor Griffiths proposed that the application be deferred for discussions to take place with the applicant and officers to consult on the use of stone and the colour of the windows being all cream with wood grain effect PVC. This was seconded by Councillor Morrall and this then became the substantive motion. On being put to the vote, the motion for deferral was carried unanimously.

**RESOLVED** to defer for discussions to take place with the developer and officers to consult on the use of stone and the colour of the windows being all cream with wood grain effect PVC.

**10. PLANNING APPLICATION WP/16/00438/FUL – FLAT 3, 10 FELLOWS CLOSE, WOLLASTON**

The annexed circulated report of the Head of Planning and Local Development was received, including late letters, on planning application WP/16/00438/FUL, for the conversion from one two bedroomed flat to two one bedroomed flats at Flat 3, 10 Fellows Close, Wollaston for Miss C Prigmore.

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

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

The Chairman invited the committee to determine the application.

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

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

**RESOLVED** that it is considered that the proposed sub-division of the existing first floor flat would lead to the use of the building for 4 flats in would result in increased activity of the building by reason that the work and leisure patterns of occupiers of 4 unconnected flats would be likely to lead to an unacceptable level of comings and goings and differing patterns of behaviour; amounting to an over-intensive use of the application building and would be harmful to the character and amenities of the locality contrary to JCS policy 8 (e) (i & ii) and paragraph 17 of the National Planning Policy Framework.

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

**11. 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 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. Additional Information. Further Additional Information on land rear of 1 to 27 Thorpe Road, off Station Road, Earls Barton 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 application had been deferred by the Planning Committee Meeting on 12/10/2016 for a Parish Meeting to be arranged with the developer and for further information to be provided in relation to the acceptability of the proposed surface water drainage scheme.

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

The Chairman then invited the committee to determine the application.

The Ward Councillor informed the committee that the meeting had taken place with the Parish Council. He still had concerns regarding noise and pollution fumes coming from the A45, that already affect residents in that area and the Parish Council are considering having a pollution survey carried out.

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

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

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

The development shall be carried out in accord with the following plan numbers: 100 L, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 363A03 101 REV A, 363A03 102, 5561 001 C 0010 REV P1, 5561 001 C 0100 REV P3 Sheets 1 and 2, 5561 001 C 0500 REV P5 Sheets 1 and 2, 5561 001 C 0800 REV P4 Sheets 1 and 2, 5561 001 C 2601 REV P3, 5561 001 C 2650 REV P2, 5561 001 C 2700 REV P2 Sheets 1, 2 and 3, 5561 001 C 4000 REV P1, 5561 001 C 4002 REV P1, MPD 60 18, S1681/01, 126 and 127. 3 JULY 2016 - REV A Landscaping plans.

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

**12. 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 reserved matters application pursuant to conditions 1 and 2 of outline planning permission ref: WP/15/00163/OUT – amended plan. Further amended plans 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 application had been deferred by the Planning Committee Meeting on 16/11/2016 for further negotiations to modify the loss of light/shading to 127A London Road and highway issues.

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.

It was proposed by Councillor Scarborough that the planning application be refused on the grounds of the comment made by Northamptonshire Highways that the applicant has provided insufficient information to demonstrate that development would not have a detrimental effect on highway safety and capacity. This was seconded by Councillor Griffiths and became the substantive motion.

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

**RESOLVED** that the planning application be refused as the proposed development would intensify the use of an existing substandard vehicular access onto Little Close. The applicant has been unable to provide sufficient information to demonstrate that the proposed development would not have a detrimental effect on highway safety and capacity and is therefore contrary to policy 8 (b) (ii) and policy 11 (2) (b) of the North Northamptonshire Joint Core Strategy.

**13. 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, including late letters, 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). Amended Plans on land rear of 129 London Road (fronting Little Close), Bozeat for Mr 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 application had been deferred by the Planning Committee Meeting on 16/11/2016 for further negotiations in relation to the size of the garages and consideration be given to the proposal being set back slightly to accommodate parking issues.

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 still considering the garage size too small, the application being overdevelopment and felt the site would benefit from one good quality house rather than two. They supported the comment by Northamptonshire Highways to refuse on the grounds that the applicant has failed to demonstrate that the development would not have a detrimental effect on highway safety and capacity.

Councillor Griffiths proposed that the application be refused and this was seconded by Councillor Graves. This then became the substantive motion.

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

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

1. The proposed development, because of its lack of amenity space and inadequate off-road car parking provision would overdevelop the site so that it would have a harmful cramped appearance in the street scene and would be detrimental to the character and appearance of the area contrary to policy 8 (d) (i) and policy 11 (2) (b) of the North Northamptonshire Joint Core Strategy.

2. The proposed development does not comply with the Northamptonshire Parking Standards. The applicant has been unable to demonstrate that the proposed development would not have a detrimental effect on highway safety and capacity and it is therefore contrary to policy 8 (b) (ii) and policy 11 (2) (b) of the North Northamptonshire Joint Core Strategy.

**14. PLANNING APPLICATION WP/16/00524/FUL – LAND BETWEEN 75A AND 75B HIGH STREET, IRCHESTER**

The annexed circulated report of the Head of Planning and Local Development was received, including late letters, on planning application WP/16/00524/FUL, for 2 no. proposed 3 bedroom semi-detached dwellings with associated parking. Amended Plan on land between 75A and 75B High Street, Irchester for Mr D Gaskell.

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

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

The Chairman then invited the committee to determine the application.

The Parish Council had requested a site visit but the Chairman stated that the application had not been site viewed as the committee were familiar with the site.

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

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

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

1. The proposed development of two new houses served from a private track with the addition of those already served would lead to a total of seven independent dwellings off a private drive conflicting with the requirements of the highways authority. It is also considered that the track does not provide an adequate standard of vehicle accessibility and that there are insufficient mitigating circumstances to change this view. Accordingly, the application conflicts with the adopted Joint Core Strategy policy 8 (b) (i & ii), and National Planning Policy Framework paragraph 32
2. It is considered that there is a substantial objection to the proposed development on the grounds that it is out of keeping with the character and appearance of the surrounding area due to its excessive height, particularly in relation to the residential areas to the south and east. The application therefore conflicts with the adopted Joint Core Strategy policy 8 (d) (i & ii).

3. It is considered that the proposed development would cause an unacceptable loss of privacy to the rear garden and the window of a habitable room belonging to a house immediately to the south of the application site and would have an overbearing impact on the gardens of houses to the south and east. The application therefore conflicts with Joint Core Strategy policy 8 (e) (i) and National Planning Policy Framework paragraph 17.
4. It is considered that because of the proximity to the listed tithe barn and the comparable height of the proposed dwellings, this would not produce an authentic relationship between the two buildings to the detriment of the setting of the listed building and also the wider agricultural heritage of the original village core. For these reasons it is considered that the application conflicts with policy 2 (a) (b) (c) and (d) of the adopted Joint Core Strategy and the National Planning Policy Framework paragraph 134.

**15. PLANNING APPLICATION WP/16/00584/FUL – CHANGE THE USE FROM A3 – RESTAURANT TO A4 – DRINKING ESTABLISHMENT**

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/16/00584/FUL, for a change of use from A3 – restaurant to A4 – drinking establishment for 29 – 30 Sheep Street, Wellingborough for Mr R Hart.

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

The 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 were delighted to support this scheme and applauded the applicant. They were pleased to be using local industry to sell to local people and to bring this heritage building in the town back into use.

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

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

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

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

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

2. The use hereby permitted shall take place between the hours of:

11:00-23:00 Monday to Thursdays

11:00-23:00 Fridays

11:00-23:00 Saturdays

11-23:00 Sundays and Bank Holidays unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that the proposed development does not prejudice the enjoyment of neighbouring occupiers of their properties.

**16. PLANNING APPLICATION WP/16/00602/REM – APPLEBY LODGE 140 – 160 SYWELL ROAD, WELLINGBOROUGH**

The annexed circulated report of the Head of Planning and Local Development was received, including late letters, on planning application WP/16/00602/REM, for reserved matters for access, appearance, landscaping, layout and scale of a building for employment use on Zone A at Appleby Lodge, 140 – 160 Sywell Road, Wellingborough for Prologis UK 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 agent.

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

The agent stated that the facility would bring 200 jobs and if approved it would take approximately 12 months to the point of occupation in 2018. The height of the building had been reduced and set further back from the road. The agent was asked about the screening referred to in correspondence from Hardwick Parish Meeting and also asked when Sywell Road would be re-opened. The agent responded saying official work would continue until February but they are ahead of schedule and it is hoped that the road would re-open this week. The agent also stated that they had persuaded the County Highways to reduce the speed limit along that road to 40 mph. With regard to screening, he stated that Prologis build the best buildings and design. He added that the offices would be at the front with fantastic landscaping with bunds at the front which over a period of time would fully screen the building.

The Chairman then invited the committee to determine the application.

Members still had traffic concerns with that area and the vehicles going in and out but this will be mitigated by the extensive traffic plan scheme. The members welcomed the building height being lowered and also being set further back from the road to allow more landscaping.

A member raised a concern about the NCC Archaeologist's comment in the report relating to Zone A. The committee were informed by the officers that the original archaeological condition had been discharged therefore another one could not be imposed. The agent asked if he could return to the speaker's

chair to clarify any queries. He informed the committee that an archaeological investigation had effectively taken place by the clearing of the land at a cost of £120,000. The ground had been lowered so if anything had been there it would have been found. The agent was thanked for his clarification.

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

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

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

1. The development shall be carried out in accordance with the approved plans ref 10074-P102, P103, P104, P105, P106, P107-A, P108\_A, P109 deposited with the local planning authority on the 06 October 2016 and amended plans ref 10074P101 REV E, 10074P110 REV A, 1699-16-03 rev E deposited with the local planning authority on the 18 November 2016.

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

**17. PLANNING APPLICATION WP/16/00665/ADV – GRASS VERGE ADJACENT TO TESCO STORES, LONDON ROAD, WELLINGBOROUGH**

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/16/00665/ADV, for the retention of the framework to display up to two banners promoting local/community events on the grass verge adjacent to Tesco Stores, London Road, Wellingborough for Mrs G Chapman.

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.

A member asked if the framework for the banners could be made with a better structure. His point was noted and the cost of upgrading the frames would be 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. This consent shall expire at the end of a period of 5 years from the date of this decision.

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

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

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

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

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

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

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

**18. PLANNING APPLICATION WP/16/00666/ADV – OPPOSITE SHELL GARAGE, FINEDON ROAD, WELLINBOROUGH**

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/16/00666/ADV, for the retention of the framework to display up to two banners promoting local/community events opposite Shell Garage, Finedon Road, Wellingborough for Mrs G Chapman.

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.

A member asked if the framework for the banners could be made with a better structure. His point was noted and the cost of upgrading the frames would be 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. This consent shall expire at the end of a period of 5 years from the date of this decision.

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

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

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

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

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

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

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

**19. PLANNING APPLICATION WP/16/00667/ADV – GRASS VERGE ADJACENT TO SAINSBURYS PETROL STATION, NORTHAMPTON ROAD, WELLINGBOROUGH**

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/16/00667/ADV, for the retention of the framework to display up to two banners promoting local/community events on the grass verge adjacent to Sainsburys Petrol Station, Northampton Road, Wellingborough for Mrs G Chapman.

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.

A member asked if the framework for the banners could be made with a better structure. His point was noted and the cost of upgrading the frames would be 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. This consent shall expire at the end of a period of 5 years from the date of this decision.

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

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

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

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

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

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

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

**20. PLANNING APPLICATION WP/16/00668/ADV – GRASS VERGE ADJACENT TO SCULPTURED GATEWAY, HARROWDEN ROAD, WELLINGBOROUGH**

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/16/00668/ADV, for the retention of the framework to display up to two banners promoting local/community events on the grass verge adjacent to sculptured gateway, Harrowden Road, Wellingborough for Mrs G Chapman.

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.

A member asked if the framework for the banners could be made with a better structure. His point was noted and the cost of upgrading the frames would be 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. This consent shall expire at the end of a period of 5 years from the date of this decision.

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

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

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

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

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

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

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

**21. PLANNING APPLICATION WP/16/00669/ADV – LAND ADJACENT 10 CASTLE WAY, WELLINGBOROUGH**

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/16/00669/ADV, for the retention of the framework to display up to two banners promoting local/community events on land adjacent 10 Castle Way, Wellingborough for Mrs G Chapman.

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.

A member asked if the framework for the banners could be made with a better structure. His point was noted and the cost of upgrading the frames would be 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. This consent shall expire at the end of a period of 5 years from the date of this decision.

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

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

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

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

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

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

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

**22. PLANNING APPLICATION WP/16/00674/ADV – GRASS VERGE ADJACENT 1 – 5 WHITTLE CLOSE, SYWELL ROAD, WELLINGBOROUGH**

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/16/00674/ADV, for the retention of the framework to display up to two banners promoting local/community events on the grass verge adjacent to 1 – 5 Whittle Close, Sywell Road, Wellingborough for Mrs G Chapman.

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.

A member asked if the framework for the banners could be made with a better structure. His point was noted and the cost of upgrading the frames would be 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. This consent shall expire at the end of a period of 5 years from the date of this decision.

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

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

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

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

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

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

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

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

## **23. APPLICATION OUTSIDE THE BOROUGH**

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

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 the 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 to 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.

In light of the new information received which concluded that the additional retail at Rushden Lakes could have a significant adverse impact on Wellingborough town centre, members were asked to consider whether they wished to qualify the support given to the revised scheme and various options were suggested in the report to which the committee were asked which option they wished to pursue.

A lengthy discussion took place with the favoured option being an amended Option B. Funding to improve the town centre would be welcomed. They did not want to appoint a town centre manager for Wellingborough (B(1)). It was suggested that delegation be given to officers to talk to LXB RP (Rushden) Limited for funding contributions for our town centre or other appropriate mitigation measures. Funding could be used for public realm projects, shopfront improvements, CCTV, Market, street updating, Castle improvements. If there is less retail in our town centre in the future other options need to be explored such as leisure. For example, leisure/restaurant outlets seem to be increasing in the town centre. A suggestion was made by a member that a project co-ordinator could be appointed. Another member felt that Option B(3) could not be enforced.

A member also felt it was important that connectivity for walking/cycling and boating be included. The Head of Planning and Local Development responded that this is being worked on and we are actively talking to Bovis Homes Limited regarding routes into the town centre.

An amendment was proposed by Councillor Bell that an amended Option B be the preferred option but that delegation be given to officers to take this forward taking into account the committee's suggestions. Councillor Lawman seconded the amendment and this became the substantive motion.

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

**RESOLVED** to continue to support the revised and enlarged scheme with delegation being given to officers to take forward the committee's suggestions in greater detail.

(Councillor Griffiths returned to the room).

## **24. APPLICATION FOR INFORMATION**

### **1. WP/15/00417/EXT**

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/15/00417/EXT, 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 on land at Mere Lane, Bittesby for I D I Gazeley 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.

**RESOLVED** to note that the planning application was approved by Harborough District Council on 25/10/2016, subject to the conditions contained in the report.

**25. 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.

**26. PLANNING APPEAL DECISION**

**RESOLVED** to note the following annexed circulated decision letter dated 30/11/2016, in respect of an outline planning application with all matters reserved except 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 on land adjacent to 199 Northampton Road, Wellingborough, which was dismissed.

Councillor Griffiths stated that he was pleased the appeal was dismissed. He was present at some of the appeal and was impressed with the way in which the legal team and our officers responded during fierce cross examination. He added that the Council would do all it could to continue to protect our green spaces and defend our policies.

**27. ANY OTHER ITEMS THE CHAIRMAN DECIDES ARE URGENT**

A question was asked if the Council at some stage would be looking at the new parking standards issued by Northamptonshire Highways to discuss whether the new standards should be adopted.

In response, the Head of Planning and Local Development stated that our concerns regarding the new standards had already been forwarded to the County, for consideration.

The Chairman wished everyone a Happy Christmas and a Prosperous 2017.

Chairman

The meeting closed at 9.05pm.



## COUNCIL MEETING – 23 FEBRUARY 2017

### REPORT OF THE PLANNING COMMITTEE

11 January 2017

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), Ms E Granger, (Legal Adviser) and Mrs F Hubbard, (Democratic Services Officer).

(Councillor L Lawman attended the meeting as an observer).

#### 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 Councillors declared an interest in the following items:

Councillor	Minute No	Item	Description of Interest
Graves	6	WP/16/00717/FUL	Other – I know the applicant
Lawman	5	WP/16/00570/OUT	Other – Council Member on Wellingborough Homes Board

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

**RESOLVED** that the minutes of the meeting held on 14 December 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/16/00570/OUT – REAR OF 11A AND 11B SILVER STREET, WELLINGBOROUGH

The annexed circulated report of the Head of Planning and Local Development was received, including late letters, on planning application WP/16/00570/OUT, for an outline application with some matters reserved (access, layout and scale

to be determined at this stage) for redevelopment of former cinema site to create 11 no flats. Additional information rear of 11A and 11B Silver Street, Wellingborough for Mr D Lodge.

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 10/01/2017 and a record of the visit was set out in the circulated notes.

Requests to address the meeting had been received from Councillor Anslow as Ward Councillor and the agent.

Councillor Anslow was not present at the meeting. The Chairman allowed the agent to address the meeting and the committee was given the opportunity to ask questions of clarification.

Members welcomed the scheme which would tidy up this derelict site, and open up the walkway between Morrisons and Oxford Street, thus regenerating this part of the town centre.

A comment was made by a Member relating to Northamptonshire Highways in relation to their adopted parking standards and their recommendation for refusal on highway grounds. A Member asked if the Council could write to Highways regarding the County's new parking standards, which whilst satisfactory for many residential areas do not work in town centres. The Head of Planning and Local Development confirmed that a meeting had been requested with Northamptonshire Highways and was hopeful that this would take place before the end of January.

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

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

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

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

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

2. Before any development is commenced, detailed plans, drawings and particulars of the design and external appearance of the proposed development, including the Intended boundary treatment together with the landscaping shall be submitted to and approved by the local planning authority and the development shall be carried out in accordance therewith.

Reason: To secure satisfactorily planned development.

3. The development shall be carried out in accord with the following plan numbers: 529, 529-P-01, 529-P-02, 529-P-03, 529-P-04, 529-P-05, 529-P-06, 529-P-07.

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

4. Before construction work on the hereby approved buildings commences, details of the intended crime prevention measures shall be submitted to the local planning authority for approval in writing. The development shall be carried out thereafter in accord and incorporating the approved details.

Reason: In the interests of preventing crime, disorder and anti-social behaviour in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

5. 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 policy 2 (d) of the North Northamptonshire Joint Core Strategy and paragraph 141 of the National Planning Policy Framework.

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

1. A preliminary risk assessment.

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

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

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

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

Reference shall be had to Environment Agency Guide CLR11 Model

procedures for the management of land contamination available at <https://www.gov.uk/government/publications/managing-land-contamination>.

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

7. Before construction commences a detailed acoustic report on the existing noise climate at the development site shall be submitted to the local planning authority for approval in writing. The report if required shall include a scheme of noise insulation measures for the development. The noise insulation measures shall be designed to achieve noise insulation to a standard so that nuisance will not be caused to the residential occupiers. The noise assessment shall take into account the provisions of BS4142: 2014 and BS8233:2014. The approved noise insulation scheme shall be implemented prior to the development being occupied and evidence of its implementation shall be supplied to the local planning authority. The noise insulation shall thereafter be permanently maintained.

Reason: In order to protect the occupiers of the hereby approved development from harmful levels of noise in accord with policy 8 of the North Northamptonshire Joint Core Strategy.

8. Before construction commences an air quality report shall be submitted to and approved in writing by the local planning authority. The report shall detail:
  - the area within the boundary of the site which may exceed relevant national air quality objectives
  - specify how the detailed application will address any potential to cause relevant exposure to air pollution levels exceeding the national air quality objectives
  - identify areas of potential exposure
  - detail how the development will reduce its impact on local air pollution.

Confirmation that any necessary measures which have been identified by the report have been implemented shall be submitted to the local planning authority before the approved development is first occupied.

Regard shall be had to the guidance from the Land - Use Planning & Development Control: Planning for AQ (IAQM) May, 2015, The Control of Dust and Emissions during construction and demolition (Supplementary Planning Guidance) July, 2014 and Guidance on the assessment of dust from demolition and construction version 1.1 (IAQM).

Reason: In order to protect nearby and future occupiers of the development from unacceptable levels of air pollution in accord with policy 8 of the North Northamptonshire Joint Core Strategy.

9. Before construction commences details of the intended cycle storage facilities on the site shall be submitted to the local planning authority for approval in writing. The development shall be carried out in accord with the approved details and the cycle storage facilities shall be made available to the residents of the hereby approved development at the time of its first occupation. The approved cycle storage facilities shall be retained thereafter for the sole use of the residents of the development.

Reason: In order to provide facilities to promote a sustainable mode of transport in accord with policy 8 of the North Northamptonshire Joint Core Strategy.

10. Before construction commences a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, shall be submitted to the local planning authority for approval in writing. The details of the scheme shall include: designs, diameters, invert and cover levels and gradients. In addition, the assessment shall include dimensions of all elements of the proposed drainage system: pipes, inspection chambers, outfalls/inlets and attenuation basins. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

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

## **6. PLANNING APPLICATION WP/16/00717/FUL – 1 FINEDON HALL, MACKWORTH DRIVE, FINEDON**

The annexed circulated report of the Head of Planning and Local Development was received, including late letters, on planning application WP/16/00717/FUL, for the erection of a single dwelling – re-submission, with amendments, at 1 Finedon Hall, Mackworth Drive, Finedon for Mr G Roach.

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 10/01/2017 and a record of the visit was set out in the circulated notes.

Requests to address the meeting had been received from 3 objectors 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 objectors, who stated they represented 9 residents and management of Finedon Hall, expressed strong concerns that the proposal was outside the village policy line and did not accord to the development plan or comply with various policies. They raised drainage and flooding risk concerns and felt that the proposal did not enhance the character of the area which was a valued landscape, in accordance with paragraph 109 of the NPPF. Furthermore the design was not considered to be of a high standard, or innovative. Biodiversity and ecological impact concerns were raised including protected species, in particular the Red Kite bird of prey. In addition concerns were raised regarding highways, effects on trees and the impact of unsafe access arrangements with vehicles entering and leaving the site, with the suggestions that the estate road should be widened, with footpaths and have turning splays with carefully designed gates.

The agent stated that the proposal was of contemporary design and would not be prominent due to its siting in the lowest part of the garden. He added that flooding would be low risk.

The Chairman then invited the committee to determine the application.

Councillor Ward had concerns about the protection of the trees near to the proposal. Most of the trees were covered by Tree Preservation Orders but there was a particular tree on the site that is very rare dating back to 1862 and is known around the world. His concern was for the protection of the trees with the construction traffic gaining access to the area where the proposal would be sited. The agent confirmed that vehicles would enter just within the existing access and then smaller trucks would be used to gain access down to the site. A construction management plan is also included as a condition.

With regard to landscaping a member asked if any trees would be removed. The agent confirmed that the only trees to be removed are at the back of the site which is classed as 'substantial scrub', rather than being defined specifically as trees.

A debate ensued and some members felt there were no access concerns and that the proposal did not impinge on other properties and that it fits well into the site. Other comments were made that if you drive down Harrowden Lane the proposed zinc roof would not enhance the location in the summer. Other comments related to the fact that design is a very subjective concept, often in the eye of the beholder. Some members felt it out of character within this special area which they felt should be afforded protection and others had concerns for wildlife. In contrast, others felt the design was innovative and positive.

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

On being put to the vote, the motion for approval was carried with 5 votes for approval and 4 votes against.

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

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

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

2. The development shall be carried out in accordance with the approved plans 551/1/05, 551/1/20, 551/1/11, 551/1/10 deposited with the authority on 18 November 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 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 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 Joint Core Strategy policy 2 (d) and the National Planning Policy Framework Paragraph 141.

5. Prior to construction a site specific Construction Environmental Management Plan should be in place. The plan must demonstrate the adoption and use of best practicable means to reduce the effects of noise, vibration, dust and lighting. The plan should include, but not be limited to:

- Procedures for maintaining good public relations including complaint management, public consultation and liaison.
- Arrangements for liaison with the Councils Environmental Protection Team.

- All works and ancillary operations which are audible at the site boundary shall be carried out only between the following hours:  
0800 Hours and 1800 Hours on Mondays to Fridays and 0800 and 13:00 Hours on Saturdays and; at no time on Sundays and Bank Holidays.

Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above.

- Mitigation measures as defined in BS5528: Parts 1 and 2: 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise and disturbance from construction works.

- Procedures for emergency deviation of the agreed working hours.
- The Borough Council of Wellingborough encourages all contractors to be 'Considerate Contractors' when working in our district by being aware of the needs of neighbours and the environment.
- Control measures for dust and other air-borne pollutants.
- Measures for controlling the use of site lighting whether required for safe working or for security purposes.

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

Reason: In order to safeguard the amenities of nearby occupiers in accordance with policy 8 (e) (i & ii) of the Joint Core Strategy.

6. Notwithstanding the details submitted on the application drawings 551/1/10 and 551/1/05 and prior to the implementation of the scheme an additional planting plan to include hard and soft landscaping shall be submitted and approved in writing by the local planning authority. The landscaping scheme should show full details of the location and species of locally native plants or suitable alternatives. All planting should be carried out in accordance with the approved scheme.

Reason: To ensure that the site is satisfactory landscaped and in order to maintain and enhance the visual amenity of the area in accordance with policy 8 (d) (ii) of the North Northamptonshire Joint Spatial Strategy.

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

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

8. Prior to the commencement of any work on site a scheme for the protection of the existing trees which will be affected by the development shall be agreed in writing. This will be related to a more detailed survey of the trees around the building itself and will include protective fencing around the root protection area wherever possible and no dig construction of the driveway where it passes over the root protection area.

Reason: To protect the existing landscape in accordance with policy 3 (a-e) of the Joint Core Strategy.

**7. PLANNING APPLICATION WP/16/00576/VAR – LOVEJOYS OF FINEDON, 59 HIGH STREET, FINEDON**

The annexed circulated report of the Head of Planning and Local Development was received, on planning application WP/16/00576/VAR, for a variation of condition 1 of planning permission ref: WP/15/00621/FUL, to allow an element of A5 use alongside the existing A3 use (to enable home deliveries of restaurant food) at Lovejoys of Finedon, 59 High Street, Finedon for Ms M Parry.

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 felt strongly that the use needs to be controlled so that only home deliveries of the restaurant food could be carried out and that the restaurant should not change to becoming purely a takeaway business. It was clarified that should this occur, this would be unauthorised and would be subject to enforcement. To underline this, a specific condition had been suggested to make sure that the premises remain as an A3 use, that no separate trade counter is installed. It was also pointed out that in most restaurants allowing a small amount of home deliveries would be considered to be 'de minimus' and therefore would not need planning permission. One member suggested whether or not a temporary condition was appropriate. The legal representative stated that this would fail the statutory test of reasonableness in this instance.

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

On being put to the vote, the motion for approval was carried by 8 votes, with 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 use shall remain as an A3 restaurant and shall not operate as a separate A5 use either in whole or part. A separate trade counter shall not be installed or used at the premises and a collection service by

customers shall not be permitted. The use of the delivery service shall operate according to the details submitted with the application.

Reason: In order to ensure that the main use of the premises remains as an A3 restaurant and in order to protect residential amenity and highway safety in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

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

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

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

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

The Chairman then invited the committee to determine the application.

Councillor Ward was disappointed that there was still no parking provision for 39 High Street included within the scheme as historically parking was available for 39 High Street on this site. If parking was still made available for 39 High Street this would assist with alleviating some of the parking issues already exacerbated in the High Street by recent developments at Masons Yard and flat conversions at 37 High Street.

Another member made a comment that he had concerns about the boundary treatments in relation to the southern boundary of the site, being in a conservation area. It was considered that the height and length of the boundary wall in Orchard Road should be retained as much as possible as it currently stands. Members considered that the application was nearly acceptable but that it still needed some work to overcome concerns regarding overdevelopment on this narrow site still being a little too cramped. They thought Plot 3 could be slightly smaller in size and the dedicated visitor parking on the site could be designated as regular parking.

It was then proposed by Councillor Griffiths that the planning application be deferred for further work to be done and for the applicant to consider the following comments made by Members:

- clarification in relation to the parking on the site plus incorporating a car parking space for 39 High Street;
- boundary treatment and access – clarify retention of the wall;
- reduce the size of Plot 3 to be slightly smaller to ensure it is not over development.

This was seconded by Councillor Scarborough and 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 work and consideration on the following:

- clarification in relation to the parking on the site plus incorporating a car parking space for 39 High Street;
- boundary treatment and access – clarify retention of the wall;
- reduce the size of Plot 3 to be slightly smaller to ensure it is not over development.

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

**RESOLVED** that the decisions on applications for planning permission, and building regulation approvals determined by the 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.

**10. ANY OTHER ITEMS THE CHAIRMAN DECIDES ARE URGENT**

The Chairman stated there were no other matters and closed the meeting and wished everyone a Happy New Year.

Chairman

The meeting closed at 8.15pm

