

COUNCIL MEETING

Date: 18 July 2011

Venue: East Northamptonshire House, Cedar Drive, Thrapston

Time: 7.30pm

Present: Councillors:-

Sylvia Hughes (Chairman of the Council)
Clive Wood (Vice-Chairman of the Council)
Steven North (Leader of the Council)

Peter Baden
David Bateman
Tony Boto
David Brackenbury
Pauline Bradberry
John Farrar
Richard Gell
Glenvil Greenwood-Smith
Philip Hardcastle
Glenn Harwood MBE
Marika Hillson
Sylvia Hobbs
Sue Homer
Dudley Hughes JP
Barbara Jenney

David Jenney
Richard Lewis
Andy Mercer
Gill Mercer
Bob Nightingale
Brian Northall
Sarah Peacock
David Read
Rupert Reichhold
Phillip Stearn
Jeremy Taylor
Robin Underwood
Peter Wathen
Pam Whiting
Colin Wright

Also Present: Graham Blagden (Chairman of the Standards Board)

97. APOLOGIES FOR ABSENCE

Councillors Wendy Brackenbury, Mike Finch, Roger Glithero and Anna Sauntson and David Oliver, Chief Executive, sent their apologies.

98. MINUTES

The minutes of the annual meeting held on 18 May 2011 were approved and signed by the Chairman.

99. DECLARATIONS OF INTEREST

There were no declarations.

100. CHAIRMAN'S ANNOUNCEMENTS

The Chairman addressed the council as follows:-

"As chairman, I have attended 29 events since being appointed. Several of these events have been to support the astonishing musical talents both in East Northamptonshire and the

wider county. Northamptonshire has an outstanding reputation not only in the UK but the bigger picture of Europe. Our young musicians are a great credit to us all.

We have introduced some of the local primary school children to the workings of democracy. Their work is displayed on the board at the back of the chamber.

In addition to this we have been privileged to see our young people in the Cadet forces and St John's Ambulance as well as the graduation ceremonies at Moulton College demonstrating the talent and commitment to our district's future.

We represented the council at the High Sherriff's reception held this year at Deene Park. Our current High Sherriff is resident of East Northamptonshire and the reception included many counties in the Midlands as well as Northamptonshire. It was a great promotion for the District.

This afternoon and evening we have the Life Education Centre outside the chamber. I hope that you had a chance to call in before the meeting. LEC is one of my charities. If you would like to leave a donation in the basket provided that would be great. My event to support LEC is 11 February in Brigstock Hall".

101. LEADER'S ADDRESS

The Leader of the Council addressed the council as follows:

"Localism works. This was the title of the recent LGA conference. Of course we know this. It is far more important that funding is devolved to us rather than distributed centrally. We know where the problems are and where it's needed most to make a difference. Issues are not the same nor can they be solved in the same way across the country.

It is welcome, as I have said before, that we retain some of the business rates raised locally. It will part enable us to fund the infrastructure and community deficit, and along with the NHB, those areas that develop will have a much higher chance of being more sustainable. Another potential source of funding that has recently been introduced is the Tax Increment Financing Scheme, where we are allowed to borrow against predicted future growth in business rates income, to spend on key infrastructure to support that growth.

Community budgets will also be important to improve the lives of families with a wealth of problems. Pilots have shown that the issues can be dealt with quicker and a third of pooled budget can be saved. However, pooled budgets should not be seen as a return to a unitary agenda.

One final point: we are the second most important tier of local government. We are not a quango or a consultative body. We are democratically elected to make decisions and although some of these may be difficult, we should not shy away from this.

Members I wish you a happy and relaxing recess and I look forward to seeing you all recharged in September".

102. REPORTS OF COMMITTEES

(a) Development Control Committee – 25 May, 15 June and 6 July 2011

The reports of the above committee, presented by the chairman, Councillor Pauline Bradberry, were received.

(b) Policy & Resources Committee – 9 June and 4 July 2011

The reports of the above committee, presented by the chairman, Councillor Richard Lewis, were received.

RESOLVED:

That the recommendations in the following minutes be approved:

36. Proposed Constitutional Changes – Delegation Scheme

That full council approves the changes in green and blue to part 3.2 of the constitution as at pages 45 to 102, endorses the changes in red and authorises the Monitoring Officer to publish the completed document after reformatting and renumbering.

(Reason – to ensure that the constitution is kept up to date, to ensure that all relevant legislation is included, and to facilitate the supply of a completely revised constitution to all members of the council)

78. Procurement Strategy 2011 and Procurement Procedures

That the revised procurement procedures – as set out in appendix 1 at pages 146 to 168 and including the comments of the Finance Working Party be approved for inclusion as section 4.6 of the council's constitution.

(Reason – to ensure compliance with legislation)

82. East Northamptonshire Tourism Strategy 2010 – 2015

That the Greenway Project Board be reinstated and the Leader of the Council be asked to nominate two members to serve thereon.

(Reason – To continue the member involvement on this project)

83. Proposed Constitutional Changes

- (1)** That the abolition of the role of lead members be approved and consequential amendments be made to article 2, and parts 3 and 4.1 of the constitution.
- (2)** That the Monitoring Officer be authorised to make changes to other council documents which make reference to lead members.
- (3)** That a change be made to part 6 of the constitution when the Members' Allowances Scheme is again considered, and
- (4)** That the changes to article 4 of the constitution – as specified above – be approved and that the Monitoring Officer be authorised to adjust other parts of the constitution if necessary.

(Reason – to ensure that the constitution is continuously kept up to date; to ensure that all relevant legislation is included, and to facilitate the supply of a completely revised constitution to all members of the council)

84. Public Conveniences

(1) That further time be allowed to –

- Establish town council decisions.
- Undertake an audit of use of the public toilets.
- Establish whether there are any other toilets in the local area that can be used by the public.
- Undertake some consultation with users
- Complete an Equality Impact Assessment

(Reason – to enable sufficient information to be collected so members can make an informed decision)

(2) That the additional revenue funding of £25,000 be agreed to cover cleaning and maintenance of the public toilets on a temporary basis for the period to 30 September 2011.

(Reason – to make budget provision while information can be collected)

(3) That the capital budget be amended to include the one off payments of £79,500 to the town councils as financial support towards the future maintenance liabilities of the public toilets, should they decide to take them on.

(Reason – to make budget provision if the transfer of assets to town councils takes place)

(4) That it be noted that a further report will be provided to the Policy and Resources Committee on 12 September documenting the outcomes of the actions set out at (1) above, to enable a final decision to be made.

Arising from minute 83, it was further

RESOLVED:

That Councillors Sarah Peacock and Phillip Stearn be appointed to serve on the Greenway Project Board.

(c) East Northamptonshire Standards Board – 27 June 2011

The chairman, Graham Blagden, presented the report of the above meeting and commented on the Board's work during the current meetings cycle. The report was received.

(d) Scrutiny Committee – 29 June 2011

The report of the above committee, presented by the chairman, Councillor Phillip Stearn, was received.

103. OTHER REPORTS

(a) Representation on Outside Bodies

There were no reports.

(b) Licensing Panels

The minutes of the Licensing (Liquor & Gambling) Panel held on 20 April 2011 and the Licensing (Taxi & Miscellaneous) Panels held on 23 June and 5 July 2011 were received.

104. MOTIONS

There were no motions.

105. QUESTIONS

There were no questions.

106. APPOINTMENTS

It was

RESOLVED:

That Councillor Sue Homer be appointed as the council's representative to serve on the Community Law Service in 2011/12.

107. REVIEW OF POLLING DISTRICTS & PLACES

It was reported that the council was statutorily obliged to undertake a review of polling districts and places every four years and that it was necessary to carry out the next review before the end of 2011.

The main requirements of the legislation were as follows:-

- The council must seek to ensure that all electors have reasonable facilities for voting *as are practicable in the circumstances*
- Each parish has to be a separate polling district
- The council must seek to ensure that as far as is reasonable and practicable, every polling place in East Northamptonshire is accessible to electors who are disabled
- The council must have regard to the accessibility to disabled persons of potential polling stations or those under review.

The following broad timetable was proposed for the review:-

| | |
|---|------------------------------------|
| Publication of Notice of Review (<i>Nene Valley News; Council Website; Council Summons; public notices at 2 Council offices, Parish & Town Council notice boards</i>) | 21 July 2011 |
| Consultation with Returning Officers and people representing persons with disabilities; notification to Clerks of Town/Parish Councils and Chairmen of Parish meetings; local constituency political parties; Head of Planning Services | from 21 July 2011 to 15 Sept. 2011 |

Publication of representations by Returning Officers and further consultation and further with people representing disabled persons

during September 2011; closing date 10 October 2011

Council meeting to consider any revisions to polling districts or places

31 October 2011.

RESOLVED:

- (1) That the arrangements for the review of polling districts and places, as outlined above, be approved.
- (2) That the Equalities Impact Assessment set out in appendix 3 to the submitted report be endorsed.

(Reason – to comply with the requirements of legislation, which requires a review to be conducted every 4 years, and to aim to improve, where reasonable and practicable, accessibility for the disabled)

108. MEMBERS' ALLOWANCES – TOWN & PARISH COUNCILS

Members considered a report from the Democratic Services Manager regarding the process to be followed by town and parish councils wishing to adopt or review councillors' basic, travelling and subsistence allowances.

After noting the statutory requirements, it was

RESOLVED:

That any town or parish council wishing to review or introduce members' allowances be advised to contact the Welland Remuneration Panel to make recommendations and that the principle of town and parish councils meeting any costs associated with the work of the panel be endorsed.

(Reason – to comply with the requirements of legislation, which requires parishes to be guided by a parish remuneration panel "established" by the district council)

109. ISSUES DEBATE – PLANNING POLICY FRAMEWORK

Councillor Steven North, Leader of the Council, introduced the debate. David Brackenbury, the chairman of the Planning Policy Committee, then spoke, followed by other members. As a guide to the debate, members had before them a report which set out four potential options for planning policy development in East Northamptonshire, with advantages and disadvantages, timescales and costings for each option, and background information to assist the debate.

The options were as follows:-

- 1 Core Strategy (CS) only – no local development plan documents
- 2 Core Strategy + Four Towns Plan (FTP) + Rural North Oundle & Thrapston Plan (RNOTP)
- 3 Core Strategy + 1 district plan

4 Core Strategy + 6 separate town plans – Higham Ferrers, Irthlingborough, Oundle, Raunds, Rushden, Thrapston.

The meeting recognised the following factors –

- The Neighbourhood Plans concept was included in the Localism Bill, which was progressing through Parliament, but there remained a statutory requirement for councils to continue to prepare development plans for their area
- National planning policy required the council to clearly identify a 5 year deliverable housing land supply for the area and if plans were not progressed, the council would be subject to more applications being determined by appeal
- The Regional Spatial Strategy was still legally in existence until the Localism Bill was enacted and a Strategic Environmental Assessment was required on the proposal to abolish
- The adopted North Northamptonshire Core Spatial Strategy (CSS) was currently under review and it was anticipated that a revised document would be adopted by late 2012 and would form the principal development plan document for the district
- The RNOTP had already been completed for the north of the district and had been found sound by the Planning Inspectorate. Although the council had not adopted the plan, it was treated as a material planning consideration for making planning decisions and recent appeal decisions had given strong weight to the RNOTP
- The Planning Policy Committee had approved the preparation of a Four Towns Plan in October 2009, to include the towns of Higham Ferrers, Irthlingborough, Raunds, Rushden and surrounding villages to the south of the District and merging the earlier Raunds Area and Three Towns Plans. A draft timetable for the preparation of the Four Towns Plan had then been approved by the Planning Policy Committee in November 2010
- If the council decided to progress with option 1, 3 or 4, the planning weight that could be given to the existing RNOTP in decision-making and appeals would diminish
- Neighbourhood Plans could accompany any of the above 4 options. The government had allocated funding for bids to test how to prepare such plans and although the council's initial vanguard bid had been unsuccessful, £40,000 had still been provided to the council (£20,000 to be used for Raunds and Oundle respectively) to take forward neighbourhood planning.

During the debate the following points were made by members and the Head of Planning Services:-

- The council was in a transitional period with the Localism Bill devolving a considerable amount of influence on the development framework to the local community but we were still governed by the Regional Spatial Strategy until it was abolished
- The RNOTP was not perfect in terms of what members wanted and there were good reasons why the council was not able to recommend adoption at the time (concerns about infrastructure, village envelopes and lack of protection)
- There would be an element of protection for the council with an adopted RNOTP – there could be greater pressure for additional residential development without it
- An adopted RNOTP, together with progress on a Four Towns Plan and eventually a revised CSS, was considered to be the way forward
- If RNOTP were to be changed, there would need to be consultation and there may need to be an Examination in Public (which would put pressure on resources)
- A Four Towns Plan would involve less cost
- There was a government predisposition to the acceptance of wind farms but the council could achieve some balance by adopting its own Supplementary Planning

Document (SPD), which was already scheduled for a future Planning Policy Committee meeting

- In the spirit of encouraging greater local involvement in the formulation of planning policies and direction, consistent with the neighbourhood plans concept in the Localism Bill, town and parish councils should be asked to play their part and identify areas which they felt could be the subject of future development
- The council had to be cognisant – during the CSS review - of the approach being adopted by other authorities on the treatment of village boundaries. Although a revised CSS would have more weight than local policies, there would be local flexibility through the provision of a criteria based policy

The chairman announced that a seminar on the Core Spatial Strategy would be held immediately after the meeting of the Planning Policy Committee on 25 July, when Andrew Longley of the Joint Planning Unit would address members of that committee.

The meeting clearly favoured Option 2 above. In reaching the decision to adopt the RNOT plan, members had due regard to the current position in relation to the National, Regional and other local planning policy frameworks, and also considered any issues that may have arisen in the intervening period since the plan was declared sound. On the basis of legal advice received, members were advised that there was no legal impediment to them taking this decision. It was

RESOLVED:

- (1) That the council, noting that the Rural North Oundle and Thrapston Plan (RNOTP) has been declared sound by HM Planning Inspectorate and is consistent with the North Northamptonshire Core Spatial Strategy (CSS), the East Midlands Regional Spatial Strategy and the relevant national guidance and policies, forthwith adopts RNOTP without modification.
- (2) That the decision taken by the Planning Policy Committee on 29 October 2009, to prepare a Four Towns Plan to include the towns of Higham Ferrers, Irthlingborough, Raunds, Rushden and surrounding villages to the south of the district, be re-affirmed and that work on the plan be progressed with all speed, together with the review of the CSS and consideration of an SPD on wind farms.
(Note – resolutions (1) and (2) together identify option 2 as the chosen approach for the council)
- (3) That the council invite the district's town and parish councils to come forward with their development ideas and aspirations, so that they can be taken into account by the council when developing planning policies.
(Reason – in order to provide an up-to-date planning policy framework for decision-making for the district)

Chairman

DEVELOPMENT CONTROL COMMITTEE

Date: 20 July 2011

Venue: East Northamptonshire House, Cedar Drive, Thrapston

Time: 7.30pm

Present: Councillors: Pauline Bradberry JP (Chairman)
Gill Mercer (Vice Chairman)

Peter Baden
Wendy Brackenbury
Glenn Harwood MBE
Marika Hillson
Dudley Hughes
Andy Mercer

Bob Nightingale
Brian Northall
Ron Pinnock
Phillip Stearn
Jeremy Taylor
Peter Wathen

110. MINUTES

The minutes of the meeting held on 6 July 2011 were approved and signed by the chairman.

111. APOLOGIES FOR ABSENCE

Councillors Barbara Jenney, Anna Sauntson and Robin Underwood sent their apologies.

112. DECLARATIONS OF INTEREST AND INFORMAL SITE VISITS

(a) Interests

Councillor Phillip Stearn declared a personal interest in application EN/10/01560/OUT – Herne Lodge and Land, Ashton Road, Oundle as he was a member of the Oundle 2020 committee.

The committee noted that application EN/11/00674/LBC had been submitted by East Northamptonshire Council.

(b) Informal Site Visits

No informal site visits had taken place.

113. PUBLIC SPEAKERS

The following people spoke on the items as indicated: -

Colin Smith, Geoff Bolton, Mark Rogers, Councillor Mark Ormrod, Councillor Rupert Reichhold and Councillor David Bateman on EN/10/01560/OUT – Herne Lodge and Land, Ashton Road, Oundle

114. PLANNING APPLICATIONS

The committee considered the planning applications report, with updated information on some of the applications and representations made by public speakers at the meeting. The full decision on the applications is included (on the page indicated) in the appendix to these minutes.

(i) EN/10/01560/OUT – Herne Lodge and Land, Ashton Road, Oundle (See page 194)

The committee considered an outline planning application for the site, which set out proposals for the erection of 106 dwellings, the demolition of existing buildings and the renovation of Herne Lodge. The update report included additional recommended conditions, information from Northamptonshire County Council's highways department, information on drainage and details of additional neighbour comments. It was noted that the adoption of the Rural North, Oundle and Thrapston Plan by the council on 18 July did not change the emphasis of the report or the recommendation.

During the debate the following issues were discussed and advice given by the officers:

Oundle's heritage

- The development needed to reflect the character and heritage of the town.

Link to phase 2

- An application for the whole site would have been preferred – Officers explained this could not be required and that they had been unable to negotiate with both developers. The developer had illustrated that its plans would not prejudice phase 2.
- The need to ensure no ransom strips were created – A condition requiring access routes to be constructed up to the boundary had been suggested and it was suggested that this be extended to all utilities.

Access from Herne Road

- Which adjustment would be most suitable – The highways officer advised that assessments had shown either suggestion would work but that the highways authority in general saw significant merit with the mini roundabout. The details would need to be finalised.
- Whether the proposed layouts would be pedestrian friendly – The highways officer confirmed this.
- Whether there would be a back up of traffic trying to access the site – The highways officer confirmed that the technical analysis had shown the access junction and the Herne Road/South Road junction to be capable of accommodating the additional traffic movements.
- The need for yellow lines to be painted on the road to prevent vehicles parking too close to the junction – The highways officer agreed that the details associated with the improvements of the junctions should include provision for parking restrictions.
- Why pedestrian guardrailing was needed and whether this indicated the junction to be dangerous to pedestrians – The highways officer reported that this suggestion had come from the developer, that segregation of pedestrians and vehicles was seen as having a safety benefit, that it could also help discourage parking, and that the railings could be designed so as to be in keeping with the heritage of the town.

Blackpot Lane junction

- Whether the suggested works would manage the capacity issues – Officers advised the committee that the junction would soon be at capacity and that, although the development would increase the problem, the council could not require the developer

to fix an existing problem. The developer would be required to mitigate the effect of the development and return the junction to a state of nil detriment.

School transport

- Whether a lay-by on the A605 would help reduce the traffic problems associated with school transport – Members were advised that this was not proposed as part of the application and the county council had worked with operators to ensure the current one-way system worked as well as possible.

Ashton Road access (avenue and trees)

- The importance of maintaining the avenue in its current form.
- The possible problems of using an un-tested technique – Officers explained that the developer had suggested a new, non-dig solution for the carriageway. As an engineering solution the materials proposed would achieve the aim, but officers had no experience or evidence for whether the solution would be successful long term. The Conservation Officer commented that, if successful, the proposed solution would significantly reduce the negative impact on the trees. Members were concerned that there was no evidence for the suggested life spans of the materials. The committee felt it needed to be confident that what was being proposed was reasonable, practical and could be managed and maintained to a satisfactory level.
- How best to preserve the trees and who would have responsibility for their maintenance and any replanting needed – The Conservation Officer explained that the trees had a likely remaining lifespan of 40-60 years and would need ivy removing annually, annual inspections, climbing inspections every three years, and deadwooding and remedial pruning as required. The highways officer added that if the carriageway was adopted and the trees were close enough to also be adopted they would become the responsibility of the county council. A condition regarding the maintenance and management of the avenue had been included in the update sheet.
- The damage the trees might cause to the carriageway through their growth or their having to be removed which would need to be taken into account.
- The need for a guarantee or bond regarding the management and maintenance of the road and trees to secure monies for future works.
- Whether the carriageway would be wide enough for the anticipated number of vehicles it would need to accommodate – The committee was advised that the developer's plans indicated the minimum required width could be achieved, with some local narrowing which would also provide traffic calming.
- The avenue provided character and a sense of maturity to the area, was key to the site, and was in need of protection. Members were concerned that, although most issues could be dealt with through conditions, information on the avenue relied on a large amount of opinion, uncertainty and assumption.

Rear parking courts

- The need to ensure rear parking courts did not appear as part of the plans during the reserved matters stage – Officers assured members that recommended condition 4 specifically excluded rear parking courts.

Sustainable homes

- The desire of the committee that the dwellings be built to a higher code level than standard building regulations and for them to be eco-friendly – Officers advised members that the council could not require anything higher than standard building regulations for this site.

Affordable homes

- The lack of an even split between intermediate (15%) and social rented housing (25%) – Officers reported that this split had been agreed with the Housing Strategy Officer but an equal split could be suggested if the committee preferred. It was noted that not specifying the proportion of affordable housing (and leaving it to the reserved matters stage) would not be reasonable as it would affect the overall acceptability of the decision.

Air quality plan

- Why had an air quality plan not been completed? – Although it had been suggested that the developer carry out a desk-based assessment, the developer had chosen not to do so because Environmental Health had said that the application could not be refused on the grounds of no air quality assessment having been carried out.

North-west access

- Could this access route be made into a cycle path and the developer be asked to provide cycle racks as had been done on other developments? – Officers explained that the route would be available for pedestrian and cycle use but it would continue to provide vehicular access to a number of properties. The council could ask the developer about the provision of cycle racks.

Drainage

- Could the council do anything about the drainage difficulties on the Ashton estate that would be shared by the site? – The committee was advised that Anglian Water had carried out a study on the existing local sewage capacity issues, would be taking action to rectify them and had stated they would not preclude this development taking place.

Oundle 2020 work/transport plan

- Whether it would be wise to wait until the transport plan for Oundle had been published as part of the 2020 vision as it could include useful information and factors for consideration – The highways officer commented that a comprehensive cumulative assessment had been carried out for this application.

Protected species

- The possible negative effect of relocation on protected species and the need for further information – Officers reported that Natural England and Northamptonshire County Council were happy with the translocation plan.

After lengthy consideration of the application, the committee **agreed** to **defer** the application for the following reasons:

- The need for further consideration of the Ashton Road access, including maintenance and replacement of the trees, maintenance of the carriageway, consideration of a bond, and consideration of how a guarantee could be enforced;
- The need for an air quality report.
- The need for eco-friendly houses to be considered
- Concerns about density
- The need for additional information in relation to protected species.

(ii) EN/11/00201/FUL – OP7660 SP9772, Meadow Lane, Raunds (See page 194)

There was insufficient time to consider this application therefore it was **deferred** to a subsequent meeting.

(iii) EN/11/00571/OUT – Land adjacent to 21 Stamford Lane, Warmington (See page 195)

There was insufficient time to consider this application therefore it was **deferred** to a subsequent meeting.

(iv) EN/11/00674/LBC – 4 New Street, Oundle (See page 195)

There was insufficient time to consider this application therefore it was **deferred** to a subsequent meeting.

115. CONTINUATION OF MEETING – COUNCIL PROCEDURE RULE 8

During consideration of the previous item, the chairman reported that the two hour period under the above rule had been reached and it was

RESOLVED:

That the meeting continues until consideration of EN/10/01560/OUT – Herne Lodge and Land, Ashton Road, Oundle has been concluded.

Chairman

List Of Applications Determined By

DEVELOPMENT CONTROL COMMITTEE - 20 July 2011

EN/10/01560/OUT

| | | | |
|-----------------------|-------------------------|------------------------|---------------|
| Date received | Date valid | Overall Expiry | Ward |
| 24 August 2010 | 3 September 2010 | 3 December 2010 | Oundle |

Applicant **Kier Ventures Limited**

Agent **Woods Hardwick Ltd - Mr G Surkitt**

Location **Herne Lodge And Land, Ashton Road, Oundle, Northamptonshire.**

Proposal **Erection of 106 dwellings, demolition of existing buildings excluding Herne Lodge - all matters reserved except access**

Decision **Deferred for the following reasons:**

1. Further consideration of the Ashton Road access, including maintenance and replacement of the trees and maintenance of the road, consideration of a bond, and how the guarantee could be enforced.
2. An Air Quality Report
3. Eco friendly houses to be considered
4. Density concerns – more space would allow for individually designed houses
5. Additional information in relation to protected species

EN/11/00201/FUL

| | | | |
|------------------------|---------------------|--------------------|------------------------|
| Date received | Date valid | Overall Expiry | Ward |
| 8 February 2011 | 8 April 2011 | 8 July 2011 | Raunds Windmill |

Applicant **Mrs J Longhurst**

Agent **Cook Associates - Mr P Cook**

Location **OP7660 SP9772, Meadow Lane, Raunds, Northamptonshire.**

Proposal **Retrospective: Change of use to Stud Farm, including the retention of existing stabling and temporary residential mobile home**

Decision **There was insufficient time to consider this application at the meeting. It was therefore deferred to a subsequent meeting.**

Conditions/Reasons:

EN/11/00571/OUT

| | | | |
|---------------------|-------------------|--------------------|-------------------|
| Date received | Date valid | Overall Expiry | Ward |
| 8 April 2011 | 6 May 2011 | 1 July 2011 | Lower Nene |

Applicant **Elton Estates Company Ltd - Sir W Proby**

Agent **John Martin And Associates - Miss C Renner**

Location **Land Adjacent To 21, Stamford Lane, Warmington, Northamptonshire.**

Proposal **Outline: Erection of three residential dwellings (all matters reserved except access)**

Decision There was insufficient time to consider this application at the meeting. It was therefore deferred to a subsequent meeting.

Conditions/Reasons:

EN/11/00674/LBC

| | | | |
|-------------------|--------------------|--------------------|---------------|
| Date received | Date valid | Overall Expiry | Ward |
| 4 May 2011 | 12 May 2011 | 7 July 2011 | Oundle |

Applicant **East Northamptonshire Council**

Location **4 New Street, Oundle, Peterborough, Northamptonshire.**

Proposal **Conservation Area - style hanging sign to be affixed to the frontage of the Local Tourism office**

Decision There was insufficient time to consider this application at the meeting. It was therefore deferred to a subsequent meeting.

Conditions/Reasons:

PLANNING POLICY COMMITTEE

Date: 25 July 2011

Venue: East Northamptonshire House, Cedar Drive, Thrapston

Time: 7.30pm

Present: Councillors: - Tony Boto (Vice - Chairman – in the chair)

David Bateman
Pauline Bradberry
Michael Finch
Glenvil Greenwood-Smith
Philip Hardcastle
Sylvia Hobbs

David Jenney
Bob Nightingale
Steven North
David Read
Pam Whiting

116. MINUTES

The minutes of the meeting held on 28 March 2011 were approved and signed by the chairman.

117. APOLOGIES FOR ABSENCE

The chairman, Councillor David Brackenbury, sent his apologies.

118. DECLARATIONS OF INTEREST AND QUESTIONS

There were no declarations of interest and no questions.

119. REVIEW OF ARTICLE 4(2) DIRECTIONS

The committee considered the need for revising the council's existing article 4(2) directions (a mechanism which allowed local planning authorities to withdraw permitted development rights in certain circumstances). The aim of a direction was to ensure that the traditional details which formed part of the character of an area were not removed or altered and that development which could damage the character of an area did not go ahead.

Four conservation areas were subject to an article 4(2) direction –

- Easton-on-the-Hill
- Collyweston
- Duddington, and
- King's Cliffe.

Members noted that the review was necessary because of amendments made to the Town and Country Planning (General Permitted Development) Order 1995. These included works involving the installation, alteration or replacement of a chimney, flue or soil vent pipe on a dwellinghouse, and the installation of microgeneration equipment, especially solar panels.

The following revisions were proposed to the existing article 4(2) directions to remove permitted development rights (those marked with an asterisk are not part of the existing directions):-

- Class A of part 1 of schedule 2 – *the enlargement, improvement or other alteration of a dwellinghouse*
- *Class B of part 1 of schedule 2 – *the enlargement of a dwellinghouse consisting of an addition or alteration to its roof*
- Class C of part 1 of schedule 2 – *any other alteration to the roof of a dwellinghouse*
- Class D of part 1 of schedule 2 – *the erection or construction of a porch outside any external door of a dwellinghouse*
- *Class G of part 1 of schedule 2 – *the installation, alteration or replacement chimney, flue or soil vent pipe on a dwellinghouse*
- Class H of part 1 of schedule 2 – *the installation, alteration or replacement of a microwave antenna on a dwellinghouse or within the curtilage of a dwellinghouse*
- Class C of part 2 of schedule 2 – *the painting of the exterior of any building or work*
- *Class A of part 40 of schedule 2 – *the installation, alteration or replacement of solar PV or solar thermal equipment on (a) a dwellinghouse; or (b) a building situation within the curtilage of a dwellinghouse.*

The committee noted the intention of the officers to investigate if article 4 directions were appropriate for other conservation areas in the District. Members highlighted the need for additional guidance to be produced to specifically cover article 4 directions to enable the public living in those areas to know what might, and might not, be acceptable in terms of the directions. The desirability of reviewing all the representations received before the revised article 4 directions were finally adopted was also emphasised.

RESOLVED:

- (1) That, subject to the provisions set out below, approval be given to the revision of the four existing article 4(2) directions in accordance with the proposals set out in the preamble.
 - The committee consider all the representations received during the consultation period prior to a final decision being made, and
 - Draft policy guidance for householders being considered and approved by the committee after the consultation period.
- (2) That the committee acknowledges that a further report will be made to members, with recommendations relating to the existing conservation areas not covered by the article 4(2) directions.

(Reason – to ensure that the council is in line with current legislation).

Chairman

DEVELOPMENT CONTROL COMMITTEE

Date: 27 July 2011

Venue: East Northamptonshire House, Cedar Drive, Thrapston

Time: 7.30pm

Present: Councillors: Pauline Bradberry JP (Chairman)
Gill Mercer (Vice Chairman)

Peter Baden
Wendy Brackenbury
Roger Glithero
Glenn Harwood MBE
Marika Hillson
Dudley Hughes
Barbara Jenney

Andy Mercer
Bob Nightingale
Brian Northall
Ron Pinnock
Phillip Stearn
Jeremy Taylor
Peter Wathen

120. MINUTES

The minutes of the meeting held on 20 July 2011 were approved and signed by the chairman, subject to 'white lines' being changed to 'yellow lines' under 'access from Herne Road' in minute 114 (i) and Councillor Dudley Hughes' and Jeremy Taylor's apologies being added.

121. APOLOGIES FOR ABSENCE

Councillors Anna Sauntson and Robin Underwood sent their apologies.

122. DECLARATIONS OF INTEREST AND INFORMAL SITE VISITS

(a) Interests

(i) Prejudicial

Members declared personal and prejudicial interests in the items below as indicated. They left the meeting during the discussion and voting on the respective item.

| Member | Application/Item | Nature of Interest |
|--------------------------|---|---|
| Andy Mercer, Gill Mercer | EN/11/00867/LDP & EN/11/00945/FUL | Live next door to a similar property owned by the applicant |
| Barbara Jenney | EN/11/00867/LDP & EN/11/00945/FUL | Had previously declared a prejudicial interest on these items |

(ii) Personal

Members declared personal interests in the applications below as indicated. They remained in the meeting and took part in the discussion and voting on the respective item.

| Member | Item | Nature of Interest |
|--|---|--|
| Pauline Bradberry, Roger Glithero, Jeremy Taylor Barbara Jenney | EN/04/01326/OUT EN/04/01326/OUT | Represent the council on the Rockingham Motor Speedway Forum Husband had done work for David Lock |
| Bob Nightingale | EN/11/00867/LDP & EN/11/00945/FUL | Has a handicapped grandson |
| Ron Pinnock | EN/11/00867/LDP & EN/11/00945/FUL | Has a slightly autistic grandchild |
| Pauline Bradberry | EN/10/02221/FUL | Was previously a Spire Homes board member |
| Wendy Brackenbury | EN/11/00886/VAR | Knows some of the objectors |
| Peter Wathen | EN/11/00764/OUT | Knows one of the objectors |
| Pauline Bradberry, Roger Glithero | EN/11/00628/LDE | Know applicants/owners |

(b) Informal Site Visits

The following councillor declared that she had undertaken an informal site visit for this application:

- Wendy Brackenbury on EN/11/00886/VAR – 9 Lakeside Close, Thrapston.

123. PUBLIC SPEAKERS

The following people spoke on the items as indicated: -

- (i)** Mrs Karen Tate and Mrs Gill Mercer on EN/11/00867/LDP – 49 Hayway, Rushden
- (ii)** Mrs Karen Tate and Mrs Gill Mercer on EN/11/00945/FUL – 49 Hayway, Rushden
- (iii)** Cllr Heather Hanlon on EN/10/02221/FUL – Former allotments off Well Lane, Barnwell
- (iv)** Mr C Watkins and Mr Neil Brailsford on EN/11/00764/OUT – 49 East Street, Stanwick
- (v)** Mr Harvey Blunt and Mr Barry Nicholls on EN/11/00628/LDE – Freestone Lodge, 50 Bridge Street, Kings Cliffe

124. PLANNING APPLICATIONS

The committee considered the planning applications report, with updated information on some of the applications and representations made by public speakers at the meeting. The full decision on the applications is included (on the page indicated) in the appendix to these minutes.

(i) **EN/04/01326/OUT – Priors Hall Site, Kirby Lane, Deene** (See page 203).

Members had undertaken a site visit on 26 July. During discussion the committee considered the following issues:

- The noise issues were being resolved through the development of a noise management strategy and monitoring link.
- The likely negative impact of an increased volume of traffic, particularly during the construction phase, on villages such as Deene and those along the A6116 including Sudborough.
- It had been agreed some years ago that the houses would be set against Corby's housing targets and whether this was still appropriate.
- The preference for the removal of the towns from the list of priority wards for affordable housing.
- Any money for the community fund raised in fines due to breaches in noise levels at the raceway should be allocated by a committee.
- The chairman and ward member should be consulted on the layout of the children's play areas and open spaces before the details were approved.
- Landscaping should be locally sourced if possible.
- Wildlife corridors should be retained.
- The need for a site waste management plan to be included as a condition.

Members were pleased to note affordable housing would be provided in areas of need in villages and that the applicant was committed to building the dwellings to a high sustainability code level. Officers were asked to communicate the committee's concern about traffic issues and the need for highway improvements to Northamptonshire County Council.

It was agreed that the application be **granted** subject to the agreement of a section 106 (s106) agreement with the chairman of the committee and the ward member, and conditions as set out in the report and amended by the update sheet with:

- condition 22 to recognise the potential for the use of locally sourced planting;
- condition 25 to include reference to the retention of current wildlife corridors;
- an extra condition requiring the submission of a Waste Management Plan;
- an extra condition regarding the provision of traffic calming within the village of Deene;
- the removal of Raunds and Rushden from the priority list for the provision of off site affordable housing (as part of the s106 agreement); and
- details of the children's play area provision and associated open spaces (as set out within the s106 agreement) to be agreed with the chairman and ward member.

(ii) EN/11/00867/LDP – 49 Hayway, Rushden (See page 213).

The committee considered the report and **refused** the application for a lawful development certificate.

(iii) EN/11/00945/FUL – 49 Hayway, Rushden (See page 214).

Councillor Bob Nightingale chose to leave the room for the discussion and voting on this item.

The committee noted that the application had been made on the same terms as one refused a few months ago. The reasons for refusal of the first application had been revisited at a previous meeting and, on consideration of legal advice, the committee had chosen not to defend any appeal on the grounds of noise or highway related matters. The applicant had submitted this further application rather than pursuing an appeal.

Having considered possible noise issues, the committee agreed that the application be **granted**, subject to the inclusion of an informative to suggest that the applicant considers sound insulation measures.

(iv) EN/10/02221/FUL – Former allotments off Well Lane, Barnwell (See page 214).

Members were pleased to receive an application for affordable homes in a village and to know that they would be built to a high sustainability code level.

It was agreed that the application be **granted** with the conditions detailed in the report and update sheet, subject to a section 106 agreement ensuring that the affordable housing is for local people and the addition of a condition requiring the submission of a site waste management plan.

(v) EN/11/00778/FUL – 30 Woodnewton Road, Nassington (See page 218).

This item had been **withdrawn** by the applicant.

(vi) EN/11/00886/VAR – 9 Lakeside Close, Thrapston (See page 218).

The committee reviewed the amendments to the approved drawings and agreed that the application be **granted** with the conditions set out in the report.

(vii) EN/11/00764/OUT – 49 East Street, Stanwick (See page 219).

It was noted there had been no material change in circumstances since the principle of the development had been established by the grant of a previous application (albeit that permission had now expired). In the circumstances, as only access and layout were to be considered as part of this application, with appearance, landscaping and scale to be considered during the reserved matters stage, the committee agreed that the application be **granted** with the conditions set out in the report.

(viii) EN/11/00628/LDE – Freestone Lodge, 50 Bridge Street, Kings Cliffe (See page 221).

The committee considered the evidence in the report to support the application for a lawful development certificate. Members agreed that continuous use of the site as a livery for the required time period was clear, but debated the evidence for continuous use of the site as a builder's yard. Officers advised that conditions could not be put on a lawful development certificate and that the recent submissions from the applicants' son referred to the site as a stonemason's yard, which differed from a builder's yard. The committee agreed that the application be **deferred** to allow officers time to request that the applicants remove the builder's yard element from the application and for further negotiation.

125. CONTINUATION OF MEETING – COUNCIL PROCEDURE RULE 8

During consideration of the previous item, the chairman reported that the two hour period under the above rule had been reached and it was

RESOLVED:

That the meeting continues until the remaining agenda items have been concluded.

126. APPEAL DECISION MONITORING REPORT

Members noted the council's planning appeal decisions from 20 June to 8 July 2011.

Chairman

List Of Applications Determined By

DEVELOPMENT CONTROL COMMITTEE - 27 July 2011

EN/04/01326/OUT

| | | | |
|--------------------|--------------------|-----------------------|---------------------|
| Date received | Date valid | Overall Expiry | Ward |
| 2 July 2004 | 2 July 2004 | 1 October 2004 | Kings Forest |

Applicant **Corby Developments Ltd**

Agent **David Lock Associates Ltd**

Location **Priors Hall Site, Kirby Lane, Deene, Corby.**

Proposal **Mixed use: Urban extension to Corby, including residential (up to 5,100 units), Employment (up to 14ha, 1 District Centre, 2 neighbourhood centres, Schools (1 Secondary, 3 Primary), Hotel, Formal and Informal Open Space, together with changes to the operating regime at Rockingham Motor Speedway, at Priors Hall Site, Kirkby Lane, Deene, Corby, Northamptonshire.**

Decision Grant subject to an S106 Agreement (to be agreed with the Ward Member and Chairman) and amend conditions;

Conditions: - Delete Condition 7 as it is duplicated by condition 19.

Condition 46 delete second sentence as the planting has already been provided.

Condition 53 should refer in the fourth line to condition 52 not condition 1.

Informative 2 Should read condition 36 not 31.

together with Condition 22 to recognise the potential for the use of locally sourced planting, Condition 25 to include reference to the retention of current wildlife corridors, an extra condition requiring the submission the submission of a Waste Management Plan, together with an extra condition regarding the provision of traffic calming within the village of Deene. The removal of Raunds and Rushden from the priority list for the provision of off site affordable housing (as part of the Section 106), and the details of the children's play area provision and associated open spaces (as set out within the section 106) to be agreed with the Chairman and Ward Member.

Conditions/Reasons:

1. The development hereby approved shall be begun before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the first Approval of Reserved Matters whichever is the later.

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

2. All applications for Approval of Reserved Matters pursuant to condition No 1 shall be made to the Local Planning Authority before the expiration of 15 years from the date of this permission. The first Reserved Matters application shall be submitted no later than three years from the date of this permission.

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

3. The development to which this permission relates shall be implemented in accordance with a phasing plan which shall be submitted to and approved by the Local Planning Authority before the commencement of any development. Insofar as any variation to that phasing plan is proposed, an application for the approval of such variation shall be submitted to and approved by the Local Planning Authority prior to submission of any reserved matters application in respect of the relevant phase or phases of development.

Reason: To ensure the major development is satisfactorily phased and co-ordinated.

4. No development shall take place within any phase of the development hereby permitted pursuant

to the approved phasing plan or as varied under Condition 3 until a Design Code for that phase has been submitted to and approved in writing by the Local Planning Authority. Such Design Code shall be substantially in accordance with the Development Framework Plan and Urban Design Framework submitted as part of the approved application, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the detailed design of each phase of the development is in accordance with the principles of development approved in the Development Framework Plan and Urban Design Framework which form part of the application.

5. No development within each phase shall commence until detailed drawings showing:

- a) Access
- b) External Appearance
- c) Landscaping
- d) Layout
- e) Scale

have been submitted to and approved in writing by the Local Planning Authority. The relevant phase of the development shall in all aspects be carried out in accordance with the approved plans unless otherwise agreed in writing with the Local Planning Authority.

Reason: In order that the Local Planning Authority is satisfied with the details of the proposed development and to ensure compliance with the Development Framework Plan and Urban Design Framework.

6. Unless otherwise agreed by the Local Planning Authority each application for the approval of any reserved matters for each phase of the development pursuant to Condition 5 shall be accompanied by the following details for the approval of the Local Planning Authority and no development in such phase shall be commenced until such details have been approved by the Local Planning Authority:

(i) Infrastructure and construction sequence comprising details of the following for the relevant phase:

- a) road junctions and junction alterations, road improvements/carrageway widening, new roads, footpaths, bridleways, cycleways, bridges, traffic signalling and highways signage, the treatment of all surfaces and any traffic calming measures;
 - b) foul and surface water drainage;
 - c) services (gas, water and electricity supply, cable and other utilities);
 - d) vehicular parking;
 - e) publicly accessible open space;
 - f) lighting, signage and street furniture;
 - g) security infrastructure and equipment; and
 - h) waste re-cycling, disposal and management measures.
- i) Travel plans.
 - ii) Cycle parking facilities for the relevant phase.
 - iii) The number of car parking spaces for the relevant phase.
 - iv) A schedule of floorspace and uses proposed within the relevant phase
 - v) Samples of the materials and finishes to be used for all external surfaces (including but not limited to roofs, elevation treatment and glazing)
 - vi) Measures to achieve the agreed BREEAM Standards for the development including energy and water conservation.
 - vii) A Statement of Conformity to the Design Code.

Any Reserved Matters applications for infrastructure works alone need only be accompanied by the details required under (i) (other than in respect of e) and h) above and vii).

Reason: To allow the Local Planning Authority to assess the conformity of the details of the development to the Design Code.

7. Before development commences a Code of Construction Practice shall be submitted to and approved by the Local Planning Authority and implemented thereafter. The Code shall include the following:

- a. An overall strategy for managing environmental impacts which arise during construction, (including how the Code would be implemented and the liaison and consultation strategy).
- b. Requirements for managing the construction impacts of all site operations.
- c. A strategy for reducing waste during site preparation and construction and encouraging the use of sustainable local materials.
- d. Requirements for monitoring the construction activities.

Reason: To mitigate the negative effects of construction as advised by the Health Impact Assessment.

8a.No development shall take place until the applicant, their agent or successors in title, has secured the implementation of a programme of archaeological mitigation in accordance with a management plan to be submitted to and approved in writing by the local authority.

The management plan shall allow for the preservation in situ of archaeological deposits during the course of and following completion of the development. Where investigation, recording and publication of the results is considered to be an acceptable alternative to preservation in situ, the management plan shall make provision for the following components, completion of each of which will trigger the phased discharging of the condition:

- i) fieldwork in accordance with the agreed written scheme of investigation;
- ii) post-excavation assessment (to be submitted within six months of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority);
- iii) completion of post excavation analysis, preparation of site archive ready for deposition at a store approved by the Planning Authority, completion of an archive report, and submission of a publication report to be completed within two years of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority.

8b.Areas to the north of the Willow Brook North which have been subject to archaeological investigation and which have been excluded from development will not be subject to archaeological inspection pursuant to Condition 8(a). Full details of measures to exclude and protect these areas from construction effects shall be submitted to and approved in writing by the Local Planning Authority.

8c.Where appropriate, details of foundation design and any other below ground disturbance shall be submitted to and approved in writing by the Local Planning Authority. Development shall take place strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that potential archaeological remains are recorded.

9. The total development hereby permitted within East Northamptonshire shall comprise:

- not more than 735 residential units unless the Local Planning Authority agrees in writing to an increase in such maximum.
- not more than 500 square metres of Use class A1 floorspace (net sales area) shall be provided
- Not more than 500 square metres of floorspace (net sales area) shall be provided for occupation by uses within Use Classes A2/A3/A4/A5.
- Not more than 250 square metres of floorspace shall be occupied by uses within Use Class D1 (excluding schools)
- Not more than 250 square metres of Use Class D2 floorspace shall be provided.
- Not more than 4,000 square metres of floorspace shall be occupied for a primary school and associated nursery.
- Not more than 22,950 square metres of floorspace to be occupied by uses within Use Class B1.
- Not more than 12,300 square metres of floorspace shall be occupied by a hotel (Use Class C1).

Reason: The development of the site is the subject of an Environmental Impact Assessment and Transport Assessment and any alteration to the land use which is not substantially in accordance with the Land Use Budget may have an impact which has not been assessed by that process and in order to ensure that the vitality and viability of Corby Town Centre is maintained.

10.Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995, The Class A1/A2/A3/A4/A5 uses hereby approved shall only be used as such and for no other purpose of the Schedule of the Town and Country Planning (Use Classes) Order (1987) or in any provision equivalent to that Class in any statutory instrument re-enacting or amending that Order, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order that the viability and vitality of Corby Town Centre is maintained.

11.Construction and related work activity capable of giving rise to significant noise beyond the confines of the site shall only take place between the hours of 08:00 – 18:00 hrs on Mondays to Fridays and between the hours of 09:00 – 13:00 hrs on Saturdays. No such construction work (other than emergency work) shall take place on Sundays or Bank Holidays unless otherwise

agreed in writing by the Local Planning Authority

Reason: To ensure the amenity of any neighbouring premises is protected.

12 The developer shall take all reasonable steps to ensure that all mechanical plant used on site is maintained, serviced and operated so as to minimise noise emissions. In particular, earth moving equipment, power generators, pumps and any other plant required to be operated on a continuous basis shall be silenced to the extent necessary to minimise the potential for disturbance to local residents.

Reason: To ensure the amenity of any neighbouring premises is protected.

13. All externally located plant and equipment shall be provided with adequate silencing to minimise the potential disturbance of local residents. The adequacy of such silencing shall be determined in relation to the prevailing background noise level in accordance with British Standard BS4142 (or its equivalent).

Reason: To ensure the amenity of any neighbouring premises is protected.

14. Prior to the commencement of development a detailed scheme to deal with noise impacts shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall include investigation and assessment of sources of noise and their impact on the development which must take into account the internal noise environment and external (e.g. use of gardens and external teaching areas), together with measures necessary to protect residential amenity and allow a satisfactory environment for education purposes

Reason: To ensure the amenity of any neighbouring premises is protected.

15. All noise mitigation measures identified as necessary and approved by the Local Planning Authority shall be in place prior to the first occupation of any dwelling or school within the relevant phase and those which relate to buildings shall be in place prior to the first occupation of that building.

Reason: To ensure the amenity of any neighbouring premises is protected.

16. All industrial and commercial buildings shall be designed and constructed to minimise the external impact of noise, in accordance with details to be submitted and approved by the Local Planning Authority.

Reason: To ensure the amenity of any neighbouring premises is protected.

17. Prior to commencement of any phase of the development or following any changes to non residential buildings covered by this agreement all fixed plant to be installed must first be assessed by the developer and details submitted to and approved by the Local Planning Authority in writing. The developer must provide a report from a specialist noise consultant or suitably qualified person, to assess the impact of this additional noise source on nearby residential properties and schools. The report shall be conducted in accordance with BS4142:1997 (or its equivalent) and shall be submitted to the Local Planning Authority for approval. The measures shall be implemented in accordance with the documents and shall be maintained thereafter.

Reason: To ensure the amenity of any neighbouring premises is protected.

18. Unless otherwise agreed by the Local Planning Authority, no development shall be commenced in each relevant phase of development until details of access, egress, parking and circulation of construction traffic and details of all construction related vehicles and wheel washing facilities for that phase have been submitted to and approved by the Local Planning Authority and such details shall comprise the following:

- iv) Designation, layout and design of construction areas and egress points
- v) Internal site circulation routes
- vi) Vehicular parking
- vii) The location of wheel washing plant and equipment
- viii) Directional signage (on and off site)
- ix) Provision for emergency vehicles
- x) Hours of working
- xi) Measures for the control of dust
- xii) Compounds, materials storage, cranes and plant, equipment and related temporary infrastructure

Reason: To ensure the amenity of any neighbouring premises is protected.

19. Prior to the commencement of the development a Construction Method Statement shall be submitted for approval in writing by the Local Planning Authority. Thereafter, the construction of the development shall only be carried out in accordance with the approved Statement, subject to any variations approved in writing by the Local Planning Authority. The Construction Method Statement

shall include but not be limited to the following matters:

- i) Proposed hours of work
- ii) Details of traffic movements
- iii) Excavations
- iv) Dust and dust suppression
- v) Pollution control
- vi) Piling
- vii) Site contact details

Reason: To ensure the amenity of any neighbouring premises is protected. In order that the proposed construction operations do not prejudice highway safety nor cause inconvenience to other highway users. To ensure that construction traffic is directed along routes which are satisfactory and which minimise the impact of construction on others.

20. Prior to the commencement of the relevant phase of the development as hereby permitted, a scheme for the landscape works and treatment of the surroundings of the relevant phase of the development shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall be implemented as approved unless otherwise agreed in writing by the Local Planning Authority. Such a scheme shall include:

- i) the position and spread of all existing trees, shrubs and hedges in compliance with BS 5837:2005;
- ii) new structural planting including species, plant sizes and planting densities
- iii) means of protection for existing trees, shrubs and hedges in compliance with BS 5837:2005
- iv) existing contours and any proposed alterations such as earth mounding;

- i) areas of hard landscape works including paving and details, together with samples, of proposed materials;
- ii) trees to be removed; and
- iii) details of how the proposed landscaping scheme will contribute to wildlife habitat (ranging from ground over to mature tree canopy).

Reason: To ensure a satisfactory development that enhances the visual amenity of the locality.

21. No part of each relevant phase of the development as hereby permitted shall be first occupied until the approved landscaping scheme under Condition 20 has been completed or is being carried out in accordance with a programme submitted to and agreed in writing by the Local Planning Authority. For a period of not less than five years from the date of planting, the applicant or owners of the land shall maintain all planted material unless otherwise agreed in writing by the Local Planning Authority. This material shall be replaced if it dies, is removed or becomes seriously damaged or diseased. The replacement planting shall be completed in the next planting season in accordance with the approved landscaping scheme.

Reason: To ensure a satisfactory appearance and setting for the proposed development and that it enhances the visual amenity of the area

22. The arrangements for the ongoing management of the overall site shall be submitted to and approved in writing by the Local Planning Authority in accordance with a timetable to be submitted and approved by the Planning Authority prior to the commencement of development and such arrangements shall cover:

- i) Formal Playing Fields;
- ii) Informal Open Space
- iii) Children's Play Areas;
- iv) Unadopted roads, footpaths and cycleways;
- v) Hard and soft landscaping, and furniture, within the urban realm, including squares, service areas and vehicle parking areas;
- vi) Existing and additional woodland.
- vii) Agricultural fields for grazing and crop production
- viii) Hedgerows
- ix) Community gardens and orchards
- x) Parkland, grassland, wildflower meadowland
- xi) Water bodies (including SUDS ponds) and watercourses.

Reason: To ensure satisfactory management measures to improve the appearance and setting of the development which enhances the visual amenity of the area

23. Within two years of the commencement of development a habitat management plan, including long term design and nature conservation objectives, management responsibilities and maintenance

schedules for specified habitats, shall be submitted to and approved in writing by the Local Planning Authority. The management plan will establish minimum standards of establishment and a monitoring programme. The habitat management plan shall be carried out in accordance with the approved plan or any amendment approved in writing by the Local Planning Authority. The management plan shall cover a minimum 30-year period and will be subject to review every five years throughout its operational period.

Unless otherwise agreed in writing by the Local Planning Authority any operation that involves the destruction and removal of vegetation or buildings (or part of a building) shall not be undertaken between 1 March and 31 July in any given year.

Prior to the carrying out of any works within any phase of development a working design method statement and timetable of works to mitigate any adverse effects on protected species relating to that phase of the development shall be submitted to and agreed in writing by the Local Planning Authority, and shall be carried out as part of the development. No development shall take place except in accordance with the agreed details.

Reason: In order to ensure adequate management and mitigation measures for the ecology of the site are implemented in accordance with the Environmental Statement (Chapter 6).

24. A buffer zone to protect wildlife habitats between the proposed built development and the Western boundary of the Golf course shall be created concurrently with the adjacent phases of development in accordance with details which shall be submitted to and approved by the Local Planning Authority prior to the commencement of any development within those phases.

Reason: To ensure wildlife habitats are protected in accordance with the submitted Environmental Statement

25. Before development on any phase is commenced details of proposals for the protection and retention of the ecological interests within:

- i) existing grassland areas
- ii) existing habitats within the gully
- iii) water courses, water bodies and wetland habitats
- iv) existing hedgerows
- v) woodland and shelter belts

within and adjacent to that phase shall be submitted to and approved by the Local Planning Authority. Details shall include the assessment and identification of habitat linkages within and beyond the development area in order to comply with the Green Infrastructure Strategy for Northamptonshire. The development shall not be undertaken other than in accordance with the approved details.

Reason: To ensure that the existing ecological features are appropriately retained, protected and enhanced

26. If, during development, contamination not previously considered is identified, then the LPA shall be notified immediately and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspect contamination has been submitted to and agreed in writing with the LPA.

Reason: To ensure all contamination within the site is dealt with.

27. Before the commencement of any development a strategy which includes footpaths, bridleways and cycle routes and how these are to be accommodated, improved, rerouted as necessary and utilised fully in the overall development together with details of their enhancement and extension to provide linkages with the open countryside and into Corby shall be submitted to and approved by the Local Planning Authority. Full details shall be submitted to the Planning Authority to accompany the Reserved Matters applications as required by Conditions 5 & 6 of this permission. The development shall not be implemented other than in accordance with the approved details

Reason: To ensure rights of way are accommodated and improved and appropriate access is achieved by means other than the Private Motor Car in the interests of achieving a sustainable development

28. Before any development hereby permitted is commenced the following shall be submitted to and approved by the Local Planning Authority in consultation with the Highway Authority.

- a) Details of all necessary highway works identified within the Priors Hall Transport Assessment document submitted by Corby Developments Ltd dated May 2004 or as otherwise approved by the Local Planning Authority in consultation with the Highway Authority.

- b) A detailed Phasing Plan of all highway works referred to in a. above.

Development shall not proceed other than in accordance with approved details.

Reason: To ensure all necessary road works and improvements take place at the appropriate time in the interests of the safety and convenience of road users

29. All roads, footpaths, cycleways and verges shall be designed and constructed in accordance with details which shall be submitted to and approved by the Local Planning Authority in consultation with the Highway Authority as required by condition 6(i)(a)

Details shall accord with the standards within the Northamptonshire County Council documents "Design Guide for Residential Roads" and "Design Guide for Commercial Estate Roads" unless otherwise agreed by the Local Planning Authority.

Reason: To enable the Planning Authority to retain control over the details of development in the interests of safety and convenience within the highway

30. A routing agreement for construction traffic associated with the development shall be submitted to and approved by the Local Planning Authority in consultation with the Highway Authority before the commencement of development. All vehicles associated with the development shall access the site in accordance with the approved routing agreement.

Reason: To ensure that construction traffic is directed along routes which are satisfactory and which minimise the impact of construction on others.

31. Prior to the first occupation of the first dwelling a detailed Travel Plan shall be submitted to and approved by the Local Planning Authority in consultation with the Highway Authority and Highways Agency. The Travel Plan may be amended from time to time with the prior approval of the Local Planning Authority. The mitigation measures identified shall be implemented to accord with the approved Travel Plan.

Reason: To ensure that the development takes place in accordance with the principles of sustainability by reducing the use of the Private Motor Car.

32. Prior to the commencement of any development at the site a Housing Strategy which will identify how the development is to provide for a range of housing to meet relevant needs and form a sustainable Community shall be submitted to and approved by the Planning Authority.

Reason: To ensure the development provides for a range of housing to meet relevant needs to provide a sustainable community.

33. Notwithstanding the submitted plans, no development shall commence until a revised "Stage 1" Flood Risk Assessment has been submitted to and approved in writing by the Local Planning Authority and Reserved Matters applications shall be accompanied by a "Stage 2" flood risk assessment demonstrating how the application will manage flood risk and how it complies with the stage 1 FRA. The development shall proceed in accordance with the approved flood risk assessments including any maintenance obligations set out therein

Reason: To ensure the development is at an acceptable risk of flooding and does not increase flood risk elsewhere or conflict with approved infrastructure programmes

34. Notwithstanding the submitted plans, no development shall commence until a phasing plan for foul water infrastructure has been submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the details so approved. Applications for Reserved Matters shall be accompanied by a foul drainage programme detailing how the application complies with the approved drainage programme. The development shall proceed in accordance with the approved drainage programmes including any maintenance obligations set out therein unless otherwise agreed in writing by the LPA.

Reason: To ensure the system approved is fit for purpose.

35. No development shall commence until details of a scheme for ecological compensation has been submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the details so approved

Reason: To protect pollution of the water environment and in the interests of health and amenity.

36. No development shall commence until details of measures to promote water efficiency have been submitted to and approved in writing by the Local Planning Authority. Applications for Reserved Matters shall demonstrate how the residential development will achieve 25% water efficiency from the baseline rate of 140 litres per person per day, and how industrial development will achieve a rate of usage to be submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the details so approved.

Reason: To ensure the adequate supply of water resources to the development and for the protection of the water environment.

37.No development approved by this permission shall be commenced until details of a scheme for the provision and implementation of a scheme for on site surface water storage with a capacity for a 1 in 100 year rainfall event has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall include provision of a limited discharge of the stored surface water at a maximum rate of 5 litres per second per hectare, or a rate comparable with a greenfield run-off rate as may be agreed in writing by the Local Planning Authority. The storage and discharge schemes shall be implemented in accordance with the details so approved prior to the development being brought into use.

Reason: To alleviate the increased risk of flooding.

38.A stand-off of five metres shall be maintained from the bank of each side of Willow Brook to enable access and maintenance requirements. During construction no materials shall be stored or placed within the stand-off zone.

Reason: To prevent pollution of the water environment.

39.Prior to being discharged into any watercourse, surface water, sewer or soakaway system, all surface water drainage from parking areas and external hardstandings shall be passed through an oil interceptor designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor.

Reason: To prevent pollution of the water environment.

40. There shall be no discharge of foul or contaminated drainage from the site into either groundwater or any surface waters, whether direct or via soakaways.

Reason: To prevent pollution of the water environment.

41.Reserved Matters applications for the construction of buildings on each Phase of the development shall be accompanied by a Sustainability Appraisal carried out by a BRE assessor. The details of this design stage assessment shall demonstrate that the relevant buildings within the relevant phase shall be designed to such specification that at least a "Good" BREEAM rating (or the equivalent in any superseding framework) will be achieved.

Reason: To provide an independent assessment of the standards of sustainable development to be achieved by the development

42.Before development commences a Strategy for the provision of on site energy generating systems shall be submitted to and approved by the Local Planning Authority. The Strategy shall consider a range of measures e .g. Combined Heat and Power Plant; District Heating System; Heat Pump technology; Solar heating systems.

Details of the measures to be provided with each zone (as shown on the S106 Agreement Reference Plan No 2 shall be submitted to and approved by the Local Planning Authority prior to commencement of development within the relevant zone. Each zone shall be developed in accordance with the approved measures

Reason: To ensure the scheme considers and provides for on site energy generation.

43.Details of a scheme of site preparation for each phase shall be submitted to and approved by the Planning Authority prior to the commencement of any development within the relevant phase. The details shall include:

- a) Works to stabilise and reform the ground prior to development;
- b) All cut and fill operations
- c) Ground compaction, ground surcharging and earth mounding works;
- d) Details of final finished site levels and contours.

The site preparation works shall be implemented in accordance with the approved details.

Reason: To allow the planning authority to retain control over the details of potentially significant engineering operations.

44. Footpath Deene MS1 shall either be diverted or provided with an additional section to ensure a direct link is provided to the north west corner of the site at the junction with Kirby Lane and Gretton Road, so as to reduce the level of road walking required and in order to link to Gretton footpath GN 13. This shall be in accordance with details to be submitted to and approved in writing by the Local planning authority (which shall include a timetable for installation) prior to the commencement on the relevant phase of development within the site.

Reason: In the interests of pedestrian accessibility.

45. Up to 15 Fire Hydrants served by the mains water supply shall be provided on the site in accordance with details to be provided to the local planning authority in writing prior to the occupation of any dwellings on the site, to the satisfaction of the Northamptonshire County Councils Fire and Rescue Services. The developer shall incur the full costs of the hydrants and their installation by the water company.

Reason: To ensure sufficient fire hydrant provision within the development.

46. A buffer strip with a width of 30 metres shall be retained along the boundary of the site with Kirby Lane and Gretton road adjacent to the areas allocated for an hotel (parcel H1 on the development Framework Plan) for employment uses (Parcel E1 on that Plan) and for residential uses (Parcel R1 on that plan). Within 12 months of the date of this permission or in the next planting season, planting shall be carried out within this buffer strip in accordance with a scheme of planting agreed in writing by the local planning authority.

Reason: To protect the setting and amenity of the listed building of Kirby Hall.

47. None of the dwellings hereby permitted shall be occupied unless and until facilities for recycling waste materials have been provided on the site in accordance with details to be submitted to and approved in writing by the local planning authority.

Reason: To ensure that adequate recycling facilities are provided on the site in accordance with Council policy.

48. Prior to commencement the developer shall submit for approval to the Local Planning Authority a desk top study on Air Quality Impact from the development. This initial assessment should be carried out following consultation with Environmental Services and if deemed necessary a further Detailed Air Quality Impact Assessment be completed and submitted for approval. The assessment shall include but not be limited to the following:

- Relevant details of the proposed development
- The policy context for the assessment
- Description of the relevant air quality standards and objectives
- The basis for determining significance of impacts
- Details of the assessment methods
- Model verification
- Identification of sensitive locations
- Description of baseline conditions
- Assessment of impacts
- Description of construction phase impacts
- Mitigation measures
- Summary of the assessment results

Reason: To protect future residents from any detrimental effects on the air quality by virtue of the development at the commencement and completion stages.

49. Details of any external lighting of the site shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of the development. This information shall include a layout plan with beam orientation and a schedule of equipment in the design (luminaire type; mounting height; aiming angles, luminaire profiles and a Lighting Contour map, details of timing systems in place with stated hours of operation). Light trespass into the windows of any sensitive premises (e.g. residential properties, hospitals) shall not have a Vertical Illuminance greater than 5 Lux.

Reason: To protect the appearance of the area, the environment and wildlife and local light-sensitive development from light pollution. To ensure the amenity of any neighbouring premises is protected.

50. Luminance shall not have a Glare Rating higher or a Colour Rendering Index higher than that specified in BSEN12193:2007 Light and lighting. The approved scheme shall be installed, maintained and operated in accordance with the approved details unless the Local Planning Authority gives its written consent to the variation.

Reason: To protect the appearance of the area, the environment and wildlife and local light-sensitive development from light pollution. To ensure the amenity of any neighbouring premises is protected.

51. Prior to commencement each individual phase the developer shall submit for approval to the Local Planning Authority details of the proposed signage that should include but not be limited to the following:

- Details of the proposed location, positioning and dimensions of the sign face
- The sign face maximum luminance in candelas per square metres
- The number, size and type of light sources and details of the sign face materials
- The type of illumination – internal or external; static or intermittent
- Details of the make and catalogue number of any luminaires/floodlights
- Size, type and number of lamps fitted within any luminaire or floodlight
- The mounting height of the luminaires/floodlights specified
- The location and orientation of the luminaires/floodlights

Reason: To protect the appearance of the area, the environment and wildlife and local light-sensitive development from light pollution. To ensure the amenity of any neighbouring premises is protected.

52. Prior to commencement full details of the noise monitoring system shall be submitted in writing to ENC within 3 months from the date of this permission. This shall include but not be limited to how the live feed will be set up and accessed by officers of ENC. The specified noise monitoring system shall be agreed, installed and fully operational to the satisfaction of LPA within three months from the date of the original submission.

Reason: To ensure that the system is fully installed and operational in a timely manner prior to the commencement of the 12 month trial.

To ensure that a fit for purpose system is installed that meets the requirements of both parties and to ensure the system can be accessed accordingly

53. Prior to commencement of the development as detailed in the document Priors Hall RMS Noise Control Strategy Final Version Dated June 2011, a 12 month trial period of the proposed noise control systems must be completed and evaluated in consultation with ENC and RMS. The 12 month period shall begin on completion of condition 1 to the satisfaction of the LPA and Environmental Services. Any issues raised by either party during and on completion of the 12 month trial shall be addressed in full.

Reason: To ensure the agreed installed system is operating correctly prior to commencement of the trial and that the information provided in the noise strategy and subsequent planning conditions are appropriate and achievable.

54. Prior to commencement of the development the noise management plan detailing how the approved monitoring system will be used and managed and any other relevant information must be submitted to the LPA for approval and in consultation with the Rockingham Forum Group. The operating procedures shall include but not limited to the following:

- The use of scrutineers, their training and accreditation and how they will be managed during events
- Details of how RMS will manage events using the approved monitoring system
- Confirmation on how ENC will be notified of trackside breaches and any other issues
- Management system for recording breaches in trackside and static tests including actions taken
- RMS complaints procedure – to include how and when ENC will be notified, who will be responsible for dealing with the complaint and how the complainants are given feedback
- RMS Communication procedure – to include how events will be advertised including different types of media such as parish newsletters, leaflets etc, explanation of the classes for the events for residents, and agreed locations of villages that receive communication about events.

Reason: To ensure that all aspects for the management of the system and events are detailed in an operational procedure document that will protect the amenity of any neighbouring premises.

55. Events throughout the year shall be restricted to the following as per the current and approved Noise Control Strategy Final Version dated June 2011:

- No more than 1 class 3 race meet per year
- No more than 3 class 2 race meets per year
- Up to 12 days of testing of vehicles generating noise up to the class 2 limits

Vehicle noise limits

- Class 3 vehicles: $L_p > 118\text{dB(A)}$
- Class 2 vehicles: $108\text{dB(A)} < L_p < 118\text{dB(A)}$
- Class 1 vehicles: $L_p < 108\text{dB(A)}$

Reason: To ensure that no vehicle is allowed to partake in races that breach the above agreed limits. To ensure the noise management strategy remains effective. To ensure the site does not hold more noisy events than stated. To ensure the amenity of any neighbouring premises is protected.

56. There shall be one quiet day immediately preceding and two quiet days immediately succeeding any Class 2 or Class 3 event. A quiet day is defined as a day which has no activity that generates trackside noise levels above values of $\leq 80\text{dB(A)}$ on the North Trackside and $\leq 85\text{dB(A)}$ on the South trackside monitor.

Reason: To provide the neighbouring residents with known quiet periods before and after race meetings to further protect the amenity of neighbouring premises.

57. There shall be no use of the track for any motor sport activity between 18:00 – 09:00 unless otherwise agreed in writing 21 days prior to the event with the LPA.

Reason: To protect the amenity of neighbouring premises

58. RMS shall adhere in full with the Noise Management Plan agreed with ENC at all times. Any revisions or amendments to this procedure shall be agreed in writing by all parties including the LPA.

Reason: To protect the amenity of neighbouring premises

59. Rockingham Motor Speedway shall be responsible for the management of all the events held at Rockingham Motor Speedway. Independent scrutineers who are trained and authorised by RACMSA shall complete the static tests of the vehicles in accordance with the relevant guidance. All scrutineers will report to the designated RMS personnel for the event regarding any failing vehicle, in accordance with the Noise Management Plan of the RMS Noise Control Strategy.

Reason: To ensure the operational procedures are adhered to in order to protect the amenity of neighbouring premises

60. RMS shall notify ENC of any trackside noise levels breach as specified in the Noise Management Plan.

Reason: To protect the amenity of neighbouring premises.

61. All events for an upcoming year shall be submitted to the LPA and Environmental Services in writing every January for the proceeding 12 month period. This calendar shall be kept regularly updated to ENC including midweek testing days on a weekly basis.

Reason: To ensure that any changes to the schedule are notified to the Council in accordance with all other conditions and to protect the amenity of neighbouring premises.

EN/11/00867/LDP

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| Date received | Date valid | Overall Expiry | Ward |
| 3 June 2011 | 10 June 2011 | 5 August 2011 | Rushden Spencer |

Applicant **Alderwood LLA Ltd**

Agent **Brian Barber Associates**

Location **49 Hayway, Rushden, Northamptonshire, NN10 6AG.**

Proposal **The occupation by two adults with 24 hour supportive care**

Decision Application Refused

Conditions/Reasons:

1. The proposal constitutes a change of use from class C3 of the Use Classes Order 1987 (as amended) to class C2 of the same Order and that change of use is a material change of use. The proposal therefore requires planning permission.

Date received Date valid Overall Expiry Ward
17 June 2011 17 June 2011 12 August 2011 Rushden Spencer

Applicant **Alderwood LLA Ltd**

Agent **Brian Barber Associates**

Location **49 Hayway, Rushden, Northamptonshire, NN10 6AG.**

Proposal **Change of use from two storey dwelling (C3) to shared accommodation with supported care for two adults (C2)**

Decision Application Permitted

Conditions/Reasons:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
Reason: Statutory requirement under provision of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The development hereby permitted shall be used as a care home for autistic adults only. It shall not be used for any other use, including any other sort of care home or any other use falling within class C2 of the Use Classes Order 1987 (as amended).
Reason: To enable the local planning authority to assess the planning implications of any alternative use.
3. The development hereby permitted shall be used to provide care for no more than two residents, and there shall be no more than three caring staff within the premises at any one time.
Reason: To ensure the scale of the use hereby permitted is not intensified in the interests of highway safety and local amenity.

Date received Date valid Overall Expiry Ward
21 December 2010 25 January 2011 22 March 2011 Barnwell

Applicant **Spire Homes - Mrs Cathy Sellars**

Agent **Jefferson Sheard Architects - Mr P Bradley**

Location **Former Allotments Off, Well Lane, Barnwell, Northamptonshire.**

Proposal **Erection of nine no. dwellings and associated parking**

Decision Grant subject to a Section 106 Agreement to secure affordable housing for local people and an additional condition for a system of waste management as requested by Members.

Conditions/Reasons:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
Reason: Statutory requirement under provision of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. Prior to the commencement of the development hereby permitted, details and samples of the roofing and facing materials to be used for the construction of the dwellings shall have been

submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the details so approved, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To achieve a satisfactory appearance for the development.

3. Prior to the commencement of the development hereby permitted, details of materials, colour and finish of the cladding to be used on the fascia of the dwellings shall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the details so approved, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To achieve a satisfactory appearance for the development.

4. Prior to the commencement of the development hereby permitted, details to show the relationship of the solar panels with the roof slope of the dwellings, including section details, shall have been submitted to and approved in writing by the Local Planning Authority. The solar panels shall thereafter be installed in accordance with the details so approved, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To achieve a satisfactory appearance for the development.

5. Prior to the commencement of the development hereby permitted, details of the provision of screening to all boundaries of the site and to the gardens of the individual dwellings shall be submitted to and approved in writing by the Local Planning Authority. This shall include details indicating the positions, height, design, materials and type of boundary treatment to be erected. This boundary screening shall then be provided in accordance with the details so approved prior to the first occupation of the dwellings and shall thereafter be retained in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure adequate standards of privacy for neighbours and occupiers and to safeguard the amenity of the area.

6. Before any work is commenced on the development hereby permitted, details showing the slab levels of the proposed buildings in relation to the existing and proposed levels of the site and the surrounding land and buildings (including the ridge heights and eaves height of neighbouring buildings of nos. 3 and 4 Castle View) shall be submitted to and approved in writing by the Local Planning Authority. The buildings shall thereafter be constructed in accordance with the details so approved, unless otherwise agreed in writing by the Local Planning Authority.

Reason: For the avoidance of doubt and to ensure a satisfactory form of development in relation to neighbouring land and buildings.

7. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a comprehensive scheme of landscaping for the site, including the gardens of the individual dwellings, parking court and open space area (identified on the submitted drawings as 'The Green'). The scheme of landscaping shall include native planting along the northwest boundary of the site. The scheme of landscaping shall be implemented strictly in accordance with the approved details in the first planting season following the first occupation of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a reasonable standard of development and to avoid detriment to the visual amenity of the area.

8. All planting, seeding and turfing comprised in the approved details of landscaping shall be carried out in the first planting season following the occupation of the building(s) or the completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a reasonable standard of development and to avoid detriment to the visual amenity of the area.

9. Prior to the commencement of the development hereby permitted, details of the arrangements for the ongoing management and maintenance of the open space area (identified on the submitted drawings as 'The Green'), including details of the responsible body/bodies shall be submitted to and approved in writing by the Local Planning Authority. The open space area thereafter be managed and maintained in accordance with the details so approved, unless otherwise agreed in writing by the local planning authority.

Reason : In order to ensure the long-term maintenance of the onsite open space in the interests of its visual appearance and the amenity of its users.

10. An arboricultural method statement shall be submitted to and be approved in writing by the Local Planning Authority prior to the commencement of the development. This statement shall be in accordance with BS5837:2005 and shall include, but not be limited to, details of phasing of the hard surface installation and methods to be used for the construction of the dwellings. The development shall thereafter be carried out in accordance with these details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the protection of trees on site and in the interest of visual amenity.

11. Notwithstanding the submitted details, a tree protection plan for both onsite trees and hedges and those adjacent to the site along the southeast boundary shall be submitted to and be approved in writing by the Local Planning Authority prior to the commencement of development and shall be in accordance with BS5837:2005. The development shall thereafter be carried out in accordance with these details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the protection of trees on site and in the interest of visual amenity.

12. No development shall take place 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 and recording which has been submitted to and approved in writing by the local planning authority. Archaeological investigation and recording shall thereafter be carried out in the accordance with the approved scheme, unless otherwise agreed in writing by the local planning authority. Reason: To ensure that features of archaeological interest are properly examined and recorded, in accordance with PPS5.

13. Before any work is commenced on the development the subject of this permission, details of the provision of foul water and surface water drainage installations to serve the development shall have been submitted to and approved by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details before the development is brought into use, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard public health, in the interest of residential amenity and in the interest of highway safety.

14. Notwithstanding the submitted details, the following carriageway details shall be submitted to and approved in writing by the Local Planning Authority before commencement of development:

- (i) Hard surface materials
- (ii) Means of drainage
- (iii) Maximum gradient
- (iv) Visibility splays at the junction with the public highway

The submitted details shall illustrate a carriageway which is to the local highway authority's adoptable standard. The hard surfacing shall be completed in accordance with the details so approved and in accordance with a timetable to be agreed in writing by the Local Planning Authority prior to commencement of development. The carriageway shall thereafter be constructed in accordance with the details so approved and the visibility splays shall thereafter be retained, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of highway safety.

15. No development shall commence until a scheme of off-site highway improvements to the existing pedestrian facilities within 500 metres of the site boundary (along Castle View and Well Lane) has been submitted to and approved in writing by the Local Planning Authority. The dwellings shall not be occupied until all of the off-site highway improvement works have been carried out and written confirmation has been provided by the Local Planning Authority that these works are acceptable.

Reason: In the interest of highway safety, pedestrian safety and convenience of the users of the public highway.

16. Notwithstanding the submitted details, pedestrian visibility splays of 2.4m x 2.4m shall be provided on both sides of the vehicular access in front of each of the dwellings hereby approved. The areas of land between the required sight lines and the carriageway shall be cleared, levelled and retained at a height not exceeding 0.6 metres above the carriageway and driveway levels.

Reason: In the interest of highway safety.

17. The vehicular access to serve each of the dwellings and parking court hereby approved shall have a gradient not exceeding 1 in 15 for a distance of 5.0 metres back from the correct level at the carriageway boundary. Prior to the first occupation of the dwellings hereby permitted the parking areas in front of each dwelling and parking court shall be paved with a hard bound surface in accordance with the details shown on drawing number: 4140-A-2001 Revision P4 (received by the Local Planning Authority on 28 June 2011) and be thereafter retained, unless otherwise agreed in

writing by the Local Planning Authority.

Reason: In the interest of highway safety.

18. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any Order amending or re-enacting that Order with or without modification), no gates or other form of barrier shall be erected at the points of access serving each property or the parking court without the prior written approval of the Local Planning Authority.

Reason: In the interest of highway safety.

19. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any Order amending or re-enacting that Order with or without modification), there shall be no development within classes A, B, C, D or E of Part 1 of Schedule 2 to that Order without the prior written approval of the Local Planning Authority.

Reason: To protect the amenity of adjacent occupiers and to ensure a satisfactory elevational appearance for the development.

20. Notwithstanding the submitted details, this permission does not give consent to any air source heat pumps. In accordance with the details provided by the agent on 2 March 2011, solar collectors and energy efficiency gas fired system boilers shall be used to provide heating for the dwellings hereby approved, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of residential amenity and to clarify the terms of this permission.

21. In accordance with the submitted Sustainability Appraisal and Energy Statement and Design and Access Statement, the dwellings hereby approved shall achieve a minimum of Level 3 of the Code for Sustainable Homes. A copy of the Interim Design Stage Assessment Certificate shall be provided to the Local Planning Authority to demonstrate that code level 3 will be achieved and within 5 months of completion a copy of the Final Certificate shall be provided to the Local Planning Authority certifying that Code Level 3 has been achieved, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development is sustainable in accordance with PPS1 and Policy 14 of the adopted North Northamptonshire Core Spatial Strategy.

22. Before plot 1 hereby permitted is first brought into occupation, the first floor bathroom windows in the west facing elevation shall be fitted with obscured glazing to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent, and this obscure glazing shall thereafter be retained permanently.

Reason: To ensure adequate standards of privacy for neighbours and occupiers and to safeguard the general amenity of the area.

23. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any order revoking and re-enacting that Order), no windows or other form of opening, other than that shown on the plans hereby approved, shall be inserted in the west facing elevation of plot 1 hereby permitted.

Reason: To ensure adequate standards of privacy for neighbours and occupiers.

24. The development hereby permitted shall be carried out strictly in accordance with the approved plans; amended plans received by the Local Planning Authority on 28 June 2011, drawing numbers: 4140-A-2001 Revision P4, 4140-4001 Revision P3, 4140-2011 Revision P3, 4140-2013 Revision P3, 4140-2015 Revision P3, 4140-2017 Revision P3; and 4140-2019 Revision P4 received on 18 July 2011.

Reason: In order to clarify the terms of the planning permission and to ensure that the development is carried out as permitted.

25. All works which cause any noise that is audible at the boundary of the site, or at any such other place as may be agreed with the Local Planning Authority, shall be carried out only between the hours of 7:30am and 5:30pm Monday to Fridays, 8:00am and 1:00pm on Saturdays thereafter and at no time on Sunday and Bank Holidays.

Reason: In the interest of residential amenity and local amenity.

26. Notwithstanding the submitted details and before commencement of the development hereby permitted, a Site Waste Management Plan, shall be submitted to and approved in writing by the local planning authority to demonstrate that the development would meet the requirements Policy CS7 of the Northamptonshire Minerals and Waste Development Framework Core Spatial Strategy and the Site Waste Management Plans Regulations 2008. The development shall be implemented in accordance with the approved details unless otherwise agreed in writing by the local planning authority. Reason: To ensure that the development is sustainable in accordance with national

government advice contained in PPS1, Policy 14 of the adopted North Northamptonshire Core Spatial Strategy, Policy CS7 of the Northamptonshire Minerals and Waste Development Framework Core Spatial Strategy and the Site Waste Management Plans Regulations 2008.

EN/11/00778/FUL

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|--------------------|---------------------|----------------------|------------------|
| Date received | Date valid | Overall Expiry | Ward |
| 19 May 2011 | 13 June 2011 | 8 August 2011 | Prebendal |

Applicant **Exors Of Mrs E J Teal**

Agent **Mr David Shaw**

Location **30 Woodnewton Road, Nassington, Peterborough, Northamptonshire.**

Proposal **Residential development of nine dwellings with garages, parking and access following demolition of existing outbuildings**

Decision Application Withdrawn/Declined

EN/11/00886/VAR

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| Date received | Date valid | Overall Expiry | Ward |
| 8 June 2011 | 8 June 2011 | 3 August 2011 | Thrapston Lakes |

Applicant **Mr Steve Welch**

Location **9 Lakeside Close, Thrapston, Kettering, Northamptonshire.**

Proposal **Variation of Condition 9 of Reserved Matter permission EN/10/00616/REM dated 30.09.2010 to insert two additional velux-style windows, change of style of front door, substitution of single door with french window and change of window configuration**

Decision Application Permitted

Conditions/Reasons:

1. Condition 9 of EN/10/00616/REM is hereby varied. The development hereby permitted shall be carried out strictly in accordance with the approved plans; drawing number 2010/50 Revision B, received by the Local Planning Authority on 24 May 2011; drawing number: 2010/52 'Gradient and drainage of access', received on 13 August 2010; drawing number: 2010/52 'Landscaping layout' received on 25 June 2010; 'Screen wall' and 'Level' details shown on drawing number: 2010/51 Revision A, received on 25 June 2010;
Reason: In order to clarify the terms of the planning permission and to ensure that the development is carried out as permitted.
2. Before the dwelling hereby permitted is first brought into occupation, the first floor rooflights in the west facing elevation (to bedroom 4 and an en-suite area of bedroom 2) shall be fitted with obscured glazing to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent, and this obscure glazing shall thereafter be retained permanently.
Reason: To ensure adequate standards of privacy for neighbours and occupiers and to safeguard the general amenity of the area.
3. The two rooflights in the west facing elevation (to bedroom 4 and an en-suite area of bedroom 2) shall be of a type with a restricted opening, and full details of these windows, including the size of the opening, shall be submitted to and approved in writing by the Local Planning Authority. The windows shall thereafter be installed in accordance with the approved details, prior to the first occupation of the dwelling and be thereafter retained permanently.
Reason: To ensure adequate standards of privacy for neighbours and occupiers.

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| Date received | Date valid | Overall Expiry | Ward |
| 16 May 2011 | 23 May 2011 | 18 July 2011 | Stanwick |

Applicant **Mr C Watkins**

Location **49 East Street, Stanwick, Northamptonshire, NN9 6PX.**

Proposal **Outline: Erection of one detached private dwelling with associated improvements to the existing access**

Decision Application Permitted

Conditions/Reasons:

1. Approval of the details of the scale and appearance of the dwelling and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the local planning authority in writing before the development is commenced.
Reason: The application is in outline only and the reserved matters referred to will require full consideration by the Local Planning Authority.
2. Application for the approval of the reserved matters must be made not later than the expiration of three years beginning with the date of this permission.
Reason: Statutory requirement under section 51 of the Planning and Compulsory Purchase Act 2004.
3. The development to which this permission relates shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.
Reason: Statutory requirement under section 51 of the Planning and Compulsory Purchase Act 2004.
4. The details required to be submitted by condition No. 1 shall include the provision of boundary screening to the site. This shall include details indicating the positions, height, design, materials and type of boundary treatment to be erected. This boundary screening shall then be provided in accordance with the details so approved before the development is brought into use and shall be retained thereafter in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.
Reason: To ensure adequate standards of privacy for neighbours and occupiers and to safeguard the amenity of the area.
5. The details to be submitted for approval in writing by the Local Planning Authority in accordance with condition 1 above shall include drawings showing the slab levels of the building in relation to the existing and proposed levels of the site and the surrounding land. The buildings shall thereafter be constructed in accordance with the details so approved, unless otherwise agreed in writing by the Local Planning Authority.
Reason: For the avoidance of doubt and to ensure a satisfactory form of development in relation to neighbouring land and buildings and the streetscene.
6. Before commencement of the development hereby permitted, details and samples of the external roofing and facing materials to be used for the construction of the dwelling shall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved detail, unless otherwise agreed in writing by the Local Planning Authority.
Reason: To achieve a satisfactory appearance for the development.
7. Prior to the commencement of development hereby permitted, details of provisions for waste reduction and recycling, water efficiency and recycling and techniques of sustainable construction to be used for the construction of the building(s) hereby permitted, shall be submitted to and approved in writing by the Local Planning Authority, and the development shall be implemented in accordance with the approved details so approved, unless otherwise agreed in writing by the Local Planning Authority.
Reason: To ensure that the development is sustainable in accordance with national government advice contained in PPS1 and Policy 14 of the adopted North Northamptonshire Core

Spatial Strategy.

8. 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 to 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 PPS5 Policy HE12.

9. The dwelling hereby approved shall be limited to a maximum ridge height of 8 metres, in accordance with the email received on 13.07.11 from the applicant, the eaves height shall not exceed 5.5 metres and the footprint shall not exceed 97.5 metres, in accordance with the Design and Access statement accompanying the application which was submitted on 16/05/11.

Reason: In the interests of the character and appearance of the street scene and amenities of the neighbouring occupiers.

10. Prior to the occupation of the dwellings hereby permitted, a copy of the Final Certificate (or any replacement for this) shall be provided to the local planning authority to demonstrate that the unit has been constructed to achieve a minimum under the Code for Sustainable Home of Code Level 3, the relevant BREEM and Code for Sustainable Home Level, and any replacement standards, in accordance with the submitted Sustainability and Energy Efficiency Statement, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that the development is sustainable in accordance with national government advice contained in PPS1 and Policy 14 of the adopted North Northamptonshire Core Spatial Strategy.

11. Notwithstanding the submitted details and prior to the commencement of development, the following access details shall have been submitted to and approved in writing by the local planning authority:-

1. Details of the hard surface materials to form shared vehicle access.
2. Positive drainage to prevent the unregulated discharge of surface water onto the adopted highway.
3. Sight lines shall be provided to give visibility along the road over a distance of at least 33.0m in both directions, from a point measured 2.4m back along the centre line of the proposed junction. These dimensions to be measured from and along the nearer edge of carriageway.
4. Pedestrian visibility splays of 2.0m x 2.0m shall be provided on both sides of the vehicular access. The areas of land between the required sight lines and the highway carriageway shall be cleared, levelled and retained at a height not exceeding 0.6 metres above the carriageway and driveway levels.
5. The vehicular access shall have a gradient not exceeding 1 in 15 for a distance of 5.0 metres back from the correct level at the highway boundary.

Development shall be carried out in strict accordance with the approved details and approved vision splays retained thereafter.

Reason: In the interests of highway safety.

12. Notwithstanding the submitted information, details of any removal or alteration to the existing stone wall along the front (north) boundary of the site shall be submitted as part of any subsequent reserved matters application and any alterations shall then be provided in accordance with the details so approved before the development is first occupied and shall be retained thereafter in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and highway safety.

13. The works hereby permitted shall be carried out strictly in accordance with the approved plans (site layout plan received 16/05/11) unless otherwise agreed in writing by the local planning authority.

Reason: In order to clarify the terms of the planning permission and to ensure that the development is carried out as permitted.

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|----------------------|----------------------|---------------------|---------------------|
| Date received | Date valid | Overall Expiry | Ward |
| 19 April 2011 | 20 April 2011 | 15 June 2011 | Kings Forest |

Applicant **Mr And Mrs A E Blunt**

Agent **Architectural And Surveying Services Ltd - Mr A Pringle**

Location **Freestone Lodge, 50 Bridge Street, Kings Cliffe, Peterborough.**

Proposal **Use as existing builders yard (to south west of plot) as well as stables (to north west of plot)**

Decision Deferred to request the applicant to remove the builders yard element from the application and for further negotiation with Officers.

DEVELOPMENT CONTROL COMMITTEE

Date: 17 August 2011

Venue: East Northamptonshire House, Cedar Drive, Thrapston

Time: 7.00pm

Present: Councillors: Pauline Bradberry JP (Chairman)
Gill Mercer (Vice Chairman)

Peter Baden
Roger Glithero
Glenn Harwood MBE
Marika Hillson
Andy Mercer
Brian Northall

Anna Sauntson
Phillip Stearn
Jeremy Taylor
Robin Underwood
Peter Wathen

127. MINUTES

The minutes of the meeting held on 27 July 2011 were approved and signed by the chairman.

128. APOLOGIES FOR ABSENCE

Councillors Wendy Brackenbury, Dudley Hughes, Barbara Jenney, Bob Nightingale and Ron Pinnock and the Executive Director, Sharn Matthews, sent their apologies.

129. DECLARATIONS OF INTEREST AND INFORMAL SITE VISITS

(a) Interests

Councillor Pauline Bradberry declared a personal interest in application EN/11/00721/OUT because she used to be a Spire Homes board member and in application EN/11/00984/VAR because she knew the speakers. She remained in the meeting and took part in the discussion and voting on the items.

(b) Informal Site Visits

Councillor Peter Wathen declared that he had undertaken an informal site visit on application EN/11/00573/FUL – 45 Brook Street, Raunds.

130. PUBLIC SPEAKERS

The following people spoke on the items as indicated: -

- (i) Miss Chloe Renner on EN/11/00571/OUT – Land adjacent to 21 Stamford Lane, Warmington

- (ii) Mr Barry Nicholls on EN/11/00721/OUT – Garages between 16 and 18 Tennyson Road, Rushden
- (iii) Mr Paul Ford and Mr Alistair Leach on EN/11/00984/VAR – 32A Stamford Road, Easton On The Hill

131. **PLANNING APPLICATIONS**

The committee considered the planning applications report, with updated information on some of the applications and representations made by public speakers at the meeting. The full decision on the applications is included (on the page indicated) in the appendix to these minutes.

(i) EN/11/00201/FUL – OP7660 SP9772, Meadow Lane, Raunds (See page 225)

Members considered this retrospective application for change of use to a stud farm, including the retention of existing stabling and a temporary residential mobile home. They wished to encourage local business but the application had failed the financial and functional tests carried out by the agricultural consultant. The committee was also concerned about waste treatment and potential flooding in relation to the temporary building. The applicant was encouraged to submit another application with more viable proposals. The committee **agreed** that the application be **refused** for the reasons set out in the report.

(ii) EN/11/00571/OUT – Land adjacent to 21 Stamford Lane, Warmington (See 226)

Having noted objectors' concerns regarding parking and the narrow road, but that no objection had been received from the Highways Agency, the committee **agreed** to **grant** the application with the conditions set out in the report.

(iii) EN/11/00674/LBC – 4 New Street, Oundle (See page 228)

The committee **agreed** to **grant** the application with the conditions set out in the report.

(iv) EN/11/00573/FUL – 45 Brook Street, Raunds (See page 229)

Members noted that the town council's concerns about access had been addressed and **agreed** to **grant** the application with the conditions set out in the report as amended by the update sheet.

(v) EN/11/00584/REM – 45 Brook Street, Raunds (See page 232)

Outline planning permission was already in place for this application. Members raised concerns about access for waste collection vehicles, especially as it involved a private road and bins would need to be left for collection at the edge of the adoptable highway, and officers explained that space was available.

The committee **agreed** to **grant** the application with the conditions set out in the report as amended by the update sheet.

(vi) EN/11/00661/FUL and EN/11/00662/CAC – Westbrook, Gretton Road, Harringworth
(See pages 235 and 238)

The committee **agreed to grant** the applications with the conditions set out in the reports.

(vii) EN/11/00721/OUT – Garages between 16 and 18 Tennyson Road, Rushden (See page 239)

Members noted that their concerns about the loss of parking on the previous application had been addressed in the revised application and a proposed condition would mitigate concerns about the visibility splay. Consequently the committee **agreed to grant** the application with the conditions set out in the report and update sheet.

(viii) EN/11/00821/RWL – 66 Harborough Road, Rushden (See page 241)

The committee noted that the original application had been allowed at appeal and therefore **agreed to grant** the application subject to the completion of a section 106 agreement and the amendment of condition 8 to specify code level 3.

(ix) EN/11/00915/FUL – Land to rear of 33 High Street, Newtown Street, Woodford (See page 243)

This item had been **withdrawn** by the applicant.

(x) EN/11/00984/VAR – 32A Stamford Road, Easton On The Hill (See page 243)

The committee felt that the condition which specified obscuring the stairwell window to prevent overlooking should not have been flouted and discussed whether the density of obscurity could be specified. On balance the committee **agreed to grant** the application subject to the amendment of the condition to specify that any plastic film should provide the same level of obscurity as obscure glazing.

132. APPEAL DECISION MONITORING REPORT

Members noted the council's planning appeal decisions from 11 to 31 July 2011 and discussed their concerns about the financial and policy implications of having large applications such as Brick Kiln Road overturned at appeal.

Chairman

List Of Applications Determined By DEVELOPMENT CONTROL COMMITTEE - 17 August 2011

EN/11/00201/FUL

| | | | |
|-----------------|--------------|----------------|-----------------|
| Date received | Date valid | Overall Expiry | Ward |
| 8 February 2011 | 8 April 2011 | 8 July 2011 | Raunds Windmill |

Applicant **Mrs J Longhurst**

Agent **Cook Associates - Mr P Cook**

Location **OP7660 SP9772, Meadow Lane, Raunds, Northamptonshire.**

Proposal **Retrospective: Change of use to Stud Farm, including the retention of existing stabling and temporary residential mobile home**

Decision Application Refused

Conditions/Reasons:

1. The mobile home is contrary to PPS7, policies 1 and 10 of the North Northamptonshire Core Spatial Strategy as the applicant has failed to demonstrate that there is: clear evidence of a firm intention to develop the business; a functional need; clear evidence that the business has been planned on a sound financial basis and that the functional need could not be fulfilled by another existing dwelling in the area.
2. The siting of the mobile home is within Flood Zone 3 which is defined as having a high probability of flooding. The development type is classed as highly vulnerable. This type of development is therefore not compatible with this Flood Zone as stated in Tables D.1 and D.3 of PPS25. In addition the applicant, by failing to submit a satisfactory flood risk assessment or sequential test has failed to demonstrate that there will be no adverse impact on the flood zone within which part of the site is located. As such the proposal is contrary to PPS25 and Policy 13 of the North Northamptonshire Core Spatial Strategy.
3. The applicant has failed to submit a suitable non-mains foul drainage system and no assessment of the risks of pollution to the water environment has been provided by the Applicant. As such the proposal is contrary to PPG23 and Policy 13 point (q) of the North Northamptonshire Core Spatial Strategy.
4. The applicant has failed to submit sufficient information, relating to proposed vehicle movements and type, to enable a full appraisal, by the Highway Authority, of the proposed development. An assessment of the means of access and manoeuvring cannot be made. As such the proposal is contrary to Policy 13 point (d) of the North Northamptonshire Core Spatial Strategy.

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|---------------|------------|----------------|------------|
| Date received | Date valid | Overall Expiry | Ward |
| 8 April 2011 | 6 May 2011 | 1 July 2011 | Lower Nene |

Applicant **Elton Estates Company Ltd - Sir W Proby**

Agent **John Martin And Associates - Miss C Renner**

Location **Land Adjacent To 21, Stamford Lane, Warmington, Northamptonshire.**

Proposal **Outline: Erection of three residential dwellings (all matters reserved except access)**

Decision Application Permitted

Conditions/Reasons:

1. Approval of the details of the siting, scale and appearance of the dwellings and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the local planning authority in writing before the development is commenced.
Reason: The application is in outline only and the reserved matters referred to will require full consideration by the local planning authority.
2. Application for the approval of the reserved matters must be made not later than the expiration of three years beginning with the date of this permission.
Reason: Statutory requirement under section 51 of the Planning and Compulsory Purchase Act 2004.
3. The development to which this permission relates shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.
Reason: Statutory requirement under section 51 of the Planning and Compulsory Purchase Act 2004.
4. The dwellings hereby permitted shall be two storey only, and shall not exceed the scale parameters stated on drawings 09/673L/16A Dim and 09/673L/15 Dim (received 6 May 2011), namely:
 - Detached unit - 7.3m high to ridge, 15m wide and 12.5m deep (including front porch)
 - Semi detached units - 6.6m to ridge, combined 8.4m wide and 14m deep (including front porch)Reason: In the interests of preserving the character and appearance of the area and amenities of the neighbouring occupiers.
5. The details to be submitted for approval in writing by the Local Planning Authority in accordance with condition 1 above shall include drawings showing the slab levels of the buildings in relation to the existing and proposed levels of the site and the surrounding land. The buildings shall there after be constructed in accordance with the details so approved in writing by the Local Planning Authority, unless otherwise agreed in writing by the Local Planning Authority.
Reason: For the avoidance of doubt and to ensure a satisfactory form of development in relation to neighbouring land and buildings.
6. The details required to be submitted by condition no.1 shall include the provision of boundary screening to the site. This shall include details indicating the positions, height, design, materials and type of boundary treatment to be erected. This boundary screening shall then be provided in accordance with the details so approved before the development is brought into use and shall be retained thereafter in perpetuity, unless otherwise agreed in writing by the Local Planning Authority. Reason: To ensure adequate standards of privacy for neighbours and occupiers and to

safeguard the amenity of the area.

7. Prior to the occupation of any of the dwellings hereby approved, a replacement hedgerow shall be planted in the position shown on drawing 09/673L/15A (received 8 April 2011). Full details of the replacement hedgerow (including species to be used, planting spacing and the future maintenance), together with proposals for the re-instatement of the verge following the removal of the existing hedgerow, shall be submitted to and approved in writing by the local planning authority and shall be implemented in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

Reason: In the interest of highway safety and biodiversity.

8. Operations that involve the destruction and removal of hedgerows and other vegetation shall not be undertaken during the months of March to August inclusive, except when approved in writing by the local planning authority, once they are satisfied that breeding birds will not be adversely affected. Reason: To protect breeding birds.

9. Development shall proceed in strict accordance with the recommendations in paragraph 7.2 of the Ecological Appraisal (prepared by Green Environmental Consultants Limited, received by the local planning authority on 06.05.2011).

Reason: In the interests of ecological protection.

10. Notwithstanding the details submitted, prior to the commencement of development a detailed scheme of biodiversity and green infrastructure enhancements shall be submitted to and approved in writing by the local planning authority. The approved scheme shall subsequently be implemented for the duration of development.

Reason: In the interests of biodiversity.

11. The vehicle and pedestrian visibility splays shown on drawing 09/673L/15A (received 8 April 2011) shall be provided and the areas of land between these sight lines and the highway carriageway shall be cleared, levelled and retained at a height not exceeding 0.6 metres above the carriageway and driveway levels.

Reason: In the interest of highway safety.

12. The vehicular access shall have a gradient not exceeding 1 in 15 for a distance of 5.0 metres back from the correct level at the highway boundary. Prior to the first occupation of the development, this area shall be paved with a hard bound surface for a minimum of 5.0 metres back from the highway boundary and be thereafter retained.

Reason: In the interest of highway safety.

13. The vehicular access shall remain ungated, unless otherwise agreed in writing by the local planning authority.

Reason: In the interest of highway safety.

14. Prior to the commencement of development hereby permitted, details of provisions for waste reduction and recycling, water efficiency and recycling and techniques of sustainable construction to be used for the construction of the building(s) hereby permitted, shall be submitted to and approved in writing by the Local Planning Authority, and the development shall be implemented in accordance with the approved details so approved, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development is sustainable in accordance with national government advice contained in PPS1 and Policy 14 of the adopted North Northamptonshire Core Spatial Strategy.

15. 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 to 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 PPS5 Policy HE12.

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|---------------|-------------|----------------|--------|
| Date received | Date valid | Overall Expiry | Ward |
| 4 May 2011 | 12 May 2011 | 7 July 2011 | Oundle |

Applicant **East Northamptonshire Council**

Location **4 New Street, Oundle, Peterborough, Northamptonshire.**

Proposal **Conservation Area - style hanging sign to be affixed to the frontage of the Local Tourism office**

Decision Application Permitted

Conditions/Reasons:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
Reason: Statutory requirement under provision of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. Before any works commence a schedule of proposed finishes and exact colour of the sign shall be submitted to and approved in writing by the Local Planning Authority. All new and replacement materials including paints shall meet agreed specifications. The works shall be carried out in accordance with the approved schedule and thereafter shall remain in perpetuity.
Reason: In the interests of preserving the historic character, fabric and appearance of the grade II listed building.
3. The works hereby permitted shall be carried out strictly in accordance with the approved plans drawing numbers 1, 2 and 3 received by the Local Planning Authority on 4/05/11, 12/05/11 and 27/05/11 unless, otherwise agreed in writing by the local planning authority.
Reason: In order to clarify the terms of the planning permission and to ensure that the development is carried out as permitted.
4. All works hereby approved shall be carried out in a manner that no unnecessary damage is caused to the fabric or decorative features of the building and any damage so caused shall be rectified in accordance with a scheme to be submitted and approved by the Local Planning Authority prior to the completion of development.
Reason: In the interests of preserving the historic character, fabric and appearance of the Grade II Listed Building and its setting.

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|---------------|---------------|----------------|--------------|
| Date received | Date valid | Overall Expiry | Ward |
| 8 April 2011 | 13 April 2011 | 8 June 2011 | Raunds Saxon |

Applicant **Ms R Ralls**

Agent **Mr Mark Shrive**

Location **45 Brook Street, Raunds, Northamptonshire, NN9 6LL.**

Proposal **Four new dwellings, partial demolition of no.43 Brook Street and roadway improvements along Shelmerdine Rise with Brook Street**

Decision Application Permitted

Conditions/Reasons:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
Reason: Statutory requirement under provision of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. Prior to the commencement of the development hereby permitted, details and samples of the external materials to be used for the construction of the dwellings and garages hereby approved, including roofing and facing materials, shall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the details so approved, unless otherwise agreed in writing by the Local Planning Authority.
Reason: To achieve a satisfactory appearance for the development.
3. Prior to the commencement of the development hereby permitted, details of the provision of screening to all boundaries of the site and gardens of the individual dwellings shall be submitted to and approved in writing by the Local Planning Authority. This shall include details indicating the positions, height, design, materials and type of boundary treatment to be erected. This boundary screening shall then be provided in accordance with the details so approved prior to the first occupation of the dwelling(s) and shall thereafter be retained in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.
Reason: To ensure adequate standards of privacy for neighbours and occupiers and to safeguard the amenity of the area.
4. Before any work is commenced on the development hereby permitted, details showing the slab levels of the proposed buildings and access road in relation to the existing and proposed levels of the site and the surrounding land and buildings (including the ridge heights and eaves height of neighbouring buildings of nos. 37 and 39 Spinney Street, no.4 Shelmerdine Rise and the ground levels of no.7 Shelmerdine Rise) shall be submitted to and approved in writing by the Local Planning Authority. The buildings and access road shall thereafter be constructed in accordance with the details so approved, unless otherwise agreed in writing by the Local Planning Authority.

Reason: For the avoidance of doubt and to ensure a satisfactory form of development in relation to neighbouring land and buildings.
5. Before the development hereby permitted is commenced, details of the construction and surfacing of the vehicular access to the public highway, parking facilities and all other hard-surfaced areas within the site shall have been submitted to and approved by the Local Planning Authority. These facilities shall then be provided in accordance with the approved details prior to the first occupation of the development and be thereafter retained, unless otherwise agreed in writing by the Local Planning Authority.
Reason: In the interest of highway safety and visual amenity.

6. Prior to the first occupation of the dwellings hereby permitted, the vehicular access to the public highway and parking facilities shown on the submitted plans to serve the development shall have been completed and brought into use and be thereafter retained, unless otherwise agreed in writing by the Local Planning Authority.
Reason: In the interest of highway safety and residential amenity.
7. Notwithstanding the provisions of the Town and County Planning (General Permitted Development) Order 2008 (or any Order amending or re-enacting that Order with or without modification), no gates or other form of barrier shall be erected at the point of access hereby approved.
Reason: In the interest of highway safety.
8. The turning head, roadway widening works, pedestrian footways and other highway improvement works shown on drawing number: CAH01/300 (received by the Local Planning Authority on 18 July 2011) shall be carried out prior to the first occupation of the dwellings hereby approved, unless otherwise agreed in writing by the Local Planning Authority.
Reason: In the interest of highway safety and residential amenity.
9. Prior to commencement of the development hereby permitted, details of the surface treatment for the pedestrian links to the north and west of the site shall be submitted to and approved in writing by the Local Planning Authority. The pedestrian links shall thereafter be provided in accordance with the details so approved prior to the first occupation of the dwellings hereby approved, unless otherwise agreed in writing by the Local Planning Authority.
Reason: In the interest of visual amenity and residential amenity.
10. Notwithstanding the submitted details, a Tree Protection Plan for the onsite trees shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development hereby permitted and shall be in accordance with BS5837:2005. The development shall thereafter be carried out in accordance with these details, unless otherwise agreed in writing by the Local Planning Authority.
Reason: To ensure the protection of trees on site and in the interest of visual amenity.
11. Notwithstanding the submitted details, an Arboricultural Method Statement shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. This statement shall be in accordance with BS5837: 2005 and shall include (but not be limited to) a method of demolition for the existing onsite structures and removal of hard surface areas, and details of the phasing of the development. The development shall thereafter be carried out in accordance with these details, unless otherwise agreed in writing by the Local Planning Authority.
Reason: To ensure the protection of trees on site and in the interest of visual amenity.
12. Notwithstanding the submitted details, details of a no dig method construction method for the proposed pedestrian link to the north of the site shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development. The development shall thereafter be carried out in accordance with these details, unless otherwise agreed in writing by the Local Planning Authority.
Reason: To ensure the protection of trees and in the interest of visual amenity.
13. Notwithstanding the submitted details, details of any proposed tree works to facilitate the development shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development. The development shall thereafter be carried out in accordance with these details, unless otherwise agreed in writing by the Local Planning Authority.
Reason: To ensure the protection of trees and in the interest of visual amenity.
14. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a comprehensive scheme of landscaping for the site, which shall be implemented strictly in accordance with the approved details in the first planting season following the occupation of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a reasonable standard of development and to avoid detriment to the visual amenity of the area.

15. All planting, seeding and turfing comprised in the approved details of landscaping shall be carried out in the first planting season following the occupation of the building(s) or the completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a reasonable standard of development and to avoid detriment to the visual amenity of the area.

16. Works which cause audible noise outside the site boundary shall be not be carried out except between the hours of 08:00am -18:00pm Mondays to Fridays, 09:00am – 13:00pm on Saturdays, and at no time on Sundays or bank holidays, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of residential amenity.

17. Prior to the commencement of any demolition work or other development on the site a method statement for the control of dust and noise during demolition of no. 43 Brook Street and no.45 Brook Street shall be submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be implemented in accordance with the scheme so approved, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of residential amenity, the orderly development of the site and to protect the environment.

18. The southern side wall(s) of 43 Brook Street shall be made good to match the existing building in materials, colour and finish, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory elevational appearance for the development.

19. No trees or vegetation shall be removed during bird breeding season (March to August inclusive), unless otherwise agreed in writing by the Local Planning Authority. No trees or vegetation shall be removed until a scheme detailing mitigation for birds, including mitigation for the loss of bird nesting sites and provision of alternative sites has been submitted to and approved in writing by the Local Planning Authority. The scheme shall thereafter be carried out in accordance with the details so approved, unless otherwise agreed in writing by the local planning authority.

Reason: To minimise the impact of the proposed development on local wildlife

20. Notwithstanding the submitted details and prior to the commencement of development hereby permitted, details of provisions for waste reduction and recycling, water efficiency and recycling and techniques of sustainable construction to be used for the construction of the dwellings hereby permitted, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the details so approved, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development is sustainable in accordance with national government advice contained in PPS1 and Policy 14 of the adopted North Northamptonshire Core Spatial Strategy.

21. A hardstanding area shall be provided for refuse collection adjacent to the turning head proposed off Shelmerdine Rise, in the location shown on drawing number: 2234-4A (received by the Local Planning Authority on 18 July 2011). Prior to commencement of the development hereby permitted, details of the surface treatment for this area, including colour and materials, shall be submitted to and approved in writing by the Local Planning Authority. The refuse collection area shall thereafter be provided prior to the first occupation of the dwellings hereby approved, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of highway safety, visual amenity and residential amenity.

22. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any Order amending or re-enacting that Order with or without modification), there shall be no development within classes A, B, C, D, E of Part 1 of Schedule 2 to

that Order without the prior written approval of the local planning authority.

Reason: To ensure the protection of trees, to protect the amenity of adjacent occupiers and to ensure a satisfactory elevational appearance for the development.

23. Details of a scheme of lighting for the development hereby approved, shall be submitted to and approved in writing by the Local Planning Authority, prior to the commencement of development. This shall include full details of the type of lighting, number, exact location and level and type of illumination. The scheme shall thereafter be implemented in accordance with the details so approved prior to the first occupation of the dwellings, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of preventing crime, anti-social behaviour and reducing the fear of crime, in accordance with Policy 13 of the adopted North Northamptonshire Core Spatial Strategy and in the interest of residential amenity.

24. The development hereby permitted shall be carried out strictly in accordance with the approved plans; plans received by the Local Planning Authority on 18 July 2011, drawing numbers: CAH01/300 Revision B, CAH01/301 Revision A, 2232/1A, 2232/3A, 2232/4A, 2232/5A, 2232/9, 2232/10, 2232/11, 2232/12; drawing numbers: 2232/6A and 2232/7 received on 7 April 2011; and drawing number: 8563 1 of 1 Revision A, received on 8 April 2011.

Reason: In order to clarify the terms of the planning permission and to ensure that the development is carried out as permitted.

25. The waste treatment proposals detailed within the submitted Waste Management Plan/Waste Audit (received by the Local Planning Authority on 22 June 2011) shall be carried out, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development is sustainable in accordance with national government advice contained in PPS1, Policy 14 of the adopted North Northamptonshire Core Spatial Strategy, Policy CS7 of the Northamptonshire Minerals and Waste Development Framework Core Spatial Strategy and the Site Waste Management Plans Regulations 2008.

EN/11/00584/REM

| Date received | Date valid | Overall Expiry | Ward |
|---------------|---------------|----------------|--------------|
| 11 April 2011 | 14 April 2011 | 9 June 2011 | Raunds Saxon |

Applicant **Mr Clayford And Miss Haywood**

Agent **Mr Mark Shrive**

Location **45 Brook Street, Raunds, Northamptonshire, NN9 6LL.**

Proposal **Reserved matters - Erection of three dwellings (all matters reserved) pursuant to outline planning permission 08/01473/OUT dated 20.02.2009**

Decision Application Permitted

Conditions/Reasons:

1. Prior to the commencement of the development hereby permitted, details and samples of the external materials to be used for the construction of the dwellings and garages shall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the details so approved, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To achieve a satisfactory appearance for the development.

2. Before the development hereby permitted is first brought into occupation, boundary screening shall be provided for plots A, B and C and the west and eastern boundaries of the site in accordance with the details shown on drawing number: 2233-8 (received by the Local Planning Authority on 11 April 2011) and be thereafter retained in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory standard of development, to protect the amenity of neighbouring occupiers and the amenity of the future occupiers of the new dwelling.

3. Notwithstanding the 1.8 metre high closed boarded fence shown on drawing number: 2233-8 (received by the Local Planning Authority on 11 April 2011), an alternative type of boundary treatment shall be provided for the southern boundary of the site. This boundary treatment shall provide sufficient inter-visibility between the three dwellings and the front garden of the dwelling to the south. Details of this boundary treatment shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented and retained in accordance with the details so approved, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory standard of development and in the interest of visual amenity.

4. Prior to commencement of the development, details of the construction and surfacing of the access road in front of the dwellings hereby approved and the access road to the south, parking facilities and all other hard-surfaced areas within the site shall have been submitted to and approved by the Local Planning Authority. These facilities shall then be provided in accordance with the approved details before the first occupation of the development and be thereafter retained, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of highway safety and visual amenity.

5. All planting, seeding and turfing comprised in the approved details of landscaping shall be carried out in the first planting season following the occupation of the building(s) or the completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a reasonable standard of development and to avoid detriment to the visual amenity of the area.

6. Notwithstanding the submitted details, a tree protection plan for the onsite trees shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development and shall be in accordance with BS5837:2005. The development shall thereafter be carried out in accordance with these details.

Reason: To ensure the protection of trees on site.

7. Notwithstanding the submitted details, an arboricultural method statement shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. This statement shall be in accordance with BS5837: 2005 and shall include but not be limited to details of any proposed tree works to the existing Beech trees on the northern boundary of the site. The development shall thereafter be carried out in accordance with these details.

Reason: To ensure the protection of trees on site.

8. Notwithstanding the submitted details, details of any proposed tree works to facilitate the development shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development. The development shall thereafter be carried out in accordance with these details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the protection of trees and in the interest of visual amenity.

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any Order amending or re-enacting that Order with or without modification), there shall be no development within Classes A, B, C, D, E of Part 1 of Schedule 2

to that Order without the prior written approval of the Local Planning Authority.
Reason: To protect the amenity of adjacent occupiers and to ensure a satisfactory elevational appearance for the development.

10. Notwithstanding the submitted details and prior to the commencement of development hereby permitted, details of provisions for waste reduction and recycling, water efficiency and recycling and techniques of sustainable construction to be used for the construction of the buildings hereby permitted, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development is sustainable in accordance with national government advice contained in PPS1 and Policy 14 of the adopted North Northamptonshire Core Spatial Strategy.

11. Notwithstanding the submitted details and before commencement of the development hereby permitted, a site waste management plan, shall be submitted to and approved in writing by the Local Planning Authority to demonstrate that the development would meet the requirements Policy CS7 of the Northamptonshire Minerals and Waste Development Framework Core Spatial Strategy and the Site Waste Management Plans Regulations 2008. The development shall be implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development is sustainable in accordance with national government advice contained in PPS1, Policy 14 of the adopted North Northamptonshire Core Spatial Strategy, Policy CS7 of the Northamptonshire Minerals and Waste Development Framework Core Spatial Strategy and the Site Waste Management Plans Regulations 2008.

12. Before the dwellings hereby permitted are first brought into occupation, en-suite and bathroom windows in the east and west facing elevations of the dwellings shall be fitted with obscured glazing to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent, and this obscure glazing shall thereafter be retained permanently, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure adequate standards of privacy for neighbours and occupiers.

13. Works which cause audible noise outside the site boundary shall be not be carried out except between the hours of 08:00am -18:00pm Mondays to Fridays, 09:00am – 13:00pm on Saturdays, and at no time on Sundays or bank holidays, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of residential amenity.

14. Details of a scheme of lighting for the development hereby approved, shall be submitted to and approved in writing by the local planning authority, prior to the commencement of development. This shall include full details of the type of lighting, number, exact location and level and type of illumination. The scheme shall thereafter be implemented in accordance with the details so approved, unless otherwise agreed in writing by the local planning authority.

Reason: In the interest of preventing crime, anti-social behaviour and reducing the fear of crime, in accordance with Policy 13 of the adopted North Northamptonshire Core Spatial Strategy and in the interest of residential amenity.

15. The development hereby permitted shall be carried out strictly in accordance with the approved plans; plans received by the local planning authority on 11 April 2011, drawing numbers: 2233-1, 2233-3, 2233-4A, 2233-4B, 2233-5A, 2233-6, 2233-7, and 2233-8.

Reason: In order to clarify the terms of the planning permission and to ensure that the development is carried out as permitted.

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|---------------|------------|----------------|-----------|
| Date received | Date valid | Overall Expiry | Ward |
| 15 April 2011 | 3 May 2011 | 28 June 2011 | Fineshade |

Applicant **Gadesby Estates Ltd**

Agent **Peter Wilmot Architects - Mr T Runcorn**

Location **Westbrook, Gretton Road, Harringworth, Northamptonshire.**

Proposal **Demolition of existing dwelling. Construction of two new dwellings on site, associated site work and new garage**

Decision Application Permitted

Conditions/Reasons:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: Statutory requirement under provision of Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Prior to commencement of the development hereby permitted, details and samples of the external materials to be used for the construction of the dwellings and garage shall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the details so approved, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To achieve a satisfactory appearance for the development and to ensure the development would not detract from the character and appearance of the conservation area.

3. Notwithstanding the submitted details and prior to the commencement of the development hereby permitted, details of the provision of screening to all boundaries of the site shall be submitted to and approved in writing by the Local Planning Authority. This shall include details indicating the positions, height, design, materials and type of boundary treatment to be erected and retained. This boundary screening shall then be provided in accordance with the details so approved prior to the first occupation of the dwellings hereby approved and shall thereafter be retained in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure adequate standards of privacy for neighbours and occupiers and to safeguard the amenity of the area.

4. In accordance with the submitted details, low level stone boundary walls shall be constructed along the front boundary of the dwellings hereby approved. Prior to commencement of development, details to show the height and design of the walls and a sample of the material(s) to be used for the construction of the walls shall be submitted to and approved in writing by the Local Planning Authority. The walls shall thereafter be constructed in accordance with the details so approved, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To achieve a satisfactory appearance for the development and to ensure the development would not detract from the character and appearance of the conservation area.

5. Prior to commencement of the development hereby permitted, details showing the slab levels of the buildings in relation to the existing and proposed levels of the site and the surrounding land and buildings (including the ridge heights and eaves height of neighbouring buildings of Spring Farm House and Kimberley) shall be submitted to and approved in writing by the Local Planning Authority. The buildings shall thereafter be constructed in accordance with the details so approved, unless otherwise agreed in writing by the Local Planning Authority.

Reason: For the avoidance of doubt and to ensure a satisfactory form of development in

relation to neighbouring land and buildings.

6. Notwithstanding the submitted details, pedestrian visibility splays of 2.0m x 2.0m shall be provided on both sides of the vehicular access. The areas of land between the required sight lines and the highway carriageway shall be cleared, levelled and retained at a height not exceeding 0.6 metres above the carriageway and driveway levels.

Reason: In the interest of highway safety.

7. The vehicular access shall have a gradient not exceeding 1 in 15 for a distance of 5.0 metres back from the correct level at the highway boundary. Prior to the first occupation of the development hereby permitted this area shall be paved with a hard bound surface for a minimum of 5.0 metres back from the highway boundary and be thereafter retained.

Reason: In the interest of highway safety.

8. Prior to commencement of the development hereby permitted, details of the construction and surfacing of the vehicular access to the public highway, parking facilities and all other hard-surfaced areas within the site shall have been submitted to and approved by the Local Planning Authority. These facilities shall then be provided in accordance with the approved details before the first occupation of the development.

Reason: In the interest of highway safety and visual amenity.

9. Details of the means of drainage to prevent the unregulated discharge of surface water onto the highway shall be submitted to and approved in writing by the Local Planning Authority. Drainage shall thereafter be provided in accordance with the details so approved, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of highway safety.

10. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a comprehensive scheme of landscaping for the site, which shall be implemented strictly in accordance with the approved details in the first planting season following the occupation of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a reasonable standard of development and to avoid detriment to the visual amenity of the area.

11. All planting, seeding and turfing comprised in the approved details of landscaping shall be carried out in the first planting season following the occupation of the building(s) or the completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a reasonable standard of development and to avoid detriment to the visual amenity of the area.

12. The sustainable construction, waste reduction/recycling, water efficiency/recycling and energy efficiency measures shall be implemented in accordance with the submitted Sustainable Design and Energy Statement (received by the Local Planning Authority on 3 April 2011), unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development is sustainable in accordance with national government advice contained in PPS1 and Policy 14 of the adopted North Northamptonshire Core Spatial Strategy.

13. Notwithstanding the details within the submitted Sustainable Design and Energy Statement, no solar panels shall be installed on the dwellings hereby approved, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory elevational appearance for the development and in the interest of preserving the character and appearance of the conservation area.

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any Order amending or re-enacting that Order with or without

modification), there shall be no development within classes A, B, C, D, E, F or G of Part 1 of Schedule 2 and classes A, B, C, D, E and F of Part 40 to that Order without the prior written approval of the local planning authority.

Reason: To protect the amenity of adjacent occupiers, to ensure a satisfactory elevational appearance for the development and in the interest of preserving the character and appearance of the conservation area.

15. Before any work is commenced on the development the subject of this permission, details of the provision of foul water and surface water drainage installations to serve the development shall have been submitted to and be approved by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details before the development is brought into use, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard public health, in the interest of residential amenity and in the interest of highway safety.

16. Before the plot 1 hereby permitted is first brought into occupation, the first floor rooflight in the northeast facing elevation (to the en-suite of the master bedroom) shall be fitted with obscured glazing to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent, and this obscure glazing shall thereafter be retained permanently.

Reason: To ensure adequate standards of privacy for neighbours and occupiers and to safeguard the general amenity of the area.

17. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any order revoking and re-enacting that Order), no windows or other form of opening, other than that shown on the plans hereby approved, shall be inserted in the northeast and southwest elevations of plot 1 and plot 2 hereby permitted.

Reason: To ensure adequate standards of privacy for neighbours.

18. Prior to the commencement of any demolition work or other development on the site a method statement for the control of dust and noise during demolition shall be submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be implemented in accordance with the scheme so approved, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of residential amenity, the orderly development of the site and to protect the environment.

19. The development hereby permitted shall be carried out strictly in accordance with the approved plans; amended plan received by the Local Planning Authority on 5 July 2011, drawing number: 2011/05/01e; amended plan received on 28 June 2011, drawing number: 2011/05/03a; and drawing number: 2011/05/02 received on 15 April 2011.

Reason: In order to clarify the terms of the planning permission and to ensure that the development is carried out as permitted.

20. The Ash tree at the front of the site shall not be removed until details of a replacement tree is submitted to and agreed in writing by the Local Planning Authority. The details to be submitted shall include details of planting stock size and location of the tree to be replanted. The replacement tree shall thereafter be planted in accordance the details so approved in the next planting season following the felling of the Ash tree, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of the character and appearance of the conservation area.

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|---------------|------------|----------------|-----------|
| Date received | Date valid | Overall Expiry | Ward |
| 15 April 2011 | 3 May 2011 | 28 June 2011 | Fineshade |

Applicant **Gadesby Estates Ltd**

Agent **Peter Wilmot Architects - Mr T Runcorn**

Location **Westbrook, Gretton Road, Harringworth, Northamptonshire.**

Proposal **Demolition of existing dwelling. Proposed construction of two new dwelling on site, associated site work and new proposed garage**

Decision **Application Permitted. Decision notice can be issued after consultation expiry date of the 25th August 2011.**

Conditions/Reasons:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: Statutory requirement under provision of Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Prior to the commencement of any demolition work or other development on the site, a timetable for the construction of a replacement scheme shall be submitted and approved in writing by the Local Planning Authority. The replacement scheme shall be implemented in accordance with the timetable so approved, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the proposal would not harm the character, appearance and setting of the conservation area and in the interest of residential amenity.

3. Prior to the commencement of any demolition work or other development on the site a method statement for the control of dust and noise during demolition shall be submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be implemented in accordance with the scheme so approved, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of residential amenity, the orderly development of the site and to protect the environment.

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|---------------|-------------|----------------|-------------------|
| Date received | Date valid | Overall Expiry | Ward |
| 12 May 2011 | 24 May 2011 | 19 July 2011 | Rushden Pemberton |

Applicant **Spire Homes**

Agent **Architectural And Surveying Services Ltd - Mr A Pringle**

Location **Garages Between 16 And 18, Tennyson Road, Rushden, Northamptonshire.**

Proposal **Removal of existing garages and building of new house with garage. Some limited off street car parking.**

Decision Application Permitted

Conditions/Reasons:

1. Approval of the details of the siting, layout, and appearance of the dwelling, the landscaping of the site and the access to the site (hereinafter called "the reserved matters") shall be obtained from the local planning authority in writing before the development is commenced.
Reason: The application is in outline only and the reserved matters referred to will require full consideration by the Local Planning Authority.
2. Application for the approval of the reserved matters must be made not later than the expiration of three years beginning with the date of this permission.
Reason: Statutory requirement under section 51 of the Planning and Compulsory Purchase Act 2004.
3. The development to which this permission relates shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.
Reason: Statutory requirement under section 51 of the Planning and Compulsory Purchase Act 2004.
4. The details required to be submitted by condition No. 1 shall include the provision of boundary screening to the site. This shall include details indicating the positions, height, design, materials and type of boundary treatment to be erected. This boundary screening shall then be provided in accordance with the details so approved before the development is brought into use and shall be retained thereafter in perpetuity, unless otherwise agreed in writing by the local planning authority.
Reason: To ensure adequate standards of privacy for neighbours and occupiers and to safeguard the amenity of the area.
5. The details to be submitted for approval in writing by the local planning authority in accordance with condition 1 above shall include drawings showing the slab levels of the building in relation to the existing and proposed levels of the site and the surrounding land. The buildings shall thereafter be constructed in accordance with the details so approved in writing by the local planning authority, unless otherwise agreed in writing by the local planning authority.
Reason: For the avoidance of doubt and to ensure a satisfactory form of development in relation to neighbouring land and buildings and the streetscene.
6. Before commencement of the development hereby permitted, details and samples of the external roofing and facing materials to be used for the construction of the dwelling and garage shall have been submitted to and approved in writing by the local planning authority. The development shall thereafter be implemented in accordance with the approved detail, unless otherwise agreed in writing by the local planning authority.
Reason: To achieve a satisfactory appearance for the development.
7. Notwithstanding the submitted details, the details to be submitted for approval in writing by the

local planning authority in accordance with condition 1 above shall include a scheme of landscaping for the site. The development shall thereafter be implemented strictly in accordance with the approved details in the first planting season following the occupation of the development.

Reason: To ensure a reasonable standard of development and to avoid detriment to the visual amenity of the area.

8. Prior to the commencement of development hereby permitted, details of provisions for waste reduction and recycling, water efficiency and recycling and techniques of sustainable construction to be used for the construction of the building(s) hereby permitted, shall be submitted to and approved in writing by the local planning authority, and the development shall be implemented in accordance with the approved details so approved, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that the development is sustainable in accordance with national government advice contained in PPS1 and Policy 14 of the adopted North Northamptonshire Core Spatial Strategy.

9. The development hereby permitted shall be carried out strictly in accordance with the approved plans received by the local planning authority on 12 May 2011, drawing numbers: OS11 Layout and street elevations and OS12 Elevations and floor plans, unless otherwise agreed in writing by the local planning authority.

Reason: In order to clarify the terms of the planning permission and to ensure that the development is carried out as permitted.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order amending or re-enacting that Order with or without modification), no windows shall be inserted in the side elevation of the dwelling hereby approved without the prior written approval of the local planning authority.

Reason: To protect the amenity of adjacent occupiers.

11. Notwithstanding the submitted details, the details to be submitted for approval in writing by the local planning authority in accordance with condition 1 above shall include a pedestrian visibility splay of 2 metres x 2 metres shall be provided on the east side of the vehicular access. The areas of land between the required sight lines and the highway carriageway shall be cleared, levelled and retained at a height not exceeding 0.6 metres above the carriageway and driveway levels.

Reason: In the interest of highway safety.

12. The details to be submitted for approval in writing by the local planning authority in accordance with condition 1 above shall include full details of all crime prevention measures including the gate details and a lighting scheme. The building shall thereafter be constructed in accordance with the details so approved in writing by the local planning authority, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of crime prevention

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| Date received | Date valid | Overall Expiry | Ward |
| 25 May 2011 | 25 May 2011 | 24 August 2011 | Rushden Bates |

Applicant **Sycamore Developments (Ms Lisa Jude)**

Agent **IG Land And Planning (Mr Ian Gidley)**

Location **66 Harborough Road, Rushden, Northamptonshire, NN10 0LP.**

Proposal **Replacement of extant planning permission EN/07/02449/FUL
Redevelopment of existing factory and outbuildings, comprising of nine
apartments and five terraced dwellings to the rear with associated works,
covered car parking, bin and cycle store**

Decision Grant, subject to a S106 Agreement and Condition 8 to be checked to ensure that it refers to the highest Code Level for Sustainable Homes that we can require.

Conditions/Reasons:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
Reason: Statutory requirement under provision of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. No development shall take place until details and samples of all proposed external facing materials and hard surfacing materials have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
Reason: In the interests of visual amenity and to ensure that the development will harmonise with its surroundings.
3. Notwithstanding the submitted details, no development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected including a boundary treatment of not less than 2.1 metres in height on the boundary adjacent to Pembroke Close and the rear access gates giving access to units 1 to 14 shall be lockable. The boundary treatment shall be completed before the dwellings are occupied or in accordance with a timetable agreed in writing by the local planning authority. Development shall then be carried out in accordance with the approved details and shall thereafter be retained.
Reason: In the interest of residential amenity.
4. Before any work is commenced on the development hereby permitted, a detailed contamination assessment report and mitigation strategy shall be carried out and submitted to and approved by the Local Planning Authority. The report shall include a comprehensive and systematic sampling strategy, an assessment of the concentrations and contamination associated with the last and previous uses of the site. The report shall also include a full assessment of potential groundwater and surface contamination. The development shall then be carried out strictly in accordance with the mitigation strategy as approved by the local planning authority. The works comprised in the approved strategy for mitigation of contaminants present on the site shall have been completed prior to the occupation of the dwellings hereby permitted.
Reason: To ensure that contamination present on the site properly contained/removed in the interests of public health
5. No development shall take place until a plan showing the details of ground and first floor levels of the proposed buildings in relation to the existing properties in Harborough Road has been submitted to and approved in writing by the local planning authority. The development shall then

be carried out in accordance with the approved plan, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of visual and residential amenity.

6. No development shall take place until there has been submitted to and approved in writing by the local planning authority a scheme of landscaping. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the dwellings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development, die are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless the planning authority gives written approval to any variation.

Reason: In the interest of visual amenity

2. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to and approved in writing by the local planning authority. The approved Statement shall be adhered to throughout the construction period. The statement shall provide for:

1. details of the construction of the access
2. wheel washing facilities
3. the hours of working (which shall be limited to between 8.00am and 6.00pm Monday to Friday, between 8.00am and 1.00pm on Saturdays and there shall be no construction on Sundays or Bank Holidays.
4. measures to control the emission of dust and dirt and suppression of noise during construction.

Reason: In the interest of residential amenity

8. The sustainable construction, waste reduction/recycling, water efficiency/recycling and energy efficiency measures shall be implemented in accordance with the submitted Sustainable Design and Energy Statement (received by the Local Planning Authority on 3 April 2011), unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development is sustainable in accordance with national government advice contained in PPS1 and Policy 14 of the adopted North Northamptonshire Core Spatial Strategy.

9. Notwithstanding the provisions of the Town and County Planning (General Permitted Development) Order 2008 (or any Order amending or re-enacting that Order with or without modification) and notwithstanding the information submitted, security gates shall be provided at the access point. The gates shall be positioned at least 5.0 metres back from the highway boundary and shall be hung to open inwards only. Details of the proposed gates shall have been submitted to and approved in writing by the local planning authority prior to the first occupation of the dwellings hereby approved. The development shall than be carried out in accordance with the approved details, unless approved in writing by the local planning authority.

Reason: In the interest of highway safety.

10. Notwithstanding the submitted details and before commencement of the development hereby permitted, a Site Waste Management Plan, shall be submitted to and approved in writing by the local planning authority to demonstrate that the development would meet the requirements of Policy CS7 of the Northamptonshire Minerals and Waste Development Framework Core Spatial Strategy and the Site Waste Management Plans Regulations 2008. The development shall be implemented in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that the development is sustainable in accordance with national government advice contained in PPS1, Policy 14 of the adopted North Northamptonshire Core Spatial Strategy, Policy CS7 of the Northamptonshire Minerals and Waste Development Framework Core Spatial Strategy and the Site Waste Management Plans Regulations 2008

11. Prior to the commencement of development, details of the lighting to be used in the courtyard area shall have been submitted to and approved in writing by the local planning authority and shall be

carried out in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that the courtyard area is appropriately lit in terms of security and personal safety and to ensure that residential amenity is not harmed.

12. The development hereby permitted shall be carried out strictly in accordance with the approved plans Topographical survey, P04, P05, P09A, P07, P06A, P08, P09, P02, P01, P03A received by the Local Planning Authority on 02/06/11, unless otherwise agreed in writing by the local planning authority.

Reason: In order to clarify the terms of the planning permission and to ensure that the development is carried out as permitted.

EN/11/00915/FUL

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|---------------|--------------|----------------|----------|
| Date received | Date valid | Overall Expiry | Ward |
| 13 June 2011 | 27 June 2011 | 22 August 2011 | Woodford |

Applicant **Prince Of Wales Public House - Mr S Leahy**

Agent **Kettering Community Architects - Mr P Ansell**

Location **Land To Rear Of 33 High Street, Newtown Street, Woodford, Northamptonshire.**

Proposal **Redevelopment of site with the erection of three houses**

Decision Application Withdrawn/Declined

EN/11/00984/VAR

| | | | |
|---------------|--------------|----------------|-----------|
| Date received | Date valid | Overall Expiry | Ward |
| 24 June 2011 | 30 June 2011 | 25 August 2011 | Fineshade |

Applicant **Mr P Ford**

Agent **David Wilkinson Architect**

Location **32A Stamford Road, Easton On The Hill, Northamptonshire, PE9 3NU.**

Proposal **Variation of Condition No.14 of planning permission 09/00159/FUL with regard to the stairwell window within the east elevation**

Decision Application Permitted

Conditions/Reasons:

1. Condition 14 of planning permission 09/00159/FUL is varied to read:

The currently provided plastic film, to the stairwell window in the east elevation, shall be retained. When the plastic film requires replacement it shall either be replaced by an alternative obscure plastic film or obscure glazing (details of which shall be submitted to and approved by the Local Planning Authority before its use). The window, shall be retained as non opening and shall be retained with either obscure plastic film or with obscure glazing.

Reason: To prevent overlooking and maintain a satisfactory level of residential amenity.

DEVELOPMENT CONTROL COMMITTEE

Date: 7 September 2011

Venue: East Northamptonshire House, Cedar Drive, Thrapston

Time: 7.00pm

Present: Councillors: Pauline Bradberry JP (Chairman)
Gill Mercer (Vice Chairman)

| | |
|----------------|-----------------|
| Peter Baden | Bob Nightingale |
| Roger Glithero | Ron Pinnock |
| Glenn Harwood | Phillip Stearn |
| Andy Mercer | Peter Wathen |

133. MINUTES

The minutes of the meeting held on 17 August 2011 were approved and signed by the chairman.

134. APOLOGIES FOR ABSENCE

Councillors Wendy Brackenbury, Marika Hillson, Dudley Hughes, Barbara Jenney, Brian Northall, Anna Sauntson, Jeremy Taylor, Robin Underwood and the Executive Director, Sharn Matthews, sent their apologies.

135. DECLARATIONS OF INTEREST

Members declared personal interests in the applications below as indicated. They remained in the meeting and took part in the discussion and voting on the respective item.

| Member | Item | Nature of Interest |
|-------------------|-----------------|--|
| Pauline Bradberry | EN/11/00853/FUL | She was a Spire Homes Board member |
| Gill Mercer | EN/11/00853/FUL | The town council, of which she is a member, owned a small part of the land |

136. PUBLIC SPEAKERS

The following people spoke on the items as indicated: -

- (i) Mr Mark Henderson on EN/11/00841/FUL – 315 Bedford Road, Rushden
- (vi) Mrs Jane Rolfe and Mrs Amanda Park on EN/11/00999/FUL – Land off Polopit, Titchmarsh

137. PLANNING APPLICATIONS

The committee considered the planning applications report, with updated information on some of the applications and representations made by public speakers at the meeting. The full decision on the applications is included (on the page indicated) in the appendix to these minutes.

(i) EN/11/00739/FUL – 147 High Street, Rushden (See page 247)

Members commented that, although there were lots of other takeaway premises in the area, the property had been empty since 2009 and there was no evidence it would be used for retail purposes in the immediate future. The committee **agreed to grant** the application with the conditions set out in the report.

(ii) EN/11/00532/FUL – Workshop and storage, Oundle Road, Barnwell (See 248)

The committee considered an application for the erection and use of a concrete batching plant next to an existing concrete factory. A weight restriction was in place for the bridge into Oundle so lorries leaving the site would turn towards the A605 and Environmental Health had suggested a condition regarding dust. Members were keen to encourage local business and **agreed to grant** the application with the conditions set out in the report and update sheet.

(iii) EN/11/00841/FUL – 315 Bedford Road, Rushden (See page 249)

Members noted that the application and business had support from local residents, provided local employment, and had no environmental disadvantages. The highway authority had not identified any problems with the access and the driveway would be widened. The committee **agreed to grant** the application with the conditions set out in the report.

(iv) EN/11/00853/FUL – Nippendale, Rushden (See page 251)

Members welcomed the development and were particularly pleased that it included a high proportion of houses rather than flats. The width of the driveway of plot 1 was confirmed to be wide enough for two cars and the problem of installing traditional sanitary ware in the accessible and older persons' homes would be dealt with through building control. Details of lighting, landscaping and boundary treatments would be secured through the proposed condition to improve security. The development of a site waste management plan would be investigated by officers. Having considered these issues the committee **agreed to grant** the application with the conditions set out in the report and update sheet.

(v) EN/11/00999/FUL – Land off Polopit, Titchmarsh (See page 253)

The committee considered the objections to this application and the relevant planning policy considerations. There was concern as to whether the village boundaries approved by the inspector in the Rural North, Oundle and Thrapston plan were appropriate and that refusal on the basis of the proposed dwelling being outside the village boundary might be open to challenge if the plot formed part of the historic curtilage of the Titchmarsh. Members were also concerned that approval might set a precedent for other village applications and asked officers to check for historical information on the village boundary. As the committee felt it could not properly assess the application from the report, the application was **deferred** for a site visit on 13 September.

138. APPEAL DECISION MONITORING REPORT

Members noted the council's planning appeal decisions from 1 to 19 August 2011. Members were particularly concerned about the outcome of the appeal against refusal which was allowed including an award of costs against the council at Avenue Agricultural, Park Road, Rushden.

139. OUTPATIENT CENTRE, NENE PARK, IRTHLINGBOROUGH

Members discussed what action could be taken regarding enforcement of the terms of the Section 106 agreement with the developer in relation to the bus service provision between Rushden/Higham Ferrers and the outpatient centre. During the discussion Members made the following comments:

- The problem of transport to the site had been raised at a meeting of the Kettering General Hospital Foundation Trust.
- Appointment numbers were not reaching anywhere near the capacity of the centre, which could be associated with the limited bus service.
- It was not a large distance between the bus stop at the bottom of the hill and the outpatient centre.
- The 30 minute gap between buses was not being fulfilled on only a few occasions.
- The site was poorly signposted.
- Developers should keep to approved Section 106 agreements.
- Opportunities and options for enforcement seemed limited.

RESOLVED:

That no action be taken to enforce the precise requirements of the Section 106 Agreement.

(Reason - Because the number of instances, where there are more than 30 minutes between buses and buses do not enter the site are not so significant, having regard to the other improvements to the bus service (which are not required by the S106 agreement) and the costs and benefits of providing the service in an alternative manner, to justify legal action.)

140. REVIEW OF ENFORCEMENT POLICY

The committee reviewed the Enforcement Policy, which had been revised in anticipation of a reduction in the number of staff members within the enforcement team.

RESOLVED:

That the recommendations to the Policy and Resources Committee be endorsed.

Chairman

List Of Applications Determined By

DEVELOPMENT CONTROL COMMITTEE - 7 September 2011

EN/11/00739/FUL

| | | | |
|-------------------------------------|----------------------------------|---------------------------------------|-------------------------------|
| Date received 16 May 2011 | Date valid 20 May 2011 | Overall Expiry 15 July 2011 | Ward Rushden Hayden |
|-------------------------------------|----------------------------------|---------------------------------------|-------------------------------|

Applicant **The Garcha Group**

Agent **Phillips Planning Services**

Location **147 High Street, Rushden, Northamptonshire, NN10 0PA.**

Proposal **Change of use of the ground floor from A1 (Retail) to A5 (Takeaway)**

Decision Application Permitted

Conditions/Reasons:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
Reason: Statutory requirement under provision of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. Prior to the commencement of development, details of external lighting along the northern edge of the building shall be submitted to and approved in writing by the Local Planning Authority. The approved lighting scheme shall be implemented concurrently with the development and retained in perpetuity.
Reason: To create a safer environment for patrons and the general public.
3. Notwithstanding the submitted details, prior to the commencement of development, full details of the extraction system to be installed and its location shall be submitted to and approved in writing by the local planning authority. The details shall include information relating to noise and odour and any mitigation measures proposed. The development shall thereafter be carried out in accordance with the approved details and shall be retained in perpetuity unless otherwise agreed in writing by the local planning authority.
Reason: In the interests of neighbouring amenity.
4. The use hereby permitted shall only operate between the hours of 08:00am to 24:00pm Monday to Thursday, 08:00am to 01:00am Friday and Saturday and 08:00am to 22:30pm on Sunday.
Reason: To safeguard the amenities of nearby residential properties.
5. The development hereby permitted shall be carried out strictly in accordance with the approved plans received by the local planning authority on 16 May 2011 and 20 May 2011, drawing numbers: 07381/1 Site location plan, 073816/5 Existing plans and elevations and 073816/5 Proposed plans and elevations, unless otherwise agreed in writing by the local planning authority.
Reason: In order to clarify the terms of the planning permission and to ensure that the development is carried out as permitted.
6. Before the use hereby permitted begins, a scheme for the installation of a litter bin shall be submitted to and approved in writing by the local planning authority. The scheme as approved shall be implemented prior to the first use and retained thereafter.
Reason: To ensure that littering does not occur.

| | | | |
|---------------------|----------------------|---------------------|-----------------|
| Date received | Date valid | Overall Expiry | Ward |
| 4 April 2011 | 19 April 2011 | 14 June 2011 | Barnwell |

Applicant **P J Thory - Mr Martin Ash**

Agent **GP Planning Ltd - Mrs G Pawson**

Location **Workshop And Storage, Oundle Road, Barnwell, Northamptonshire.**

Proposal **Erection and use of a concrete batching plant**

Decision Application Permitted

Conditions/Reasons:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
Reason: Statutory requirement under provision of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. Prior to the commencement of development, details of the external treatment of the proposed aggregate bins, scales, silos, loading bay, batch cabin, water tank and ad mix tanks shall have been submitted to and approved in writing by the local planning authority and the development shall thereafter be carried out in accordance with the approved details.
Reason: To achieve a satisfactory elevational appearance for the development.
3. Notwithstanding the submitted information, full details of all external lighting shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. Details shall include the levels of illumination and the hours of use. The lighting shall be installed in accordance with the approved details.
Reason: To secure a satisfactory standard of development.
4. Details of wheel washing facilities for traffic connected with the development hereby permitted shall be submitted to and approved in writing by the local planning authority and shall be installed on site prior to the commencement of development hereby permitted and retained thereafter.
Reason: To safeguard the amenities of the locality and to ensure that the proposed development does not prejudice the free flow of traffic or conditions of general safety along the neighbouring highways.
5. The premises shall be used for a concrete batching plant and for no other purpose (including any other purpose in Class B2 of the Schedule to the Town and Country Planning (Use Classes) (Amendment) Order 2005, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).
Reason: In the interests of amenity and to ensure that effective planning control is retained by the local planning authority.
6. The use hereby permitted shall only operate between the hours of 07:00 to 18:00 Mondays to Fridays and 07:00 to 13:00 on Saturdays.
Reason: To safeguard the amenities of nearby residential properties.
7. Noise levels at the nearest noise sensitive property, White Lodge, when measured with the noise generated by the adjacent site PGR Recycling, shall not exceed 55 dB(A) leq 1 hour and within one month of the date of this permission a scheme for the monitoring of noise levels at this location shall be submitted to the local planning authority for approval in writing. The development shall thereafter be carried out in accordance with the approved details.
Reason: To safeguard the amenity of nearby residents.

8. Prior to the commencement of development, details showing the measures to be taken for the suppression of dust, including the use of waterspray facilities for damping operational areas within the building, external stockpiles of materials and hard surfaces and roadways, shall be submitted to and approved in writing by the local planning authority and the development shall thereafter be operated in accordance with the approved details.

Reason: To safeguard the amenities of nearby residents.

9. All vehicles delivering materials to the site or removing concrete or materials shall be appropriately sheeted to ensure that there is no spillage of material.

Reason: In the interests of amenity and highway safety.

10. A daily log shall be kept, on an ongoing basis, to record all vehicles attracted to the site and this log shall be maintained on an annual basis and be available for scrutiny at the request of the local planning authority.

Reason: In the interests of highway safety.

11. The development hereby permitted shall be carried out strictly in accordance with the approved plans received by the Local Planning Authority on 4 April 2011 and 19 April 2011, drawing numbers: P003-02-08-1 Proposed elevations, P003-02-05-2 Site setting and layout and P003-02-03-2 Site layout plan, unless otherwise agreed in writing by the local planning authority.

Reason: In order to clarify the terms of the planning permission and to ensure that the development is carried out as permitted.

12. This permission relates only to the operational use set out in the accompanying information and plans of this planning approval ref: EN/11/00532/FUL. Any intensification of use will require the prior approval of the Local Planning Authority.

Reason: The proposed use as submitted is acceptable in relation to highway safety.

However, any intensification of use may require off site highway improvement works which will need to be assessed and considered as part of a planning application.

EN/11/00841/FUL

| | | | |
|--------------------|---------------------|----------------------|----------------------|
| Date received | Date valid | Overall Expiry | Ward |
| 31 May 2011 | 14 June 2011 | 9 August 2011 | Rushden Bates |

Applicant **Ravensoake Storage - Mr M Henderson**

Location **315 Bedford Road, Rushden, Northamptonshire, NN10 0SQ.**

Proposal **External storage of caravans, trailers and small motor homes**

Decision Application Permitted

Conditions/Reasons:

1. The development hereby permitted shall be carried out in complete accordance with the approved details within three months of the date of this permission.

Reason: In order to clarify the terms of the planning permission and to ensure that the development is carried out as permitted.

2. Notwithstanding the Town and Country Planning (Use Classes) Order 2010, (or any order revoking and re-enacting that Order with or without modification), the premises shall be used only as a caravan storage site and for no other purpose (including any other activity falling within class B8 of the Order).

Reason: To ensure that the use of the premises does not change in a manner which could detract from the amenity of the area.

3. Notwithstanding the submitted details, prior to the commencement of development, full details of the proposed boundary screening to the north west of the site, shall be submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with the approved details and retained in perpetuity unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of neighbouring amenity.

4. The access to the site shall be carried out in accordance with drawing number 07.965/04C received by the local planning authority on 14 June 2011 and shall thereafter be retained in perpetuity.

Reason: In the interests of highway safety.

5. Notwithstanding the submitted details, prior to the commencement of development the following access details shall be submitted to and approved in writing by the local planning authority:

- Hard surface materials
- Means of drainage
- Maximum gradient 1 in 15 from the highway boundary.

The subsequent submitted details shall illustrate a vehicle access which is to the local highway authority's adoptable standard. The hard surfacing shall be completed in accordance with a timetable to be agreed in writing by the local planning authority prior to the commencement of development. Development shall be constructed in strict accordance with the approved details and retained thereafter.

Reason: In the interests of highway safety.

6. The landscaping scheme within the site shall be carried out in strict accordance with drawing number 01/255 received by the local planning authority on 31 May 2011, the email received by Ravensoake Storage on 19 July 2011 and the letter received by Ravensoake Storage on 8 August 2011. The scheme shall be carried out in the first planting and seeding seasons following the date of this decision, and shall be maintained thereafter; such maintenance to include the replacement in the current or nearest planting season whichever is the sooner of shrubs or trees that may die are removed or become seriously damaged or diseased with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of amenity and to secure a satisfactory standard of development.

7. The development hereby permitted shall be carried out strictly in accordance with the approved plans received by the Local Planning Authority on 31 May 2011 and 14 June 2011, drawing numbers: 01/255 Proposed site layout, 07.965/04C Entrance details and NN260932 Site plan, unless otherwise agreed in writing by the local planning authority.

Reason: In order to clarify the terms of the planning permission and to ensure that the development is carried out as permitted.

Date received Date valid Overall Expiry Ward
1 June 2011 20 June 2011 19 September 2011 Rushden Hayden

Applicant **Spire Homes - Ms R Buswell**

Agent **Martindales Architects Ltd - Mr N Bryant**

Location **Nippendale, Rushden, Northamptonshire.**

Proposal **Demolition of existing two storey blocks of flats and bedsits, demolition of existing blocks of garages and construction of forty one new affordable bungalows, two, three and four bedroom houses with shared surface road access, parking and associated hard and soft landscaping**

Decision To Grant - awaiting a Section 106 Agreement and amending Condition 10 to refer to site waste management plans and adding an informative to encourage the developer to go for an appropriate level of Code for Sustainable Homes.

Conditions/Reasons:

1. The development hereby permitted shall begin not later than three years from the date of this decision. Reason: Statutory requirement under provision of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. Notwithstanding the submitted details, prior to the commencement of the development hereby permitted, details and samples of the external roofing and facing materials to be used for the construction of the buildings hereby approved shall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the details so approved, unless otherwise agreed in writing by the Local Planning Authority.
Reason: To achieve a satisfactory appearance for the development.
3. No development shall take place until there has been submitted to and approved in writing by the local planning authority a scheme of boundary treatment indicating the positions, design, materials and type of any fences, railings, walls, gates and bollards to be erected around and within the site. The approved boundary treatment shall be completed before any of the dwellings are occupied and retained thereafter unless otherwise agreed in writing by the local planning authority.
Reason: In the interest of visual and residential amenity.
4. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. These details shall include the proposed parking and hardstanding areas, shared private footpaths and refuse collection areas as well as the landscaped/planted areas. All hard and soft landscape works shall be carried out in accordance with the approved details. The scheme shall also include the biodiversity enhancements identified in Chapter 6.3 of the Ecological baseline Assessment undertaken by Lockhart Garratt dated May 2011. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing by the local planning authority.
Reason: In the interest of visual amenity.
5. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written approval to any variation.
Reason: In the interest of visual amenity.

6. An appraisal of remedial options and proposal of the preferred option to deal with land contamination and/or pollution of controlled waters affecting the site shall be submitted to and approved by the local planning authority. No works, other than investigative works, shall be carried out on the site prior to receipt and written approval of the preferred remedial option by the local planning authority. This must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR11'.
Reason: To ensure the proposed remediation plan is appropriate.
7. Remediation of the site shall be carried out in accordance with the approved remedial option. No deviation shall be made from this scheme without the express written agreement of the local planning authority.
Reason: To ensure site remediation is carried out to the agreed protocol.
8. On completion of remediation, two copies of a closure report shall be submitted to the local planning authority. The report shall provide verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post remediation sampling and monitoring results shall be included in the closure report.
Reason: To provide verification that the required remediation has been carried out to the required standards.
9. If, during development, contamination not previously considered is identified, then the local planning authority shall be notified immediately and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspect contamination has been submitted to and agreed in writing with the local planning authority.
Reason: To ensure all contamination within the site is dealt with.
10. Before any work is commenced on the development the subject of this permission, full details of the proposals for external lighting of the development and its maintenance shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
Reason: In the interests of the amenity of the area and public safety.
11. Notwithstanding the submitted details and before commencement of development hereby permitted, a sustainability strategy, including a Sustainable Waste Management Plan shall be submitted to and approved in writing by the local planning authority to demonstrate that the development would meet requirements of Policy 14 of the North Northamptonshire Core Spatial Strategy and Policy CS7 of the Northamptonshire Minerals and Waste Development Framework Core Spatial Strategy. The development shall be implemented in accordance with the details so approved, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that the development is sustainable in accordance with national government advice contained in PPS1, Policy 14 of the adopted North Northamptonshire Core Spatial Strategy and Policy CS7 of the Northamptonshire Minerals and Waste Development Framework Core Spatial Strategy.
12. Notwithstanding the submitted details, before units 35-37 inclusive hereby permitted are first brought into occupation, the first floor rear bathroom windows shall be top hung with a restricted opening mechanism and fitted with obscured glazing to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent, and this obscure glazing shall thereafter be retained permanently.
Reason: To ensure adequate standards of privacy for neighbours and occupiers.
13. The development hereby permitted shall be carried out strictly in accordance with the approved plans: 1599/005 Rev 2 received by the Local Planning Authority on 20.06.2011, 1599/130 and 1599/207 Rev 1 received by the Local Planning Authority on 14.06.2011, 1599/200 Rev 1, 1599/230 Rev 1, 1599/237, 1599/260, 1599/267, 1599/300 Rev 1, 1599/307, 1599/330 Rev 1, 1599/337, 1599/360, 1599/367, 1599/400, 1599/407 received by the Local Planning Authority on 01.06.2011, 1599/380, 1599/381 received by the Local Planning Authority on 20.06.2011 and 1599/101 Rev 5 received by the Local Planning Authority on 23.08.2011

Reason: In order to clarify the terms of the planning permission and to ensure that the development is carried out as permitted.

EN/11/00999/FUL

| | | | |
|---------------------|---------------------|-----------------------|-----------------|
| Date received | Date valid | Overall Expiry | Ward |
| 28 June 2011 | 30 June 2011 | 25 August 2011 | Barnwell |

Applicant **Mr And Mrs Rolfe**

Agent **Terrence Hodgkins**

Location **Land Off, Polopit, Titchmarsh, Kettering.**

Proposal **Dwelling and garage to replace existing storage units permitted under EN/98/00470/RTN**

Decision **Deferred for Member site visit. Tuesday 13 September at 2pm.**

POLICY & RESOURCES COMMITTEE

Date: 12 September 2011

Venue: East Northamptonshire House, Cedar Drive, Thrapston

Time: 7.30 pm

Present: Councillors:-

Richard Lewis (Chairman)
Glenvil Greenwood-Smith (Vice-Chairman)
Steven North (Leader of the Council)
Philip Hardcastle (Deputy Leader of the Council)

David Brackenbury
Wendy Brackenbury
John Farrar
Richard Gell
Roger Glithero
Glenn Harwood

Sue Homer
Dudley Hughes
Andy Mercer
Rupert Reichhold
Jeremy Taylor

141. PUBLIC SPEAKERS

Councillor Mark Ormrod of Oundle Town Council, Mr Jake Voles, Councillor Phillip Stearn of East Northamptonshire Council and Councillor David Bateman of East Northamptonshire Council addressed the committee on the Oundle Recycling Centre item. The chairman announced that the item would be brought forward on the agenda.

142. MINUTES

The minutes of the meeting held on 4 July 2011 were approved and signed by the chairman.

143. APOLOGIES

No apologies were received.

144. DECLARATIONS OF INTEREST

Councillor Richard Gell declared a personal and prejudicial interest in the additional item – Delegated powers for diversion of footpaths and bridleways under section 11 of the Highways Act 1980. He left the meeting during the discussion and voting on that item.

Members declared personal interests in the applications below as indicated. They remained in the meeting and took part in the discussion and voting on the respective item.

| Member | Item | Nature of Interest |
|---------------|-------------|---------------------------|
| Richard Lewis | 6 | He knows Mark Lees |

| | | |
|---|----|--|
| Andy Mercer | 7 | He had been involved in discussion on this item at a Development Control Committee meeting |
| David Brackenbury, Wendy Brackenbury, John Farrar, Richard Gell, Glenvil Greenwood-Smith, Glenn Harwood, Andy Mercer, Rupert Reichhold, Jeremy Taylor | 10 | Members of the Green Waste Club |

145. QUESTIONS BY MEMBERS UNDER COUNCIL PROCEDURE RULE 10.3

There were no questions.

146. OUNDLE RECYCLING CENTRE

This item was brought forward as a number of public speakers were in attendance.

The committee received an update on the discussions that had taken place regarding the future operation of the Oundle Recycling Centre and considered options for the future. The following options and timescales were put forward for the site:

Option 1: Remove the manned element from the site and allow Kier to operate a bulking facility from the site (starting immediately).

Option 2: Site remains open as now with anchor tenant for 'bulking' secured (starting immediately).

Option 3: Site opens 4 days a week (from April 2012 with site open or 'mothballed' until that date)

- Oundle Town Council permit scheme
- Anchor tenant for 'bulking' secured
- Oundle Town Council purchases site from East Northamptonshire Council

Option 4: Site opens 4 days a week (from November 2011)

- Oundle Town Council permit scheme
- Anchor tenant for 'bulking' secured
- Oundle Town Council purchases site from East Northamptonshire Council

During the discussion the following points were made:

- A full range of recyclable materials would still be collected at the site, with the exception of white goods and green waste
- Much more could now be recycled kerbside
- White goods were seldom disposed of and most companies would take away old white goods on delivery of new ones
- Early indications showed a significant increase in recycling rates since the roll out of the new waste contract
- The kerbside recycling service was being used far more than it used to therefore there should be less need for the centre
- The previous subsidy for the Green Waste Club, which ended on 31 July 2011, had been financed from recycling credits rather than directly from council tax

- The Waste and Recycling Working Party would consider whether to reintroduce the subsidy for the Green Waste Club at a future meeting
- To end the collection of green waste at the site could send the wrong message to the public regarding recycling
- Continued provision of such facilities at the site would mean the council was providing a service for only one area of the district
- The misuse of the site for trade waste needed to be addressed.

Additional, non-site specific options for trade and green waste were also considered. Initial suggestions included, a chargeable bulky green waste collection service, subsidising the Green Waste Club, brokering a framework agreement with local composting depository facilities (Lowick/Deene), and a potential joint commercial waste and recycling service with other Northamptonshire councils. Members felt that if a framework agreement with local composting depository facilities could be finalised as soon as possible it would help address the problem of misuse of the site for trade waste. Officers had already begun discussions with Kier regarding a commercial waste and recycling service, which they intended to be revenue neutral with the potential for additional revenue to support the domestic waste and recycling service in the future.

Members thanked the officers and Oundle Town Council for the work that had gone into trying to find a resolution.

RESOLVED:

- (1) That option 3 above be progressed with the site to be 'mothballed' until 31 March 2012.
- (2) That all of the suggested alternative solutions for dealing with green waste and trade waste be pursued through the Waste and Recycling Working Party.

147. PERSONNEL SUB-COMMITTEE – 7 JUNE AND 2 AUGUST 2011

The minutes of the meetings on 7 June and 2 August 2011 were received. See page 260 to page 264.

148. WASTE AND RECYCLING WORKING PARTY MINUTES - 6 JULY 2011

The minutes of the meeting on 6 July were received. See page 265 to page 268.

149. HOMELESSNESS GRANT 2011/12

The committee considered an application for £5,000 from East Northamptonshire Community Services (ENCS) to support the continued operation of the Rushden Night Shelter and associated services, incorporating a 4 bed direct access night shelter, a 5 unit 'move-on' accommodation project, a drop-in advisory service and individual housing related support. Members commended the work done by ENCS in the district to date.

RESOLVED:

- That the application for £5,000 from the Homelessness Budget from East Northamptonshire Community Services be approved.

150. REVIEW OF PLANNING ENFORCEMENT

Members discussed a recommendation to revise the Enforcement Policy to reflect the council's proposed priorities in this area and changes to the level of staffing resource in this area.

The Development Control Committee had been concerned about ensuring the correct level of staffing resource and was reassured that this decision would not limit future options. The committee therefore endorsed the proposals.

The Policy and Resources Committee noted the successes detailed in the report and there would be no change to the council's highest priorities.

RESOLVED:

That the amendments to the priorities of the planning enforcement team, as set out within the revised Enforcement Policy, be approved.

(Reason – In the interests of achieving a balanced budget and noting the revisions required to reflect the reduction in staffing levels within the team.)

151. COVERT SURVEILLANCE POLICY

A report was submitted asking the committee to make changes to the council's Covert Surveillance Policy and officer delegation scheme in the light of the inspection report issued in June 2011 and the effect of the Protection of Freedoms Act 2011. The legislative changes required every authorisation to now be agreed by a magistrate's court and authorisations were only likely to be agreed if the offence would attract a prison sentence of six months or more. It was likely the changes would lead to a cessation of use of the provisions by the council.

Members were encouraged by changes and pleased to note the positive Inspector's report.

RESOLVED:

That the revised Covert Surveillance Policy (as set out at pages 269 to 280) be approved.

R.6 RESOLVED TO RECOMMEND:

That the scheme of delegation be amended to reflect the policy changes with the requirement to inform the Leader and Deputy Leader should the provisions be used.

(Reason – to update the policy and scheme of delegation in the light of legislative changes.)

152. PROPOSED CONSTITUTIONAL CHANGES

The committee considered proposed changes to the Scrutiny Procedure Rules in relation to call in and the Code of Practice for Licensing Procedures in relation to training.

The changes to the Scrutiny Procedure Rules would

- Outline the rights and responsibilities of the chairman of the appropriate policy committee to attend and speak at the Scrutiny Committee when a call in is discussed, with a similar right being given to the chairman of Scrutiny Committee to attend the policy committee when reconsideration is being given to the called in resolutions;
- Make it clear that it is not the responsibility of an officer of the council to justify decisions, and
- Specify the requirement for the Leader of the Council to be kept informed.

The changes to the Code of Practice for Licensing Procedures would strengthen the requirement for all members of the Licensing Committee to receive training in licensing procedures before they sit on a licensing panel.

R.7 RESOLVED TO RECOMMEND:

- (1) That the changes to the constitution set out at pages 281 to 283 be approved, subject to the replacement of 'privilege' with 'procedure' in paragraph 14.3.
- (2) That the Monitoring Officer be authorised to adjust paragraph 44 of part .4 of the constitution (Planning Procedures) to reflect the same approach suggested in the change to part 5.7.

(Reason – to ensure that the constitution is kept up to date and to ensure that all relevant legislation is included.)

153. ADDITIONAL ITEM - DELEGATED POWERS FOR DIVERSION OF FOOTPATHS AND BRIDLEWAYS UNDER SECTION 119 HIGHWAYS ACT 1980

Councillor Richard Gell left the room for discussion and voting on this item.

This item had been added to the agenda by virtue of section 100(B)(4)(b) of the Local Government Act 1972 because a decision on making an order relating to the Priors Hall development had to be made before the next meeting.

Members discussed a report which sought general delegated authority for specific officers of the council to make orders to divert footpaths and bridleways under the provisions of section 119 of the Highways Act 1980 in light of a request made by the developers involved with a part of the Priors Hall development.

R.8 RESOLVED TO RECOMMEND:

- (1) That delegated powers for the use of section 119 of the Highways Act 1980 be granted to the Democratic Services Manager and to the Solicitor to the Council, in consultation with the ward member(s), to undertake the procedures to make orders under section 119 and to confirm such orders when they unopposed.
- (2) That the same basis for the charging of fees for orders under section 257 of the Town & Country Planning Act 1990 be adopted for orders under section 119.

(Reason – to update the scheme of delegation.)

Note – The action relating to the making of an order affecting the Priors Hall development is being pursued via the Urgency Procedure in part 4.3 of the constitution.

154. EXCLUSION OF PUBLIC AND PRESS

RESOLVED:

That the public and press be excluded from the meeting during consideration of the following items of business because exempt information, as defined under paragraph 1 of part 1 of schedule 12A of the Local Government Act 1972, may be disclosed.

155. NENE CENTRE ROOF UPDATE

The committee received an update on the Nene Centre roof and debated whether to carry out repairs and to continue legal action against the building contractor and others to recover costs.

RESOLVED:

- (1) That the repair of the roof commence in March/April 2012.
- (2) That the legal claims against the contractor and architect be pursued.
- (3) That authority be given to officers and nominated councillors to incur expenditure which will be subject to continual review of the likely success of the legal claim.
- (4) That further reports be made to the Policy and Resources Committee to identify any significant increased risk of the council not recovering costs.

R.9 RESOLVED TO RECOMMEND:

- (1) That provision of £600k be made in the council's capital programme to pay for the repairs.
- (2) That a provision of £550k be made in the council's revenue budget with a view to recovery of the costs being delivered from the legal case.

(Reason – to decide whether to proceed with the replacement of the roof and to pursue legal action against the contractor and architect, and to make financial provision for the committee's decision.)

Chairman



Personnel Sub-Committee

Minutes of a meeting held on 7 June 2011 at 2.00 pm at East Northamptonshire House, Thrapston

Present:

Councillors Roger Glithero (Chairman)
 Wendy Brackenbury
 Philip Hardcastle
 Steven North

Sharn Matthews Executive Director (SM)
Katy Everitt Head of Resources and Organisational Development (KE)
Aime Armstrong Human Resources Manager (AA)
Rachel Reeds Member Services Officer (RR)

Action

1.0 **ELECTION OF CHAIRMAN**

1.1 **RESOLVED:**

That Cllr Roger Glithero be elected chairman of the Personnel Sub-Committee.

2.0 **MINUTES**

2.1 The minutes of the meeting held on 22 March 2011 were approved and signed by the chairman. Members noted that an initial attempt to recruit apprentices had been unsuccessful. The Corporate Management Team had agreed to wait until the end of June to recruit and would ensure the posts were advertised locally.

3.0 **APOLOGIES**

3.1 Cllr Jeremy Taylor sent his apologies.

4.0 **ELECTION OF VICE-CHAIRMAN**

4.1 **RESOLVED:**

That Cllr Philip Hardcastle be elected vice-chairman of the Personnel Sub-Committee.

5.0 **DECLARATIONS OF INTEREST/QUESTIONS**

5.1 There were no declarations of interest or questions.

6.0 XCHANGE

- 6.1 Members received and noted the minutes of the Xchange Group meeting held on 12 April 2011.

7.0 WORKFORCE STATISTICS

- 7.1 The sub-committee reviewed data about staff sickness, turnover and the number of staff employed. It noted that sickness levels were below the public and private sector averages. It also noted that a slightly higher level of staff turnover than in the past was being used as an opportunity to review posts as they became vacant. ICT Services' higher staff turnover was related to a higher level of fixed-term contracts and the two annual student internships.

8.0 VACANT POSTS UPDATE

- 8.1 The sub-committee received a report on posts deleted from the establishment, vacant posts and hours not being filled and budget savings. The sub-committee agreed alterations to the format of the report to distinguish between vacant posts; hours being held on the establishment and budget savings.

9.0 POLICY REVIEW

- 9.1 A draft programme of review of personnel policies was submitted for consideration.

RESOLVED:

- (1) That all Human Resources/Organisational Development policies in the wrong format be put in the new format.
- (2) That new review dates, as set out in the programme submitted to the meeting, be approved.
- (3) That once a policy has been reviewed, the next review date be set at 3-5 years (depending on the policy) and the new date be added to the review programme.
- (4) That the review programme be prioritised in relation to legislative changes.
- (5) That, as part of the review, officers consider which policies could be merged.

(Reason – To ensure that the policies are accurate, up to date and presented in the corporate style.)

10. ORGANISATIONAL DEVELOPMENT ANNUAL REPORT

- 10.1 The sub-committee received the Organisational Development Annual Report which gave an overview of staffing issues that had come up during 2010/11 including staff numbers and turnover, sickness, training and appraisals, and cost savings.

11.0 EXCLUSION OF PUBLIC AND PRESS

11.1 RESOLVED:

That the public and press be excluded from the meeting during consideration of the following items of business because exempt information, as defined under paragraph 2 of part 1 of schedule 12A of the Local Government Act 1972, may be disclosed.

12.0 STAFF PROPOSALS

12.1 Proposal SP2

RESOLVED:

- (1)** That one voluntary redundancy be made (SP2).
- (2)** That approval be given to the recruitment of a temporary part-time personnel administrator to cover maternity leave (1 August – 31 December 2011).
- (3)** That approval be given to the removal of the part-time executive PA post that reported to the Executive Director (ML) and the 2 days per week personnel administrator post from the establishment.

12.2 Proposal SP6

RESOLVED:

That the request for reduced hours under the Pensions Discretion Policy and Procedure be approved with effect from 1 October 2011.

12.3 Proposal SP5

RESOLVED:

- (1)** That shared service arrangements be explored for the areas discussed in SP5.
- (2)** That consultation about the possible shared services commence with UNISON and potentially affected employees at the appropriate time.

Chairman



Personnel Sub-Committee

Minutes of a meeting held on 2 August 2011 at 2.00 pm at East Northamptonshire House, Thrapston

Present:

Councillors

Roger Glithero (Chairman)
Steven North
Jeremy Taylor

Aime Armstrong
Rachel Reeds

Human Resources Manager (AA)
Member Services Officer (RR)

Action

1.0 MINUTES

1.1 The minutes of the meeting held on 7 June 2011 were approved and signed by the chairman.

2.0 APOLOGIES

2.1 Katy Everitt, Head of Resources and Organisational Development, Councillor Wendy Brackenbury and Councillor Philip Hardcastle sent their apologies.

3.0 DECLARATIONS OF INTEREST/QUESTIONS

3.1 There were no declarations of interest or questions.

4.0 XCHANGE

4.1 Members received and noted the minutes of the Xchange Group meeting held on 5 July 2011.

5.0 WORKFORCE STATISTICS

5.1 The sub-committee reviewed data about staff sickness, turnover and the number of staff employed. It noted that total sickness levels continued on a downward trend and the number of full time equivalent staff had dropped due to some requests for reductions in hours.

6.0 VACANT POSTS UPDATE

6.1 The sub-committee received a report on posts deleted from the establishment, vacant posts and hours not being filled and budget savings. Members preferred the improved format for presenting the information.

7.0 ABSENCE MANAGEMENT POLICY

- 7.1 The sub-committee considered the final draft of a new policy for absence management. The initial draft policy had been revised and re-written as a result of consultation with staff, UNISON and Xchange. The sub-committee approved of the clear and systematic style of the policy. Members were assured that managers would be trained on how to translate the policy into day to day management and the process would be monitored and reviewed regularly.

RESOLVED:

That the Absence Management Policy submitted to the meeting be adopted.

8.0 EXCLUSION OF PUBLIC AND PRESS

- 8.1 **RESOLVED:**

That the public and press be excluded from the meeting during consideration of the following items of business because exempt information, as defined under paragraph 2 of part 1 of schedule 12A of the Local Government Act 1972, may be disclosed.

9.0 STAFF PROPOSALS

- 9.1 **Proposal SP7a**

RESOLVED:

That a pilot shared legal service with NBC commence as soon as possible with a view to a formal shared legal service starting from 1 April 2012 (subject to a further report to the Personnel Sub-Committee detailing the outcome of the pilot agreement and details of the formal shared legal service).

- 9.2 **Proposal SP8**

RESOLVED:

That formal consultation about possible changes, and how they impact on staff, can start immediately following the meeting.

10.0 CHANGE TO DATE OF NEXT MEETING

- 10.1 **RESOLVED:**

That the meetings scheduled for 6 September and 27 October be replaced with a meeting on 27 September.

Chairman



Waste & Recycling Working Party

MINUTES

| | |
|-----------------|---|
| Held on: | 6 July 2011 |
| Time: | 11.00am |
| Place: | Members' Room, East Northamptonshire Council, Thrapston |
| Present: | <p>Councillors: Glenn Harwood (Chairman) (GH), David Bateman (DB), Tony Boto (TB), Wendy Brackenbury (WB), Roger Glithero (RG), Sylvia Hobbs (SH), Richard Lewis (RL), Eloise Lucille (EL), Clive Wood (CW).</p> <p>Officers: Mike Deacon (MD) Head of Environmental Services, Kirsty Squires (KS) Waste Contract Project Coordinator</p> |

Action

1.0 ELECTION OF CHAIRMAN

1.1 Councillor Glenn Harwood was elected chairman of the working party.

2.0 WELCOME AND APOLOGIES FOR ABSENCE

2.1 The chairman welcomed those who were new to the working party to their first meeting. Councillor Steven North and the Waste Manager, Charlotte Tompkins sent their apologies.

2.2 GH suggested providing waste sessions to bring councillors up to speed with waste issues and the waste agenda. MD to elaborate under item 10. A waste glossary would be provided to members.

CT

3.0 DECLARATIONS OF INTEREST

3.1 Councillors Roger Glithero, Glenn Harwood, Wendy Brackenbury and Tony Boto declared personal interests because they were members of the Green Waste Club.

4.0 ELECTION OF VICE-CHAIRMAN

4.1 Councillor Steven North was elected vice-chairman of the working party.

5.0 MINUTES

5.1 The minutes of the meeting held on 1 December 2010 were approved as a true record.

6.0 WASTE PROJECT UPDATE

6.1 It was reported that NCC's Waste Education Team had been supporting the work of the waste team in rolling out bins and providing information to the public.

6.2 The working party thanked the officers of the waste team, communications team and customer services team. Thanks were also extended to members who were also acting as ambassadors for the new scheme. One member had also provided support at a recent event at Waitrose, which had been very much appreciated by officers.

6.3 An updated member briefing had been issued and there had been positive coverage in Nene Valley News, on BBC Radio Northampton, and through the local press. Bin deliveries were occurring across the district. There had been a little slippage on the timetable of deliveries due to limited availability of crews from the distribution company. It was anticipated that this would be ramped up next week.

6.4 The response had been largely positive. The majority of calls received had been to ask the location of the information pack (in the food caddy).

6.5 The issue of the depot was moving forward. In the first instance office staff would be operating from Chelveston Airfield with the fleet also parked there. Long term Chelveston Airfield would be the site for all operations, including the processing of food waste. In the interim food waste would be taken to Goosey Lodge in Wymington – an operation run by the same company who would provide the service at the Chelveston site. NCC had assured ENC that works would comply with the planning permission given for the site. Kier now had a temporary operating license to work from Carrs Transport Yard. No aspect of the build had yet begun.

6.6 GH commented that the waste team were flat out working hard and down one man. It was noted that it might take a few days for the team to respond to members' enquiries. KS explained the process for registering for assisted collection. A form will be issued to gather additional information. Comments received from residents with steps focussed on the view that smaller bins might help. Standard bins would be issued first and any problems monitored. Smaller bins might be an option. All issues around smaller/larger bins would be dealt with in the first few weeks of collection. GH gave the example of the system in Lincoln which had a positive turnaround of residents who did not originally want bins. If a sack collection had not been agreed with a householder, any black bags would not be collected beyond the end of the first month of service. Complaints were minimal. CT to sent information packs to members of the working party. Officers were discussing any issues with residents and if the new system could not be accommodated alternative arrangements would be put in place. The appeals process was detailed in the wheeled bin policy.

- 6.7 The Green Waste Club was continuing as before with the current provider (Verdant) continuing until next April. Next years renewals would be taken up by Kier. The Green Waste Club subsidy would be considered at the next meeting - MD to bring a paper to the next meeting to discuss further in relation to issues in the north of the district.

MD

7.0 FUTURE OF THE WASTE CONTRACT BOARD

- 7.1 After consideration it was **agreed** that the board would continue with its remaining members and that the final project report would be brought to the working party.

MD

8.0 OUNDLE RECYCLING CENTRE UPDATE

- 8.1 MD gave a brief update explaining the situation to date. In September the Policy & Resources Committee would consider the options. WB concern that the people of Oundle are not clear on this and that there was a lot of mis-information. The main two elements of complaints on this particular issue were about use from traders and green waste.
- 8.2 Regarding trade waste, officers were looking to broker arrangements with collection companies and with Lowick and other Windrow sites, and reviewing ENC's own trade waste arrangements. With the new contract, recyclates, other than minors like textiles and batteries, residents would no longer need to go the Oundle Recycling Centre. Large recycling bins would be provided at the Oundle site anyway.
- 8.3 Householders had a number of options for the disposal of green waste including the Green Waste Club and subsidised home composting. For some villages in the north of the district the Weldon site would be more local. Officers were also investigating the introduction of a green waste collection similar to the current bulky waste collection service. Green waste will be monitored in residual bin collections. Discussions were ongoing.
- 8.4 The working party also discussed the closure of the Rushden recycling centre.

9.0 NORTHAMPTONSHIRE WASTE PARTNERSHIP (NWP) UPDATE

- 9.1 An update was given by MD. It was noted that the Policy & Resources Committee had agreed to extend arrangements with the partnership for a further year and sign up to new memorandum of understanding. There would be significant work to be done this year through the partnership. Concerns were raised about ENC's financial contribution to the partnership. The Scrutiny Committee would be considering reviewing partnerships when putting together its work programme. MD would be asking that the NWP partnership forms part of the review. A review should lead to a report being brought to the working party to consider to then make a recommendation to the Policy & Resources Committee.

10.0 SITE VISITS (RECYCLING FACILITIES)

- 10.1 Members requested that arrangements be made to visit facilities and technologies associated with the industry. This had previously been agreed

Action

but had been put on hold during the procurement process as some sites were operated by bidders. There are two Windrow facilities in the district, an MRF at Warwick which we will use and one in Peterborough. EL would like to go to visit the MRF facility. If members wished to take up the visits this could be arranged once the roll out of the new contract was complete.



East Northamptonshire Council

**Corporate Covert Surveillance Policy
September 2011**

If you would like to receive this publication in an alternative format (large print, tape format or other languages) please contact us on 01832 742000

Document Version Control

| | |
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Change History

| Issue | Date | Comments |
|-------|-----------|---|
| 0.1 | June 2011 | Amendments to take account of the OSC Inspector's report; change in delegation scheme and change in legislation |
| | | |

NB: Draft versions 0.1 - final published versions 1.0

Consultees

| Internal | External |
|---------------------------------|----------|
| Heads of Service/affected staff | |
| CMT | |
| Neil Pritchard | |
| | |

Distribution List

| Internal | External |
|---|----------|
| All users or potential users of RIPA powers | |
| | |
| | |

Links to other documents

| Document | Link |
|------------------------|------|
| Data Protection Policy | |
| Enforcement Policies | |

Additional Comments to note

The reasons for updating the Policy are –

- (a) the feedback received from the RIPA Inspection.
- (b) The implications of the Freedom Act
- (c) The change to the officer delegation

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1.0 Introduction

- 1.1 The purpose of this policy is to ensure that the investigatory powers given to the Council under the Regulation of Investigatory Powers Act 2000 are used strictly in accordance with the Human Rights Act. The policy contributes to the following corporate outcomes:
- Effective partnership working (government departments and magistrates)
 - Effective management
 - Councillors and staff with the right knowledge, skills and behaviours.
- 1.2 Article 8 of the Human Rights Act protects an individual's rights to privacy. If there has been an intrusion into an individual's rights it must be clearly shown this was necessary to prevent or detect crime. Article 6 provides for the right to a fair trial, and evidence must have been gathered in accordance with the law.
- 1.3 Covert surveillance (which for the purpose of this policy includes accessing communications data) should not be undertaken unless it is necessary and proportionate to the alleged offence and been authorised by the appropriate officer.
- 1.4 An authorisation made by an officer named in the Annexe to this policy and approved by a Magistrates Court provides lawful authority for the Council to carry out covert surveillance only for the prevention or detection of crime but it is considered to be a power of last resort and to be used only after all other avenues have been explore
- 1.5 Covert surveillance falls into two categories, *directed* and *intrusive* surveillance. Intrusive surveillance is not available to local authorities and such use would be *ultra vires*.
- 1.6 This policy applies to *Directed Surveillance* and the use of *Covert Human Intelligence Sources* (within this policy collectively referred to as surveillance). However, CHIS will **not** be used in benefit investigations. Whilst it is unlikely that other Service areas will use them, this Policy highlights – in Section 10, the essential provisions which need to be observed.
- 1.7 The Council will only use surveillance where it judges such use to be proportionate (see box on page 6.).
- 1.8 Before authorising surveillance, authorising officers will take into account the risk of intrusion into the privacy of persons other than the specified subject of the surveillance (collateral intrusion). Measures will be taken wherever practicable to avoid collateral intrusion.
- 1.9 In relation to benefit fraud, this policy must be read in conjunction with benefit fraud circular F4/2003. In all covert surveillance cases, the policy must be read in conjunction with the Home Office Code of Practice (a copy of which accompanies this Policy).
- 1.10 This policy together with the Home Office Code of Practice is available for public inspection in the Reception areas at East Northamptonshire House, Thrapston, The Rushden Centre, and the TIC, Oundle, and can be accessed on the Council's website by using the link - <http://www.east-northamptonshire.gov.uk/pp/silver/viewsilver.asp?id=2264>.

2.0 Interpretation

2.1 For the purpose of this Policy:

Authorising officer means:

An officer who is designated as an officer responsible for authorising surveillance within the meaning of the Act.

The Act means:

The Regulation of Investigatory Powers Act 2000 as amended by The Protection of Freedoms Act 2011

Collateral Intrusion means:

Surveillance which indirectly intrudes into the privacy of anyone who is not the direct subject of the surveillance. This could be innocent bystanders, work colleagues, the children of the surveillance subject.

Confidential Information means:

Matters subject to legal privilege, confidential personal information or confidential journalistic information.

Where this type of information could possibly be acquired, the responsible person for authorising will be the Chief Executive, or in his absence, the appropriate Executive Director.

Covert Surveillance means:

Surveillance carried out in a manner calculated to ensure that those persons subject to the surveillance are unaware that it is or may be taking place.

Covert Human Intelligence Source (CHIS) means:

The use of a person to obtain or access private information **covertly** by establishing or maintaining a personal or other relationship with a suspect (in all cases the advice of the Solicitor to the Council must be sought at the earliest opportunity). The Act refers to persons being asked, induced or assisted to provide such private information (see definition on page 9) CHIS include agents, informants or officers working under cover.

CHIS does not apply to members of the public providing information out of public duty (without expectation of reward or payment) and who have information that is received by them in the normal course of their life.

Directed Surveillance means:

Surveillance which is covert, but not intrusive and undertaken:

- a) For the purpose of a specific investigation;
- b) In such a manner as is likely to result in obtaining private information about a person.

Private information in relation to a person includes any information relating to his private or family life.

Intrusive surveillance means:

Surveillance carried out in relation to anything taking place on residential premises or in any private vehicle; it involves the presence of an individual on the premises or in the vehicle or is carried out by means of a surveillance device.

Note: Local authorities are not authorised to carry out intrusive surveillance.

Communications data means:

Information held by communication service providers (eg telecom, internet and postal companies - *csp s*) relating to the communications made by their customers, but **not the contents of the communications themselves**.

Necessary

To justify the intrusion surveillance will cause into an individual's rights the Authorising Officer must be satisfied that it is necessary for the reason specified on the application form headed **Authorisation** (For the purpose of preventing or detecting crime or of preventing disorder) given the circumstances of the particular case.

Proportionality

The activity must be proportionate to the likely outcome. This entails striking a balance between the intrusiveness of the activity on surveillance subjects and others likely to be effected against, the proposed activity, the circumstances of the case and the need for the activity.

For example, the activity would not be proportional if there was an alternative way of obtaining the information.

Basically, we should not be taking a hammer to crack a nut!

The following elements of proportionality will therefore be considered:

- balancing the size and scope of the proposed activity against the gravity and extent of the perceived crime or offence;
- explaining how and why the methods to be adopted will cause the least possible intrusion on the subject and others;
- considering whether the activity is an appropriate use of the legislation and a reasonable way, having considered all reasonable alternatives, of obtaining the necessary result;
- evidencing, as far as reasonably practicable, what other methods have been considered and why they have not been implemented.

Private information

Is defined in s26 (9) of the Act as that in relation to a person and includes any information relating to his private life.

If observations will not result in obtaining of private information about a person, then it is outside the RIPA framework.

Subject(s) means:

An individual or group of individuals in respect of whom surveillance has been authorised, and such observed contacts of that individual or group of individuals as come to notice during the course of the authorised surveillance.

3.0 Pre surveillance visit and planning process

- 3.1 For the purposes of planning surveillance an investigator should visit the proposed location **once** to plan the surveillance.
- 3.2 The investigator will need to demonstrate both the necessity and proportionality of the permission sought.
- 3.3 Suitable background checks should be made from computer systems and other agencies where a legal gateway exists to exchange information.
- 3.4 The planning process must include identifying where observations will take place; how surveillance will be conducted and recorded (i.e. camera, visual observations with notes taken etc.); what resources are needed; whether the subject will be followed and over what distance; the duration of the surveillance.
- 3.5 Most importantly, the plan must identify any collateral intrusion and set out how this will be kept to a minimum.

4.0 Unforeseen circumstances

- 4.1 Directed surveillance does not include covert surveillance carried out as an immediate response to events or circumstances which, by their nature, could not be foreseen.
- 4.2 Investigators witnessing an offence during the course of their normal duties should record as soon as possible their observations and make a referral in the normal way.
- 4.3 Where it is vital that surveillance should be continued, urgent oral authorisation (see paragraph 5.6) must be sought.

5.0 Authorisation procedures

Written authorisations

- 5.1 No surveillance falling under the provisions of RIPA shall take place without authorisation by the Authorising Officer **and approval by a Magistrates Court.**
- 5.2 Wherever possible authorisation shall be in writing.

5.3 Before giving authorisations for surveillance, the authorising officer must give individual attention to each case and be satisfied that:

(1) The surveillance is necessary and that there is no other way of providing the evidence.

(2) The test of proportionality has been undertaken.

(3) Measures are to be taken to avoid or minimise collateral damage.

(4) Surveillance has been properly planned in all its aspects including (3) above and that: the location of observations has been properly identified; that the method of surveillance is identified; the period (both dates and timings) over which surveillance is to take place has been stated.

5.4 Authorisations will be endorsed on the **Authorisation** application form and a copy returned to the investigator via the appropriate line manager (in the case of benefits, this is the Senior Benefit Officer). Original documentation will be retained in accordance with paragraphs 8 & 9. Alternatively, if authorisation is refused this, together with reasons, will be shown on the **Authorisation** form.

5.5 In urgent cases, oral authority can be given as outlined in 5.6.

Oral authorisations

5.6 In extreme cases where delay would damage the investigation, oral authorisation may be given. However, the same considerations must be applied and great care taken before authorisation is given.

5.7 The Authorising officer shall record the authorisation in the Surveillance file and make a record on the control matrix.

5.8 The investigator will record the authorisation in a QB50 notebook.

Access to Communications Data

5.9 Requests for access to, and disclosure of, communications data may only be made via the Council's Accredited Officer or Single Point of Contact (SPOC).

5.10 The SPOC will ensure that officers designated in the Council's scheme of delegation have applied tests of necessity and proportionality and the risk of collateral intrusion has been taken fully into account (see paragraph 1.8).

5.11 This policy must be read in conjunction with the Regulation of Investigatory Powers (Communications Data) Order 2003 and Home Office Code of Practice (a copy of which accompanies this Policy).

6.0 Duration of authorisations

6.1 Once authorised, surveillance will normally start immediately and in the case of Benefit cases, must begin within 10 days. In the event that circumstances delay this, the

reasons for delay must be documented on the investigation file to show there has been no unreasonable delay.

6.2 Written authorisations last for three months beginning with the day on which they took effect and may be renewed at intervals of not longer than three months.

6.3 Urgent oral authorisations last for seventy-two hours from the time they were given.

7.0 Review of authorisations

7.1 The Authorising Officer will undertake a review at monthly intervals during the duration of surveillance (or shorter period if the circumstances of the particular surveillance justify). Authority to continue may be withdrawn as a result of the review if the activity fails to meet expectations.

8.0 Changes of circumstance

8.1 In the event a change of circumstance occurs the investigating officer shall advise the Authorising Officer (using the **Review form**) within seventy two hours of becoming aware of the change.

8.2 Surveillance activity cannot commence in respect of the changed circumstances unless authorised.

8.3 The Authorising Officer shall reconsider if surveillance remains appropriate once again using the criteria employed in 5.0 above.

8.4 If authorised to continue, the Authorising Officer shall complete the **Review** form; otherwise, cancellation will be given orally followed by completion of the **Cancellation** form, setting out reasons for cancellation.

9.0 Cancellation of Surveillance

9.1 When surveillance operations have been completed, the Authorised Officer will cancel authorisations and they will not be allowed to expire automatically at the end of the three month (or 72 hour) period referred to in 6.0 above.

10.0 Covert Human Intelligence Sources (CHIS)

10.1 Whilst it is unlikely that Service areas will use CHIS (for Benefit investigations, there is a clear policy **not** to use them) it is recognized that a member of the public, or a Council Officer, might fulfil the role of a CHIS even though they have not been *specifically* asked to use a relationship for covert purposes. It is essential that the following provisions are observed. This is supplemented by the Home Office Code of Practice which accompanies this Policy (website link):

- A named officer (ie a “Handler”) will have day to day responsibility for dealing with the CHIS. That officer will –
 - fully recognize the Council has a duty of care to the CHIS, whose security, safety and welfare is paramount.

- Undertake a risk assessment prior to the use of the CHIS to determine the risk to them and the likely consequences should their role become known.
- Take fully into account, at the outset, whether there will be ongoing security and welfare considerations related to the Source, once the authorisation has been cancelled, and
- Maintain a record of the use made of the CHIS, and regulate access to them, ensuring that the Regulation of Investigatory Powers (Source Records) Regulations 2000 are fully complied with
- A further named officer will have general oversight of the use made of the CHIS (ie a “Controller”).
- **Before approving a CHIS, the advice of the Solicitor to the Council must be sought at the earliest opportunity**

10.2 Officers conducting investigations shall clearly establish whether persons assisting the Council might fulfil the role of a CHIS. Possible examples are –

- The use of professional witnesses
- “Entrapment cases” – pretending to be a customer.

10.3 Only the Chief Executive (or his absence, an Executive Director), has the power to authorise a CHIS where it involves a vulnerable person or a juvenile, or where surveillance involves communications subject to legal privilege, confidential personal information or confidential journalistic material.

11.0 Record of authorisations

11.1 A record of all surveillance authorisations (including refusals) together with review documents shall be maintained by the Authorised Officer.

11.2 In addition, the Authorising Officer shall maintain a matrix controlling the authorisations, extensions, reviews and cancellations.

11.3 The Council’s Democratic Services Manager shall hold a central, computerised, register with details of all authorizations and applications for access to communications data. Such records shall be available for inspection by officials from the Office of the Surveillance Commissioner and, for communications data, the Interception Commissioner. The central register shall contain the following information:-

- The type and date of authorisation
- The name and rank/grade of the authorising officer
- **The date of magistrates’ approval**
- A unique reference number for the investigation or operation
- The title of the investigation/operation, and a brief description of the subjects, if known
- If the urgency provisions were used, and why
- If “self-authorisation” applies
- If an authorisation is renewed, when and the name and rank of the authorising officer

- If confidential information is likely to be a consequence of the investigation or operation
- The date the authorisation was cancelled

11.4 Authorising officers shall ensure that the Democratic Services Manager is provided with the required information to maintain the central register.

12.0 Quality Assurance

12.1 The Council's Democratic Services Manager and Solicitor to the Council shall jointly be responsible for internal quality assurance. This entails checking that all applications and authorizations have been satisfactorily completed in accordance with the appropriate Code of Practice, that there are subsequent timely reviews, renewals and cancellations, and that the process has regard to the critical areas identified by reports issued from time to time by the Office of the Surveillance Commissioner.

13.0 Retention of material and security

13.1 Where there is reasonable belief that material relating to any surveillance could be relevant to pending or future criminal or civil proceedings, it should be preserved in accordance with the requirements, where appropriate, of the Criminal Procedure and Investigations Act 1996 and other relevant legislation.

13.2 Where surveillance has ceased or where surveillance has concluded and the material obtained is longer required, it shall be destroyed immediately.

13.3 Authorisations will be destroyed as confidential material. Central records will be destroyed after three years of the ending of authorisation. Counter fraud records shall be destroyed after five years provided the record is no longer required as evidence in support of legal action.

13.4 All material relating to surveillance and requests for access to communications data shall be kept securely.

14.0 Complaints procedure

14.1 The Council shall maintain the standards set out in this Policy.

14.2 Any complaint arising out of investigatory work shall be dealt with in accordance with the Council's Comments, Complaints and Compliments Procedure ([website link](#)).

14.3 If the matter cannot be resolved at a local level the complainant has recourse to the Investigatory Powers Tribunal, PO Box 33220 London SW1H 9ZQ. (020 7273 4514).

AUTHORISING OFFICERS - RIPA

Regulation of Investigatory Powers Act 2000

To authorise covert surveillance, Covert Human Intelligence

Sources, and undertake investigations:

All subject to the Council's Corporate Policy and appropriate Home Office Code of Practice and subject to approval by a Magistrates Court

To authorise requests for access to, and disclosure of, Communications data:

Requests for Communications data being channelled through the SPOC (Democratic Services Manager)

Covert Surveillance covering the following:-

1. Crime and disorder and anti-social behaviour; Noise; Licensing; Food Safety; Littering; Dog Control; Flytipping; Refuse; Health & Safety; Abandoned Vehicles
2. Planning Enforcement
3. Benefit Fraud
4. Personnel Issues

ALL - Chief Executive; Executive Director (prior to approval by a Magistrates Court)

| | |
|---|--|
| Planning | Head of Planning Services |
| Environmental Health (Noise; Licensing; Food Safety; Littering; Dog Control; Flytipping; Refuse; Health & Safety; Abandoned & Nuisance Vehicles) | Executive Director ; Head of Environmental Services; Environmental Protection Manager; Commercial Health Manager; Waste Manager |
| Crime & Disorder - Anti Social Behaviour | Executive Director (ML); Head of Environmental Services Commercial Health Manager; Environmental Protection Manager; Waste Manager |
| Anti Fraud and Corruption Strategy (Benefits) | Head of Revenue and Benefit Services |
| Other officers in absence of above - | Solicitor to the Council; Democratic Services Manager |
| Personnel Development | Head of Organisational |

Covert Human Intelligence Authorisations where surveillance involves communications with vulnerable people or juveniles or is subject to legal privilege, confidential personal information or confidential journalistic material.

Chief Executive, or in his absence, Executive Director **in consultation with the Leader of the Council (or in his absence the Deputy Leader)**
Prior to approval by a Magistrates Court

Part 4.4 of the Constitution – Suggested Changes in bold

13. Delaying the Implementation of Decisions (“Call-in”)

- 13.1 Implementing the “Call-In” procedure will have the effect of delaying the implementation of a decision of a policy committee made under delegation from the full Council in accordance with the scheme of delegation in Part 3 of the constitution. Members of the Scrutiny Committee may ‘call-in’ a decision in accordance with the procedure set out in Rule 14.3 below. Members who call in a decision and propose an alternative decision should have good reason to believe that the appropriate policy committee did not take the decision in accordance with the principles set out in Article 12. The names of the Members implementing the call-in procedure and the reasons for call-in will be disclosed on the published agenda.

14. Call-In Procedure

- 14.1 Decisions made by the appropriate policy committee will be notified to all members of the Council within three working days of the meeting at which the decision was made.
- 14.2 A decision will come into force and may then be implemented on the expiry of five clear working days from the date the decision was made, unless an objection is received which requests that the decision be ‘called-in’ in accordance with Rules 14.3 – 14.7.
- 14.3 Call-in shall only be used in exceptional cases. To prevent the **procedure** being abused, only three in each 3 month period in a municipal year can be called in. Call-in shall be effected by the Chief Executive, or his designated nominee in consultation with the Chairman of the Scrutiny Committee, on receipt of a written request (which may be in electronic form) for call-in of a specified decision from at least four members of the Scrutiny Committee. The members (which must not include the Chairman - because of the initial consultation on call-in and the power to exercise a casting vote at the meeting in the event of an equal number of votes for and against). The request must set out the reasons why the decision is being called in, which can only be because the decision falls into any of the following categories:
- (i) it was made without due process being followed, or
 - (ii) it was not made in accordance with one or more of the general principles set out in Article 12.02 of the Constitution
 - (iii) it fails to represent natural justice, or
 - (iv) it falls outside the agreed budget, or
 - (v) it represents a significant change in council policy

The call-in must include details of the issues which the Scrutiny Committee members believe the appropriate policy committee did not fully address.

- 14.4 In effecting the ‘call-in’ in accordance with 14.3 above, the Chief Executive will notify the members of the appropriate policy committee directly and will call a meeting of the Scrutiny Committee to be held on such date as he may determine within ten working days of the date on which he effects the decision to call-in and the decision shall not be implemented until after the recommendations of the Scrutiny Committee meeting on the matter have been considered.

- 14.5 The Scrutiny Committee at the meeting called in accordance with the procedure set out in paragraph 14.4 above may resolve
- (a) To recommend that the appropriate policy Committee reconsider the decision, in which case the matter shall be referred back to the policy committee for further consideration in the light of the Scrutiny Committee's concerns to amend the decision or not, before adopting a final decision;
 - or
 - (b) To refer the decision (if it is considered to be contrary to the policy framework or not in accordance with the budget), to the full Council to confirm or otherwise, in which case a meeting of the Council shall be called for the purpose within ten working days.
- 14.6 *The chairman of the appropriate policy committee (or other committee member nominated by the chairman) shall have the right to attend the Scrutiny Committee and shall take responsibility for presenting a report on the reasons for making the decision(s) and answering questions thereon (rather than an officer of the council). The chairman of the Scrutiny Committee (or committee member nominated by the chairman) shall exercise a similar right and responsibility when the policy committee or full council reconsiders the issues.***
- 14.7 *Once the Scrutiny Committee has met to consider the call-in, the Leader, Deputy Leader and chairman of the appropriate policy committee shall be notified of the conclusions of the Scrutiny Committee at the earliest possible opportunity (which may be in the form of an agreed draft minute) and the other members of the policy committee shall also be informed.***
- 14.8** If, following a request to call-in a decision, the Scrutiny Committee does not meet in the period set out above or does meet but does not refer the matter back to the decision making body, or to the full council, the decision shall take effect on the date of the Scrutiny Committee meeting or the expiry of that further ten working days whichever is the earlier.
- 14.9** If the matter is referred to full Council and the Council does not object to a decision which has been made, then no further action is necessary and the decision will be effective on the date of the Council meeting.

14.10 Urgency

The "call-in" procedure set out above will not apply where the decision taken by the policy committee is urgent. A decision will be urgent if any delay likely to be caused by the call-in process would seriously prejudice the Council's or the public interest. The record of the decision shall state that in the opinion of the committee, the decision is an urgent one and not subject to "call-in".

- 14.11 The Chairman of the Scrutiny Committee and the Chief Executive must agree that the decision proposed is reasonable in all the circumstances and is to be treated as a matter of urgency. Decisions taken as a matter of urgency must be reported to the next available meeting of the Council, together with the reasons for urgency.**

- 14.12 The operation of the provisions relating to “call-in” and urgency shall be monitored annually and a report submitted by the committee to the Council with proposals for review if necessary.

Part 5.7 – Code of Practice for Licensing Procedures

Training

Section 11

37. All Members of the Licensing Committee shall receive training in licensing procedures. A commitment to undertake training will be a prerequisite of membership of a Licensing Panel. All Members and reserve Members of a Panel will be offered training within six months of appointment and at least annually thereafter. ***All members of the committee will be expected to attend the training offered, especially in view of the need for panel members to be fully aware of changes in legislation, and to avoid any difficulties that may arise at appeal hearings.*** This training will cover subjects as may be determined from time to time by officers in consultation with Members. Failure to undertake the initial training offered or persistent failure to undertake any further training by Members of the Committee will result in disqualification from the Committee and a Licensing Panel.

PLANNING POLICY COMMITTEE

Date: 19 September 2011

Venue: East Northamptonshire House, Cedar Drive, Thrapston

Time: 7.30pm

Present: Councillors: - David Brackenbury (Chairman)

Tony Boto
Pauline Bradberry
Michael Finch
Philip Hardcastle
Sylvia Hobbs
Marian Hollomon

David Jenney
Bob Nightingale
Steven North
David Read
Pam Whiting

156. CHAIRMAN'S ANNOUNCEMENT

Prior to the start of business, the Chairman referred to his absence at the last meeting which had prevented him from making an announcement at that meeting. He now welcomed the new members of the committee.

157. MINUTES

The minutes of the meeting held on 25 July 2011 were approved, subject to the addition of the name of Councillor Marian Hollomon to minute 117 (Apologies for Absence). The minutes were signed by the chairman.

158. APOLOGIES FOR ABSENCE

Councillors David Bateman and Glenvil Greenwood-Smith sent their apologies.

159. DECLARATIONS OF INTEREST AND QUESTIONS

There were no declarations of interest and no questions.

160. NATIONAL PLANNING POLICY FRAMEWORK CONSULTATION

The committee considered a proposed response to a consultation document on the National Planning Policy Framework (NPPF), which aimed to replace the current Planning Policy Statements and Guidance Notes and consolidate guidance into a single, short document.

The officers had a number of concerns which required further clarification or information. These concerns were outlined in the report and it was felt that the document needed to address them, in order to provide a clear and understandable planning policy framework for all users. This would avoid the potential for misinterpretation and conflict in the future. A further comment was submitted from the Development Control Team – seeking clarity on

paragraph 113 of the document referring to the essential need for rural workers to live permanently at or near their place of work in the countryside.

Members discussed the NPPF at some length and agreed with the officers that the document had to have greater clarity and the terms used had to be clearly defined to avoid confusion. Comments made included –

- Paragraphs 10 and 19 - Support these principles, in particular mixed-use developments
- Paragraphs 20 – 26 and 49 – 52 - Need for clear understanding of what is meant by “Neighbourhood Plans” and “Local Plans” to avoid any misunderstanding
- Paragraph 23 – Reference to “strategic priorities” being set out by local authorities – confused message as these would be determined at Core Spatial Strategy level currently, therefore as per the above point, this requires clarification
- Paragraph 29 – Reference to business needs but not enough emphasis on employment growth
- Paragraph 53 – Uneasiness that development was still being “led from the top”
- Paragraphs 73 and 75 – Apparent conflict between the two paragraphs
- Paragraph 109 (housing) – Interpretation of “the additional 20%” – needs clarifying
- Paragraph 127 – Reference to education should be strengthened (possibly by including education in the definition of “sustainability”)

The committee felt that any other comments submitted by members after the meeting could be considered for inclusion in the council’s response to the consultation.

RESOLVED:

That the Head of Planning Services be authorised, in consultation with the chairman and vice-chairman of the committee, to finalise the council’s response to the consultation on the NPPF based on the officers’ concerns submitted, the comments made by Members at the meeting and any other comments received before the submission is finalised, and that a copy of the final response be circulated to all members of the committee.

(Reason – to ensure that a robust national planning policy framework is put into place and implemented)

161. NORTH NORTHAMPTONSHIRE JOINT CORE STRATEGY PROGRESS REPORT

Members received a progress report on the North Northamptonshire Joint Core Strategy. The main points were:-

- A Joint Planning Committee member workshop had taken place on 27 July to consider the emerging work in developing the preferred options for the Joint Core Strategy, with key areas of debate relating to retail hierarchy, housing targets, new settlement at Deenethorpe and job numbers. A number of suggestions/indications had been made by the Joint Planning Unit (JPU), as detailed below
- Retail hierarchy – a Preferred Option would require Corby and Kettering to accommodate a higher proportion of new comparison retail space than Wellingborough and Rushden by 2031
- Housing targets – a Preferred Option would maintain high housing targets for Corby between 2011 and 2031, but in the light of the emerging National Planning Policy

Framework, there were concerns that other districts may be required to accommodate any shortfall against Corby's aspirational housing target

- New settlement at Deenethorpe – a new village may be an appropriate departure from the current spatial strategy; further work was necessary on deliverability of Deenethorpe and the potential implications on existing settlements
- Job numbers – a Preferred Option would aim for at least one new job for each worker, with the majority focused in Corby, Kettering and the rural north of East Northamptonshire; the targets had been challenged in the context of strong economic performance within east Northamptonshire and the enormous potential for job creation at locations such as Rockingham Motor Racing Circuit.

The report gave the latest revised timetable to adoption of the Core Strategy, and identified the key issues to be fully considered when developing the Preferred Options.

Members made a number of comments and asked questions, relating to the proposal for Deenethorpe; the strong desire for people to stay "local"; avoiding misconceptions about job numbers; and the development of broadband in the north of the District.

RESOLVED:

That the progress on the Core Strategy be noted.

(Reason – to ensure that a local planning policy framework is put into place and implemented)

162. DEVELOPMENT PLAN DOCUMENT UPDATE & REVISED FOUR TOWNS PLAN LOCAL DEVELOPMENT SCHEME

The Committee was informed of progress in the preparation of Development Plan Documents (DPDs) in relation to Rural North Thrapston and Oundle Plan (RNOTP), Four Towns Plan and Core Spatial Strategy Review, and was asked to approve the revised Four Towns Plan Local Development Scheme (LDS) and funding for a specific element of evidence base preparation.

The following issues were covered in the report:-

- The final stages in the completion of the RNOTP following its adoption on 18 July. If interested parties wished to challenge this DPD, they had to make an application to the High Court, and any application had to be made by 17 September. (Officers highlighted at the meeting that no challenges had been received). Officers were working towards publication of the final version of the RNOTP and accompanying proposals map which should be ready by early October; the final version would be made available to members.
- The progress by the JPU on the Joint Core Strategy (JCS) review. The preferred approach to the review would be considered by the JPC on 8 October, with consultation in mid October/November and formal consultation on the pre-submission JCS, probably early in 2012 (see minute 161 ante)
- A draft revised timetable for the Four Towns LDS, with key milestones from January/February 2012, through to adoption in May 2014. A number of themes/topic areas of a non-strategic nature had been identified (settlement boundaries; smaller allocations; town centre boundaries/primary shopping areas (or frontages); non-statutory environment designations such as local wildlife sites and listed buildings; local green infrastructure proposals; local landscape designations; residential

character areas; gypsy and traveller sites) and these issues would require policy designations or site allocations in the Four Towns Plan

- Progress with evidence base preparation for the Four Towns Plan. Most of the documents would be prepared “in house” or would be sufficiently covered by evidence gathering/survey projects for the JCS, but some would require the appointment of consultants.

The Strategic Flood Risk Assessment (SFRA) document was included within the evidence base preparation. A Level 1 SFRA had been completed in August 2011 and within the Four Towns Plan area, six potential sites in Rushden and Irthlingborough had been identified requiring a more detailed assessment through a Level 2 SFRA. The cost was anticipated to be no more than £15,000.

It was noted that the Policy and Resources Committee on 29 September 2011 would consider an initial resource plan for the Four Towns Plan.

RESOLVED:

That the updated LDS project programme for the Four Towns Plan and funding up to £15,000 for the Level 2 SFRA work be approved.

(Reasons: to provide an up to date timetable of work, in accordance with current planning requirements; to ensure that the evidence base for the Four Towns Plan is robust; and to enable progress on the Four Towns Plan evidence base to proceed as fast as possible.)

Chairman

EAST NORTHAMPTONSHIRE STANDARDS BOARD

Date: 21 September 2011

Venue: East Northamptonshire House, Cedar Drive, Thrapston

Time: 7.30 pm

Present: Graham Blagden (Chairman)

East Northamptonshire Councillors: Barbara Jenney Brian Northall

Town and Parish Councillors: Prudence Goss Sue North
Arthur Whittaker

Independent Members: Hilary Daniels Graham Matthews

163. MINUTES

The minutes of the meeting held on 27 June 2011 were approved and signed by the chairman.

The Committee wished to record its thanks to Rachel Reeds for her excellent support of the Standards Board in the past few years and sent best wishes to her in her new job.

164. APOLOGIES FOR ABSENCE

Councillor Glenvil Greenwood-Smith and Keith Osborne (Deputy Monitoring Officer) sent their apologies.

165. DECLARATIONS OF INTEREST

Councillors Barbara Jenney and Brian Northall, Graham Blagden, Hilary Daniels, Graham Matthews, Sue North, Prudence Goss and Arthur Whittaker declared a personal interest in the item relating to the request for dispensation – Oundle Town Council, as they knew Councillor Don Campbell as a member of the Standards Board and Councillor Sue North declared a personal interest in relation to Councillor Gwen Radcliffe as she knew her.

Councillor Brian Northall declared a personal interest in the item relating to Chelveston-cum-Caldecott as he knew Councillor Glenn Harwood as a member of East Northamptonshire Council, and also in a personal capacity Councillor Jennifer Harwood and Councillor Patricia Mommersteeg.

166. REQUESTS FOR DISPENSATION

Secondary legislation made under the Local Government Act 2000 empowered the board to consider and, in certain specified circumstances grant, dispensations in respect of members of East Northamptonshire Council and the town and parish councils in East Northamptonshire.

Two requests had been received for consideration in accordance with the Relevant Authorities (Standards Committee) (Dispensation) Regulations 2002.

(a) Oundle Town Council

The board considered a formal request for a dispensation from all fourteen members of Oundle Town Council in respect of the Queen Victoria Hall Charitable Trust. All Oundle town councillors were trustees of the charity by virtue of their office. It was noted that the councillors had an equal personal interest in the charity and as trustees, they could have a personal financial liability in the unlikely event that the council as the local authority were to resolve at any time not to defray the cost of the upkeep of the hall.

The 50% rule was met.

RESOLVED:

That the request for a dispensation in respect of Councillors Don Campbell, David Chapple, Paul Davis, Paul Durman, Chris Elliott, Neil Fraser, David Fuller, George Higgins, Paul King, Neville Oakes, Mark Ormrod, Gwen Radcliffe, Philip Rose and June Round of Oundle Town Council in matters relating to Queen Victoria Hall Charitable Trust be granted for a period of four years or until the current standards regime no longer exists, whichever is sooner.

(b) Chelveston-cum Caldecott Parish Council

A request for a dispensation on behalf of five councillors of Chelveston-cum Caldecott Parish Council was considered in respect of the Education Foundation Charity that owned and ran the Village Hall. The charity had submitted a request for planning permission to carry out works to the hall and the application would come before the parish council in due course. Five of the seven parish councillors would have a prejudicial interest through their connection with the charity.

It was noted that, if a dispensation was not granted, members of the public would not be able to put forward any comments for the parish council to consider in respect of the planning application as the parish council would be in-quate and therefore unable to consider the matter. On the other hand it was noted that there was the potential of allegations of bias in any representation made by the parish council given the relationship of any number of Councillors to the charity. On balance the view was that the opportunity for local involvement was more important than the risk of allegations. However it was suggested that the parish council be asked to explain the position to the public when the matter was discussed.

The 50% rule was met.

RESOLVED:

(1) That the request for a dispensation in respect of Councillors Adrian Dale, Martin Emerson, Glenn Harwood, Jennifer Harwood and Patricia Mommersteeg of Chelveston-cum Caldecott Parish Council in matters relating to the Education Foundation Charity be granted for discussions of the planning application by the Charity for a period of one year, or until the current standards regime no longer exists, whichever is sooner.

- (2) That the parish council be asked to explain its position to provide the greatest transparency on the matter and be advised that the dispensation has been granted in order to allow local debate.

167. ACTIVITY REPORT OF THE MONITORING OFFICER

A report was received on ethical matters dealt with by the Monitoring Officer since the last meeting. It was noted that 14 enquiries had been recorded from parish and town council clerks and councillors, district councillors and the general public, mainly seeking advice on personal and prejudicial interests. There were 39 vacant town or parish council seats. Register of Interests had been received from all district councillors and around 70% of town and parish councillors and in respect of the latter, the appropriate clerks had been contacted to remind councillors of the statutory need to complete the forms.

No new complaints had been received since the last meeting. One complaint requiring Monitoring Officer action had been taken further but the process was not yet completed. Public expectations of high standards of councillor behaviour and interest in the complaints process remained high.

Training for East Northamptonshire councillors on the constitution, legislation and current standards regime was given on the 22 June. Arrangements would be made to contact all members unable to attend on this day for catch-up sessions, particularly new councillors.

The second joint NCALC and ENC training session for new councillors had taken place on 14 July, attended by 34 councillors from 14 town and parish councils.

The Monitoring Officer reported that the ACSeS draft model code for councillors would probably be available in the next two months and would be circulated to board members for information when available.

The Monitoring Officer also updated the Board in relation to the tenor of debate in the last House of Lords discussion in relation to the Bill. It was noted that the government had agreed to hold further discussions with interested parties before the next reading of the Bill. It now appeared that the Localism Bill might not be enacted before April 2012.

The Chairman welcomed a possible move to require all councils to have a code of conduct for Councillors but regretted that it appeared that having a single national code was not yet being considered. The Monitoring Officer also reported that it appeared likely that some relationship would continue between Town/Parish Councils and the District Council as the Monitoring Officer would be responsible for the publishing of Parish Councillor declarable pecuniary interests.

It was suggested that a task group, drawn from this Board, to discuss and develop a possible code for East Northamptonshire would be quite useful to enable this council to be prepared in suitable time for any enactment of the Act.

The report was noted by the Board, who also

RESOLVED:

- (1) That a task group, consisting of Graham Blagden, Hilary Daniels, Councillor Sue North and Councillor Barbara Jenney, be set up to develop a possible simple short code of conduct and any related processes.

- (2) That this task group be convened as soon as more firm facts emerge, possibly before the next formal meeting of the Board.

168. LOCAL GOVERNMENT OMBUDSMAN ANNUAL REVIEW 2010/11

The board reviewed the Local Government Ombudsman's investigations into complaints against the council for the previous financial year, and compared the position with that of the previous period.

Committee noted with satisfaction that the trend of more satisfactory outcomes was continuing. The council had not had any case to answer in any of the four cases investigated.

It was noted that although the case involving a small housing development in Rushden had still not been resolved, the transfer of the land to enable an agreement to be entered into by the council and the county council was imminent, and works to bring the road and footways up to adoptable standard would then be started immediately.

The report was noted by the board.

Chairman

SCRUTINY COMMITTEE

Date: 26 September 2011

Venue: East Northamptonshire House, Cedar Drive, Thrapston

Time: 7.30 pm

Present: Councillors: - Phil Stearn (Chairman)
Sarah Peacock (Vice Chairman)

Peter Baden
David Bateman
Michael Finch
Marika Hillson
Barbara Jenney

Gill Mercer
Brian Northall
David Read
Peter Wathen
Clive Wood

169. MINUTES

The minutes of the meeting held on 29 June 2011 were approved and signed by the chairman.

170. APOLOGIES FOR ABSENCE

Councillors Pam Whiting and Sylvia Hobbs sent their apologies.

171. DECLARATIONS OF INTEREST & QUESTIONS UNDER COUNCIL PROCEDURE RULE 10.3

There were no declarations and no questions.

172. SPIRE HOMES – PROGRESS REPORT

Councillor John Farrar, chairman of Spire Homes, reported on key areas of progress by Spire Homes, and in particular their notable achievements over the past year. The report is attached to these minutes at pages 295 to 300.

173. QUARTERLY PERFORMANCE REPORTING – Q1 2011/12

The committee received the performance update for quarter 1. The report to the committee contained

- Performance indicators which were consistently underperforming
- Over performance and service area achievements
- Audit recommendations that had not been implemented on time
- Risk actions not completed on time
- Service area budget variance
- Other supporting statistics relating to performance.

The report set out the reasons for under-performing areas and anticipated improvements. Members asked questions in relation to the results regarding land-charges, waste sent to landfill and planning appeals.

The committee received and noted the report.

174. WELLAND INTERNAL AUDIT CONSORTIUM - PROGRESS REPORT

Members received a report on the progress made by the Welland Internal Audit Consortium in delivering the Annual Audit Plan for 2011/12; it also provided some associated measures of performance and an overview of key audit findings and recommendations from audit reports issued.

The main points were:-

- The days delivered by the consortium were below trend due to vacancies, maternity leave and urgent work for other clients. The council would however receive its contracted days and the Annual Audit Plan would be delivered in full.
- The council's performance clinics provided assurance that all agreed audit recommendations were addressed on a timely basis. The most recent monthly report by the Lead Auditor showed 12 outstanding recommendations – two of which were slightly overdue – and meetings had been scheduled with Heads of Service to determine whether the recommendations had been implemented.

The committee noted the report.

175. ICT CAPITAL PROGRAMME

In response to the committee's request for more detailed information about the make up of the approved projects in the ICT capital programme (minute 458 – 4 April 2011 refers), the Head of ICT Services submitted a report for members' consideration.

The committee were advised that –

- The capital programme ran for approximately 10 years to mirror the longer term capital planning included in the Medium Term Financial Strategy
- Whilst it was relatively straightforward to predict the capital requirements for replacements and projects for the first 3 years, the uncertainty of how technologies would evolve, the introduction of new technologies and the strategic direction of the council and its service areas made it necessary for estimates to be used after that
- The 2011/12 programme was currently set at £446,100 and details of the projects were outlined to the committee
- Where possible this council's ICT capital programme was aligned to the one at the Borough Council of Wellingborough to take advantage of economies of scale from the shared ICT service.

Members asked the Head of ICT a number of questions in relation to the estimated life of the Storage Area Network and the procurement process for ICT equipment.

There was some concern regarding the current printer provision for Members and whether there was potential for wireless connection and scanner provision.

176. WORK PLAN 2011/12

Members considered a note of proposals suggested at the last meeting of the committee.

Councillor Stearn noted the need to change and develop our relationships with stakeholders such as Town and Parish Councils in the light of the Localism Bill. It was suggested that a few councillors could be nominated to help the Community Engagement project being led by the Executive Director. Councillors Phil Stearn, Peter Wathen, Sarah Peacock and Gill Mercer offered to help with the officer review later in the year and the chairman would contact them nearer the time to see who was available..

Councillor Northall asked who the lead councils were for various shared services and asked questions in relation to the efficiency of ICT, payroll and debt collection services.

RESOLVED:

- (1) That the following matters be brought to the next meeting of the committee:
 - (a) short verbal report in relation the costs and efficiency/ performance of the pre and post shared service of ICT.
 - (b) the reports on the five year reviews of the Welland Procurement unit and Internal Audit Committee Service.
 - (c) the review of planning services decisions report.
- (2) That the following items be added to the work programme in 2012:-
 - review of committee structures in the light of the Localism Bill
 - appointment of external auditors provisions.

Chairman



Progress Update to East Northamptonshire Council

September 2011

Introduction

This report provides Councillors with a brief summary of key areas of progress and information to keep them up to date with the work of Spire Homes. It provides information about our notable achievements over the past year and our business plans and priorities for the year ahead. It is hoped that it proves useful and informative. If you would like any further information on the content of this briefing paper or the work of Spire Homes generally please contact Lynn Stubbs, Director of Business Services on 01933 415323.

Notable achievements over the past year

Over the past year, we reached an important milestone in the life of Spire Homes as we reached our tenth anniversary. This landmark provided time to reflect on and celebrate the many achievements over the past decade in providing high quality homes and housing services and most importantly making a difference to the lives of people and communities.

From 1st April 2011, we became a charity, which as a community focused organisation was a natural step and complementary to the ethos that underpins our work.

Despite the challenging economic climate, with robust financial planning, major investment in our existing homes continues. We spent £8.2 million on repairs and improvements to our homes in Northamptonshire in the last year alone and to date we have spent in excess of £72 million.



Through this major investment and strong asset management, in March 2010, we met the Government's Decent Homes Standard, well ahead of the Government deadline of the end of December 2010.

Our aids and adaptations programme has responded to the needs of hundreds of tenants, to provide the equipment and remodelling work they need to enable them to remain in their homes, or to move to a more suitable one.

Over the past year we have focused on helping young people back to work as youth unemployment reaches some of the highest levels seen for over a decade. Through the Government's Future Jobs Fund Programme, we recruited young people in a variety of roles across Spire Homes and with our contractors to help improve their future job prospects and have successfully moved some of the recruits into permanent roles. We have also promoted 'work clubs' to our tenants as part of a Government initiative with a local employment agency.

We were one of 37 Housing Associations chosen by the Tenant Services Authority (TSA) to pilot local standards. We established a new Resident Inspector Project to lead the local standards pilot which focussed on the standard of our properties when we let them to new tenants. As a result, in the first quarter alone, there was an impressive improvement of 18% in satisfaction levels with the condition of properties when new tenants move in. We were also commended by the TSA for the thorough approach to the project which was led by tenants themselves. Our Resident Inspectors continue to scrutinise services and work with us to continuously shape and improve services in line with customer needs.

Our Supported Housing Services have again been externally accredited: Care and Repair have achieved 6 A's and 6 B's in the Quality Assessment Framework assessment and the Supported Housing Service has achieved A's and B's.

A handyman service has been introduced by Care and Repair for homeowners and private tenants in East Northamptonshire and Wellingborough.

We have implemented a new Tenant Assistance Scheme which provides support to vulnerable tenants who need help with decorating or maintaining their gardens.

We are very proud of our newly created Community Fund from which residents can apply for grants to transform local neighbourhoods or people's lives. The Fund has a small grants pot, awarding individuals up to £500. While in the large grants fund up to £5,000 can be awarded to Community Groups. The Fund's objectives were determined by the Board and funding aims to help people to improve their employment chances, to support individuals or to encourage neighbourhood development in the communities where we work.

The scheme is unique in that residents oversee it via a Grants Panel and make the decisions about where the grants are awarded. To date, over £22,000 has been awarded to a range of individuals and groups including to a project aimed at reducing anti-social behaviour, and a disabled man to buy equipment for his home to improve his independence.

Our Tenancy Support Service continues to make a difference to tenants' lives and so far around 130 tenants have been referred to the service for help with things like applying for grants and benefits, reducing arrears, budgeting skills and moving into their first home. We expect demand to grow for this service, which now operates across Rutland and Northamptonshire, as the financial climate remains tough.

We have joined forces with North Northamptonshire Financial Inclusion Partnership to help people get money in a safe way through an affordable loan scheme, which is aimed at

people on low incomes. We have also joined a mortgage rescue scheme to help home owners stay in their homes too.

We have been helping to cut the costs of bills coming in and making homes more energy efficient.

Work such as installing cavity walls and loft insulation as well as new roofs, new windows and better heating systems are all making a difference to the bills that people pay, saving some residents over £120 a year. Following a successful grant bid we were also able to give tenants extra financial support to pay their heating bills.

We have continued our programme to install solar powered heating in our sheltered schemes to reduce energy bills by around 30%, lower maintenance costs and reduce carbon emissions. Three schemes now have these environmentally friendly heating systems and we are planning to install solar power to other schemes in the coming year, as well as to our own offices to reduce our running costs. We are also looking at the potential to extend solar power further across our homes.

Our new homes have a range of energy efficient features to keep running costs as low as possible and our eco-friendly development in Seaton Road, Uppingham won the prestigious National Green Apple Award in recognition of its social, environmental and economic impact.

In the last year we developed 87 new homes for rent and shared ownership in East Northamptonshire, Corby, Rutland and Wellingborough, and saw the completion of our first new homes in Kettering. To date, almost 500 families have benefitted from our new homes. We are exceptionally proud of this contribution to bringing affordable homes to our areas.

We launched Spire Homes' new 'People, Pride and Community' Awards for the first time in 2010 to give local residents a chance to nominate people within our communities who always go the extra mile and deserve recognition for their efforts.

During 2010 we completed a major review of the Governance framework and made significant changes to the size and structure of the Board to enhance our Governance arrangements.

We have developed a robust tenant scrutiny framework over the past year to develop our co-regulatory approach.

In 2010 we took part in the National Best Companies Programme and we are extremely proud to announce we were successfully accredited as a **One Star 'Best Company To Work For'**. This achievement, alongside an impressive result of 75% overall satisfaction in our staff survey conducted in 2010, which placed us in the top 12% of all companies surveyed, highlights our continuing focus on our staff and on making Spire Homes a great place to work.

Our plans and priorities for the year ahead

Like many other service providers throughout the UK, we are faced with some momentous changes arising from the change in Government Policy and the major reforms that will be introduced through the Localism Bill, the spending announcements and wider economic climate. Taken as a whole these factors probably represent the biggest change process the housing sector has faced since the early seventies.

So our plans for the year ahead take account of and will be delivered in the context of the changing operating environment. Spire Homes is geared up for this challenge; we have financial plans in place to allow us to continue to invest in our existing homes, as well as to build new ones.

Alongside that our Business Plan accommodates healthy, efficient and effective housing services, as well as the added value services such as tenancy support and meaningful involvement that sets Spire Homes apart as a landlord and makes a difference to the daily lives of tenants and communities in these challenging times.

Outlined below are the five main business aims that have been agreed to take the business forward in the coming year. Each of these aims is supported by specific delivery objectives for the next 12 months, which form part of comprehensive Service Improvement Plans for each service area. Examples of some of these specific objectives are provided under each heading. The key business goals are to:

1. Manage our assets wisely including continuing to invest in our existing homes

To achieve this aim we will:

- Ensure we make the best use of the properties, land and sites we own or manage, exploring all options for development use, re-designation or potential disposal. This will require a comprehensive review of the asset management strategy and approach to ensure it is robust and effectively informs strategic decisions.
- Ensure all properties meet the Decent Homes Standard as an absolute minimum.
- Have robust plans in place to improve our properties to protect our assets and to make them desirable homes.
- Identify the most efficient and effective options for delivering repairs and maintenance services as contracts are due for renewal during 2012.

2. Deliver service excellence and nurture our 'can do' culture

To achieve this aim we will:

- Value our staff as our greatest asset; foster a team spirit and a culture of continuous improvement, innovation and creativity, and build on our high levels of staff satisfaction.
- Undertake service reviews to ensure that services are delivered in the most efficient and cost effective way and are what our customers require.
- Improve customer intelligence, through developing customer profiles to provide tailored services to existing customers, and market research to understand the demography and issues within the areas we operate, to provide the right service offerings to potential new customers.
- Actively seek opportunities to share resources and expertise to enhance the services we provide and reduce costs through partnerships and collaborative working.

- Provide opportunities for employment, volunteering and work experience to local people in partnership with other agencies to improve employment prospects and life skills and contribute to the worklessness agenda.
- Build upon our resident led self regulation framework, the development of local offers and resident inspector work in line with emerging regulatory requirements.

3. Provide efficient services and be cost conscious

To achieve this aim we will:

- Develop a culture throughout the organisation of achieving value for money by ensuring that staff understand costs, are financially smart and committed to budgetary management.
- Focus resources on income maximisation, supporting tenants through benefit reforms and embedding a 'rent first' payment culture.
- Identify grants and funding streams that could be utilised to maximise income and enhance the services or initiatives delivered.
- Use our IT systems to provide better, more efficient services to our customers and more efficient working practices.

4. Grow the business by providing new homes and services

To achieve this aim we will:

- Seek out new business and growth opportunities, which compliment our mission and strategic direction. Our aim is to achieve a total of 6,000 units in ownership or management by 2012, within our current infrastructure.
- Continue to meet affordable housing needs as a major provider of new homes in the areas we operate, working with local authority partners to complement their housing strategies.
- Provide services for others where they generate income or break even but deliver qualitative benefits.
- Work with the Group to identify and realise opportunities to develop affordable homes, considering alternative funding sources, models and partnerships.

5. Reduce our environmental impact

To achieve this aim we will:

- Develop asset management programmes that prioritise increasing the energy efficiency of our existing homes and reducing the carbon footprint.
- Raise awareness amongst our customers of energy efficiency initiatives to eradicate fuel poverty, linking in with other organisations and campaigns.

- Take account of eco standards and the use of recycling and renewable components in the development of our new homes.
- Reduce the environmental impact of our business by recycling as much as we can, by understanding our carbon footprint and aiming to reduce it through unnecessary travel and waste, etc
- Explore initiatives and funding to retrofit our properties with solar panels, air sourced heat pumps, improved insulation, etc.

Lynn Stubbs
Director of Business Services, Spire Homes

Presented by John Farrar, Chairman of Spire Homes

DEVELOPMENT CONTROL COMMITTEE

Date: 28 September 2011

Venue: East Northamptonshire House, Cedar Drive, Thrapston

Time: 7.00pm

Present: Councillors: Pauline Bradberry JP (Chairman)
Gill Mercer (Vice Chairman)

| | |
|-------------------|-----------------|
| Peter Baden | Brian Northall |
| Wendy Brackenbury | Brian Northall |
| Roger Glithero | Ron Pinnock |
| Glenn Harwood | Anna Sauntson |
| Barbara Jenney | Phillip Stearn |
| Andy Mercer | Jeremy Taylor |
| Bob Nightingale | Robin Underwood |

177. MINUTES

The minutes of the meeting held on 7 September 2011 were approved, subject to the addition, in minute 135 (Declarations of Interest) of Councillor Andy Mercer's name under application EN/11/00853/FUL (nature the same as Councillor Gill Mercer). The minutes, as amended, were signed by the chairman.

178. APOLOGIES FOR ABSENCE

Councillors Marika Hillson, Dudley Hughes and Peter Wathen sent their apologies.

179. DECLARATIONS OF INTEREST

Members declared personal interests in the application below as indicated. They remained in the meeting and took part in the discussion and voting on the item.

| Member | Item | Nature of Interest |
|-----------------|-----------------|--|
| Barbara Jenney | EN/10/01017/OUT | Known to one of the speakers |
| Andy Mercer | EN/10/01017/OUT | Former Deputy Chairman of Governors, South End School and knows some of the speakers |
| Gill Mercer | EN/10/01017/OUT | Knows some of the speaker |
| Ron Pinnock | EN/10/01017/OUT | Knows some of the speakers |
| Robin Underwood | EN/10/01017/OUT | Former Chairman of Governors, South End Infant School |

180. PUBLIC SPEAKERS

The following people spoke on the items as indicated: -

- (i) Mr Ron Shields, Mrs Sheila Vickers, Dr Jane Gilbert, Mrs D Maxwell, Mr Harry Curtis and Town Councillor David Jenney on EN/10/01017/OUT – Rushden Hospital, Rushden
- (vii) Mr Alan Finch (for the applicants), and Adrian Rease on EN11/00890/FUL – Former Broadlands site, Victoria Road, Rushden
- (viii) Mr Peter Stephens on behalf of Sudborough Parish Council on agenda item 6 (Wind Farm Appeal, Sudborough)
- (ix) Mrs Jane Rolfe on EN/11/00999/FUL – Land off Polopit, Titchmarsh.

181. **PLANNING APPLICATIONS**

The committee considered the planning applications report, with updated information on some of the applications and representations made by public speakers at the meeting. The full decision on the applications is included (on the page indicated) in the appendix to these minutes.

(i) EN/10/01017/OUT – Rushden Hospital, The Drive, Rushden (See page 305)

Members received an update report correcting three errors in the planning applications report and two additional representations from the householder at 66 Wymington Road and Rushden Town Council, which were noted. A list of proposed revisions to the recommended conditions was tabled, to take account of the separation of the resource centre from the housing development.

The application generated a considerable amount of discussion. Members expressed a number of concerns:-

- Traffic building up at the junction of Wymington Road and High Street – exacerbated by a development of 125 houses
- Pedestrian safety and the risks to children at school drop off and pick up times – especially when cars are parked on pavements near South End Schools
- Pedestrian crossing proposed for the wrong place
- Access from the development onto Wymington Road
- Use of footpath through Bluebell Rise and increase in traffic movements
- Use of Resource Centre by parents dropping off schoolchildren – uncertain as to whether this would be possible in afternoons
- The number of trees to be removed
- Noise from the school – effect on amenities of residential properties
- Conservation and design issues (quality of the proposed development)
- Affordable housing element only 20% of total
- No contribution towards secondary education. .

As the major concerns related to highways issues, the committee **agreed to defer** the application so that a representative of NCC Highways could be invited to a site meeting to address members' detailed points and then for the application to be brought back to the committee as soon as possible. The committee also wished for further consideration to be given to design matters in the light of its concerns and the comments made by various consultees.

(ii) EN/11/00858/FUL – 29 St. Andrews Lane, Titchmarsh (See 305)

An update report summarised letters from Warren Boyes & Archer and Brethertons, solicitors acting on behalf of the applicant, and it was noted that an application for the diversion of the footpath on the site would be submitted shortly.

Members felt that the officers had answered the concerns of the Parish Council and **agreed** to **grant** the application with the conditions set out in the report.

(iii) EN/11/00890/FUL – Former Broadlands site, Victoria Road, Rushden (See page 307)

Members noted that Rushden Town Council had now altered its opinion on the level of contribution expected of the developer towards public open space at Foss Green. The Town Council considered that the developer should be contributing the full amount of £44,200. However the officers remained satisfied that the developer had demonstrated that the full contribution would make the development unviable.

The committee discussed the overlooking issues in relation to Denfield Park Primary School and noted that the developer had offered to address this issue and consider higher screen fencing. Comments were also made about the contribution towards off site public open space. Members **agreed** to **grant** the application with the conditions set out in the report and the completion of a s106 agreement, and delegated, to the Head of Planning Services, the authority to discuss, with the applicants, changes to the orientation of the windows of some properties and screen fencing, as set out by the applicants at the meeting to meet substantive elements of representation from the school.

(iv) EN/11/00999/FUL – Land off Polopit, Titchmarsh (See page 309)

Members, having attended a site visit on this application, felt that it would be “common sense” to allow this application even though the site was outside the settlement boundary as defined in the RNOT Plan. The site was currently disused and unkempt. There was some discussion about the retention of existing hedgerows. The committee **agreed** to **approve** the application and delegate, to the Head of Planning Services, in consultation with the Chairman and local ward member, the formulation of appropriate conditions.

(v) EN/11/01061/OUT – Land adjacent to The Croft, Alexandra Road, Rushden

This application had been withdrawn from the agenda.

(vi) EN/11/01208/RWL – 91 Main Street, Collyweston (See page 310)

Members **agreed** to **approve** the application subject to the conditions set out in the report.

182. WIND FARM APPEAL, SUDBOROUGH

Reference was made to minute 361 (19 January 2011) when application EN/10/00068/FUL for a wind farm north of Catshead Woods, Brigstock Road, Sudborough had been refused for 5 reasons.

An appeal had been lodged against the council's refusal and a public inquiry would be held in November 2011. The proposal had now been amended and the scheme was for 4 turbines instead of 5. The appeal would proceed on the amended scheme. Further information had now been produced by the appellant relating to reasons 3 (archaeology) and 4 (bats) for the amended scheme.

On reason 3, further archaeological information had now been provided as requested, and the County Archaeological Officer considered that the reason had now been satisfactorily addressed.

On reason 4, further survey work had been submitted and Natural England had initially indicated that it would no longer maintain an objection, as turbine 4 had been removed from the proposal. However, the Northants Bat Group had maintained its objection, and in view of the conflict of opinion, the issue was being discussed with both parties. It was noted that Natural England was the statutory consultee.

An update report to the committee since the despatch of the agenda included a letter from Natural England confirming it was minded to remove its objection subject to written confirmation from the applicants regarding their commitment to implement a mitigation/enhancement strategy and a programme of post-construction monitoring to include specific measures highlighted in the letter. Natural England noted the views of the Northamptonshire Bat Group and encouraged further dialogue between the applicants and the group.

If the council were to withdraw reasons of refusal relating to an appeal, it had to be done promptly to avoid further preparatory work by both sides and prevent a claim for costs.

Some members questioned the statements of Natural England and the Solicitor to the Council advised that specialist external advice could be sought to ascertain the likely weight to be given to these statements by the statutory consultee as compared to those by the Northants Bat Group. However, following on from the further advice of the Head of Planning Services the general feeling of the committee was that the officers' recommendation should be adopted and it was

RESOLVED:

That reasons 3 and 4 of planning refusal ENC/10/00068/FUL be withdrawn.

(Reasons – As suitable additional information has been received and the County Archaeologist and Natural England have formally withdrawn their objection)

Chairman

List Of Applications Determined By

DEVELOPMENT CONTROL COMMITTEE - 28 September 2011

EN/10/01017/OUT

| | | | |
|---------------|-------------|------------------|------------------|
| Date received | Date valid | Overall Expiry | Ward |
| 27 May 2010 | 4 June 2010 | 3 September 2010 | Rushden Sartoris |

Applicant **Northamptonshire Healthcare NHS Foundation Trust - Mr B Adam**

Agent **Ove Arup And Partners Ltd - Mr M Smith**

Location **Rushden Hospital, The Drive, Rushden, Northamptonshire.**

Proposal **Outline: Erection of a NHS Resource Centre, creation of up to 125 dwellings with associated open space, space for educational use by South End Infant School, removal of four trees covered by TPO, new access roads and alterations to existing internal road layout (All matters reserved)**

Decision **Defer for meeting with Highways and design issues.**

EN/11/00858/FUL

| | | | |
|---------------|--------------|----------------|----------|
| Date received | Date valid | Overall Expiry | Ward |
| 2 June 2011 | 16 June 2011 | 11 August 2011 | Barnwell |

Applicant **Mr J Wisener**

Agent **Mr B J De Bell**

Location **29 St Andrews Lane, Titchmarsh, Kettering, Northamptonshire.**

Proposal **Part conversion of and alterations to existing building with two storey extension to form separate dwelling.**

Decision **Application Permitted**

Conditions/Reasons:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
Reason: Statutory requirement under provision of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The extensions and alterations hereby permitted shall be constructed using external materials which match those on the existing buildings of no.29 St Andrews Lane, unless otherwise agreed in writing by the Local Planning Authority.
Reason: To achieve a satisfactory appearance for the development.
3. Prior to the commencement of the development hereby permitted, details of the provision of screening to the north, east and southern boundaries of the site shall be submitted to and approved in writing by the Local Planning Authority. This shall include details indicating the positions, height, design, materials and type of boundary treatment to be provided/retained. All

boundary screening shall then be provided/retained in accordance with the details so approved and shall thereafter be retained in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure adequate standards of privacy for neighbours and occupiers and to safeguard the amenity of the area.

4. Boundary screening of no less than 2.0 metres, comprising of close boarded fencing and hedging, shall be retained along the northern boundary of the site, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the ground floor windows in the north elevation of the new dwelling are sufficiently screened, to ensure adequate standards of privacy for neighbours and occupiers and to safeguard the amenity of the area.

5. Before the new dwelling is first occupied by a separate family, details of the provision of screening between the new dwelling and no.29 St Andrews Lane shall be submitted to and approved in writing by the Local Planning Authority. This shall include details indicating the positions, height, design, materials and type of boundary treatment to be provided and the timescales for providing this screening. This boundary screening shall thereafter be provided prior to the first occupation of the new dwelling in accordance with the details so approved and shall thereafter be retained in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure adequate standards of privacy for neighbours and occupiers.

6. Prior to commencement of the development hereby permitted, details of any photo-voltaic tiles to be installed on the building (as mentioned within the submitted Sustainability Appraisal and Energy Statement), including their location, size and number shall be submitted to approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the details so approved, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory elevational appearance for the development.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any order revoking and re-enacting that Order), no windows or other form of opening, other than that shown on the plans hereby approved, shall be inserted in the north, west and eastern elevations of the new dwelling and two-storey extension, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure adequate standards of privacy for neighbours.

8. The sustainable construction, waste reduction/recycling, water efficiency/recycling and energy efficiency measures shall be implemented in accordance with the submitted Sustainability Appraisal and Energy Statement (received by the Local Planning Authority on 2 June 2011), unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development is sustainable in accordance with national government advice contained in PPS1 and Policy 14 of the adopted North Northamptonshire Core Spatial Strategy.

9. The development hereby permitted shall be carried out strictly in accordance with the approved plans; plan received by the Local Planning Authority on 11 July 2011, drawing number: 101570/04; and plans received on 2 June 2011, drawing numbers: 101570/06, 101570/07, 101570/01.

Reason: In order to clarify the terms of the planning permission and to ensure that the development is carried out as permitted.

| | | | |
|---------------|--------------|-------------------|----------------|
| Date received | Date valid | Overall Expiry | Ward |
| 9 June 2011 | 17 June 2011 | 16 September 2011 | Rushden Hayden |

Applicant **Stepford Homes Limited - Mr M Lee**

Location **Former Broadlands Site, Victoria Road, Rushden, Northamptonshire.**

Proposal **Residential development of twenty six dwellings with associated landscaping, car parking and access**

Decision Delegate to Head of Planning Services to Grant planning permission subject to a Section 106 Agreement and revision of the scheme to mitigate some of the windows overlooking the school and possibly provide screen fencing .

Conditions/Reasons:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
Reason: Statutory requirement under provision of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. Prior to commencement of the development hereby permitted, details and samples of the external materials to be used for the construction of the dwellings shall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the details so approved, unless otherwise agreed in writing by the Local Planning Authority.
Reason: To achieve a satisfactory appearance for the development.
3. Notwithstanding the submitted details and prior to the commencement of the development hereby permitted, details of the provision of screening to all boundaries of the site shall be submitted to and approved in writing by the Local Planning Authority. This shall include details indicating the positions, height, design, materials and type of boundary treatment to be erected and retained. The boundary treatment for plots 2, 5, 22 and 26 shall be constructed from brick and not timber fencing and the existing metal rail fence to both the south and east boundary of the site shall remain and a timber fence shall be erected inside this for areas which border the gardens of existing dwellings. This boundary screening shall then be provided in accordance with the details so approved prior to the first occupation of the dwellings hereby approved and shall thereafter be retained in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.
Reason: To ensure adequate standards of privacy for neighbours and occupiers and to safeguard the amenity of the area.
4. Prior to commencement of the development hereby permitted, details showing the slab levels of the buildings in relation to the existing and proposed levels of the site and the surrounding land and buildings (including the ridge heights and eaves height of neighbouring buildings at 56 and 58 Victoria Road) shall be submitted to and approved in writing by the Local Planning Authority. The buildings shall thereafter be constructed in accordance with the details so approved, unless otherwise agreed in writing by the Local Planning Authority.
Reason: For the avoidance of doubt and to ensure a satisfactory form of development in relation to neighbouring land and buildings.
5. Before any work is commenced on the development the subject of this permission, details of the provision of foul water and surface water drainage installations to serve the development shall have been submitted to and be approved by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details before the development is brought into use, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard public health, in the interest of residential amenity and in the interest of highway safety.

6. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a comprehensive scheme of landscaping for the site, which shall be implemented strictly in accordance with the approved details in the first planting season following the occupation of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a reasonable standard of development and to avoid detriment to the visual amenity of the area.

7. Notwithstanding the submitted details and prior to the commencement of development hereby permitted, details of provisions for waste reduction and recycling, water efficiency and recycling and techniques of sustainable construction to be used for the construction of the dwellings hereby permitted to meet Code Level 3 standards, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the details so approved, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development is sustainable in accordance with national government advice contained in PPS1 and Policy 14 of the adopted North Northamptonshire Core Spatial Strategy.

8. Prior to the commencement of development, a Waste Management Plan/Waste Audit shall be carried out and submitted to the local planning authority for written approval. The development shall then be carried out in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development is sustainable in accordance with national government advice contained in PPS1, Policy 14 of the adopted North Northamptonshire Core Spatial Strategy, Policy CS7 of the Northamptonshire Minerals and Waste Development Framework Core Spatial Strategy and the Site Waste Management Plans Regulations 2008.

9. Prior to the commencement of development a scheme of highway safety improvements shall be submitted to and approved in writing by the local planning authority. The scheme shall include details of physical works to the highway (including, but not limited to, highway markings, street furniture, lighting, realignment of the kerbing and surfacing works) No dwelling shall be occupied until the works comprising the approved scheme have been completed to the satisfaction of the local planning authority.

Reason: In the interests of highway safety.

10. Notwithstanding the submitted details, prior to the commencement of development the following access details shall be submitted to and approved in writing by the local planning authority:-

1. Hard surface materials within the development site
2. Means of drainage, to prevent the unregulated discharge of surface water onto the highway.
3. Maximum gradient (1 in 15) from the highway boundary.
4. Sufficient parking and turning space shall be provided with the development site for all vehicles attracted thereto and details shall be submitted and approved in writing by the local Planning Authority.
5. Provision of 2m x 2m vehicle and pedestrian visibility splays at the junction with Victoria Road and throughout the estate street.
6. Street Lighting.

The subsequent submitted details shall illustrate a housing development in accordance with Northamptonshire County Council "Place and Movement Guide", or other such Design Guides that are to the local highway authority's adoptable standard. Subject to their construction and in accordance with the specification of Northamptonshire County Council and to an appropriate agreement, consideration will be given to the adoption of the ways giving access to the proposed development as highway maintainable at the public expense.

The hard surfacing shall be completed in accordance with the approved details in accordance with a timetable to be agreed in writing by the local planning authority prior to the commencement of development. Development shall be constructed in strict accordance with the approved details and approved vision splays retained thereafter.

Reason: In the interests of highway safety.

11. The development hereby permitted shall not be commenced until details of a comprehensive contaminated land investigation has been submitted to and approved by the Local Planning Authority (LPA) and until the scope of works approved therein have been implemented. The assessment shall include all of the following measures unless the LPA dispenses with any such requirements in writing:

a) A Phase I desk study carried out to identify and evaluate all potential sources of contamination and the impacts on land and/or controlled waters, relevant to the site. The desk study shall establish a conceptual model of the site and identify all plausible pollutant linkages. Furthermore, the assessment shall set objectives for intrusive site investigation works/ Quantitative Risk Assessment (or state if none required). Two full copies of the desk study and a non-technical summary shall be submitted to the LPA without delay upon completion.

b) A site investigation shall be carried out to fully and effectively characterise the nature and extent of any land contamination and/or pollution of controlled waters. It shall specifically include a risk assessment that adopts the Source-Pathway-Receptor principle and takes into account the sites existing status and proposed new use. Two full copies of the site investigation and findings shall be forwarded to the LPA.

Reason: To ensure potential risks arising from previous site uses have been fully assessed.

12. The development shall be carried out in accordance with the submitted arboricultural report and tree protection plan, submitted on the 9th June 2011, unless otherwise agreed in writing by the local planning authority.

Reason: To protect the wellbeing of trees in and around the site.

13. The trees shown as being retained on the submitted site layout plan, tree protection plan and the tree constraints plan, shall be retained, unless otherwise agreed in writing by the local planning authority. Reason: To ensure the protection of trees within the site and to ensure a good standard of development.

EN/11/00999/FUL

| | | | |
|---------------|--------------|----------------|----------|
| Date received | Date valid | Overall Expiry | Ward |
| 28 June 2011 | 30 June 2011 | 25 August 2011 | Barnwell |

Applicant **Mr And Mrs Rolfe**

Agent **Terrence Hodgkins**

Location **Land Off, Polopit, Titchmarsh, Kettering.**

Proposal **Dwelling and garage to replace existing storage units permitted under EN/98/00470/RTN**

Decision Delegate to Head of Planning Services to Grant planning permission subject to the imposition of conditions in conjunction with the Chairman and Ward Member.

Conditions/Reasons:

~~1. The site is situated in the open countryside where there is a presumption against residential development unrelated to agriculture or forestry. Insufficient evidence has been provided of any exceptional circumstances which to justify the proposal. The application fails to comply with Policy 1 of the North Northamptonshire Core Spatial Strategy, Policy 1 of the Rural North, Oundle and Thrapston Plan and the advice contained within PPS7 – Sustainable Development in Rural Areas.~~

~~2. The proposed dwelling, by reason of its siting, would have a detrimental impact on the character of~~

~~the established built form, which is predominantly linear. Its position and height would form a dominant and incongruous feature to the detriment of the street scene and the character of the area. The application is therefore contrary to Policy 13(h) of the North Northamptonshire Core Spatial Strategy. Amended by Minute 441 – 21 March 2012.~~

Case Officer **Mr Rhys Bradshaw**

EN/11/01061/OUT

| | | | | |
|---------------------|----------------------|--------------------------|-----------------------|----------------|
| Date received | Date valid | Overall Expiry | Ward | Parish |
| 11 July 2011 | 3 August 2011 | 28 September 2011 | Rushden Hayden | Rushden |

Applicant **Mr Barry Essig**

Agent **Mrs Anna Jardine**

Location **Land Adjacent To The Croft Alexandra Road Rushden Northamptonshire**

Proposal **Outline: Residential development of four houses (all matters reserved)**

This application has been withdrawn from the agenda

EN/11/01208/RWL

| | | | |
|---------------|---------------|-------------------|-----------|
| Date received | Date valid | Overall Expiry | Ward |
| 3 August 2011 | 3 August 2011 | 28 September 2011 | Fineshade |

Applicant **JPS Property**

Location **91 Main Road, Collyweston, Stamford, Northamptonshire.**

Proposal **Replacement of extant planning permission EN/08/01456/FUL - Demolition of existing dwelling and construction of 3 replacement dwelling and associated works dated 21.08.08**

Decision Application Permitted

Conditions/Reasons:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: Statutory requirement under provision of Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Notwithstanding the submitted details and before commencement of development hereby permitted, a sustainability strategy, including a Sustainable Waste Management Plan shall be submitted to and approved in writing by the local planning authority to demonstrate that the development would meet requirements of Policy 14 of the North Northamptonshire Core Spatial Strategy and Policy CS7 of the Northamptonshire Minerals and Waste Development Framework Core Spatial Strategy. The development shall be implemented in accordance with the details so approved, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that the development is sustainable in accordance with national government advice contained in PPS1, Policy 14 of the adopted North Northamptonshire Core Spatial Strategy and Policy CS7 of the Northamptonshire Minerals and Waste Development Framework Core Spatial Strategy.

3. Before any work is commenced on the development hereby permitted, a sample of the proposed

facing and roofing materials for the building shall have been submitted to and approved in writing by the local planning authority and the development shall thereafter be carried out in accordance with the approved details.

Reason: To achieve a satisfactory elevational appearance for the development.

4. Prior to the commencement of development, a comprehensive landscaping scheme for the site shall be submitted to and approved in writing by the local planning authority. The scheme shall thereafter be implemented in accordance with the approved details in the first planting season following the occupation of the development. Any trees that die or become diseased within a 5 year period of implementation shall be replaced on a like-for-like basis.

Reason: To ensure a reasonable standard of development.

5. Notwithstanding the submitted details, further details of the vehicular access shall be submitted to and approved in writing by the Local Planning Authority. The access shall be constructed in accordance with the approved details:

- 2.0m x 43m visibility splays either side of the access points.
- 2.0m x 2.0m pedestrian visibility splays each side of the access.
- Maximum gradient of 1 in 15 for the first 5 metres from the highway boundary.

Reason: In the interest of highway safety.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any order amending or re-enacting that order with or without modification), no additional windows shall be inserted within any elevation of the buildings hereby approved.

Reason: In order to safeguard neighbouring amenity.

7. Prior to the commencement of development, details of the proposed surfacing materials and means of drainage to prevent the discharge of water to the public highway shall have been submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with these approved details.

Reason: In the interests of highway safety.

8. Notwithstanding the submitted details, proposals for the provision of foul water and surface water drainage installations to serve the development proposed shall have been submitted to and approved in writing by the local planning authority prior to the commencement of development, and the development shall thereafter be carried out in accordance with these details.

Reason: To safeguard public health.

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any order amending or re-enacting that order with or without modification) no extensions or other form of enlargement to the residential development hereby permitted, nor erection of porches, outbuildings, hardstandings, storage tanks, gates, fences, walls or other means of enclosure, shall take place without the prior written consent of the Local Planning Authority.

Reason: To prevent overdevelopment of the site

10. The development hereby permitted shall be carried out strictly in accordance with the approved plans: 2804-08 received by the Local Planning Authority on 05/08/08, 2804-07a and 2804-09 received by the Local Planning Authority on 29/08/08 and 2804-05a and 2804-06a received by the Local Planning Authority on 29/10/08.

Reason: In order to clarify the terms of the planning permission and to ensure that the development is carried out as permitted.

POLICY & RESOURCES COMMITTEE

Date: 29 September 2011

Venue: East Northamptonshire House, Cedar Drive, Thrapston

Time: 7.30 pm

Present: Councillors:-

Richard Lewis (Chairman)
Glenvil Greenwood-Smith (Vice-Chairman)
Steven North (Leader of the Council)
Philip Hardcastle (Deputy Leader of the Council)

David Brackenbury
Wendy Brackenbury
John Farrar
Richard Gell
Jeremy Taylor

Glenn Harwood
Dudley Hughes
Andy Mercer
Rupert Reichhold

183. PUBLIC SPEAKERS

Mr Jeremy Robinson and Councillor Peter Baden spoke on item 12 (Public Toilets Update).

184. MINUTES

The minutes of the meeting held on 12 September 2011 were approved and signed by the chairman.

185. APOLOGIES

Councillors Roger Glithero and Sue Homer sent their apologies.

186. DECLARATIONS OF INTEREST

Councillor John Farrar declared a personal and prejudicial interest in item 7(a) (Charging for Pre-Application Advice) as he is chairman of a company that submits planning applications. He left the meeting during the discussion and voting on the item.

It was noted that all dual hatted members of Town and Parish Councils and this council had been granted a dispensation to speak at meetings of this council and this removed their prejudicial interest.

187. QUESTIONS BY MEMBERS UNDER COUNCIL PROCEDURE RULE 10.3

There were no questions.

188. CHANGE IN THE ORDER OF PROCEEDINGS

In view of the presence of two public speakers on this item, it was

RESOLVED:

That item 12 (Public Toilets Update) be taken next in the proceedings.

189. PUBLIC TOILETS UPDATE

Further to minute 88 (4 July 2011), the committee received an update report from the Head of Resources and Organisational Development. The report covered –

- an audit of use of the public toilets
- the outcome of consultation with service users and the extensive comments received, including a note of two further comments received after the closing date
- the results of the Equality Impact Assessment (EqIA)
- the current position with Town Councils and the transfer of public toilets to them, and
- an overview of a Community Toilet Scheme (CTS) and details of local businesses that have said that they would be interested in participating in the scheme.

Members viewed the EqIA, which identified a possible negative impact on the following groups of people if the public toilets were closed:-

- disabled
- elderly
- young
- female

Consultation on the EqIA had taken place with organisations representing the above groups and had concluded on 26 September, with feedback only received from one organisation - the Equality and Human Rights Commission (EHRC) - which had verbally advised the council of the following:

- that EHRC was aware that there was currently a lack of clear guidance on how to demonstrate that “due regard” has been shown
- that ENC was doing all that was necessary and that providing ENC gave people who were likely to be most affected by the potential closure of toilets a mechanism to “have their say”, and that that information was recorded, ENC would have done everything it could to mitigate any possible legal challenge
- EHRC was supportive of a CTS which they believed was the only way to mitigate any possible negative impact closure of public toilets might have.

Ongoing discussions had been conducted with Town Councils but to date none of the toilets had been transferred. The position was as follows:-

- Raunds - If East Northamptonshire Council (ENC) decided to close the public toilets, the Town Council had said that it would accept ownership and responsibility. Contracts had been prepared but had not yet been signed.
- Rushden – The Town Council had said that it would accept the transfer of the public toilets to its ownership and responsibility but wanted ENC to help review its cleaning

contract arrangements. As this had only recently been confirmed, no contracts had yet been signed.

- Oundle, Irthlingborough and Higham Ferrers – These Town Councils had said they would accept the transfer of the public toilets providing transitional funding was provided over four years (Year 1 – 30% of costs met by Town Councils, Year 2 – 50% of costs met; Year 3 – 75% of costs met; Year 4 – 100% of costs met, together with other provisos). The Town Councils also requested that the following information was provided to members prior to a decision about the future of public toilets being made:
 - that if details of the transitional funding was not acceptable (i.e. the number of years or the percentages detailed) then ENC makes an alternative proposal to the Town Councils.
 - that the Town Councils are receptive to the concept of the CTS but feel they need more information and that a sufficient number of participating businesses were needed to make it workable and sustainable
 - that following this meeting, the Town Councils be given appropriate time to consider the outcome/decision made before any final action is taken.
- Thrapston Town Council had now decided that it would not accept the transfer of the toilets and urged the council to keep the toilets open with the cost borne entirely by the district council. A letter from the Town Council confirming this was submitted to the meeting. Members expressed disappointment at this decision and hoped that the town council could be persuaded to change its view.

The Committee noted that a Budget Review Group (now renamed Finance Working Party) had been in place for over two years and, working with officers, had identified and delivered significant budget reductions with minimal impact on front-line services. However, there was still a significant budget deficit and it was recognised that the Council had reached the point where non-statutory services which did not provide good value for money could not be sustained. It was felt that public conveniences fell into this category.

The committee considered four options and the costs associated with each option, the comments received and the possible legal implications of closing the public toilets. The council had to pay due regard to the negative impact of any decision on individuals with disabilities. Members had a long discussion on this item, and recognised the strength of local feeling, but also were mindful of the need to reduce revenue expenditure. They did not feel that Option One (immediate closure) was the appropriate option to pursue and favoured a modified Option Two (closure with effect from 31 December 2011 to give time for officers to continue to work with town councils, either to secure transfer of responsibility for the toilets or to put a CTS in place).

RESOLVED:

That the council chooses Option Two as described in the preamble and negotiations continue with all the town councils concerned with a view to finalising a suitable arrangement by 31 December 2011.

(Reason – To decide on the future of public toilets)

It was further

R.10 RESOLVED TO RECOMMEND:

That additional revenue funding of £37,000 be agreed for 2011/12 to cover running costs up to 31 December 2011, and, if necessary, redundancy costs of £11,000.

(Reason – to provide funds not accounted for in the agreed budget)

190. MINUTES OF SUB-COMMITTEES AND WORKING PARTIES

Members received the minutes of the following meetings:-

- (a) Personnel Sub-Committee – 27 September 2011
- (b) Finance Working Party – 21 September 2011,

and considered the recommendations in minute 7.4 of the Finance Working Party. The minutes of both meetings are set out on pages 326 to 332 of these minutes.

RESOLVED:

That the recommendations in minute 7.4 of the Finance Working Party (Thrapston Parking Options), as set out below, be approved:-

- (1) That the council pursues the purchase of the site of Manor Close, Thrapston for short term parking.*
- (2) That the site at Cosy Nook, Thrapston be retained by the council and its future use be considered in the light of the outcome of planning proposals for the town.*

(Reason – To recognise the demand for additional parking spaces in Thrapston and keep the council's options open in the light of redevelopment proposals for the town)

The Finance Manager was asked to check the decisions made by this council on the allocation of funding in the capital budget for a housing scheme at Manor Close and report back to the committee.

191. ANNUAL GOVERNANCE REPORT & STATEMENT OF ACCOUNTS 2010/11

(a) Annual Governance Report

The Chairman welcomed to the meeting Ms Yola Geen, from the Audit Commission, the council's external auditors. She reported on the Annual Governance Report 2010/11 and an addendum (which was tabled at the meeting). Members noted that –

- Having concluded the audit of the council's accounts the auditor was satisfied that, in all significant respects, the council had put in place proper arrangements to secure economy, efficiency and effectiveness in its use of resources for the year ended 31 March 2011
- Outstanding matters had been satisfactorily cleared and the auditor planned to issue an audit report including an unqualified opinion on the financial statements.

- There had been a number of adjustments to the draft financial statements in respect of land included in the asset register in error and corresponding amendments required to the cash flow statement and disclosure notes; corrections of accounting for s106 contributions; gross value of vehicles plant and equipment; classification of sundry debtors and sundry creditors.
- The recommended action plan covered adjustments to the financial statement for the errors identified through the audit; ensuring that any subsequent LAAP Bulletins were checked so that all required disclosures were made in future years; continuing the work on the Fixed Asset Register and attempting to complete it during 2011/12; and ensuring that complete supporting working papers as agreed in the joint working protocol were supplied to the auditor at the start of the audit in future years.
- Additional work had been undertaken by the auditor and it was hoped that it could be contained within the audit fee agreed by the council but the full impact on the fee would be reviewed at the conclusion of the audit

The external auditor reported that two amendments to the financial statements had not been made by the officers at this stage but these were not considered to be material. She thanked officers from EnCor and the council for the co-operation she had received during the audit.

RESOLVED:

- (1) That the financial statements, as amended, be approved and that the committee agrees to two amendments not being made.
- (2) That the section 151 Officer be authorised to sign the letter of representation.
- (3) That the proposed action plan be agreed.

(Reason – To comply with statute)

(b) Statement of Accounts

The committee considered the Statement of Accounts 2010/11. The material errors which had been identified and incorporated into the final version of the statement were noted.

The Finance Manager reported that, during the year, the council had only drawn on £562,000 of its reserves compared to the £1 million in the original budget.

Members congratulated the Finance Team in EnCor for their efforts in producing the accounts in the new format required by International Financial Reporting Standards (IFRS).

RESOLVED:

That the Statement of Accounts for 2010/11 be approved.

(Reason – To comply with the requirements of the Accounts and Audit Regulations)

192. CHARGING FOR PRE-APPLICATION ADVICE

The Head of Planning Services submitted a paper seeking approval to introduce a system of charging for advice given to applicants prior to the submission of a planning application.

Members considered the approach to be adopted by the council, noting the fees charged by neighbouring authorities and exemptions from fees, and the potential income from charging (£20,000 to £30,000 per annum), and recognised that the charging policy being suggested for this council had three fundamental principles

- Fees and Charges should maximise net income wherever there is a power or duty to do so, providing there is no conflict with corporate outcomes
- the net income raised should cover the full costs of providing the service including all overheads
- charges are agreed in a transparent way so they are seen to be fair and are understandable.

To charge for pre-application advice, it was considered essential that the council's performance met the target of responding to 75% of pre-application queries within 20 working days. In view of the difficulties being experienced, in relation to high workloads, it was proposed that some of the income be re-invested in 2011/12 and 2012/13 in the provision of a new Principal Development Control Officer post and the upgrading of a Development Control Officer post to senior level in 2012/13. Funding was in place for the additional Principal Development Control Officer post in 2011/12.

In the discussion on this item, members welcomed the report, but felt that householders receiving pre-application advice for proposals such as conservatories and extensions to their own homes should be exempt from the charge, and that no discounts should be offered to businesses at this stage.

RESOLVED:

- (1) That a scheme for pre-application charging, as outlined in Appendix 1 to these minutes at pages 324 to 325 be introduced with effect from 1 November 2011 with the exemptions as shown.

(Reason: The recommended charging schedule will help improve the quality of discussions and accordingly the quality of applications and the built environment and will assist in helping to recover costs incurred in providing this service).

- (2) That no discounts for businesses be offered at this stage.

(Reason: Discounts are not considered appropriate for the time being).

- (3) That £15,000 from the projected income in 2012/13 be reinvested to fund a further 12 months of the new Principal Development Control Officer post and a 12 month temporary upgrade of a Development Control Officer.

(Reason: to temporarily increase capacity in the Development Control Team to restart delivery of pre-application advice)

193. BUILDING CONTROL FEE CHARGES

Members were reminded that current charges for building control had been introduced on 1 October 2010 following the Building (Local Authority Charges) Regulations 2010, which required the council to continually monitor the break-even position of its charges and ensure that the level "as nearly as possible equates to the costs incurred" (Minute no 142 - 13 September 2010 refers).

The following adjustments were now required:-

1. A reduction in respect of the charges relating to load-bearing wall removal, chimney removal and re-roofing works.
2. An increase in respect of the charge relating to barn conversions to dwellings.
3. An increase in the added percentage levied for a regularisation application to 35% of the full plans charge. The increased charge would reflect the additional officer time spent on applications of this type and would correct an anomaly whereby the regularisation charges currently levied were slightly less than the Building Notice charge. This situation had arisen in January 2011 following the increase in the rate of VAT.

An Equality Impact Assessment had been made and there was no negative impact arising from the proposals. The committee noted this EqIA.

RESOLVED:

That the revised Building Control Charges document as submitted to the Committee be approved in accordance with The Building (Local Authority Charges 2010) Regulations and come into effect on 1 October 2011.

(Reason – To accord with the Charges Regulations and be cost effective).

194. RESOURCING THE PRODUCTION OF THE FOUR TOWNS PLAN

Following the decision of council on 18 July 2001 to progress with work on the Four Towns Plan with all speed (minute 109 refers) a project programme had been submitted to the meeting of the Planning Policy Committee on 19 September 2011 and approved (minute 162 refers). A resources plan was now considered to meet the adoption date of May 2014.

The committee noted that –

- Carrying out work in house (in addition to external specialists) would incur costs in officer time and in financial terms
- The Rural North, Oundle and Thrapston Plan had required three additional officers to the current structure (two further Planning Policy Officer posts and an Administration Officer post whose time was spent exclusively on that plan). One of the two Planning Policy Officers and the Administration Officer posts had been temporary contracts which had ceased immediately after the completion of the plan. The second Planning Policy Officer post remained on the structure but had been re-graded to a fixed term Senior Planning Policy Officer last autumn in recognition of forthcoming Four Towns Plan requirements. However there was no budget for the post.
- The report sought permission to use the remainder of the allocation in 2011/12 of £150,000 to be used in 2012/13 & 2013/14 to fund two fixed term additional posts within the Planning Policy and Conservation Team to support the production of the Four Towns Plan by April 2014. The two fixed term posts include a budget for the second Senior Planning Policy Officer post noted above and a new Planning Policy Officer whose post would need to be added to the structure for the duration of the development of the Four Towns Plan.
- Approval was also sought to allocate £10,000 from the government grants of £20,000 each given for the production of Neighbourhood Plans for Oundle and Raunds towards the cost of the Planning Policy Officer post.

The resources to support the Four Towns Plan were as follows:-

| Activity and Year | Budget from £150,000 already allocated to FTP production £000 | Budget from Neighbourhood Plan production grant £000 | New Budget requested in this report £000 | TOTAL £000 |
|---------------------------|--|---|---|---------------|
| 2011/12 | | | | |
| Technical Studies | 35 | - | - | 35 |
| Fixed Term Contract Posts | 25 | 10 | - | 35 |
| <i>2011/12 total</i> | <i>60</i> | <i>10</i> | <i>-</i> | <i>70</i> |
| 2012/13 | | | | |
| Technical Studies | 15 | - | 65 | 80 |
| Fixed Term Contract Posts | 75 | - | - | 75 |
| <i>2012/12 total</i> | <i>90</i> | <i>-</i> | <i>65</i> | <i>155</i> |
| 2013/14 | | | | |
| Examination in Public | - | - | 150 | 150 |
| Fixed Term Contract Posts | - | - | 75 | 75 |
| <i>2013/14 total</i> | <i>-</i> | <i>-</i> | <i>225</i> | <i>225</i> |

R.11 RESOLVED TO RECOMMEND:

That the proposed Resource Plan for the Four Towns Plan, as set out above, be approved for the current financial year, and that a commitment be made to include provision in future budgets in 2012/13 & 13/14.

(Note: Approval for future years' budgets will follow the normal budgetary framework.)

(Reason – to ensure that the necessary resources required to prepare the Four Towns Plan are put into place)

195. CONTINUATION OF MEETING – COUNCIL PROCEDURE RULE 8

At 9.30pm, the meeting having lasted for 2 hours, it was

RESOLVED:

That the meeting continues until the remaining items on the agenda have been concluded.

196. RUSHDEN TOWNSCAPE HERITAGE INITIATIVE BID

The Head of Planning Services reported that Rushden had been identified as an area eligible for a Townscape Heritage Initiative (THI) grant as it is a conservation area displaying a significant heritage need. This was supported by the council's corporate focus for the regeneration of the town and the corporate plan priority outcome for a high quality built

environment. An expression of interest had been submitted to the Heritage Lottery Fund and it was noted that at least 20% of the overall budget/fund had to be provided by partnership funding (a 25% match for the THI grant). The scheme would focus on the High Street part of the conservation area and it was proposed to work closely with local individuals and organisations, including Rushden Town Council and the Rushden Town Partnership.

RESOLVED:

That approval be given to preparation of a stage one bid for the THI programme.

(Reason: The proposal would provide further opportunities to regenerate Rushden Town Centre, a priority of the council)

(Note: After this decision the meeting was adjourned for 5 minutes. Councillor Richard Gell left the meeting at this point)

197. EAST NORTHAMPTONSHIRE COMMUNITY SAFETY PARTNERSHIP PLAN 2011 TO 2014

Members considered the above document, which had been formally approved by the Community Safety Partnership Board at its meeting on 11 July 2011. The Crime and Disorder Act 1998 required the Partnership to formulate and implement a plan.

Attention was drawn to the achievements of the previous plan, including:-

- Significant reductions in anti-social behaviour and serious acquisitive crime (burglary, vehicle crime and robbery)
- East Northamptonshire was the most improved district in the county for public confidence in the way crime was dealt with – moving from 7th place to 2nd place by March 2011.

RESOLVED:

That the East Northamptonshire Community Safety Partnership Plan 2011-2014 be adopted.

(Reason: To ensure that as a responsible authority in the statutory CSP (as defined by the act) we formally endorse and support the plan for 2011 to 2014)

198. BEST OF BRITISH PROGRAMME 2012

The Executive Director sought endorsement for a high profile programme of existing and new events across East Northamptonshire to raise awareness of the attractions of the area and form the final stage of the “Escape, explore, enjoy” theme from the 2010 Tourism Strategy.

Details of the indicative events, the aims of promotion, the links with plans and strategies, and the make up and role of the organising committee, were given to members.

RESOLVED:

That the concept of the Best of British programme be endorsed and the submission of appropriate grant and sponsorship bids be authorised, providing these do not require any additional funding from this council.

(Reason: To enable planning for the Programme to proceed in time to meet external marketing deadlines and attract additional funding.)

199. URGENCY PROCEDURE

Further to minute 153 (12 September 2011) Members noted the use of the Urgency Procedure to implement the making of a footpath diversion order for the Priors Hall development under section 119 of the Highways Act 1980 in advance of the adoption of a recommendation to council on 10 October.

200. PROPOSED CONSTITUTIONAL CHANGE

The committee considered a proposed addition to Part 3 of the Constitution (Scheme of Delegation) to authorise the Chief Executive and Executive Director, in consultation with the Leader and/or Deputy Leader, and the Chairman or Vice Chairman of the relevant committee, as appropriate, to approve the submission of responses to government consultations where:

- a) the time frame is too short to permit consideration by an appropriate council committee OR
- b) the level of technical detail is high and political approval is considered appropriate because of the thrust of the response OR
- c) the consultation response is a joint response by a number of authorities so the opportunity for changing the response is limited and the issue is whether East Northamptonshire Council should endorse the proposed response or not.

R.12 RESOLVED TO RECOMMEND:

That the change to Part 3 of the Constitution as outlined above be approved.

(Reason – to ensure that council is able to respond to government consultations where appropriate]

201. EXCLUSION OF PUBLIC AND PRESS

RESOLVED:

That the public and press be excluded from the meeting during consideration of the following items of business because exempt information, as defined under paragraphs 3 and 5 of part 1 of schedule 12A of the Local Government Act 1972, may be disclosed.

202. LAND CHARGES SEARCH REFUNDS

Further to minute 143 (13 September 2010), the committee received an update report on the latest position in relation to land charges search refunds and a request for authority to use part of the New Burdens Grant allocation in respect of personal search refunds of £30,000 to contribute to the securing of necessary legal advice required in consideration of current and future litigation. The Environmental Information Regulations had come into force in January 2005 and put in place European regulations which required information to be provided free of charge. As there had been no change to the legislation in the UK, councils had continued to charge for personal searches. The Government had written to all local authorities in April 2011 indicating that it had allocated £11.2 million to councils under the New Burdens legislation but this council's share of that funding was unlikely to cover the cost of refunds. Some personal search companies had instigated litigation and the outcome was unclear.

RESOLVED:

- (1) That the current position in respect of land charge search refunds be noted.

(Reason: Councillors are aware of the potential implications for this authority and action being taken to manage the risks)

- (2) That the council continues to defend against the present litigation and any future claims in this area subject to supportive legal advice and using group responses where appropriate

(Reason: to minimise the cost implications to this council)

- (3) That any costs be funded from the Land Charges Reserve.

(To reduce the call on other budgets of this exceptional activity)

203. OPTIONS FOR LEISURE FACILITIES MANAGEMENT

Members received a presentation from the Chief Executive and Head of Customer and Community Services on the possible future options for leisure services management, and then considered a comprehensive report on the matter.

The report took into account a review undertaken by a leisure consultant FMG on the Nene Centre and the Pemberton Centre. This had concluded that there was significant latent demand for health and fitness facilities within a 4 mile radius of the Nene Centre and a 2 mile radius of the Pemberton Centre. Proposals to satisfy this demand were put forward, together with forecasts of increased membership and the significant financial implications of all options.

Whilst members were cautious about the forecasts, it was recognised that the proposals – involving an “invest to save” approach - represented an opportunity to reduce the revenue costs of leisure provision and help the council to secure more cost effective delivery of the leisure service. It was however recognised that any proposals for investment in the Nene Centre should await the outcome of the deliberations and actions on the centre roof.

R.13 RESOLVED TO RECOMMEND:

- (1) That £2.2 million be allocated in the capital programme for Improvements to the Nene Centre and Pemberton Centre;

- (2) That the investment be funded by using the balance of capital reserves plus an element of the earmarked asset management repairs and renewals revenue reserve.
- (3) That the financial impact that will be built into the 2013/14 budget and the Medium Term Financial Strategy as a result of the investment be noted.
- (4) That a Leisure Contract Member Working Group be set up with delegated powers to -
 - Determine the precise timing of the investment in the centres
 - Determine the most appropriate procurement option for management of leisure facilities, and
 - oversee:-
 - (a) the competitive process to procure a specialist leisure construction company and related professional services to undertake the improvements to the facilities identified above; and
 - (b) the leisure facilities management procurement process.

(Reason: To take advantage of an 'invest to save' opportunity to generate significant returns from enhancing two of our leisure centres and to begin the process to put in place management arrangements beyond the expiry date of the current contract with CCP)

Chairman

Appendix 1 to Policy & Resources Committee Minute 192

Charging for Pre-Application Advice

| Pre-App Type | Time | Officer level likely to be involved | Proposed Charge |
|---|--|--|---|
| Householder (only in relation to additional dwellings within the curtilage) | 1.5 hrs | DC Officer | £65 See exemptions below |
| Dwellings 1 - 4 | 2.5 hrs | DC Officer | £108 |
| Dwellings 5 - 9 | 3 hrs - Time period is longer than the above as proposals are more complex | DC Officer | £129 |
| Major applications - 10+ dwellings and more than 1000 sq. m floor space | It is difficult to predict the time spent on major applications due to the complexity, see Para 8.6 below. As such a percentage of the planning fee is deemed appropriate. | PPO / DCM | 10 % of application fee |
| Business and Commercial less than 1000 sq.m floor space | 2hrs | DC Officer | £86 |
| Change of use - land (no increase in floor space) | 2hr (this is only for a change of use in principle any buildings would fall into the other categories) | DC Officer | £86 |
| Adverts | 1.5 hour | DC Officer | £65 |
| Agricultural Development - minor | 2hr | DC Officer | £86 |
| Agricultural Dev which involves a new dwelling | 2.5 hrs | DC Officer | £108 |

Exemptions

- People with disabilities - The fee would be exempt if the proposed works are to create access for, or to provide for or improve the safety, health or comfort of a disabled person.
- Registered charities - exempt if the development was in association with the charity.
- Town and Parish Councils
- Listed Buildings applications (any works which would only require listed building consent and not a full planning application)
- 100% affordable housing applications.
- Applications made by ENC
- Householder applications involving extensions, conservatories

Note:

- The proposed fees and category types set out may have to be changed in the future, depending upon the outcome of the Government's proposal to introduce a system for Local Planning Authorities to set their own planning application fees, as referred to in paragraph 1.5 above. It is anticipated that the legislation for this will be introduced in October 2011 and indications are that it will enable councils to recover their full costs.
- The time required for major applications, is much more in depth and includes carrying out consultations, meetings, discussing the proposal with the Ward Member/s, meeting with the Town Council, advising on Section106 requirements, Environmental Impact scoping and screening opinions and written responses. Therefore using a percentage of the actual application fee is considered more appropriate.



East
Northamptonshire
Council

Finance Working Party

Minutes of a meeting held on Thursday 21 September 2011 at 7.30 pm, Members' Room, East Northamptonshire House, Thrapston

Present:

Councillors: Steven North (Chairman) Philip Hardcastle
Roger Glithero Richard Lewis
Glenvil Greenwood Smith

Officers: David Oliver (DO) Rosanne Fleming (RF)
Keith Osborne (KO) minutes

Action

1.0 MINUTES

1.1 The minutes of the meeting held on 30 June 2011 were received and approved.

2.0 APOLOGIES

2.1 Councillor David Brackenbury sent his apologies.

3.0 DECLARATIONS OF INTEREST

3.1 There were no declarations.

4.0 REVENUE BUDGET MONITORING

4.1 The Working Party received the revenue budget monitoring report comparing the actual spend on revenue items from 1 April to 30 June 2011, with the approved budget for 2011/12.

4.2 The Finance Manager reported that on the total budget had been revised to £10,720,430, an increase of £170,550. The following supplementary estimates had been approved during the year:-

- | | |
|---------------------------------|---------|
| • Extension on housing contract | £43,350 |
| • Rolled forward from 2010/11 | £97,200 |
| • Public conveniences extension | £25,000 |
| • Northants Waste Partnership | £5,000 |

4.3 RF advised Members of the main variations which were under and over budget. Members and officers continued to identify savings through monthly budget monitoring and as a result of the challenge through quarterly performance clinics.

4.4 Councillor North asked for an explanation on the high expenditure at this stage on Parking Services and it was **agreed** that further details would be circulated to the Working Party. **RF**

4.5 Members noted the variations reported and that no further action was required at this stage of the financial year.

5.0 CAPITAL BUDGET MONITORING

5.1 Members considered the capital budget monitoring report comparing the actual spend on capital items from 1 April to 30 June 2011, against the approved capital budget for 2011/12.

5.2 The Finance Manager reported that the capital budget for 2011/12 now stood at £3,250,240 compared with £3,721,240 in the approved budget. This was due to a saving on the SAN server (£31,000) and a rescheduling of the Nene Centre roof repair (£440,000). One further potential saving had been identified in relation to Stanwick Lakes; £50,000 of expenditure to support new parking arrangements had been agreed, against an original capital allocation of £81,500.

5.3 The current capital position was noted. Members asked that future monitoring reports should omit details of capital allocations for years beyond 5 years. i.e. remove the 'future years' column **RF**

6.0 REVIEW OF ASSET MANAGEMENT PLAN

6.1 The Finance Manager submitted a report asking Members to review the council's asset base of land and buildings. A list of assets, including initial assessment of potential use, and the "book value" of assets at 1 April 2009, was tabled, with suggestions regarding any action to be taken.

6.2 The Working Party highlighted nine areas where it felt that action should be taken other than that suggested in the report, or valuations should be obtained. These were noted by the officers and further reports would be submitted to the working party.

6.3 It was **agreed** that a tour of assets - to be specified by members of the working party – be undertaken. **RF**

7.0 THRAPSTON PARKING OPTIONS

7.1 The Working Party considered a report from the Executive Director informing it of the result of the latest discussions with Thrapston Town Council relating to additional parking provision, and seeking views on the possible use of the Manor Close site, and at Cosy Nook, either as a short term or longer term car park and whether the council should enter into a lease with the Town Council.

7.2 Members were aware of the need for additional public parking in the town, and in particular, specific provision of parking for disabled people. Details of the two sites, with rough cost estimates, plus professional fees and planning application costs, were as follows:-

Action

- Cosy Nook – owned by this council - could provide 28 spaces (£65,000)
- Manor Close – owned by the County Council, with planning permission for housing – could provide 70 spaces (£75,000).

7.3 Either site could be leased to the Town Council for parking purposes in the short-medium term whilst longer-term proposals for both sites were developed. A comparison of the merits and issues of both sites was submitted to the working party.

7.4 Members were mindful of the proposed supermarket developments for the town and felt that the council should keep its options open in relation to the longer term. It was noted that an approach had been made to the council to purchase the land at Cosy Nook.

RESOLVED TO RECOMMEND:

- | | |
|--|-----------|
| (1) That the council pursues the purchase of the site of Manor Close for short term parking. | RF |
| (2) That the site at Cosy Nook be retained by the council and its future use be considered in the light of the outcome of planning proposals for the town. | RF |

Chairman



East
Northamptonshire
Council

Personnel Sub-Committee

Minutes of a meeting held on 27 September 2011 at 2.00 pm
at East Northamptonshire House, Thrapston

Present:

Councillors

Roger Glithero (Chairman)
Wendy Brackenbury
Steven North
Jeremy Taylor

David Oliver
Sharn Matthews
Trevor Watson
Katy Everitt
Aime Armstrong

Chief Executive (DO)
Executive Director (SM)
Head of Planning Services (TGW)
Head of Resources and Organisational Development (KE)
Human Resources Manager (AA)

Minute Taker:

Sharon Prior

Executive Support Officer (SP)

Action

1.0 CHANGE IN THE ORDER OF PROCEEDINGS

- 1.1. The Chairman had received a request to consider agenda item 11 (Staff proposal SP9) at the beginning of the meeting, to allow officers to attend another meeting, and it was **agreed** that agenda item 11 would be considered after the Declarations of Interest.

2.0 MINUTES

- 2.1 The minutes of the meeting held on 2 August 2011 were approved and signed by the Chairman.

3.0 APOLOGIES

- 3.1 Councillor Philip Hardcastle sent his apologies.

4.0 DECLARATIONS OF INTEREST/QUESTIONS

- 4.1 There were no declarations of interest or questions.

5.0. EXCLUSION OF PUBLIC AND PRESS

- 5.1. **RESOLVED:**

That the public and press be excluded from the meeting during consideration of the following item of business because exempt information, as defined under paragraph 2 of part 1 of schedule 12A of the Local Government Act 1972, may be disclosed.

6.0. STAFF PROPOSAL

6.1. Staff Proposal SP9

RESOLVED:

- (1) That formal consultation about possible changes, and how they impact on staff, can start as soon as is appropriate after this meeting. **KE**
[Reason: to enable the re-focusing of resources on corporate plan outcomes as soon as possible]
- (2) That the temporary additional post of Principal Development Control Officer be added to the council's organisational structure for a period of 18 months and be filled for an initial six months with immediate effect. **KE/TW**
[Reason: to provide resources to meet a temporary increase in workloads and respond to opportunities to increase employment in the area]
- (3) That the fixed term post of Planning Policy Officer be added to the council's organisational structure until April 2014. **KE/TW**
[Reason: to enable progress on the Four Towns Plan]
- (4) That, subject to additional funding being approved, the post of Planning Policy Officer and 2nd Senior Planning Policy Officer be filled on a fixed term contract basis until April 2014. **KE/TW**
[Reason: to enable progress on the Four Towns Plan]

SM and TGW then left the meeting.

The meeting then considered several items in the open part of the meeting and agreed that, should members of the public arrive, they should be admitted to the meeting.

7.0 WORKFORCE STATISTICS

7.1 The sub-committee reviewed data about staff sickness, turnover and the number of staff employed.

8.0 VACANT POSTS UPDATE

8.1 The sub-committee received a report on:-

- Vacant posts
- Posts temporarily vacant
- Budget savings, and
- Empty posts/hours still on establishment but with no budget.

The Sub-Committee noted the reduction in the salary budget of approximately 4% from 2009/10 to 2011/12.

9.0 POLICIES & PROCEDURES

9.1 The sub-committee considered the final drafts of the following policies/ procedures:-

- (a) Maternity and Paternity Leave Policy and Procedure
- (b) Home Working Policy
- (c) Work experience and interns Policy and Procedure.

9.2 The Maternity and Paternity Leave Policy and Procedure reflected changes to maternity and paternity leave introduced by the Work and Families Act 2006 and additional paternity leave and pay for fathers of babies born on or after 3 April 2011. The Home Working Policy presented practical advice to managers when considering an element of home working in their team. The third document set out the steps the council would take to manage work experience placements and voluntary workers.

9.3 **RESOLVED:**

AA

That the following policies and procedures, as submitted, be adopted:

- Maternity and Paternity Leave Policy and Procedure
- Home Working Policy
- Work experience and interns Policy and Procedure.

(The policies can be viewed on EUNICE under Key Documents/Personnel Policies)

10.0 PROCESS FOR VACANT POSTS

10.1 KE reported on the process for vacant posts, and whether Members felt the process was still relevant.

10.2 It was

RESOLVED:

That the current process for approval of vacant posts remain.

KE

11.0 DATE OF NEXT MEETING

11.1 The sub-committee noted that the next meeting had been scheduled for Tuesday 29 November 2011 at 2pm. **KO**

12.0 EXCLUSION OF PUBLIC AND PRESS

12.1 **RESOLVED:**

That the public and press be excluded from the meeting during consideration of the following items of business because exempt

information, as defined under paragraph 2 of part 1 of schedule 12A of the Local Government Act 1972, may be disclosed.

13.0 STAFF PROPOSALS

13.1 Proposal SP8

RESOLVED:

That, with effect from 31 December 2011 -:

- (a) the posts of Visiting Officer (2 full-time equivalent posts, currently occupied by 3 people) be made redundant, effective from 31 December 2011, and **KE**
- (b) any residual visits be transferred to the Empty Property Officer.

13.2. Proposal SP3

RESOLVED:

That approval be given to the following actions:-

KE

- (a) recruitment to new Democratic Services and Elections Manager post
- (b) recruitment to new Elections Officer post
- (c) redundancy of Elections Manager post.

13.3. Proposal SP10

KE reported that this proposal would not need to be pursued further, as the postholder had obtained employment with another authority.

RESOLVED:

That this proposal be not be pursued.

Chairman

LICENSING COMMITTEE

Date: 5 October 2011
Venue: East Northamptonshire House, Cedar Drive, Thrapston
Time: 7.30 pm
Present: Councillors:- Glenn Harwood MBE (Chairman)

| | |
|--------------------------------|-------------------------|
| Tony Boto | Gill Mercer |
| Pauline Bradberry | Bob Nightingale |
| Richard Gell | Brian Northall |
| Glenvil Greenwood-Smith | Rupert Reichhold |
| Barbara Jenney | Anna Sauntson |
| Andy Mercer | |

Also Present (for item 6) – Sergeant Ian Fletcher and Sergeant Alistair Quinn
(Northamptonshire Police)

204. MINUTES

The minutes of the meeting held on 9 March 2011 were confirmed and signed by the Chairman as a correct record

205. APOLOGIES FOR ABSENCE

There were no apologies.

206. DECLARATIONS OF INTEREST

Councillors Barbara Jenney, Andy Mercer and Gill Mercer declared a personal interest, as Rushden Town councillors, in item 5 (Licensing Activity) in relation to a variation to a licence for Rushden Hall.

Councillor Brian Northall declared a personal interest in item 8 (Alcohol Related Assault Data) in relation to details of assaults from Kettering General Hospital as he had a responsibility for collecting the information.

207. QUESTIONS BY MEMBERS UNDER COUNCIL PROCEDURE RULE 10.3

There were no questions.

208. LICENSING ACTIVITY

The Committee received and noted details of applications received under the Licensing Act 2003 between January and June 2011, broken down into new premises licences and licence variations, removals of Designated Premises Supervisors (DPS), transfers, Interim Authority

Notices, Temporary Event Notices (TENs), personal licences and changes to details, and notifications of interest. There had been no reviews or minor variations.

Members asked a number of questions concerning TENs and Notifications of Interest and also requested that they be notified of details of licences granted under delegated powers. The Licensing Enforcement Officer undertook to arrange this.

209. LICENSING ACT 2003 - CRIME STATISTICS FOR LICENSED PREMISES

Further to minute 353 (12 March 2008), Police Sergeant Ian Fletcher presented to the Committee:-

- Details of crimes on East Northamptonshire licensed premises in the various wards of the district
- Totals of crime on the premises arranged both in alphabetical order of premises and date order

for the period 1 March to 1 October 2011. There had been 44 crimes on licensed premises during this period – 13 of which had been violent crimes.

Police Sergeant Alistair Quinn explained the Drug and Alcohol Referral Scheme (DAARS) and members received a brochure about the scheme. (An extract from the brochure is attached as Appendix 1 to these minutes at page 336).

The following points, comments and requests were made during the discussion on this item:-

- The detailed breakdown of the crimes was welcomed
- Proxy sales of alcohol – Sgt. Fletcher would be introducing a tactic to address this shortly
- Further information on the costs of using the DAARS scheme so that a comparison could be made with the costs, to the community, of tackling re-offending. Sgt. Quinn indicated he would endeavour to provide this information
- More information on the classification “Racist/Domestic/Homophobic”

The chairman and members welcomed the continued downward trend in the number of crimes associated with licensed premises. This was due to the effective teamwork between the council’s Licensing Enforcement Officer and the police, which had promoted and fostered excellent relationships with licensees and had led to a more responsible attitude by licensees. The committee thanked both the Licensing Enforcement Officer and Sergeants Fletcher and Quinn for their efforts towards this objective and for their reports.

210. PROCEDURE FOR DEALING WITH EXPEDITED REVIEWS

The Licensing Enforcement Officer reported on the need to put in place arrangements for expedited reviews where a senior police officer had submitted an application and certificate identifying premises as being associated with serious crime or disorder, or both. This followed the power introduced by the Violent Crime Reduction Act 2006.

The determination of any interim steps could not be delegated to an officer under the legislation. In view of the need to act swiftly, it would not be possible to give notice of a meeting of the Licensing panel under the terms of the Local Government Act 1972. It was

likely that discussion would need to be undertaken by telephone or by e-mail. To cover the situation, it was necessary to change the Terms of Reference of the Licensing (Liquor and Gambling) Panels.

Councillor Andy Mercer asked for clarification on legal aspects regarding (a) the currency of conditions or steps following a full review of interim measures within 48 hours and then following a full review of the premises licence until the appeal at a magistrates court and (b) whether the panel members should be the same at the interim measures decision stage, the 48 hours hearing stage and the full review of licence stage. It was suggested that advice could be sought and reported to the Licensing Seminar in November.

RESOLVED:

- (1) That the procedure relating to expedited reviews, as set out in Appendix 2 to these minutes at pages 337 to 338, be adopted.
- (2) That the terms of Reference of the Licensing (Liquor and Gambling) Panels be changed to incorporate the wording shown in bold in Appendix 3 to these minutes at pages 339 to 340.

211. ALCOHOL RELATED ASSAULT DATA

Members received details, from both Kettering (KGH) and Northampton (NGH) General Hospitals, of alcohol related assaults affecting East Northamptonshire for the months of July and August 2011. It was noted that, in relation to KGH, 3 incidents had occurred in Rushden in July and 1 in Rushden in August, whereas there had been two incidents in East Northamptonshire in relation to NGH in August.

The committee discussed the value of the information presented and concluded that it would not be appropriate for similar information to be submitted on a regular basis.

Chairman

From March 2011 Northamptonshire Custody officers will be able to impose, as a Condition of Bail, that people who have committed an alcohol related / Class-A drug offences must attend Northamptonshire Drug and Alcohol Referral Service (DAARS) and undertake an assessment by CAN.

From March 2011, the Custody Officers at Northamptonshire Custody Suite will be able to impose as a Condition of Bail the condition that people who have committed an alcohol-related / Class-A drug offences, must attend DAARS and undertake an alcohol related assessment prior to their first appearance in court.

Those who have taken part in similar schemes in other parts of the country (e.g. Gloucester since 1999 and Grimsby since 2007) have found the programme very beneficial. Many repeat offenders have made positive changes in their lives, with evaluation showing a sharp reduction in re-offending rates.

The purpose of this disposal is:

- Reduce re-offending by increasing awareness and education
- Reduce the volume of cases going through the courts
- Reduce the anti-social behaviour associated with alcohol consumption
- To reduce the levels of problematic drinking and alcohol harm

This option complements the Alcohol Conditional Caution and PND waiver scheme. These schemes are voluntary and target low-level offences.

The Conditional Bail Scheme enables a more coercive approach which can target mid-level offences.

ALCOHOL TREATMENT REQUIREMENT

CONDITIONAL BAIL
Pre-post charge

ALCOHOL CONDITIONAL CAUTION

PND WAIVER SCHEME
Alcohol related offence suitable for PND
1 Waiver in 12 months

ARREST REFERRAL
Signposting in custody & voluntary engagement

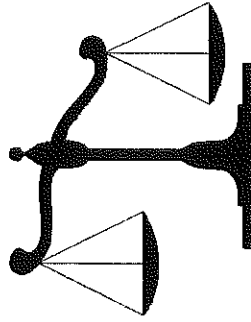
How this will work:

The Conditional Bail Scheme parallels the Drug Intervention Programme (DIP), which has been successfully running in Northamptonshire for some time now. It specifically targets alcohol related, and alcohol specific offences, in conjunction with Class-A drug offences.

- In the custody suite, the offender is charged to court on an alcohol-related offence / Class-A drug offences

- Custody staff give the bail condition to attend CAN (drug and alcohol agency) for an initial session. The CAN workers will compile a court report. The magistrate, the clerk of the court, the CPS solicitor, the defence solicitor and probation worker all receive a copy of the court report on the day the offender appears in court.

- Offender appears in court
- Magistrates can take into consideration whether or not they have compiled when considering sentence.



- Magistrates could include the requirement for further sessions at CAN (County of Northampton Council on Addiction), as indicated on the report.

The PND Scheme consists of:-

Two sessions at CAN attending a group session and an individual one-to-one session to cover:

- Alcohol units
- Alcohol and the law
- The potential risks to themselves and others in alcohol fuelled situations
- The longer-term effects of drinking
- Techniques and tips for sensible drinking

Appendix 2 to Licensing Committee Minute 210

Licensing Act 2003 as amended by the Violent Crime Reduction Act 2006: Expedited Reviews - Procedure

1. On receipt of an application and a certificate issued by a Senior Police Officer stating that in his/her opinion named premises are associated with serious crime or serious disorder (or both) this council will take the following steps.
2. Within 48 hours of receipt of the application and certificate the Licensing Authority (LA) must consider whether it is necessary to take interim steps pending determination of the premises licence. The LA must in any event undertake a review within 28 days of receipt of the application. This initial review may be by telephone or email as long as a record is kept of any discussion and decision.
3. The range of options open to the authority at the interim steps stage are:
 - modification of the conditions of the premises licence;
 - exclusion of the sale of alcohol by retail (or other licensable activities) from the scope of the licence;
 - removal of designated premises supervision for licences;
 - suspension of the licence.

Following the full licence review the licensing authority may do any of the above or may revoke the licence.

4. Within 48 hours of receipt of the application the LA must give the premises licence holder and responsible authorities a copy of the application and a copy of the certificate.
5. The LA must give immediate notice of its decision and reasons for so making to holder of premises licence and Chief Officer of Police who made application.
6. The police will be consulted about the steps which may be necessary to address the immediate problems with the premises. Interim steps may be taken without the holder of the premises licence having been given the opportunity to make representations. If it is possible and appropriate the licence holder may be visited to make representations.
7. Interim steps may not be delegated to an officer of the LA. Relevant decisions must be taken by the relevant licensing committee, (or panel) or by the Council acting as a whole.
8. There is no requirement for a formal hearing and discussion by committee members may be by phone or email. A written record will be produced as soon as possible after the decision has been reached.
9. The interim steps the authority must consider taking are:
 - the modification of the conditions of the premises licence;
 - the exclusion of the sale of alcohol by retail (or other licensable activities) from the scope of the licence;
 - the removal of the DPS from the licence, and
 - the suspension of the licence.

The authority should also take note of evidence issued under S182 Licensing Act re

possible conditions.

10. The authority must give immediate notice of its decision and its reasons for doing so to the holder of the licence and to Chief Officer of Police who made application. This need not be in writing especially when the decision is to have immediate effect. Communication may be by a phone call to be followed by confirmation in writing giving reasons for making that decision.
11. A full review must be held within 28 days of the application being received by the authority. If the licence holder makes representation against the interim steps a full review must be held within 48 hours (non working days do not count towards 48 hours).
12. The authority must give advance notice of hearing to the premises licence holder and Chief Officer of Police. The hearing cannot be adjourned to a later date if the licence holder fails to attend.
13. At this hearing the authority must:
 - consider what steps it considers necessary for the promotion of the licensing objectives; and
 - consider what steps should be taken to secure the promotion of the licensing objectives including whether the interim steps should be made permanent.
14. When considering the case the authority must take into account:
 - the modification of the conditions of the premises licence;
 - the exclusion of the sale of alcohol by retail (or other licensable activity) from the scope of the licence.
 - the removal of the designated premises supervisor from the licence;
 - the suspension of the licence for a period not exceeding 3 months; and
 - the revocation of the licence.
15. The licensing authority must advertise the review for at least seven days starting the day after the receipt of the chief officers certificate.
16. The licensing authority must notify its decision and the reason for making it
 - to the holder of the premises licence
 - to any person who made relevant representations; and
 - to the chief officer of police who made the original application.
17. There is a right of appeal within 21 days of the licensing authority's decision. The appeal is by way of Magistrates Court.

TERMS OF REFERENCE OF COMMITTEES & SUB-COMMITTEES

Licensing Panels

Licensing Panels function as sub-committees of the Licensing Committee (a statutory Committee) and operate under powers initially delegated to them by the Licensing Committee on 26 January 2005 (Minute 349) and 25 January 2007 (Minute 328) but amended by Council on 21 April 2008 (Minute 418).

The membership of each Panel varies. All Panels consist of 3 Members of the Licensing Committee (who have had training) and determined under delegated powers exercised by the Democratic Services Manager.

Panels conduct hearings which follow the rules of natural justice and are governed by The Licensing Act 2003 (Hearings) Regulations 2005 and The Gambling Act 2005 (Proceedings of Licensing Committees and Sub-Committees) (Premises Licences and Provisional Statements) (England and Wales) Regulations 2007.

Panels have the power to –

- determine applications under the Licensing Act 2003:
 - for personal licence if a representation made;
 - for personal licence with unspent convictions;
 - for premises licence/club premises certificate if a representation made;
 - for provisional statement if a representation made;
 - to vary premises licence/club premises certificate if a representation made;
 - to vary designated personal licence holder if a police representation;
 - to be removed as designated personal licence holder;
 - for transfer of premises licence if a police representation;
 - for Interim Authorities if police representation;
 - review premises licence/club premises certificates.
- determine police representations to a temporary event notice;
- **determine, by e-mail, telephone (or in such other manner as may be deemed appropriate by the Democratic Services Manager or by the Solicitor to the Council), whether it is necessary to take interim steps pending determination of the premises licence the subject of an application and a certificate issued by a Senior Police Officer stating that in his/her opinion named premises are associated with serious crime or serious disorder (or both) (*the requirements of the Local Government Act 1972 concerning the giving of notice of meetings will not apply*)**
- determine applications under the Gambling Act 2005:
 - for a premises licence where representations have been received and not withdrawn
 - for a variation to a licence where representations have been received and not withdrawn

- for a transfer of a licence where representations have been received from the Commission
- for a provisional statement where representations have been received and not withdrawn
- for a review of a premises licence
- for club gaming/club machine permits where objections have been made (and not withdrawn)
- for the cancellation of club gaming/ club machine permits
- for a decision to give a counter notice to a temporary use notice

Minutes will be submitted for information to either the Licensing Committee or to the full Council.