

# DEVELOPMENT CONTROL COMMITTEE

Date: 18 December 2013

Venue: East Northamptonshire House, Cedar Drive, Thrapston

Time: 7.00pm

Present: Councillors: Pauline Bradberry JP Chairman  
Gill Mercer Vice-Chairman

Wendy Brackenbury Bob Nightingale  
Roger Glithero JP Ron Pinnock  
Glenn Harwood MBE David Read  
Dudley Hughes JP Philip Stearn  
Barbara Jenney Robin Underwood  
Andy Mercer Peter Wathen

## 302. MINUTES

The minutes of the meeting held on 27 November 2013 were approved and signed by the Chairman, subject to the inclusion of the apologies of Councillor David Read.

## 303. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Derek Capp, Marika Hillson, Brian Northall and Anna Sauntson

## 304. DELEGATIONS TO HEAD OF PLANNING SERVICES

Members received a report which provided an update on the following applications where actions had been delegated to the Head of Planning Services: -

EN/10/01428/FUL	Raunds Car Wash
EN/13/01072/REM	Station Road, Higham Ferrers
EN/13/01073/FUL	Pond adjacent to A6
EN13/01359/FUL	110 Higham Road, Rushden
EN13/00438/FUL	Transit Site, Caldecott

### RESOLVED:

That the contents of the report be noted.

## 305. SECTION 106 AGREEMENTS – UPDATE

In accordance with Minute 280 from the meeting held on 28 November 2012, the Head of Planning Services submitted a report and circulated an updated report detailing progress with regard to the drafting of S106 agreements in respect of matters where the committee had previously resolved to grant planning permission, subject to the prior finalisation of such an agreement.

Members considered a request from for an extension in respect of two applications EN/07/00062/OUT (Wharf Road, Higham Ferrers) and EN/12/01368/FUL (Glaphorn Road, Oundle) until the end of January 2014.

**RESOLVED:**

1. That the report be noted.
2. That extensions in respect of EN/07/00062/OUT and EN12/01368/FUL until the end of January 2014 be approved.

**306. DECLARATIONS OF INTEREST AND INFORMAL SITE VISITS**

**a. Declarations of Interest**

Councillor Glenn Harwood MBE declared that he recognised a number of the names of members of the public who had registered to speak at the meeting.

**b. Informal Site Visits**

Councillor Gill Mercer indicated that she had driven past the site of 110 Higham Road, Rushden (EN/13/00301/FUL) earlier that day.

**307. PUBLIC SPEAKERS**

The following people spoke on the items as indicated: -

- i) **Councillor Adrian Dale** – 12/01282/FUL – Hollywell Farm, Chelveston Road, Stanwick (on behalf of Chelveston Parish Council)
- ii) **Councillor Amanda Michel** - 12/01282/FUL – Hollywell Farm, Chelveston Road, Stanwick (on behalf of Stanwick Parish Council)
- iii) **Mr Graham Hill** - 12/01282/FUL – Hollywell Farm, Chelveston Road, Stanwick (Objector)
- iv) **Mr James Holloway** - 12/01282/FUL - Hollywell Farm, Chelveston Road, Stanwick (Applicant)
- v) **Councillor Eloise Lucille** – 12/01282/FUL – Hollywell Farm, Chelveston Road, Stanwick (Ward Councillor)
- vi) **Mr Ian Mitchell** – 13/01644/REM - Rushden Hospital, The Drive, Rushden (Applicant)
- vii) **Miss C Willis** – 13/00301/FUL 110 Higham Road, Rushden (Objector)
- viii) **Councillor Peter Stephens** – 13/01228/FUL – Stables, Slipton Lane, Sudborough (on behalf of Sudborough Parish Council)
- ix) **Mr Darren Allen** – EN13/01612/REM – Land to the rear of 264 Wellingborough Road, Rushden (Agent for the applicant)

**308. PLANNING APPLICATIONS**

The committee considered the planning applications report, with updated information on a number 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) 12/01288/FUL – Hollywell Farm, Chelveston Road, Stanwick, Northamptonshire (page 359)**

The committee considered a report detailing an application for the installation of a 500kW wind turbine with a maximum hub height of 50m, blade diameter of 54m and maximum height to the blade tip of 77m, plus transformer station at base of turbine and all ancillary works.

Members noted that Chelveston-cum-Caldecott Parish Council, Stanwick Parish Council, Higham Ferrers Town Council and Raunds Town Council had raised objections and further noted that eighty three letters of objection had been received from residents of Stanwick, Chelveston, Yeldon and Raunds. Members also noted that six letters of support had been received from residents of Stanwick and Raunds.

The committee considered the additional representations detailed within the update report, which was circulated at the meeting, along with an update on negotiations between the applicant's agent and the Ministry of Defence, further information on wind speed and output, the reasoning for the timing of the application being considered by committee, the application of recent guidance on planning practice for renewable and low carbon energy, as well as additional commentary on the designation of the site and noise levels.

The committee **agreed to refuse** the application on the grounds of loss of visual amenity for the local community, residents and recreational walkers, cumulative impact arising from a further turbine between two existing wind farms and an outstanding objection from the Ministry of Defence, with the authority for the wording of the refusal notice being delegated to the Head of Planning Services, in consultation with the Chairman, Vice-Chairman and local Ward Members.

**(ii) 13/01644/REM – Rushden Hospital, The Drive, Rushden (page 359)**

The committee considered a reserved matters application for access, appearance, layout and scale for 96 dwellings and associated works, and demolition of existing buildings on part of the land covered by outline approval 10/01017/OUT. Outline planning permission for up to one hundred and twenty five dwellings and an NHS resource centre had been approved by the committee in July 2012.

Members noted that five letters of objection had been received from local residents.

The committee noted the revised recommendation that was detailed within the update sheet circulated at the meeting, which also summarised the minor changes to the plans. Members also noted the additional comments received from the Design Officer from the North Northamptonshire Joint Planning Unit, Northamptonshire Police, the council's Housing Strategy team and the Highways Authority. Further recommended conditions were considered within the update report.

The committee **agreed to delegate** authority to the Head of Planning Services to grant permission, subject to the council's Arboricultural Officer being satisfied in respect of the arboricultural details, and subject to the conditions recommended in the report and the update report.

**(iii) 13/00301/FUL – 110 Higham Road, Rushden (page 360)**

The committee considered a report regarding the installation of two condenser units to the rear elevation (retrospective). The application had been brought before the committee at the request of Councillor A Mercer.

Members noted that nine letters of objection had been received from neighbours and noted the clarification in respect of the noise report within the update report, which was circulated at the meeting.

The committee **agreed to grant** the application, subject to the conditions detailed within the officer's report and the update report, with an amendment being made to condition 2 that stipulates either a 20dB noise reduction or 5dB below background level, with authority to finalise the wording of the condition being delegated to the Head of Planning Services in consultation with the Chairman, Vice-Chairman and Ward Member.

**(iv) 13/01228/FUL – Stables, Slipton Lane, Sudborough, Northamptonshire (page 360)**

The committee considered a report detailing a revised location of barns pursuant to application 09/00546/FUL. The application had been brought before the members as the original application had been refused by the Development Control Committee. The application had been approved by the Planning Inspectorate at appeal.

The committee **agreed to grant** the application, subject to the conditions detailed within the officer's report and the update report and an informative to secure additional screening for the re-sited development. The committee also specified that in agreeing the details of lighting particular attention should be given to ensuring the lights are shielded and at a low height to prevent glare to motorists.

**(v) 13/01585/FUL – High Beech, 8 Hayway, Rushden, Northamptonshire (page 361)**

The committee considered a report detailing an application for the demolition of an existing building and erection of five detached two storey dwellings. The application had been brought before the committee at the request of the local Ward Member.

Members noted the amended recommendation detailed within the update report, which was circulated at the meeting, along with comments received from the council's Waste Manager, the Highways Authority and local residents.

The committee **agreed to delegate** authority to the Head of Planning Services to grant the application, subject to the conditions detailed within the officer's report and the update report and no new or significant adverse comments being raised by consultees.

**(vi) 13/01612/REM - Land to rear of 264 Wellington Road, Chestnut Close, Rushden, Northamptonshire (page 362)**

The committee considered a reserved matters application for the erection of five dwellings, access, appearance, landscaping, layout and scale pursuant to outline permission 12/00473/OUT dated 5 July 2012. The application had been brought before the committee at the request of Councillor A Mercer.

Members noted the additional information in respect of additional planning applications on 'The Paddocks' detailed within the update report that was circulated at the meeting

The committee **agreed to grant** the application, subject to the conditions detailed within the officer's report and the update report.

### **309. FINAL DISPOSAL OF PLANNING APPLICATION**

The committee considered a report from the Planning Development Manager which requested approval to dispose of three old planning applications under the provisions of the 2010 Development Management Procedure Order.

The Order set out the circumstances in which an application may be "finally disposed of" when both the statutory period for determination and the subsequent period for appeal against non-determination have passed. It was reported that future reports in respect of planning applications would seek delegated authority from the committee for applications to be refused or finally disposed of if legal agreements were not completed within a specified time frame.

The report set out three applications (EN/08/00789/FUL, EN/10/02223/FUL and EN/12/00462/FUL) which were considered unlikely to be progressed by the applicant or their agent, having already been submitted a long time ago.

#### **RESOLVED:**

1. That the report be noted.
2. That the applications EN/08/00789/FUL, EN/10/02223/FUL and EN/12/00462/FUL be disposed, in accordance with the provisions of the Development Management Procedure Order 2010.

**Chairman**

## List of Applications Determined By

### DEVELOPMENT CONTROL COMMITTEE - 18 December 2013

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**12/01282/FUL**

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Date received	Date valid	Overall Expiry	Ward
3 August 2012	7 August 2012	2 October 2012	Stanwick

Applicant **Mr James Holloway**

Agent **J H Walter - Mr Stephen Catney**

Location **Hollywell Farm, Chelveston Road, Stanwick, Northamptonshire.**

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Proposal **The Installation of a 500kW wind turbine with maximum hub height of 50m, blade diameter of 54m and maximum height to the blade tip of 77m. Transformer station at base of turbine and all ancillary works**

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#### **Decision Overturned permission refused**

The recommendation was overturned and permission REFUSED, for loss of visual amenity for recreational walkers and residents and cumulative landscape and visual impact. The Head of Service suggested that the above reasons were all part of one single reason and that a second reason for refusal should be the MOD's outstanding objection, noting that this reason may fall away if the objection is overcome.

The reasons for refusal should be drafted in consultation with the Chairman, Vice Chairman, Councillor Harwood, Councillor Lucille and the Head of Planning.

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**13/01644/REM**

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Date received	Date valid	Overall Expiry	Ward
30 September 2013	17 October 2013	16 January 2014	Rushden Sartoris

Applicant **Kier Group PLC - Mr Ian Mitchell**

Agent **RDC LLC Ltd - Mr Mark Preston**

Location **Rushden Hospital, The Drive, Rushden, Northamptonshire.**

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Proposal **Reserved matters: Access, appearance, layout and scale for part of the land covered by the outline approval only (consisting of 96 dwellings with associated works and demolition of existing buildings) following outline application 10/01017/OUT - '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)' dated 16.07.12**

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**Decision** Recommendation to permit accepted. Delegated to Head of Planning Services for approval, subject to the Tree Officer being satisfied with the submitted tree details.

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**13/00301/FUL**

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Date received	Date valid	Overall Expiry	Ward
21 February 2013	23 September 2013	18 November 2013	Rushden Spencer

Applicant **Mrs Jegatheeswaran**

Location **110 Higham Road, Rushden, Northamptonshire, NN10 6DF.**

Proposal **Installation of two condenser units to rear elevation (retrospective)**

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**Decision** Resolved to **GRANT**, subject to an amendment to condition 2 that stipulates either a 20dB noise reduction or 5dB below background level. The wording of the condition is delegated to the Head of Planning Services in conjunction with Chairman, Vice Chairman and Ward Members.

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**13/01228/FUL**

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Date received	Date valid	Overall Expiry	Ward
17 July 2013	29 July 2013	23 September 2013	Lyveden

Applicant **Miss Ruth Quartly**

Agent **Wythe Holland Partnerships LLP**

Location **Stables, Slipton Lane, Sudborough, Northamptonshire.**

Proposal **Revised location of barns pursuant to application 09/00546/FUL: 'Change of use of the land for equestrian breeding/training purposes and the erection of 1 equestrian barn, 1 dual purpose agricultural / equestrian barn, horse walker, lunge pit, ménage, landscaping and associated access's allowed at appeal under reference APP/G2815/A/09/2109452/NWF dated 14.12.09**

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**Decision Application Permitted**

**Conditions/Reasons:**

1. The development hereby permitted shall be carried out strictly in accordance with the approved plans, drawing no's: '11'and '12' received by the local planning authority on the 17 July 2013 and drawing no: '13A' received by the local planning authority on 13 November 2013.

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

2. Notwithstanding the submitted details, this planning permission extends only to the re-siting of the two barns, new planting and lighting.

**Reason:** In order to clarify terms of the planning permission and to ensure that the

development is carried out as permitted.

3. Within 6 weeks of the date of this planning permission, details of the provision to be made for the on-site storage and disposal of animal waste shall have been submitted to and approved in writing with the local planning authority, and the development shall thereafter be carried out in accordance with the approved details.

**Reason:** To safeguard public health

4. All planting shall be carried out in accordance with drawing no: '13A', received by the local planning authority on 13 November 2013, within the first planting season following the date of this planning permission. Any trees which, within a period of five years from the date of the determination of this planning permission, 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.

**Reason:** To ensure a reasonably satisfactory standard of development which is not detrimental to the visual amenity of the area.

5. All external lighting shall be so positioned and/or screened such that it does not cause glare to drivers on the adjoining highway

**Reason:** In the interest of highway safety.

6. Notwithstanding the submitted details, all lighting labelled 'EL:1' on drawing number '13A', received by the local planning authority on 13 November 2013, shall be limited to use between 7am and 7pm only

**Reason:** In the interest of residential amenity.

7. Notwithstanding the submitted details, the exact position, height and angling as well as precise lighting details shall be submitted to and agreed in writing with the local planning authority prior to the installation of any further external lighting.

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

8. Notwithstanding the submitted details, sight lines shall be retained to give visibility along the road over a distance of at least 160m in both directions, from a point measured 2.4m back along the centre line of the vehicle access. These dimensions are measured from and along the nearer edge of the carriageway.

**Reason:** In the interest of highway safety.

9. No burning of waste shall occur on site at any time.

**Reason:** In the interests of residential amenity and highway safety.

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**13/01585/FUL**

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Date received	Date valid	Overall Expiry	Ward
19 September 2013	14 November 2013	9 January 2014	Rushden Spencer

Applicant **Mr N Wadforth**

Agent **Greenspace Solutions Ltd - Mr S Bratby**

Location **High Beech, 8 Hayway, Rushden, Northamptonshire.**

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Proposal **Demolition of existing building and erection of five detached dwellings**

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**Decision** Resolved to delegate authority to Head of Planning to **GRANT** permission as per the recommendation, subject to no new substantive comments being raised by consultees.

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**13/01612/REM**

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Date received	Date valid	Overall Expiry	Ward
24 September 2013	17 October 2013	12 December 2013	Rushden Spencer

Applicant **Mr A Stevens**

Agent **Datum CAD Services - Mr D Allen**

Location **Land To Rear Of 264 Wellingborough Road, Chestnut Close, Rushden, Northamptonshire.**

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Proposal **Reserved Matters: Erection of five dwellings: access, appearance, landscaping, layout and scale pursuant to outline permission 12/00473/OUT dated 5.7.12**

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**Decision Application Permitted**

**Conditions/Reasons:**

1. Notwithstanding the submitted details and prior to the commencement of development, details shall be submitted to and agreed in writing by the local planning authority which shows the finished floor levels and ridge heights of the dwellings in relation to the existing and proposed levels of the site and the surrounding land and ridge heights of surrounding properties. The dwellings shall there after be constructed in accordance with the details so approved.  
Reason: For the avoidance of doubt and to ensure a satisfactory form of development in relation to neighbouring land and buildings.
2. 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. Positive drainage to prevent the unregulated discharge of surface water onto the adopted highway.
  2. Pedestrian visibility splays of 2.0m x 2.0m shall be provided on both sides of each individual 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.
  3. The vehicular accesses 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.
  4. The private driveways shall be hardsurfaced for the first 5 metres behind the highway boundary (measured from back of verge).  
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.
3. Notwithstanding the submitted details, a Tree Protection Plan for the onsite and neighbouring 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

BS5837:2012 Trees in relation to design demolition and construction. The Plan shall refer to the retention of the existing trees along the shared eastern boundary (between the application site and the adjacent flats) in particular and the development shall thereafter be carried out in accordance with the submitted details, unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To ensure the protection of trees on site.

4. The development hereby permitted shall be carried out strictly in accordance with the approved plans received by the Local Planning Authority on 17/10/13 and 24/08/13, plans: DCS-517-002 Rev B, DCS-517-003 Rev C, DCS-517-001 Rev C and Location Plan .

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