

DEVELOPMENT CONTROL COMMITTEE

Date: 27 January 2010

Venue: East Northamptonshire House, Cedar Drive, Thrapston

Time: 7.30pm

Present: Councillors: - Pauline Bradberry (Chairman)
Gill Mercer (Vice Chairman)
Andy Mercer (Leader of the Council)

Albert Campbell
Lisa Costello
Roger Glithero JP
Glenn Harwood MBE
Sylvia Hughes
Brian Northall
Ron Pinnock

John Richardson MBE
Anna Sauntson
Phillip Stearn
Robin Underwood
Pam Whiting
Clive Wood

PART A ITEMS

333. MINUTES

The minutes of the meeting held on 6 January 2010 were approved and signed by the Chairman.

334. APOLOGIES FOR ABSENCE

Councillors Wendy Brackenbury and Roger Powell sent their apologies.

335. DECLARATIONS OF INTEREST AND INFORMAL SITE VISITS

(a) Interests

(i) Prejudicial

Councillors Andy Mercer, Gill Mercer, Ron Pinnock, Robin Underwood and Clive Wood declared personal and prejudicial interests in application EN/09/01150/FUL because they were Members of Rushden Town Council (who owned the application site). They all left the meeting and did not take part in the discussion or voting when the application was considered.

(ii) Personal

Councillors Pauline Bradberry, Roger Glithero, Andy Mercer and John Richardson declared personal interests in application EN/09/01760/REM because they knew the applicant. They all remained in the meeting and took part in the discussion and voting when the application was considered.

(b) Informal Site Visits

The following Councillors declared that they had undertaken informal site visit for these applications:

- Glenn Harwood for application EN/09/01150/FUL
- Roger Glithero for application EN/09/01930/FUL

336. PUBLIC SPEAKERS

Mr A Howard spoke on application EN/09/01760/REM – Laws Lawn, Stamford Road, Kings Cliffe.

337. PLANNING APPLICATIONS

The Committee considered the schedule of applications and recommendations of the Head of Planning Services, with updated information on some of the applications and representations made by public speakers at the meeting.

The applications where the Committee had agreed with the Officer's recommendations to grant or refuse are indicated under (a) and (b) below, and where the application had been deferred under (c) below. The full decision on the applications are included (on the page indicated) in the Appendix to these minutes.

(a) Applications Granted

(i) EN/09/01991FUL – Kinewell Lake Park, Station Road, Ringstead (See page 475).

Members welcomed the scheme and considered that the relocated car park would improve security, reduce crime and not unduly affect nearby residents. However, they were concerned that the proposed lighting scheme could affect nearby residents at night and requested that Condition 4 be amended.

Granted with the conditions as reported, subject to an amendment to Condition 4 indicating that there would be no requirement for a lighting scheme but if a scheme was implemented, details should be provided to the Council for approval before being installed.

(ii) EN/09/01522/FUL and EN/01523/LBC – School House, New Street, Oundle (See page 476).

Granted with the conditions as reported.

(iii) EN/09/01150/FUL – Land adjacent to Jasmine Gardens, Rushden (See page 477).

Granted with the conditions as reported.

(iv) EN/09/01767/RWL – 51 Victoria Street, Irthlingborough (See page 478).

Members noted that the Section 106 Agreement for contributions towards education and open space, and provision of affordable housing was currently being negotiated with the applicants.

Granted - The Head of Planning Services be authorised, in concurrence with the Chairman or Vice Chairman and Ward Member, to grant the application with the conditions as reported, subject to the completion of a Section 106 Agreement for contributions towards education and open space, and provision of affordable housing.

(v) EN/09/01930/FUL – 47 West Street, Kings Cliffe (See page 482).

The Committee went against Officers' advice to refuse because it considered that the installation of UPVC windows to replace the existing windows at the property and shop frontage would not set a precedent in the Conservation Area because of special circumstances, including the poor visual quality of the building and the need to support a community facility.

Granted subject to a time limit condition only and an Informative setting out the reason for the decision to make it clear that there were special circumstances which justified granting permission, including the visual appearance of the building and the viability of the business.

(vi) EN/09/01650/OUT – 112 Irchester Road, Rushden (See page 483).

Granted with the conditions as reported and with two additional conditions to restrict permitted development rights and boundary treatments.

(b) Applications Refused

EN/09/01736/VAR – Midland Road Granaries, Midland Road, Higham Ferrers (See page 478).

The Committee considered that the applicants had done everything possible to defer paying a financial contribution towards offsite open space works to the Town Council as required by a condition when the application was granted in 2005. It asked that Officers negotiate with the applicants on an appropriate contribution and that enforcement action be taken if the matter was not satisfactorily resolved.

Refused with the reasons as reported and that Officers, in concurrence with the Ward Member, be given three months to negotiate compliance with the condition, subject to the provision of quotes for outstanding works to Castle Fields from Higham Ferrers Town Council up to a maximum amount of £39,100. If the matter was not satisfactorily resolved within three months, then the most appropriate form of enforcement action be taken for non compliance with the condition.

(c) Applications Deferred

(i) EN/09/00759/FUL – 77 Brook Street, Raunds (See page 481).

The Committee had concerns about:

- the ability of the proposed ventilation system to adequately extract cooking fumes using the property's existing chimney
- delivery times at the weekend

- potential for antisocial behaviour outside the premises affecting nearby residents
- the number of takeaways in the vicinity.

Deferred for an engineer's report on the ventilation/extraction system and whether the property's existing chimney could be used; further clarification from Environmental Health on delivery hours; and a formal Members' site visit at 1.00pm on Wednesday 3 February.

(ii) EN/09/01760/REM – Laws Lawn, Stamford Road, Kings Cliffe (See page 481).

The Committee considered that the application could be granted subject to the applicant agreeing to improve the design of the proposed property. They considered that the property would not be harmful to the open countryside and there were similar sized properties in the area.

Deferred for Officers to negotiate with the applicants to seek improvements to the design.

(iii) EN/09/00935/FUL – 10 Hautboy Lane, Warmington (See page 482).

Members noted that Officers were recommending that the application be deferred for further consideration.

Deferred to allow the application to be advertised because it affected the setting of an adjoining listed building; for this material consideration to be taken into account in the determination of the application; and to enable a detailed response to be made to a late neighbour representation.

RESOLVED:

That the above planning applications be dealt with as indicated in the Appendix to these minutes at pages 475 to 484.

338. CONTINUATION OF MEETING – COUNCIL PROCEDURE RULE 8

During the consideration of application EN/09/01930/FUL under the item above, the Chairman reported that the two hour period in the above Rule had been reached and it was

RESOLVED:

That the remaining business on the agenda be completed.

339. APPEAL DECISION MONITORING REPORT

Members noted the report submitted by the Head of Planning Services monitoring the Council's planning and enforcement appeal decisions from 7 December 2009 to 1 January 2010.

Chairman

**List of Applications Determined by
DEVELOPMENT CONTROL COMMITTEE - 27 January 2010**

EN/09/01991/FUL

Date received Date valid Overall Expiry Ward
18 December 2009 18 December 2009 12 February 2010 Thrapston Market

Applicant **Kinewell Trust c/o K Housemayne De Boulay**

Agent **Stuart Long Architect**

Location **Kinewell Lake Park, Station Road, Ringstead.**

Proposal **Alterations to car park.**

Decision Application Granted with the conditions as reported, subject to an amendment to Condition 4 indicating that there would be no requirement for a lighting scheme but if a scheme was implemented, details should be provided to the Council for approval before being installed.

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. In accordance with the submitted details, the existing boundary screening to all boundaries of the site (including trees, shrubs and hedges) shown on drawing numbers: 674/2 and 673, received on 18th December 2009, shall be retained, unless otherwise agreed in writing by the Local Planning Authority. Before commencement of the development hereby permitted, a drawing at a scale of not less than 1:500 to show the position, species, canopy, spread and height of all trees, shrubs and hedges within and adjacent to the site to be retained and those proposed for felling, shall be submitted to and be approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the details so approved and this screening shall thereafter be retained in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.
Reason: In the interest of visual amenity, the character and appearance of the area and facilitate proper consideration of the provision made for trees on the site in accordance with Section 197 of the Town and Country Planning Act 1990.
3. Before commencement of the development hereby permitted and notwithstanding the submitted details, details of the surfacing of the access, footpath and parking areas, including the type of materials and colour, shall be submitted to and be 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: In the interests of visual amenity, the character and appearance of the area and highway safety.
4. Prior to the installation of any lighting at the car park area or footpath hereby approved, details shall be submitted to and approved in writing by the local planning authority and the lighting scheme shall thereafter be implemented and retained in accordance with the details so approved, unless otherwise agreed in writing by the Local Planning Authority.
Reason: In the interests of residential and visual amenity and in order to ensure no adverse impacts upon local wildlife.

EN/09/01522/FUL

Date received Date valid Overall Expiry Ward
28 September 2009 28 September 2009 23 November 2009 Oundle

Applicant **The Oundle School Building Co Ltd**

Agent **CMPS**

Location **School House, New Street, Oundle.**

Proposal **Erection of railings and a gate to within the courtyard on the west side of New Street.**

Decision Application Granted

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 shall be carried out strictly in accordance with the amended details received by the Local Planning Authority on 13th November 2009, drawing number: 08.12/23 and Design and Access Statement, unless otherwise agreed in writing by the Local Planning Authority.
Reason: To ensure the development is implemented in accordance with the approved details and to ensure the development would not be detrimental to the character, appearance and setting of the listed building.

EN/09/01523/LBC

Date received Date valid Overall Expiry Ward
28 September 2009 28 September 2009 23 November 2009 Oundle

Applicant **The Oundle School Building Co Ltd**

Agent **CMPS**

Location **School House, New Street, Oundle.**

Proposal **Erection of railings and a gate to within the courtyard on the west side of New Street.**

Decision Application Granted

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 shall be carried out strictly in accordance with the amended details received by the Local Planning Authority on 13th November 2009, drawing number: 08.12/23 and Design and Access Statement, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the development is implemented in accordance with the approved details and to ensure the development would not be detrimental to the character, appearance and setting of the listed building.

EN/09/01150/FUL

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|---------------------|----------------------|--------------------------|----------------|
| Date received | Date valid | Overall Expiry | Ward |
| 21 July 2009 | 4 August 2009 | 29 September 2009 | Rushden |

Applicant **Mr M Day**

Location **Land Adjacent To Jasmine Gardens, Rushden.**

Proposal **Change of use of land from tree buffer zone to private back gardens for 35, 37 and 26 Jasmine Gardens.**

Decision Application Granted

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. In accordance with the submitted photographic details, received on 21 July 2009, the boundary fence to be installed shall not exceed 2.0 metres in height.
Reason: In avoidance of doubt and to clarify the terms of this consent.
3. Before commencement of the development hereby permitted, the position of the fencing shall be marked out for inspection by a representative of East Northamptonshire Council and details of this marked out fencing shall be submitted to and be approved in writing by the Local Planning Authority. This fencing shall thereafter be installed and maintained in accordance with the site inspection details and other details so agreed in writing by the Local Planning Authority, unless otherwise agreed in writing by the Local Planning Authority.
Reason: To ensure satisfaction protection for the hedgerow, facilitate proper consideration of trees in accordance with Section 197 of the Town and Country Planning Act 1990 and to minimise opportunities for crime and fear of crime.
4. Notwithstanding the submitted details and before commencement of the development hereby permitted, full details of any tree works or works to the southern boundary hedge, shall be submitted to and be approved in writing by the Local Planning Authority. This shall include details of the location, type of species and works description. 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 satisfaction protection for the hedgerow and facilitate proper consideration of trees in accordance with Section 197 of the Town and Country Planning Act 1990 and local wildlife.
5. In accordance with the recommendations of the submitted Ecological Report, any trimming, topping or looping works to the trees, hedgerow or other vegetation (so approved by condition 4 above) shall be carried out outside of the bird breeding season, from 1 March to 31 July (inclusive), unless otherwise agreed in writing by the Local Planning Authority.
Reason: To ensure satisfactory protection for protected species and wildlife.
6. In accordance with the amended details received on 26 November 2009, this permission only confers consent to extend the garden areas of 26, 37 and 35 Jasmine Gardens only and does not give permission to extend the garden of 28 Jasmine Gardens.
Reason: In avoidance of doubt and to clarify the terms of this consent.

EN/09/01736/VAR

Date received Date valid Overall Expiry Ward
29 October 2009 29 October 2009 28 January 2010 Higham Ferrers

Applicant **Stamford Homes Midlands - Mr M Bond**

Location **Midland Road Granaries, Midland Road, Higham Ferrers.**

Proposal **Removal of Condition 13 (offsite open space - Grampian) Planning permission EN05/01542/REM dated 28 September 2005 for the erection of twenty three residential dwellings.**

Decision Application Refused with the reason as reported and that Officers, in concurrence with the Ward Member, be given three months to negotiate compliance with the condition, subject to the provision of quotes for outstanding works to Castle Fields from Higham Ferrers Town Council up to a maximum amount of £39,100. If the matter was not satisfactorily resolved within three months, then the most appropriate form of enforcement action be taken for non compliance with the condition.

Reason:

1. The condition was imposed to meet the requirements for open space provision generated by the development (EN/05/01542/FUL) in accordance with policies RL3 and RL4 in the adopted East Northamptonshire District Local Plan, as the submitted scheme did not include the provision of on site open space in accordance with these policies. Since then this Council has adopted an SPD in respect of Developer Contributions, linked to these policies. There is a scheme in place to improve Castle Fields which is in close proximity to the site and the requirement to carry out works to this site would accord with the advice in Circular 05/05 Planning Obligations in that such works would meet the shortfall in open space provision resulting from the scheme and would be reasonably related to the development which was permitted (EN/05/01542/FUL). In addition, the wording of the condition does not conflict with advice in Circular 11/95 Use of Conditions in Planning Permission.

EN/09/01767/RWL

Date received Date valid Overall Expiry Ward
4 November 2009 6 November 2009 5 February 2010 Irthlingborough John Pyel

Applicant **Normandy Leathers Ltd - Mr Douglas Perkins**

Location **51 Victoria Street, Irthlingborough.**

Proposal **Renewal of extant outline planning permission EN/05/00281/OUT Proposed residential development. All matters reserved except means of access dated 08/11/2006.**

Decision The Head of Planning Services be authorised, in concurrence with the Chairman or Vice Chairman and Ward Member, to Grant the application with the conditions as reported, subject to the completion of a Section 106 Agreement for contributions towards education and open space, and provision of affordable housing.

Conditions/Reasons:

1. Approval of the details of the layout, siting, scale and appearance of the building(s) 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 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 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.
5. Where the risk assessment identifies any unacceptable risk or risks, a detailed remediation strategy to deal with land contamination and/or pollution of controlled waters affecting the site shall be submitted and approved by the LPA. No works, other than investigative works, shall be carried out on the site prior to receipt of written approval of the remediation strategy by the LPA.
Reason: To ensure the proposed remediation plan is appropriate.
6. Remediation of the site shall be carried out in accordance with the approved remediation strategy. No deviation shall be made from this scheme without the express written agreement of the LPA.
Reason: To ensure site remediation is carried out to the agreed protocol.
7. On completion of remediation, two copies of a closure report shall be submitted to the LPA. The report shall provide validation and certification 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.
8. 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.
9. Notwithstanding the submitted details, the development hereby approved shall not commence until full details of traffic calming at the site access point and the junction of Victoria Street and Jubilee Street have been submitted and approved in writing by the local planning authority. The development shall be provided fully in accordance with the approved details unless otherwise agreed in writing by the local planning authority and prior to the first occupation of any dwellings constructed pursuant to this consent.
Reason: In the interests of highway safety.

10. The details pursuant to condition 9 above shall be supported by a traffic safety audit which shall be submitted to and approved in writing by the local planning authority prior to the commencement of development.

Reason: In the interests of highway safety.

11. 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 before the first occupation of the development.

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

12. Prior to the commencement of development details of the means of foul and surface water drainage shall be submitted to and approved in writing by the local planning authority. Development shall be completed in accordance with the approved details prior to the first occupation of the approved building(s).

Reason: In the interests of public health and to minimise the risk of flooding onsite and elsewhere.

13. Prior to the commencement of development details of boundary treatments shall be submitted to and approved in writing by the local planning authority. Boundary treatment shall be erected in accordance with the approved details prior to the first occupation of the approved building(s).

Reason: To safeguard the visual amenity of the area and in the interests of crime prevention

14. The details to be submitted for approval in writing by the Local Planning Authority in accordance with condition 1 above shall include street scene elevations and floor plan and spot level drawings to show the slab levels of the building in relation to the existing and proposed levels of the site and the surrounding land within 25 metres of the site. 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.

15. Notwithstanding the submitted details, this outline permission does not confer consent to a specific number of residential units and instead confers consent only for the principle of residential development and means of access.

Reasons: (1) The applicant has failed to demonstrate that 26 flats could be accommodated without having an adverse impact on the character of the area, but in all other aspects this outline application is acceptable. (2) For the avoidance of doubt.

16. Prior to the commencement of development details of the location of temporary contractor car parking during construction works shall be submitted to and approved in writing by the local planning authority. For the duration of the construction works the temporary car parking area shall be available for contractors' use in accordance with the approved details.

Reason: In order to avoid undue congestion and on-road car parking during construction works.

17. Notwithstanding the approved details, prior to the commencement of development (with the exception of works of remediation) details of secure cycle parking facilities to each and every dwelling shall be submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until such time as the secure cycle parking associated with that dwelling has been provided in accordance with the approved details.

Reason: To ensure that adequate convenient and secure cycle parking is available in the interests of environmental sustainability.

18. A noise survey and acoustic report, which shall include details of a noise mitigation strategy, shall be submitted to and be approved in writing by the Local Planning Authority in the reserved matters, before commencement of development.

Reason: In the interest of residential amenity.

19.A protected species report, which shall include a survey of the main building and attached structures, shall be submitted to and be approved in writing by the Local Planning Authority in the reserved matters, before commencement of development.

Reason: To establish the presence of protected species within the building and ensure the development would not harm any protected species, in accordance with the advice contained in Circular 06/2005 and PPS9.

20.Before commencement of development hereby permitted, a sustainable strategy to demonstrate that the development complies with Policy 14 of the North Northamptonshire Core Spatial Strategy shall be submitted to and be agreed in writing by the Local Planning Authority and 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.

EN/09/00759/FUL

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| Date received | Date valid | Overall Expiry | Ward |
| 18 May 2009 | 21 May 2009 | 16 July 2009 | Raunds Saxon |

Applicant **Mr A Miah**

Agent **Berrys**

Location **77 Brook Street, Raunds.**

Proposal **Change of use of ground floor of 77-79 to Hot Food takeaway (A5 Use Class) from Retail use (A1) plus revised shopfront, 3 fascia lights and alterations to the house chimney to extract duct.**

Decision **Application Deferred for an engineer's report on the ventilation/extraction system and whether the property's existing chimney could be used; further clarification from Environmental Health on delivery hours; and a formal Members' site visit at 1.00pm on Wednesday 3 February.**

EN/09/01760/REM

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|------------------------|------------------------|-------------------------|---------------------|
| Date received | Date valid | Overall Expiry | Ward |
| 4 November 2009 | 5 November 2009 | 31 December 2009 | Kings Forest |

Applicant **Mrs And Mrs A Howard**

Agent **Wythe Holland Partnership LLP**

Location **Laws Lawn, Stamford Road, Kings Cliffe.**

Proposal **Demolition of farmhouse and erection of replacement dwelling - seeking consent for Layout, Scale, Appearance, Access and Landscaping.**

Decision **Application Deferred for Officers to negotiate with the applicants to seek improvements to the design.**

EN/09/01930/FUL

Date received Date valid Overall Expiry Ward
3 December 2009 3 December 2009 28 January 2010 Kings Forest

Applicant **Mr M Gorania**

Agent **Artisan Designs Ltd - Mr James Lewis**

Location **47 West Street, Kings Cliffe.**

Proposal **Existing windows replaced and shop frontage change.**

Decision Application Granted subject to a time limit condition only and an Informative setting out the reason for the decision to make it clear that there were special circumstances which justified granting permission, including the visual appearance of the building and the viability of the business.

Condition/Reason:

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.

EN/09/00935/FUL

Date received Date valid Overall Expiry Ward
17 June 2009 17 June 2009 12 August 2009 Lower Nene

Applicant **Mr J Bell - Bells Butchers**

Agent **W R Griffin Associates**

Location **10 Hautboy Lane, Warmington.**

Proposal **Change of shop front, first floor and single storey rear extension to private living accommodation (Re-submission of 08/02146/FUL).**

Decision Application Deferred to allow the application to be advertised because it affected the setting of an adjoining listed building; for this material consideration to be taken into account in the determination of the application; and to enable a detailed response to be made to a late neighbour representation.

Date received Date valid Overall Expiry Ward
15 October 2009 6 November 2009 1 January 2010 Rushden Spencer

Applicant **Mrs T Sizer**

Agent **Sidey Design Architecture**

Location **112 Irchester Road, Rushden.**

Proposal **Outline: Erection of 3 No. detached dwellings. All matters reserved except access, layout and scale.**

Decision Application Granted with the conditions as reported and with two additional conditions to restrict permitted development rights and boundary treatments.

Conditions/Reasons:

1. Approval of the details of the Appearance and Landscaping (hereinafter called "the reserved matters") shall be obtained from the local planning authority.
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 to be submitted for approval in writing by the local planning authority in accordance with condition 1 above shall include slab levels of the buildings 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 slab levels that have been approved 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. In accordance with condition 1, 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.
6. The accesses hereby approved shall be constructed in strict accordance with the details shown on drawing 09-010-01B.
Reason: In the interest of highway safety.
7. Notwithstanding the details of the Design and Access Statement received on 06/11/09, the height of the dwellings hereby approved shall be limited to 9m.
Reason: For the avoidance of doubt and to ensure a satisfactory form of development in relation to neighbouring land and buildings.

8. 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. The statement shall include, but not be limited to, details of ground protection in respect of plots 2 and 3 and details of the installation of services to the site. This statement 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.

9. 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.

10. Notwithstanding the submitted details, exact details of the no dig method shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The development shall thereafter be carried out in accordance with these details.

Reason: To ensure the protection of trees on site.

11. The access hereby approved shall be constructed before the commencement of the proposed dwellings.

Reason: To ensure that vehicle movements in and out of the site do not cause excessive soil compaction and root damage.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (or any order revoking and 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 an overdevelopment of the site and to safeguard neighbour amenity.

13. Prior to the commencement of development, a schedule of boundary treatments shall be submitted to and approved in writing by the local planning authority. Boundary treatment shall be completed in accordance with the approved schedule prior to the first occupation of any of the dwellings hereby approved.

Reason: To ensure a satisfactory standard of development.