

# PLANNING MANAGEMENT COMMITTEE

Date: 11 July 2018

Venue: East Northamptonshire House, Cedar Drive, Thrapston

Time: 7.00pm

Present: Councillors: Phillip Stearn Chairman  
Gill Mercer Vice Chairman

Richard Gell Ron Pinnock  
Helen Howell Roger Powell  
Barbara Jenney Anna Sauntson  
Andy Mercer Robin Underwood  
Harriet Pentland Pam Whiting

## 82. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Roger Glithero JP, Marika Hillson, Dudley Hughes JP, Geoff Shacklock, Alex Smith and Peter Wathen.

Councillor Gill Mercer had also submitted apologies for her late arrival.

## 83. MINUTES

The minutes of the meeting held on 13 June 2018 were approved and signed by the Chairman.

## DECLARATIONS OF INTEREST AND INFORMAL SITE VISITS

### (a) Declarations of Interest

Councillor	Application	Nature of Interest	DPI	Other Interest
Andy Mercer and Gill Mercer	18/01010/FUL 48 High Street South, Rushden	Are members of the Rushden Conservative Club but are not and have not been members of the management committee.		Yes
Harriet Pentland	18/00349/NCC Works at Upper Higham Lane, Rushden	Has a close association with one of the objectors and has strong, personal objections on the application.		Yes (left meeting)

Councillor Andy Mercer wished for it to be noted that if any libellous statements were made about him then he would take legal action.

**(b) Informal Site Visits**

No informal site visits were disclosed.

**84. QUESTIONS FROM MEMBERS UNDER COUNCIL PROCEDURE RULE 10.3**

No questions were submitted under Procedure Rule 10.3.

**85. SECTION 106 AGREEMENTS AND DELEGATIONS TO HEAD OF PLANNING SERVICES – UPDATE**

The Committee received a report which provided an update on the progress of drafting S106 Agreements in respect of matters where the Committee had previously resolved to grant planning permission and on the applications where actions had been delegated to the Head of Planning Services.

Members considered a request by the Planning Development Manager for an extension of time for the Section 106 agreement in respect of application 10/00857/OUT Irthlingborough West until the end of August 2018.

The progress on delegations to the Head of Planning Services was noted as follows:

- 15/00119/VAR Priors Hall – unlikely to proceed with the new owners. In response to a question from Members, the Planning Development Manager clarified that the current application was unlikely to proceed but a new application was expected.

**RESOLVED:**

- (i) That the report be noted; and
- (ii) That the extension of time for the Section 106 agreement in respect of 10/00857/OUT Irthlingborough West until the end of August 2018 be approved.

**86. PUBLIC SPEAKERS**

The following person spoke on the item as indicated:

- **Mr S Saxty** - 18/00349/NCC - Works at Upper Higham Lane, Rushden (Objector)
- **Mrs K Pentland** - 18/00349/NCC - Works at Upper Higham Lane, Rushden (on behalf of Chelveston Parish Council)
- **Cllr P Harley** - 18/01010/FUL - 48 High Street South, Rushden (On behalf Rushden Town Council)
- **Mr E Cleaver** - 18/01010/FUL - 48 High Street South, Rushden (Agent)
- **Mr D Allan** 18/00715/FUL - Station House, Barrowden Road, Wakerley (On behalf of Wakerley Parish Meeting)
- **Mr C Battle** - 18/00715/FUL - Station House, Barrowden Road, Wakerley (Applicant)

## **87. PLANNING APPLICATIONS**

The Committee considered the planning applications report and representations made by public speakers at the meeting. It was noted that there was additional information on the applications included in the update sheet.

**Councillor Harriet Pentland left the room for the following item.**

### **(i) 18/00349/NCC – Works at Upper Higham Lane, Rushden**

Councillor Gill Mercer arrived during the consideration of this item. Councillor Mercer advised that she was now a member of the Northamptonshire County Council (NCC) Development Control Committee who would be considering the application in the future, but she would not be able to determine the application there as she had taken full involvement in the consideration of the report when it was considered by this Committee in April.

The Committee considered an application for the construction of a plastic recycling and recovery facility. The application had first been brought before the Committee on 11 April 2018 as it related to a major waste development within the district. The application would be determined by NCC as the Waste Planning Authority and East Northamptonshire Council (ENC) had been consulted as a neighbouring authority.

The process at the site would involve the conversion of waste plastic by pyrolysis into diesel, petrol and liquid petroleum gas. In physical terms, this would involve the construction of new buildings and plant and the laying of a new concrete hardstanding.

Members noted that originally Chelveston Parish Council had not objected to the application, but since the last report had been prepared, ENC had received a copy of a revised response from the Parish Council to NCC which now objected to the application. It was also noted that in the Update Sheet, Mr S Saxty was listed as a representative of AIRTOPIA, however the Planning Officer clarified that he had attended the meeting referred to as a private resident. Members further noted that letters objecting to the application had been received from nearby residents and an organised residents group called RAID (Residents Against Inappropriate Development).

During debate on the application, Members again raised very strong concerns about the application, including in relation to the possible health impacts, impact on the environment and the viability of the application in light of Government announcements about the future of diesel vehicles. There were a number of important questions which still needed to be answered before a decision on the application could be made, including consideration of the cumulative effect with the existing wind farm and two anaerobic digesters, not enough information on the level of risk from the outputs of the scheme, modelling data was out of date and did not take into account the nearby windfarm and no details of how the remains of the process would be removed from the site. Members believed that if NCC were minded to grant the application then a number of conditions should be recommended to them including the need for an appropriate management plan and a plan for the reinstatement and decommissioning of the site. The impact on the developing Rushden East Sustainable Urban Extension was also highlighted, as the adopted North Northamptonshire JCS had included a policy on the Rushden East SUE which took precedence over the application.

**RESOLVED:** That

- (i) Northamptonshire County Council be informed that East Northamptonshire Council strongly objects to the application as per the officer's report and update sheet; and
- (ii) the detailed wording of the objection is delegated to the Head of Planning Services, in consultation with the Chairman, Vice Chairman and Ward Member.

**Councillor Harriet Pentland returned to the meeting.**

**(ii) 18/00708/FUL – Land Adjacent 47 The Crescent, Chelston Rise, Caldecott**

The Committee considered an application for the erection of nine dwellings and one detached garage on four plots of land. The application had been brought before the Committee in accordance with the Scheme of Delegation.

Members noted that whilst not objecting to the application Chelveston cum Caldecott Parish Council had raised several issues. Four letters objecting to the application had also been received from nearby residents. The Local Highways Authority had objected to the application on a number of grounds including that the proposal was contrary to the NCC policy not to have more than five dwellings on a private driveway and that the site was not in a sustainable location as residents would need to drive to work, school and amenities.

Members further noted that whilst having no objections to the application the ENC Senior Tree and Landscape Officer had requested that the applicant submit a BS 5837: 2012 compliant report to ensure that the retained trees would not be damaged throughout the course of the development. The Officer further requested that the report must include an Arboriculture impact assessment (with tree constraints plan) and an Arboriculture Method Statement and that they be submitted to and agreed by the Council prior to any works taking place on the site.

The Planning Officer highlighted that the 'red line' drawing which showed the application sites only extended as far as The Crescent, which was an unadopted road. A red line drawing was required to extend as far as the closest adopted highway and an amended drawing had now been received to address this point. The applicant's agent had served notice on any owners of this road and given them 21 days to comment on the application. In light of this, the recommendation in the report was amended to read 'Subject to no new matters coming to light within the 21 day period given to make views on the new red line drawing, approval of the application be delegated to the Council's Head of Planning Service.'

During debate on the application, Members acknowledged that it was a good proposal. It was confirmed that access to the large green amenity space would still be available to local people. Members also highlighted that these smaller developments would be good opportunities to develop affordable housing to enable local, young people to remain in the area.

It was moved and seconded that the application be granted. On being put to the vote the Committee **agreed to grant** the application, subject to the conditions detailed in the officer's report and update sheet, subject to no new matters coming to light within the 21 day period given to make views on the new 'red line' drawing with approval of the application to be delegated to the Head of Planning Services.

**(iii) 18/01010/FUL – 48 High Street South, Rushden**

The Committee considered an application for the construction of four residential units which comprised of two apartments and two small cottages; also the refurbishment of an existing dwelling. The application had been brought before the Committee as Rushden Town Council had objected to the application on the grounds of overdevelopment of the site, insufficient amenity space, inadequate access onto High Street South, cramped parking layout and poor quality living space.

Members noted that the Council's Environmental Protection Officer had no objection to the application but proposed that a condition should be included to ensure noise attenuation measures were installed. The Council's Senior Tree and Landscape Officer had also raised no objection. It was also noted that the Local Highways Authority had no objection to the application. An objection had been received from a local resident.

The principle of development on the site had already been agreed as a previous application (08/01595/FUL) had been allowed at appeal by the Planning Inspectorate in July 2009 but was no longer extant. Following the Committee's site visit, it was confirmed that none of the proposed dwellings would be in flood zones 2 or 3, but a section of the amenity area would be within both zones, but the land levels were lower.

It was noted that prior to the meeting, Members of the Committee had been sent an email from the Applicant's Agent, outlining their concerns with Rushden Town Council's objection and how the application would have been delegated otherwise.

During debate on the application, Members noted that the principle of development had already been agreed. Members strongly stated that Rushden Town Council had every right to make an objection to the application and had taken careful deliberation before making such an objection. The lack of amenity space was a concern and what was available could be unusable as it sloped down to a water course which was likely to flood in the future. It was proposed that an informative be added to the decision advising the developer to satisfy themselves that the grill in the water course did not become blocked.

It was moved and seconded that the application be granted. On being put to the vote there were six votes for the motion, none against and five abstentions, therefore the Committee **agreed to grant** the application, subject to the payment of the SPA contribution or the submission of a habitat mitigation strategy and the conditions detailed in the officer's report, update sheet and inclusion of an informative advising the applicant that the site is at risk of flooding and they should satisfy themselves that a suitable management plan is in place to prevent drainage grills from becoming blocked.

**(iv) 17/02408/FUL – 4 Woodnewton Road, Nassington**

The Committee considered an application for retrospective planning consent for the demolition of two small brick lean-to sheds in the rear garden of a dwelling and the erection of a detached outbuilding. The application had been brought before the Committee as an adjacent occupier was an elected Member and Nassington Parish Council had objected to the application on the grounds that the scale of the building should be reduced in height.

Members noted that one letter objecting to the application had been received from a nearby resident.

It was noted that the applicant had met with the neighbour's builder to discuss remedial work to improve the visual impact at the rear of the building and it had been agreed it would be appropriate to rebuild the wall to its original height using traditional methods and materials matching the original wall.

It was moved and seconded that the application be granted. On being put to the vote the Committee **agreed to grant** the application, subject to the conditions detailed in the officer's report and update sheet.

**(v) 18/00867/LBC – 4 Woodnewton Road, Nassington**

The Committee considered an application for listed building consent for the demolition of two small brick lean-to sheds in the rear garden of a dwelling and the erection of a detached outbuilding. The application had been brought before the Committee as an adjacent occupier was an elected Member and Nassington Parish Council had objected to the application on the grounds that the scale of the building should be reduced in height.

It was moved and seconded that the application be granted. On being put to the vote the Committee **agreed to grant** listed building consent, subject to the conditions detailed in the officer's report and update sheet.

**(vi) 18/00715/FUL – Station House, Barrowden Road, Wakerley**

The Committee considered an application for a change of use from a garden to a stable yard and the construction of a single storey outbuilding which comprised of stables, storage/tack room, home office and store. The application had been brought before the Committee at the request of the Ward Member as Wakerley Parish Meeting had objected to the application on the grounds that the application was out of character for the location and the size of the development in the garden was excessive and disproportionate to its context.

Members noted that the Local Highways Authority had advised that if ENC did not consider that there would likely be an intensification of the existing access, then they would have no objections. It was also noted that the Council's Planning Policy Officer advised that by ensuring that there was a sufficient gap alongside the building to enable a cycle path to be put into place at a later date, the application was acceptable.

It was moved and seconded that the application be granted. On being put to the vote the Committee **agreed to grant** the application, subject to the conditions detailed in the officer's report.

**(vii) 18/00636/VAR – Freemans Court, Station Road, Rushden**

The Committee considered the variation of a condition pursuant to planning application 17/01480/VAR. The application had been brought before the Committee in accordance with the Scheme of Delegation as it sought to vary a condition on a major planning proposal.

The application sought to vary Condition 11 by amending the north elevations to the east block to match the same design of Juliet balconies instead of the full balconies as previously approved.

Members noted that Rushden Town Council had no objection to the proposal.

It was moved and seconded that the application be granted. On being put to the vote the Committee **agreed to grant** the application, subject to the conditions detailed in the officer's report and the submission of a satisfactory legal agreement.

**88. APPEAL DECISION MONITORING REPORT**

The Committee received a report which provided an update on the planning appeals determined by the Planning Inspectorate from 28 May to 22 June 2018.

**RESOLVED:**

That the report be noted.

**Chairman**