

# PLANNING MANAGEMENT COMMITTEE

Date: 15 August 2018

Venue: East Northamptonshire House, Cedar Drive, Thrapston

Time: 7.00pm

Present Councillors: Richard Gell Harriet Pentland  
Helen Howell Ron Pinnock  
Roger Glithero JP Alex Smith  
Marika Hillson Robin Underwood  
Barbara Jenney Peter Wathen  
Andy Mercer Pam Whiting

## 144. APPOINTMENT OF CHAIRMAN FOR THE MEETING

In the absence of both the Chairman and Vice Chairman, it was **RESOLVED**:

That Councillor Robin Underwood be appointed Chairman for this meeting only.

## 145. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Gill Mercer, Anna Sauntson, Geoff Shacklock and Phillip Stearn.

## 146. MINUTES

The minutes of the meeting held on 11 July 2018 were approved and signed by the Chairman.

## 147. DECLARATIONS OF INTEREST AND INFORMAL SITE VISITS

### (a) Declarations of Interest

Councillor	Application	Nature of Interest	DPI	Other Interest
Roger Glithero	17/02426/OUT OP0512 TL0097 Blatherwycke Road, Kings Cliff	Knows the agent.		Yes
Barbara Jenney	18/01269/FUL 225 Avenue Road, Rushden	Has a close association with the speaker.		Yes

**(b) Informal Site Visits**

No informal site visits were disclosed.

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

No questions were submitted under Procedure Rule 10.3.

**149. 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 February 2019.

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.
- 18/00349/NCC Upper Higham Lane, Rushden – objection letter agreed and issued.
- 18/00708/FUL Land Adjacent 47 The Crescent, Caldecott – decision issued.

**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 February 2019 be approved.

**150. PUBLIC SPEAKERS**

A number of people had registered to speak on the items as indicated:

- 17/02426/OUT 0P0512 TL0097 Blatherwycke Road, Kings Cliffe – a representative on behalf of Kings Cliffe Parish Council and the Agent on behalf of the Applicant.
- 18/01136/REM 55 Rushmere Way, Rushden - an objector to the application.
- 18/01269/FUL 225 Avenue Road, Rushden - a Ward Member.
- 18/00656/VAR Darsdale Farm Site, Chelveston Road, Raunds - the Agent for the Applicant

## 151. 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.

### (i) **17/02426/OUT – OP0512 TL0097 Blatherwycke Road, Kings Cliffe**

The Committee considered an outline application for a proposed residential development of up to twenty affordable homes and ten market homes, allotments and landscaping (all matters reserved except access). The application had been deferred from the Planning Management Committee meeting held on 13 June 2018 to allow for additional information to be considered. The application had been brought before the Committee in accordance with the Scheme of Delegation.

Members noted that Kings Cliffe Parish Council had objected to the application on the basis that previous recent developments had fulfilled the village's housing requirements and that the emerging Kings Cliffe Neighbourhood Plan had allocated two other sites for housing. Members further noted that twenty letters objecting to the application had been received from nearby residents and ten letters in support of the application had been received. The Local Highways Authority had no objections to the application subject to conditions and provision of a bus stop within 400m of the application site. The Planning Officer read out an additional statement which had been submitted by the applicant.

During debate on the application, Members raised concerns that the application could open up similar applications outside of the village boundary. The emerging Kings Cliffe Neighbourhood Plan was now at an advanced stage and had allocated a number of sites for development. It was also stated that there was no evidence of the local housing need not being met.

It was moved and seconded that the application be refused. On being put to the vote the Committee **agreed to refuse** the application for the following reasons:-

1. The proposal would result in part affordable, part market housing development on unallocated Greenfield land outside the defined settlement boundary and on a site which does not relate well to the built form of the village. The applicant states that the proposal is to be considered as a rural exception site but has not submitted or referred the Local Planning Authority to any robust evidence in the form of a Housing Needs Assessment in order to demonstrate that there is a local housing need, or that the proposed development would satisfy locally identified housing needs. Given that the applicant has not put forward a convincing case in favour of the development, the proposal does not accord with Policy 11 2 a), b) and c), and Policy 12 1 a) and d) of the North Northamptonshire Joint Core Strategy and Paragraph 2 of the NPPF.
2. The proposed development is not purely for affordable housing and the applicant has failed to provide any supporting evidence to demonstrate that an element of market housing is essential to enable the delivery of the development, or the workings to demonstrate the basis on which the proposed number of market units has been reached, in order that the scale of the market housing is the minimum necessary to make the scheme viable as required by Policy 13 (1) (d) of the North Northamptonshire Joint Core Strategy and Paragraphs 2 and 77 of the NPPF.

3. The proposed development by reasons of its scale, density and peripheral location would detract from the linear and more diffuse built form along Blatherwycke Road, which is a key transitional area between the very dense built form of the village and the sparsely populated open countryside. The proposal, therefore, would fail to conserve and enhance the existing landscape character and the character and appearance of the village. The proposed development would be contrary to paragraphs 17 and 61 of the National Planning Policy Framework 2012, and Policy 1, Policy 3 a),b) and d), Policy 8 d) and Policy 13 (1) b) and d) of the North Northamptonshire Joint Core Strategy 2016 and Paragraph 127 of the NPPF.
4. In the absence of a satisfactory unilateral undertaking or any other form of Section 106 legal agreement, the Local Planning Authority is not convinced that the infrastructure directly required for the proposed development will be provided and as such the proposal would be contrary to Policy 10 of the North Northamptonshire Joint Core Strategy 2016 and the adopted East Northamptonshire Council Developer Contributions SPD 2006.
5. The applicant has failed to adequately explore or, if necessary, address the full impact of the free range poultry farm to the north west of the application site, including any impact that could be experienced through the introduction of a residential development in such close proximity to the farm, in terms of flies and odour. In addition, the applicant has failed to demonstrate that the proposed development would not only be acceptable subject to unreasonable restrictions being put on the existing business carried out at the farm in order to limit the impact on the proposed dwellings. As such, the applicant has failed to demonstrate that there will be no adverse impact on the occupiers of the proposed development and/or the existing business at the farm and therefore the proposed development does not comply with paragraph 170 and 182 of the NPPF and Policy 1 and 8 e) i and ii) of the North Northamptonshire Joint Core Strategy.

## **152. ADJOURNMENT OF MEETING**

The meeting was adjourned at 7.35pm and reconvened at 7.45pm, whilst the advice of the Deputy Monitoring Officer was sought on whether the Rushden members of the Committee had an interest in the item as a fellow District Councillor was a neighbour to the property. The advice was that Members did not have an interest in the item so they remained in the meeting.

### **(ii) 18/01136/REM – 55 Rushmere Way, Rushden**

The Committee considered a reserved matters application for the erection of a single storey dwelling. The application had been brought before the Committee at the request of the Ward Member Councillor Barbara Jenney.

Members noted that Rushden Town Council had no objections to the application. Members further noted that several letters objecting to the application had been received from nearby residents. A late submission from Councillor Dorothy Maxwell had been received.

During debate on the application, it was noted that reference to a Covenant which stated that a single storey dwelling could not be erected behind 55 Rushmere Way had been made, however this was a civil matter and was separate to the planning application. Members enquired about the drainage from the site given the changes in the levels and there was a

discussion about whether the details could be conditioned and how its proper functioning could be assured. Building Control approval would ensure that technical and dimensional standards were achieved but Members wanted to ensure that the system would work properly once the building came into use, protecting the site and not affecting neighbouring sites. Members also raised concern at the proposed gabion wall and whether it would provide adequate protection. It was proposed that if the application was approved, there should be strong conditions included for future maintenance of the proposed gabion wall and the satisfactory future functioning of the water drainage system.

It was moved and seconded that the application be granted. On being put to the vote, there were seven votes for the motion, three against and no abstentions, therefore the Committee **agreed to grant** the application, subject to the conditions detailed in the officer's report, update sheet and conditions to agree details of the gabion wall and associated drainage scheme and its maintenance in perpetuity.

**(iii) 18/01269/FUL – 225 Avenue Road, Rushden**

The Committee considered an application for the construction of a new single garage at the front of the property. The application had been brought before the Committee at the request of Councillor David Jenney as Rushden Town Council had objected to the application.

Members noted that Rushden Town Council had objected to the application on the grounds that the proposed building extended beyond the existing building line, was out of character with the neighbouring properties and the construction and materials were out of keeping with existing buildings. The Local Highways Authority had made no comments on the application.

During debate on the application, Members stated that whilst the building was not of a good design, it would mainly be hidden behind trees. In response to a question as to whether the proposed building was out of character to the neighbouring properties, the Planning Officer advised that due to the number of developments which had taken place over the years, it would now be difficult to define what the character of the street was. Some Members supported the view of the speaker that allowing this development would set a precedence of basing planning decisions on another building which did not have planning consent, however officers confirmed that the other building had been there so long that officers would no longer be able to enforce and it was therefore considered legal, however the proposed decision was not being based on that building.

It was moved and seconded that the application be granted. On being put to the vote, there were eight votes for the motion, two against and no abstentions, therefore the Committee **agreed to grant** the application, subject to the conditions detailed in the officer's report.

The Chairman requested that it be minuted that he did not take part in the discussion or voting on this item.

**(iv) 19/00656/VAR – Darsdale Farm Site, Chelveston Road, Raunds**

The Committee considered the variation of a condition pursuant to planning application 17/01680/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 1 of the planning permission by allowing for a change in the mix of housing, replacement of some of the approved house types with alternative house types and to alter the parking provision/layout for some of the plots and the relationship of the buildings to spaces. The total number of residential units would remain unchanged.

Members noted that Raunds Town Council had raised concerns that the application affected over 200 houses, including the affordable housing, and that with a lack of information for the Town Council to understand, they had referred it to ENC to consider. ENC's Housing Strategy team had objected to the application as they had requested an affordable detached four bedroom bungalow to be included within the re-plan as that would contribute towards the mix for the site and the range of affordable properties available.

During debate on the application, Members welcomed the improvement in the parking provision, including the reduction in the number of tandem parking spaces. Concern was raised at the loss of a small section of the hedgerow and Officers confirmed that it would have been desirable to retain that section of the hedgerow, but it was not considered that that would be a matter to justify the refusal of the application, particularly when balanced with the benefit of the re-alignment of the parking spaces.

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, update sheet and the completion of a Deed of Variation to secure S106 financial contributions.

**(v) 18/01189/FUL – 108 Harborough Road, Rushden**

The Committee considered an application for the erection of a rear and side extension around an existing rear projecting kitchen. The application had been brought before the Committee as the applicant was an employee of East Northamptonshire Council.

Members noted that Rushden Town Council had no objections to the application.

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.

**153. APPEAL DECISION MONITORING REPORT**

The Committee received a report which provided an update on the planning appeals determined by the Planning Inspectorate from 23 June to 27 July 2018.

In relation to the successful defence of the appeal in relation to The Old Nags Head, Hargrave, Councillor Helen Howell wished to thank all members of the Planning Department for all their work in defending the appeal.

**RESOLVED:**

That the report be noted.

**Chairman**