

PLANNING MANAGEMENT COMMITTEE

Date: 10 October 2018

Venue: East Northamptonshire House, Cedar Drive, Thrapston

Time: 7.00pm

Present Councillors: Phillip Stearn Chairman
 Gill Mercer Vice Chairman

Richard Gell Harriet Pentland
 Roger Glithero JP Roger Powell
 Marika Hillson Geoff Shacklock
 Helen Howell Alex Smith
 Dudley Hughes JP Robin Underwood
 Barbara Jenney Peter Wathen
 Andy Mercer Pam Whiting

215. CHANGE IN THE ORDER OF THE AGENDA

The Chairman advised that there would be a change in the order of the agenda. Two urgent applications would be re-considered after apologies for absence and declarations of interest and informal sites and they would then be followed by the minutes of the last meeting.

216. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Ron Pinnock and Anna Sauntson.

217. DECLARATIONS OF INTEREST AND INFORMAL SITE VISITS

(a) Declarations of Interest

Councillor	Application	Nature of Interest	DPI	Other Interest
Richard Gell	18/00004/FUL Land West of Rushden Lakes, Ditchford Lane, Rushden	Was a member of the Ramblers Association who had made comments on the application.		Yes
Geoff Shacklock	18/01061/FUL Wigsthorpe House Farm, Main Street, Wigsthorpe	The tenant farmer was a family friend.		Yes (left meeting)

(b) Informal Site Visits

Councillors Andy Mercer and Harriet Pentland declared that they had visited 18/00955/FUL 2 Prospect Avenue, Rushden. Councillors Marika Hillson and Harriet Pentland declared that they had visited 18/01476/VAR Land West of Attley Way, Irthlingborough.

218. URGENT ITEMS OF BUSINESS

The following two items of business had been added to the Agenda published on 28 September 2018 with the consent of the Chairman, as following legal advice, the two applications were required to be heard again on the basis that the Council's Constitution was not followed correctly at the last meeting.

Prior to consideration of the two items, the Chairman made the following statement:

“There are two urgent items to be added at the start of this agenda. These are two of the items that were on the agenda for the previous meeting and you are asked to remake the decision because of incorrect constitutional advice being given in relation to the rules of debate. The applicants have been informed that these two matters are to be determined tonight. There were no public speakers on these two items last time. As we are in effect continuing the debate that was held last time, please could only members present last time speak or vote on these two items. Any other Councillors present may stay in the room but are asked not to speak or vote.’

Councillors Marika Hillson, Dudley Hughes and Pam Whiting did not take part in the debate or voting on the following two applications.

219. RECONSIDERATION OF PLANNING APPLICATIONS

(i) 18/00004/FUL - Land West of Rushden Lakes, Ditchford Lane, Rushden

As this application was being re-considered following the last meeting, Members were supplied with the information which was previously considered which included the officer's report, update sheet and letter submitted by Councillor Dorothy Maxwell.

The Committee considered an application for the construction of a new link road between Ditchford Lane and the Rushden Lakes development with associated site clearance and earthworks alongside junction works, footpaths, cycle works, lighting, hard and soft landscaping and associated works. The application had been brought before the Committee in accordance with the Scheme of Delegation as it was a major development. The application was accompanied by an Environmental Statement (ES) as it represented Environmental Impact Assessment (EIA) development.

The Planning Development Manager advised that Highways England had not yet withdrawn their holding objection.

During debate on the application, Members stated that the application would relieve some of the pressure on the Waitrose roundabout and was an improvement on what was currently in place. The main issues were around the capacity of the junction at Ditchford Lane/A45 and with traffic turning from Ditchford Lane onto the link road and the potential for traffic backing onto the A45. It was noted that the medieval bridge on Ditchford Lane was about to have a weight limit imposed but it was not expected that the bridge would be too affected as most of the traffic would be cars.

It was noted that the Case Officer was not present at the meeting and some Members wished to know if he had changed his view on the application as the comments from Highways England were still outstanding. The Planning Development Manager confirmed that the Case Officer still supported the recommendations being put forward. In response to a question about what Highways England's concerns were, Officers confirmed that they had

concerns about queuing on the slip road but as the applicant's most recent plans for the slip road now showed additional widening close to the roundabout, it was possible that this objection could be removed shortly.

It was moved and seconded that the application be granted, subject to the removal of Highways England's objection. On being put to the vote, the Committee **agreed to grant** the application, subject to the Highways England objection being removed, and subject to the conditions detailed in the officer's report and update sheet and an informative note being added to the decision notice to advise that the roundabout at the eastbound A45/A5001 slip road should be modified to allow long vehicles to overrun the central part of the roundabout to aid turning.

Any minor amendments requested by Highways England to be delegated to the Head of Planning Services in conjunction with the Chairman, Vice Chairman and Ward Member. If officers deem the amendments to be substantial, the application should be reported back to the Committee.

Councillor Geoff Shacklock left the meeting for the following item.

(ii) 18/0161/FUL – Wigsthorpe House Farm, Main Street, Wigsthorpe

As this application was being re-considered following the last meeting, Members were supplied with the information which was previously considered which included the officer's report and update sheet.

The Committee considered an application for the erection of an agricultural grain store with associated hardstanding and detention basin. The application had been brought before the Committee in accordance with the Scheme of Delegation as it proposed more than 1000sqm of non-residential floor space.

Members noted that the proposal superseded application 16/01402/FUL which had approved an agricultural grain store. The main differences between the two applications were the position of the grain store, a reduction in the size of the grain store and the addition of a detention basin.

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.

Councillor Geoff Shacklock returned to the meeting. All Members of the Committee took part in the debate and voting on the remainder of the agenda.

220. MINUTES

The Chairman asked for a mover to accept the minutes of the meeting held on 12 September 2018. The Vice Chairman moved the following:

"Although I agree that the minutes correctly reflect the discussions and decisions at the meeting of 12 September 2018, as the Chairman has just advised the Committee, following the meeting I raised a query regarding whether the correct procedure was followed in respect of applications 18/00004/FUL and 18/0161/FUL. Legal advice was sought following the Committee which confirmed that there was an error and that to correct this the two items should be remitted to the Committee. Therefore I consider a note should be added to the

end of the minutes to this effect and to refer to the reader of the minutes to the minutes of this meeting.

I propose that the text to be added to the minutes could read as follows, and welcome your comments on this:

NOTE: Following the meeting of 12 September 2018, a Member raised concern as to whether the correct procedure was followed in respect of the following applications:

18/00004/FUL – Land West of Rushden Lakes, Ditchford Lane, Rushden; and
18/0161/FUL – Wigsthorpe House, farm, Main Street, Wigsthorpe

Legal advice was obtained which confirmed that the correct procedure was not followed and that to remedy this the applications should be remitted to the next Committee sitting on 10 October 2018. Readers should therefore refer to the minutes of the Committee sitting on 10 October 2018 for the resolutions in respect of applications 18/00004/FUL and 18/0161/FUL.”

It was proposed and seconded that the signing of the minutes be deferred to the next meeting of the Committee to enable the addition of the note to be made. On being put to the vote, the Committee **agreed to defer** the minutes to the next meeting of the Committee.

221. QUESTIONS FROM MEMBERS UNDER COUNCIL PROCEDURE RULE 10.3

No questions were submitted under Procedure Rule 10.3.

222. 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.

In response to a question about the S106 agreement for 10/00857/OUT Irthlingborough West, the Planning Development Manager advised that it was now close to completion.

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, the Planning Development Manager advised that it was now likely that a new planning application would be submitted.
- 15/00004/FUL Rushden Lakes – no further response had been received from Highways England about removing their objection.

RESOLVED:

That the report be noted.

223. PUBLIC SPEAKERS

The following people spoke on the items as indicated:

- 18/00955/FUL - 2 Prospect Avenue, Rushden – a Ward Member
- 18/00955/FUL - 2 Prospect Avenue, Rushden – an Objector
- 18/00955/FUL - 2 Prospect Avenue, Rushden – the Applicant

224. 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) 18/00955/FUL – 2 Prospect Avenue, Rushden

The Committee considered an application for the subdivision of the garden of 2 Prospect Avenue and the erection of a detached three bedroomed three storey residential dwelling. The application had been brought before the Committee at the request of the Ward Member Councillor Dorothy Maxwell.

Members noted that Rushden Town Council had been consulted on the amended plans, which showed revised design and position of the dwelling, and had no objection. It was also noted that four letters objecting to the application had been received from nearby residents, and following re-consultations, a further four letters expressing concerns with regard to the application had been received. The Local Highways had not objected to the application but had requested that the parallel (sideways) parking spaces were omitted.

Following suggestions made during the Members' site visit, the applicant had set the single storey element of the proposed dwelling further back to create additional space to the front of the parking spaces, allowing for easy access to the garden gate serving the proposed dwelling. In addition, a gate had been added to give access from the parking area to the garden of the existing dwelling (No. 2). A set of updated plans had been received to account for these amendments and Condition 8 (plans) would be amended.

During debate on the application, Members requested that it be conditioned that the east facing second floor roof light be frosted glass and fixed shut to avoid overlooking into the neighbour's garden. Whilst supporting this, the Planning Officer advised that there was not a harmful level of overlooking. A further request that the window in the study/dressing area also be frosted as well was suggested. However, officers were concerned that this would mean that two of the three windows would be frosted. Whilst Members did not like the use of tandem parking, it was acknowledged that there was no planning policy to refuse it. It was noted that the proposed overall parking provision exceeded the parking standards. A number of members advised that they had driven down the road at busy times and noted that on-street parking was not an issue and there was plenty of space available. It was acknowledged that if all of the proposed parking spaces were being used the visibility splay would be compromised.

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 with an additional condition to ensure the east facing second floor roof light is obscure glazed and fixed shut in perpetuity.

(ii) 18/01476/VAR – Land West of Attley Way, Irthlingborough

The Committee considered the variation of conditions in relation to planning permission 18/01476/FUL. 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 Conditions 3 and 4 of the planning permission to alter the footpath link to Attley Way/Diamond Way by the removal of a Z shaped pedestrian link to Diamond Way with associated alterations to the landscaping. Members noted that one letter from a nearby resident objecting to the new route had been received. No objections had been received from Irthlingborough Town Council or the Local Highways Authority.

The site manager was aware that the proposed path had been constructed so far without the approved 'dog-leg' where it joined Attley Way and this was a mistake that would be corrected.

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.

225. APPEAL DECISION MONITORING REPORT

The Committee received a report which provided an update on the planning appeals determined by the Planning Inspectorate from 30 July to 21 September 2018.

RESOLVED:

That the report be noted.

226. PRINCIPAL PLANNING ENFORCEMENT OFFICER

The Head of Planning Services advised that Chris Hancox had recently been appointed as the new Principal Planning Enforcement Officer. Following Chris's appointment, quarterly enforcement reports would begin to be brought back to the Committee.

Chairman