

PLANNING MANAGEMENT COMMITTEE

Date: 13 March 2019

Venue: East Northamptonshire House, Cedar Drive, Thrapston

Time: 7.00pm

Present Councillors: Phillip Stearn Chairman
Gill Mercer Vice Chairman

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

APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Richard Gell, Ron Pinnock, Roger Powell and Anna Sauntson.

MINUTES

The minutes of the meetings held on 13 February 2019 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
All Members of the Committee	18/01441/FUL Land Off Huntingdon and Market Road, Thrapston	Knew one of the speakers.		Yes
Geoff Shacklock	18/02401/FUL Newbrook Farm, Islington, Titchmarsh	Knows the applicant and agent through the farming community.		Yes

(b) Informal Site Visits

No informal site visits were declared.

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

No questions were submitted under Procedure Rule 10.3.

. **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 agreement in respect of 10/00857/OUT Land between Wellingborough Road and Finedon Road, Irthlingborough until 30 April 2019.

Members noted that the agreement in respect of 18/00636/VAR Freemans Court, Station Road, Rushden had now been signed and issued.

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

- 15/00119/VAR Priors Hall – current application unlikely to proceed with the new owners. Formal requests for EIA screening and scoping for a revised scheme had been received.

RESOLVED:

- (i) That the report be noted.
- (ii) That the extension of time for 10/00857/OUT Land between Wellingborough Road and Finedon Road, Irthlingborough until 30 April 2019 be approved.

. **PUBLIC SPEAKERS**

The following people spoke on the items as indicated:

- 18/01332/FUL - Land Opposite Sulehay Cottage, Sulehay Road, Yarwell - an objector
- 18/02401/FUL - Newbrook Farm, Islington, Titchmarsh – on behalf of Titchmarsh Parish Council, agent for the applicant and an objector.
- 18/02277/FUL - Bluebell Lakes, Fotheringhay Road, Tansor – the applicant
- 18/01441/FUL - Land Off Huntingdon and Market Road, Thrapston – on behalf of Thrapston Town Council and the applicant.

. **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) 18/01332/FUL – Land Opposite Sulehay Cottage, Sulehay Road, Yarwell

The Committee considered an application for the erection of three detached self contained eco lodges for seasonal let only. The application had been brought before the Committee at the request of the Ward Member.

Members noted that Nassington Parish Council had objected to the application as it did not consider that the proposal would result in sustainable development resulting in a successful tourist destination and also wished to reiterate its objection to the risk of the water supply to the existing properties. Yarwell and Wansford Parish Councils had also objected on the grounds that the water supply and services were not on the mains, road safety concerns, development in open countryside and the impact on highways and on the environment. It was also noted that representations from eight nearby residents had been received. The Local Highways Authority had no objections to the application but had made a number of observations.

During debate on the application, Members noted that there were no transport links and access to the site would be heavily reliant on cars. The application would require a lot of land in a sensitive area and would have minimal rural employment benefits. The application would have a big impact on the site and surrounding area. The water supply would also be an ongoing problem, although it was accepted that this was not a material planning consideration.

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 proposed development by reasons of its location in the open countryside and its heavy reliance on cars to access the site, as well as surrounding facilities, would create an unsustainable form of development that would be contrary to paragraphs 83 and 84 of the National Planning Policy Framework and Policy 25 (1.a) of the North Northamptonshire Joint Core Strategy.
2. The proposal involves three 'eco lodges' which will add additional clutter to the surrounds on land which is in the open countryside, resulting in a detrimental visual impact on its character and appearance. The proposal is therefore contrary to paragraph 117 of the National Planning Policy Framework and Policy 3 (a and f) of the North Northamptonshire Joint Core Strategy.
3. The applicant, by failing to provide sufficient information in the form of a legal agreement, conservation architect's report or Section 106 Agreement, has failed to demonstrate that the proposed development would not result in a detrimental impact on the nearby lake, dam, or sluice, all of which form part of the setting of the adjacent grade II listed building, known as Old Sulehay Lodge, and are considered to be heritage assets, which should be preserved. In addition, the site of the proposed development falls within the setting of the grade II listed building known as Old Sulehay Lodge and would cause less than substantial harm to the asset which would not be outweighed by any public benefits. The proposal is therefore contrary to guidance contained within the National Planning Policy Framework (paragraphs 189 and 196) and Policy 2 (a and d) of the North Northamptonshire Joint Core Strategy.

(ii) 18/02401/FUL – Newbrook Farm, Islington, Titchmarsh

The Committee considered an application for the change of use of agricultural land and buildings to B1(C), B2 and B8. The application was partly retrospective as some of the buildings had already been converted and were in use. The application had been brought before the Committee at the request of the Ward Member.

Members noted that Titchmarsh Parish Council had advised that if it had had time to arrange a response as a statutory consultee it would have objected to the granting of permission for the application. It was further noted that several representations from nearby residents objecting to the application had been received. The Local Highways Authority had no objection to the application in principle and the Council's Environmental Protection Officer had requested that if the Committee was minded to grant the application, a number of informatives should be added to the planning permission.

During debate on the application, Members stated that consideration of the application was a careful balance between the amenity of the village and the potential loss of jobs. If permission for B2 and B8 was granted, there could be more transport movements in the future and a risk of future intensification as the grant of permission would be for all uses within the use class and not limited to current uses. Concerns were also expressed about the future use of the buildings if permission was refused. It was acknowledged that this was an unfortunate situation for the tenants involved.

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 involves business uses on land outside the settlement boundary for Titchmarsh as defined in inset 42 of the Council's adopted Rural North, Oundle and Thrapston Plan. The proposal is not directly related to the business needs of the adjacent village and there are concerns about the scale and location of the development in sustainability terms as it is not easily accessible by cycle, foot or public transport. This is contrary to Paragraph 84 of the 2019 National Planning Policy Framework, Policies 11 (criterion 2d), 13 (criterion 1), 23 (criterion e), 24 and 25 of the adopted North Northamptonshire Joint Core Strategy and Policy 23 of the adopted Rural North, Oundle and Thrapston Plan.
2. The proposal involves uses which have the potential for causing disturbance in terms of noise, vibration, smell and light pollution for the surroundings. It is therefore considered to be contrary to the parts of Criterion e) i of Policy 8 of the adopted North Northamptonshire Joint Core Strategy which seek to protect against issues of this nature.

iii) 18/02277/FUL – Bluebell Lakes, Fotheringhay Road, Tansor

The Committee considered an application for the replacement of a mobile home. During the course of processing the application, it had been established that the original mobile home had been removed from the site and the application therefore had to be considered as a new dwelling. The application had been brought before the Committee as it was located on a site of 60 Ha and was regarded as a major application.

Members noted that Tansor Parish Council had made no comments and the Local Highways Authority also had no observations to make. The Council's Environmental Protection Officer had advised that if permission was granted then there would be a requirement for a caravan site licence which would have conditions attached.

During debate on the application, Members queried whether the application was for a lodge or a mobile home. The Planning Officer confirmed that in his view it should be viewed as a park lodge as it would be larger than a traditional mobile home. Members believed that there was already sufficient accommodation on the site by virtue of an existing complex of buildings, containing residential accommodation, and questioned why there would be a need for the proposed park lodge as neither the existing residential accommodation nor the lodge would be occupied at the same time. It was noted that during his address to the Committee, the applicant had indicated that he had been paying rates on the previous mobile home and Members queried whether that gave the applicant a right of occupancy.

At 7.45pm, the meeting was adjourned to enable officers to consider the issue around any rights of occupancy. The meeting reconvened at 7.53pm.

In response to the issue of right of occupancy, the Planning Development Manager advised that no evidence of lawful use of residence had been put forward by the applicant and there was no evidence of continuous occupancy. The application also did not meet the criteria of Policy 24 of the adopted Rural North, Oundle and Thrapston Plan. It was also not clear from the application who would occupy the mobile home.

It was suggested by a Member that there may be some benefit in deferring the application to enable discussions to take place with the applicant on what may be allowed on the site and for more information to be made available about the issue of the applicant paying rates on the previous unit. Officers clarified that if the application was refused, the applicant would be able to make another application which, if certain conditions were met, could be made without payment of the appropriate fee.

It was moved and seconded that the application be deferred. Prior to a vote being taken on the motion, Councillor Geoff Shacklock withdrew the motion.

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

1. The proposal involves a dwelling and adding additional clutter to the surroundings on land which is outside the settlement boundary for Tansor as defined in inset 39 of the Council's adopted Rural North, Oundle and Thrapston Plan. It does not meet any of the circumstances defined in Planning Policy whereby new housing development is allowed in such locations. This is contrary to Paragraphs 77, 78 and 79 of the 2019 National Planning Policy Framework and Policies 11 (Criteria 2. a, b, c and d) and 13 (2) of the adopted North Northamptonshire Joint Core Strategy.

An informative to be added to the refusal notice to advise the applicant to discuss the proposal with the Planning Department and the potential to resubmit a proposal as a 'free go'.

iv) 18/01441/FUL – Land off Huntingdon and Market Road, Thrapston

The Committee considered an application which proposed the erection of two additional plots (pair of semi-detached properties) pursuant to previous outline approval 07/02457/OUT. The application had been brought before the Committee as Thrapston Town Council had submitted objections on the grounds that the site was already cramped and the additional dwellings would make this worse and the loss of a natural open space for use by residents of the site. It was further noted that several representations from nearby residents

objecting to the application had been received. Members noted that the Local Highways Authority had no objection to the application.

During debate on the application, Members queried why the full length of the approved bund was not now needed when in the original application it was stated that it was fundamental to the application. There were also concerns about overdevelopment of the site.

The Planning Officer responded by advising that there had been lots of discussions with Environmental Protection about noise levels and the bund and they were satisfied with the proposal. The Planning Officer further advised the Committee that the bund was first designed during the outline stage of the application before the detailed layout of the site was known.

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 completion of a Section 106 legal agreement and conditions detailed in the officer's report and update sheet.

. **APPEAL DECISION MONITORING REPORT**

The Committee received a report which provided an update on the planning appeals determined by the Planning Inspectorate from 26 January 2019 to 27 February 2019.

RESOLVED:

That the report be noted.

Chairman