

PLANNING MANAGEMENT COMMITTEE

Date: 21 August 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
 Helen Howell Ron Pinnock
 Barbara Jenney Robin Underwood
 Andy Mercer Pam Whiting

155. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Anna Sauntson, Geoff Shacklock, Alex Smith and Peter Wathen

156. DECLARATIONS OF INTEREST AND INFORMAL SITE VISITS

(a) Declarations of Interest

Councillor	Application	Nature of Interest	DPI	Other Interest
Andy Mercer	19/00777/NCC Willowbrook Industrial Estate, Shelton Road, Corby	Is the Chairman of Northamptonshire County Council's Development Control Committee who will be determining the application in the future.		Yes (left meeting and sat in the public gallery for the item)
Gill Mercer	19/00777/NCC Willowbrook Industrial Estate, Shelton Road, Corby	Is a member of Northamptonshire County Council's Development Control Committee who will be determining the application in the future.		Yes (left meeting and sat in the public gallery for the item)

(b) Informal Site Visits

No declarations of informal site visits were made.

157. 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 noted that the Planning Development Manager had not requested any extensions of time for S106 agreements.

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

- 15/00119/VAR Priors Hall – current application was unlikely to proceed and a new planning application had been received.
- 19/00344/FUL Rose Cottage, High Street, Duddington and 19/00594/FUL Rushden Memorial Clinic, Hayway, Rushden – decisions had been issued.
- 18/01649/OUT – Land South East of Ferrers School, Higham Ferrers – discussions were ongoing between LGSS Law, NCC, ENC Officers and the applicant.

In response to a question about the new Priors Hall application, the Head of Planning Services advised that the developers had offered a non-prejudicial site visit and presentation for members before the application was considered.

RESOLVED:

That the report be noted.

158. PUBLIC SPEAKERS

The following people spoke on the items as indicated:

- 19/00402/REM - Nene Business Park, Diamond Way, Irthlingborough - applicant

159. 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) 19/00402/REM – Nene Business Park, Diamond Way, Irthlingborough

The Committee considered a reserved matters application for the erection of 88 dwellings with associated garages and works pursuant to application 16/01431/OUT for the erection of up to 100 residential units. The application had been brought before the Committee in accordance with the Scheme of Delegation.

Members noted that Irthlingborough Town Council had not objected to the application. It was further noted that six letters objecting to the application had been received from local residents. The Local Highways Authority had no objections to the application.

During debate on the application, Members acknowledged that this application was an improvement on the original plans but they had concerns about parking on the development, particularly the use of tandem parking and that the neighbouring medical centre was very busy and service users often parked on the highway. It was noted that three parking places were planned by the turning arc and it was suggested that the applicant could possibly look at putting in more to help alleviate the parking issues. There was also concern how waste vehicles would use the shared surface, particularly when reversing.

During the meeting, and with the Chairman's approval, the applicant gave an indication that they controlled the neighbouring land and could put in additional parking places but at the current time this land was outside of the red line application boundary.

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 following matters being satisfactorily resolved within the agreed extension of time (or other date agreed with the applicant):

1. The matter of highway alignment on the shared surface stretch of the estate road in relation to waste management as raised by East Northamptonshire Council's Waste Management Team; and
2. Securing additional parking adjacent to the bus turning loop (through a suitable mechanism).

The above, along with the final wording of conditions, are delegated to the Head of Planning Services, in consultation with the Chairman and Vice Chairman of the Committee and Councillor Pam Whiting.

If the matters are not satisfactorily resolved within the agreed extension of time (or other date agreed with the applicant) the application shall be refused for failure to demonstrate that the relevant planning matter(s) as detailed above have been addressed.

(ii) 18/01265/FUL – Land Between Allotments and Number 27 Grafton Road, Brigstock

The application was withdrawn by the applicant.

Councillors Andy and Gill Mercer left the meeting for the following item and sat in the public gallery.

(iii) 19/00777/NCC – Willowbrook Industrial Estate, Shelton Road, Corby

The Committee considered an application for the construction of an energy recovery facility comprising proven combustion technology with an education and visitor centre, access, landscaping and associated works. The application would be determined by Northamptonshire County Council (NCC) as the Minerals and Waste Authority and East Northamptonshire Council (ENC) had been consulted as the northern part of the site lies with the administrative boundary of East Northamptonshire. The application had been brought before the Committee as officers considered the proposed development was likely to have a significant impact on the district of East Northamptonshire.

As the determining authority, it was NCC's responsibility to carry out all necessary consultations and publicity; however ENC had received a consultation response from Anglian Water and Brooke Weston Trust (on behalf of Corby Business Academy). Also, officers had sought advice from ENC's Environmental Protection Team and the Senior Conservation Officer.

During debate on the application, Members noted and agreed the content of the officer's report. There was also concern as to the proximity of the proposed development with a nearby residential development, school and nature reserve.

RESOLVED:

That East Northamptonshire Council strongly objects to the planning application and responds to NCC as set out below:

East Northamptonshire Council (ENC) strongly objects to the planning application on the grounds of the significant landscape and visual impact and resultant harm to heritage assets namely Kirby Hall (Grade I listed house and Grade II* park and gardens) and Deene Park (Grade II).

The proposed buildings (39m high) and two no. 75m high chimney stacks are exceptionally tall. The application supporting documents recognise that: *'the upper part of the building and stack, by virtue of their height, will be a noticeable additional to the skyline...[Planning Statement – para. 6.31].'* Furthermore, the Townscape and Visual Assessment (TVA) identifies that: *'it [the development] will be substantially larger in height, scale and mass than the industrial units immediately adjacent to it (TVA – para. 10.6.2.4)'* and *'The upper sections of the facility will be visible over a wide area but will be too tall to significantly mitigate with landscaping or bunding (TVA – para. 10.8).'*

ENC considers that the applicant in their TVA may have underestimated the visual impact of the development in relation to Priors Hall urban extension and Kirby Hall (Grade I listed house and II* listed park and gardens). The Council is also concerned that the stacks would be visible from Deene Park – including from a footpath crossing it. Furthermore, the Council notes with concern that, the TVA states: *'There will be a Moderate adverse visual impact to users of a rural footpath just outside the historic parkland and this is likely to be the most significant impact of the whole development (TVA para. 10.9).'* ENC advises that the views of Historic England should be sought in relation to the above matters and recommends that NCC consider commissioning an independent review of the applicant's TVA.

In relation to cumulative landscape and visual impact, it is not clear whether the TVA has considered the 'Rockingham Hub' scheme – which ENC has resolved to grant planning permission for, subject to the completion of a legal agreement – reference 15/02020/OUT. In addition, it is noted that the TVA states: *'If the RMRC is dismantled or modified, it is likely to remove or reduce what is currently a substantial, singular landmark structure on the skyline. While this will bring about substantial landscape and visual enhancements to the rural landscapes to the north and east it may result in the Proposed Development becoming the dominant intrusive element in a few views (para. 10.7).'* NCC may not be aware that ENC has recently granted planning permission for the dismantling of the stands and therefore this is a very real possibility (planning application reference 18/02062/FUL).

ENC also has concerns about the environmental impacts of the proposal. Please find attached comments from ENC's Environmental Protection Team which raise a number of points and in particular, ENC would recommend:

- That comment be sought from the Environment Agency regarding potential risks to controlled waters;
- That Public Health England's comments be sought regarding the impact on nearby human sensitive receptors;
- That advice be sought from Natural England regarding acid deposition at Weldon Park Site of Special Scientific Interest; and
- That as a result of possible changes in and around the area, the applicant's noise survey data may no longer be representative of background noise levels.

ENC notes that the proposal represents a significant increase in HGV vehicle movements in comparison with the consented scheme and the Council questions the suitability of this, having regard to the proximity to Priors Hall Park. ENC recommends that NCC seeks the advice of the Local Highway Authority (and Highways England where appropriate) in relation to such matters.

With regard to the consented scheme, ENC notes that it will shortly expire (assuming development has not commenced) and so the Council does not consider it to represent a realistic fall-back position. The principle of development should therefore be re-considered in the context of current planning policies. As the site falls within the boundary of the Rockingham Enterprise Area allocation, this should include North Northamptonshire Joint Core Strategy Policy 27.

Finally, ENC recommends NCC seeks the specialist advice of its ecologist and drainage team to ascertain whether the proposals are acceptable in relation to those matters.

Councillors Andy and Gill Mercer returned to the meeting.

160. APPEAL DECISION MONITORING REPORT

The Committee received a report which provided an update on the planning appeals determined by the Planning Inspectorate from 20 June 2019 to 12 August 2019.

During discussion on the item, Members stated that they were extremely disappointed with the Inspector's decision in relation to 42 Victoria Road, Rushden. Councillor Barbara Jenney, as a Ward Member, advised that she had submitted a detailed letter to the Inspector as part of the process and could not understand how it was accepted by the Inspector that parking in public car parks by residents was acceptable.

Members requested that for future reports it be indicated whether a decision was a committee decision or delegated to officers.

RESOLVED:

That the report be noted.

Chairman