

PLANNING MANAGEMENT COMMITTEE

Date: 23 October 2019

Venue: East Northamptonshire House, Cedar Drive, Thrapston

Time: 7.00pm

Present	Councillors:	Phillip Stearn	Chairman
		Gill Mercer	Vice Chairman
		Richard Gell	Geoff Shacklock
		Roger Glithero JP	Alex Smith
		Helen Howell	Robin Underwood
		Barbara Jenney	Peter Wathen
		Harriet Pentland	Lee Wilkes

. WELCOME

The Chairman welcomed Councillor Lee Wilkes to his first meeting of the Committee and Councillor Richard Gell who had re-joined the Committee.

. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Andy Mercer and Ron Pinnock.

. MINUTES OF PREVIOUS MEETINGS

The minutes of the meeting held on 2 October 2019 were approved and signed by the Chairman.

. DECLARATIONS OF INTEREST AND INFORMAL SITE VISITS

(a) Declarations of Interest

There were no declarations of interest.

(b) Informal Site Visits

Councillor Harriet Pentland declared that she had visited Mike Wells Cars, Montague Street, Rushden (19/01024/OUT) and 119 High Street, Rushden (19/00697/FUL).

. QUESTIONS FROM MEMBERS UNDER COUNCIL PROCEDURE RULE 10.3

There were no questions under Council Procedure Rule 10.3.

PUBLIC SPEAKERS

The following people spoke on the items as indicated:

- 19/00396/FUL/ 19/00397/LBC - The Angel Inn, 4 St Osyths Lane, Oundle - Oundle Town Council
- EN/00906/FUL - Spinney Hill Paddocks, Stanion Road, Brigstock - the agent for the applicant.

SECTION 106 AGREEMENTS & DELEGATIONS TO HEAD OF PLANNING SERVICES

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 requested an extension of time for application 18/02171/FUL Land off Fenn Close, Nassington, due to a recent change of land ownership and that the S106 agreement had a small library contribution which required the County Council's clearance of the agreement.

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 with the new owners. Submission of a new planning application had been received.
- 18/01648/OUT 300 dwellings, south east of Ferrers School, Higham Ferrers – Negotiations were progressing on heads of terms and conditions.

In response to a question about the new application for Priors Hall, the Planning Development Manager advised that the new application proposed significantly more dwellings than the previous application.

RESOLVED:

- (i) That the report be noted.
- (ii) That the extension of time for 18/02171/FUL Land off Fenn Close, Nassington, until 31 December 2019 be approved.

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) 19/01024/OUT – Mike Wells Cars, Montague Street, Rushden

The Committee considered an outline application for the demolition of existing commercial buildings on the site and residential development of up to 11 dwellings on the land (all matters reserved). The application was referred to as a resubmission of 16/01343/OUT

which had been permitted on 8 December 2016, however the earlier application had also considered access as well as the principle of development. The application had been brought before the Committee as it was a major residential development.

Members noted that several letters had been received from nearby residents objecting to the application. It was further noted that Rushden Town Council had not objected to the application. The Local Highway Authority (LHA) advised that they would object to an application that presented more than five dwellings off a private access that did not meet the LHA's adoptable standards.

During debate on the application, members noted that indicative layout had not changed since submission of the previous consented application (16/01343/OUT). Whilst the layout of the site was only indicative, Members had concerns about the amenity space for the proposed flats and their proposed location. Members noted that the area was very busy and it would be important that there was adequate parking provision. With regards to the LHA's objection to five dwellings off a private access, the Planning Development Manager advised that recent Planning Inspectorate reports confirmed that each application should be considered on a case by case basis. It was proposed that an Informative be added that the access should be built to adoptable standards.

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:

- a) receipt of satisfactory comments from the Lead Local Flood Authority by 6 November 2019 (or other agreed date) to allow for the submission of further drainage information;
- b) completion of a legal agreement (or other suitable mechanism) to secure obligations (SPA and library contributions) as set out in the report by 6 November 2019 (or other agreed date); and
- c) conditions as set out at Section 11 of the report.

In the event that a) and/or b) above are not met within the agreed timeframe, delegation is given to the Head of Planning Services to refuse planning permission. The wording of the reasons for refusal shall be delegated to the Head of Planning Services, the Chairman and Vice Chairman of the Committee and the Ward Member.

An Informative is to be added to advise the applicant that the access should be built to adoptable standards.

(ii) 19/00396/FUL – The Angel Inn, 4 St Osyths Lane, Oundle

The Committee considered an application for a change of use from a public house to funeral directors with internal alterations. The application had been referred to the Committee by the Ward Member, Councillor Jake Vowles, due to concerns relating to access and parking.

Members noted that Oundle Town Council had objected to the application on the grounds that the location was unsuitable for a mortuary or a chapel of rest due to the access and exit route of the hearse; insufficient car parking for staff and customers; if consent was granted the work should be done with respect for the important historical features of the listed building and that signage be appropriate. One letter from a nearby resident had been received which made several comments/concerns regarding the application. It was further noted that the Local Highway Authority had not objected to the application.

During debate on the application, members had concerns about the limited number of parking spaces on the site. It was also not ideal for a hearse to travel through a public car park to access and exit the site. Thursdays, which was market day in Oundle, would be particularly busy. It was acknowledged that it would be difficult to refuse the application on parking grounds as the site was next to a public car park.

In response to the concerns raised, the Planning Officer clarified that the applicant had stated that it would not be in their interest to operate on market day and they only envisaged no more than three or four funerals a week. The hearse would reverse into the private car park on-site behind closed gates.

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.

(iii) 19/00397/LBC – The Angel Inn, 4 St Osyth's Lane, Oundle

The Committee considered a Listed Building Consent application for a change of use from a public house to funeral directors with internal alterations. The application had been referred to the Committee by the Ward Member, Councillor Jake Vowles, due to concerns relating to access and parking.

Members noted that whilst Oundle Town Council had objected to the application they had requested that any internal works be undertaken in a way that did not adversely impact on the important historical features of the listed building. The Council's Senior Conservation Officer had no objections to the application.

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

(iv) 19/00906/FUL – Spinney Hill Paddocks, Stanion Road, Brigstock

The Committee considered an application to erect a detached three bedroom dwelling to replace the previously approved static caravan. The application had been brought before the Committee at the request of the Ward Member, Councillor Sylvia Hughes, as she believed that refusal of the application would restrict the growth of the business and that ENC should be encouraging rural businesses.

Members noted that Brigstock Parish Council had not objected to the application. The Local Highways Authority advised that any proposal demonstrating a mix of agricultural/commercial with private dwellings was not acceptable.

An Agricultural Advisor had been appointed to consider the application and had advised that the size of the proposed dwelling would be over three times the national average and standard for a three bedroom dwelling. At the present profit levels the business was not financially able to support the build and running costs of the proposed dwelling alongside the additional fixed and variable costs associated with the business.

During debate on the application, members noted that the main objection to the application was the size of the dwelling. It was noted that the applicant had advised that she would be able to build the proposed dwelling for less than the book price due to family and friends providing help with the build. Members also believed that the Council should be supporting

rural businesses and this appeared to be a business which was successful. The principle of a dwelling was supported and a smaller dwelling may be more acceptable.

The Planning Officer confirmed that the application did not meet Policy 13 of the Joint Core Strategy as it did not meet an essential need and did not meet the financial viability tests. The applicant had failed to demonstrate an essential need for a dwelling of the size proposed and approval would set a dangerous precedent.

It was moved and seconded that the application be refused. On being put to the vote, there were six votes for the motion, four against and one abstention, therefore the Committee **agreed to refuse** the application for the following reason:-

- The application has failed to demonstrate that a dwelling of the size/scale proposed is necessary for the essential needs of a rural worker, or that it could be sustained by the enterprise. Consequently, the proposal is contrary to the aims and objectives of National Planning Policy Framework paragraphs 79 and 83, Policies 11 2) d) and 13 2) b) ii) of the North Northamptonshire Joint Core Strategy 2016, and Policies B6 and B18 of the Brigstock Neighbourhood Plan.

(v) 19/00697/FUL – 119 High Street, Rushden

The Committee considered an application for a first floor extension over the flat roof of the retail unit to create additional storage for the shop unit. The application had been brought before the Committee in accordance with the Scheme of Delegation as an objection had been received from the Town Council. The Ward Member, Councillor Barbara Jenney had requested that the application be brought before the Committee.

Rushden Town Council had objected to the application as they felt that the property should be turned into residential accommodation as it had been an eyesore for some considerable time. The Council's Senior Conservation Officer had no objections to the application.

During debate on the application, members noted that the property was in the Conservation Area. Whilst Rushden Town Council supported the property being turned into residential accommodation, members felt that this particular property would not be suitable for that type of use.

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.

APPEAL DECISION MONITORING REPORT

The Committee received a report which provided an update on the planning appeals determined by the Planning Inspectorate from 24 September 2019 to 4 October 2019.

RESOLVED:

That the report be noted.

Chairman