

PLANNING MANAGEMENT COMMITTEE

Date: 13 November 2019

Venue: East Northamptonshire House, Cedar Drive, Thrapston

Time: 7.00pm

Present Councillors: Gill Mercer Vice Chairman (in the Chair)
Helen Howell Alex Smith
Barbara Jenney Robin Underwood
Andy Mercer Lee Wilkes
Geoff Shacklock

274. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Richard Gell, Roger Glithero, Harriet Pentland, Ron Pinnock, Phillip Stearn and Peter Wathen.

275. DECLARATIONS OF INTEREST AND INFORMAL SITE VISITS

(a) Declarations of Interest

Councillor	Application	Nature of Interest	DPI	Other Interest
Andy Mercer	19/01327/OUT – OP0038 TL0389 Cotterstock Road, Oundle and 19/01355/OUT Land Between St Christopher’s Drive and A605 Oundle Bypass, Oundle	Member of the Anglia Regional Flood and Coastal Committee		Yes

(b) Informal Site Visits

No declarations of informal site visits were made.

276. ADJOURNMENT OF MEETING

At 7.02pm, the Chairman adjourned the meeting to enable Committee Members to read and understand the Update Sheet which had been circulated. The meeting reconvened at 7.22pm.

277. PUBLIC SPEAKERS

The following people spoke on the items as indicated:

19/01327/OUT – OP0038 TLO 389 Cotterstock Road, Oundle

- Four people objecting to the application;
- Three Ward Members;
- Oundle Town Council;
- The applicant

278. CHANGE TO THE ORDER OF THE AGENDA

The Chairman agreed that the Committee would consider 19/01355/OUT Land between St Christopher's Drive and A605 Oundle Bypass, Oundle as the first application.

279. 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) 19/01355/OUT – Land Between St Christopher's Drive and A605 Oundle Bypass, Oundle

The application was for outline planning permission for the erection of up to 65 dwellings and an extra care facility of up to 65 units on land at St Christopher's Drive, Oundle. The Principal Development Management Officer advised that due to additional information being received from the applicant following publication of the committee report, it was now being recommended that the application be deferred to allow officers to consider the information. The applicant had agreed to an extension of time until 20 January 2020.

It was moved and seconded that the application be deferred. On being put to the vote, the Committee **agreed to defer** the application to a subsequent meeting of the Planning Management Committee to allow Officers time to consider additional information received about securing the provision of the extra care facility as well as information to address public transport matters. In order to defer the application, the applicant has agreed to an extension of time until 20 January 2020.

It was confirmed that as the application had not been debated all matters would be open for consideration when the application is reported back to the Committee.

(ii) 19/01327/OUT – OP00038 TL0389 Cotterstock Road, Oundle

The Committee considered an outline planning application for the erection of up to 130 dwellings with public open space, landscaping, sustainable drainage (SuDS) and vehicular access points from Cotterstock Road and St Peters Road. All matters reserved except for site access. The application had been brought before the Committee in accordance with the Scheme of Delegation as it was a major residential development.

Members noted that Oundle Town Council had objected to the application as the developing Oundle Neighbourhood Plan (ONP) did not allocate the site for residential development. The site and its topography also meant that the application should not be granted outline planning permission. The site had, historically, been identified as a possible location for residential development and Anglian Water had, at that time, objected as the site was affected by springs and had surface water draining issues. Furthermore, the site was identified as located partly in the parish of Oundle but partly in the parish of Glapthorn. Both Glapthorn Parish Council and Cotterstock Parish Council had also objected to the application. Members further noted that 75 letters objecting to the application had been received from nearby residents.

During debate on the application, Members indicated that they had a number of concerns with the application. However, Members concerns focused on the following issues:

- Impact of odours from the nearby sewerage works;
- Drainage; and
- Highways safety.

It was noted that the definition of odour, in relation to the nearby sewerage works, was different in Environmental Health terms to Development Control. For Development Control the definition was the affect on amenity and Members believed that this application would lead to a loss of amenity and it was suggested that an independent assessment of odour be undertaken.

Members considered the proposed conditions 12-13, regarding surface water drainage and the impact on the surrounding areas. It was suggested that there was a need to strengthen the conditions to secure future maintenance of sustainable drainage systems (SuDS) in perpetuity.

Members expressed discomfort with the assertion that the application would be safe without a change in the speed limit on Cotterstock Road. It was noted that the NCC Speed Limit Review Panel had refused an application to reduce the speed limit to 30mph but Members felt that if the 60mph limit did stay in place, there needed to be a safety audit of the proposed scheme due to the nearby location of a school. There were also concerns about the line of sight when leaving the proposed access on Cotterstock Road. After the site visit, Members could not believe the visibility figures which had been suggested by the transport assessment and which were based on an assumption that roadside hedgerows would be trimmed right back. The visibility to the north was affected by hedgerow which was outside of the red line so could not be conditioned. A further concern, relating to the transport assessment, was the potential for “rat-running” through the proposed development. Due to the concerns members had, it was suggested that an independent review of the transport assessment be undertaken along with an independent road safety audit of the access proposals.

Members also noted that the ONP had recently undergone examination and clarification was sought about how long it would now take to finally be made, in order to understand the timescales for determining the application.

In response to the issues of highway safety, Officers clarified that Highways were satisfied with the speed limit as it was, however the applicants had stated that they would be willing to submit an application to relocate the 30mph zone. Highways had not indicated what measures needed to be in place to approve a speed limit reduction. The submitted highways plan showed that visibility of up to 370m could be achieved. Regarding the issues of surface water drainage, Officers noted that the Lead Local Flood Authority (LLFA), which

normally proposed onerous conditions, was satisfied with the recommended conditions. At the ONP examination, a number of fundamental concerns had been raised by the Examiner, who gave quite a clear steer that there would be a significant delay to get the ONP to referendum. Members were also advised that if the Committee resolved to defer the application there was a risk of the applicant submitting a non-determination appeal which could run the risk of costs being awarded against the Council.

It was moved and seconded that the application be deferred. On being put to the vote, the Committee **agreed to defer** the application in order to obtain:

1. A road safety audit of the access proposals as set out on drawing ITM14114-SK-006 Rev B;
2. An independent assessment of the Transport Assessment and highway impacts of the proposed development;
3. An independent odour assessment of the impact of the proposed development on potential future residents; and
4. A review of the proposed drainage conditions to ensure that they are suitably robust.

All issues to remain open for consideration including the principle of development.

Chairman

PLANNING MANAGEMENT COMMITTEE

Date: 20 November 2019

Venue: East Northamptonshire House, Cedar Drive, Thrapston

Time: 7.00pm

Present Councillors: Phillip Stearn Chairman
Gill Mercer Vice Chairman
Richard Gell Ron Pinnock
Helen Howell Alex Smith
Harriet Pentland Lee Wilkes

280. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Roger Glithero, Barbara Jenney, Andy Mercer, Geoff Shacklock and Robin Underwood.

281. MINUTES OF PREVIOUS MEETINGS

The minutes of the meeting held on 23 October 2019 were approved and signed by the Chairman.

282. DECLARATIONS OF INTEREST AND INFORMAL SITE VISITS

(a) Declarations of Interest

Councillor	Application	Nature of Interest	DPI	Other Interest
Gill Mercer	19/01233/FUL Francis Court, Wellingborough Road, Rushden	Lives near the application site		Yes

(b) Informal Site Visits

No declarations of informal site visits were made.

283. QUESTIONS FROM MEMBERS UNDER COUNCIL PROCEDURE RULE 10.3

There were no questions under Council Procedure Rule 10.3.

284. PUBLIC SPEAKERS

The following people spoke on the items as indicated:

- 19/01223/FUL – Francis Court, Wellingborough Road, Rushden – Ward Member
- 19/01288/FUL – Oak Cottage, High Street, Duddington – agent for the applicant

285. 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.

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.
- 19/01024/OUT Mike Wells Cars, Montague Street, Rushden – negotiations were progressing.

RESOLVED:

That the report be noted.

286. 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) 18/00945/OUT – Land Rear of Nicholas Road, Irthlingborough

The application was an outline application for a residential development with public open space and associated infrastructure with means of access from Nicholas Road. All matters were reserved except access. The application was a resubmission of planning application 17/00969/OUT.

It was now being recommended that the application be deferred until a future meeting of the Planning Management Committee as it was considered that the application could be argued to be politically sensitive and as such should not be dealt with during the parliamentary Pre-election (Purdah) period. It was noted that the both the applicant and Irthlingborough Town Council had also sought deferral of the application.

It was moved and seconded that the application be deferred. On being put to the vote, the Committee **agreed to defer** the application to a subsequent meeting of the Planning Management Committee.

As the application had not been debated all matters would be open for consideration when the application is reported back to the Committee.

(ii) 19/01092/FUL – Land West of Rushden Lakes, Ditchford Lane, Rushden

The application was a hybrid application which comprised a full application for the erection of retail units, restaurant units, office floor space, physiotherapy/leisure floor space, ancillary storage floor space, with associated site clearance, earthworks, site levelling and formation of banks, together with proposals for access, footpaths, parking and servicing space, hard and soft landscaping, drainage works, attenuation ponds and other associated works and an outline application for the erection of employment units with some matters reserved for layout, scale and appearance. Also, construction of a new link road between Ditchford Road and Rushden Lakes, with associated site clearance and earthworks, alongside junction works, footpaths, cycleways, lighting, hard and soft landscaping and associated working. The application was a resubmission of planning application 18/01197/FUL.

It was now being recommended that the application be deferred until a future meeting of the Planning Management Committee as it was considered that the application could be argued to be politically sensitive and as such should not be dealt with during the parliamentary Pre-election (Purdah) period.

It was moved and seconded that the application be deferred. On being put to the vote, the Committee **agreed to defer** the application to a subsequent meeting of the Planning Management Committee.

As the application had not been debated all matters would be open for consideration when the application is reported back to the Committee.

(iii) 19/01233/FUL – Francis Court, Wellingborough Road, Rushden

The Committee considered an application for five general industrial (B2 use class) and storage and distribution (B8 use class) units to replace previously demolished units. The application had been referred to the Committee as it was a major industrial/commercial development. Officers advised Members that the description of the application required amendment as it currently referred to 'light industrial' use whereas in fact the application was for general industrial and storage and distribution use. Although the nature of the application had not changed, in the interest of transparency and fairness if members were minded to approve the application it would be subject to a further 14 day re-consultation period.

Members noted that Rushden Town Council had no objection to the application. The Local Highways Authority had made a number of comments on the application.

During debate on the application, Members stated that without knowing who the proposed occupiers of the units would be it was difficult to say whether there would be an impact on the road network through additional HGVs and articulated lorries. The development was in an already industrial area and was replacing a previous industrial development. There were concerns about pedestrian routing on the site and how that was being mitigated.

In response to the issues raised, Officers confirmed that the Local Highways Authority would have considered the impact of the development on the highways network. With regard to pedestrians it was now being recommended that a condition be added on pedestrian routing and that could include the existing retail unit as that was within the red line of application site. It was also explained that there was now no justification for the requirement of a S106 contribution towards the Greenway Cycleway.

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 set out at Section 11 of the report and the conditions set out on the Update Sheet, following the conclusion of a 14 day re-consultation period on the amendment to the description from:

‘Proposed 5 light industrial units to replace previously demolish units’ to ‘Proposed 5 general industrial (B2 use class) and storage and distribution (B8 use class) units to replace previously demolished units.’

If any material matters arise that warrant bringing the application back to committee as it affects the resolution/consideration, then the application would be brought back before committee. Otherwise a decision will be issued.

The final condition listed on the Update Sheet shall be amended to clarify that the details to be submitted include the area to the front of the showroom within the red line as well as the carpark of the permitted units.

(iv) 18/02408/FUL – Rectory Farm Buildings, Main Street, Lower Benefield

The Committee considered an application for the conversion of listed farm buildings to create three dwellings together with the demolition of modern agricultural buildings and the construction of two new build dwellings. The application had been brought before the Committee in accordance with the Scheme of Delegation and because of an objection from Benefield Parish Council contrary to the recommendation.

Members noted that Benefield Parish Council had objected to the application on the grounds that the materials proposed were not in keeping with the buildings in close vicinity to the site and would harm the character and appearance of nearby buildings; plot number five would overlook a neighbouring property; and that the proposed development would detract from the linear built form of the village and would have a detrimental impact. It was also noted that four letters of objection had also been received from nearby residents. The Local Highways Authority had made a number of observations on the application including seeking confirmation that all agricultural access and associated movements would cease as a result of the proposals, as that would be contrary to their policy of allowing shared accesses between residential and agricultural developments.

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.

(v) 19/01288/FUL – Oak Cottage, High Street, Duddington

The Committee considered a retrospective planning application for replacing artificial Collyweston tiles with natural blue slate on the north-facing roof slope of an existing single storey extension at the side of the property. The application had been brought before the Committee in accordance with the Scheme of Delegation as an objection had been received from Duddington-with-Fineshade Parish Council.

Members noted that Duddington-with-Fineshade Parish Council had objected to the application as the works had been carried out in conflict with the Village Design Statement which required the use of artificial Collyweston tiles on all areas of the roof not visible from the highway; the use of blue slate was not appropriate on any aspect of the roof as it was not compatible with the rest of the building's construction; and the use of a retrospective application was not acceptable.

In response to Members concerns as to why it was acceptable to use two types of tiles on the property, Officers advised that as the extension was set back and not visible, they did not believe it would be harmful to the character and appearance of the Duddington Conservation Area. There was no evidence that ENC had adopted the Village Design Statement that the Parish Council had made reference to and blue slate was a traditional material that had been used throughout the wider area for over 150 years.

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.

287. APPEAL DECISION MONITORING REPORT

The Committee received a report which provided an update on the planning appeals determined by the Planning Inspectorate from 7 October 2019 to 25 October 2019.

The Planning Development Manager highlighted the outcome of the appeal in regard to 18/02133/FUL 19 Cotterstock Road, Oundle. Whilst the Inspector dismissed the appeal, his comments on the non-provision of a financial contribution to library services proved that there was a need to fully justify any requirements for S106 contributions.

RESOLVED:

That the report be noted.

Chairman