

PLANNING MANAGEMENT COMMITTEE

Date: 30 January 2020

Venue: East Northamptonshire House, Cedar Drive, Thrapston

Time: 7.00pm

Present

Councillors:	Phillip Stearn	Chairman
	Gill Mercer	Vice Chairman
	Roger Glithero	Geoff Shacklock
	Helen Howell	Alex Smith
	Bert Jackson	Peter Tomas
	Barbara Jenney	Peter Wathen
	Lance Jones	Lee Wilkes
	Harriet Pentland	

. **APOLOGIES FOR ABSENCE**

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

. **MINUTES OF PREVIOUS MEETINGS**

The minutes of the meeting held on 27 November 2019 were approved and signed by the Chairman.

. **DECLARATIONS OF INTEREST AND INFORMAL SITE VISITS**

(a) **Declarations of Interest**

Councillors	Application	Nature of Interest	DPI	Other Interest
Barbara Jenney and Gill Mercer	19/01093/FUL Chelveston Renewable Energy Park, The Airfield, Chelveston	A speaker was known to them		Yes

(b) **Informal Site Visits**

Councillor Bert Jackson declared that he had visited all of the sites.

Councillor Harriet Pentland declared that she had visited Chelveston Renewable Energy Park, The Airfield, Chelveston (19/01093/FUL), Hamblin House, Hollington Road, Raunds (19/00709/FUL) and 3 Chapel Close, Great Addington (19/01659/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 item as indicated:

- 19/01093/FUL – Chelveston Renewable Energy Park, The Airfield, Chelveston – Chelveston Parish Council and the applicant.
- 19/01659/FUL – 3 Chapel Close, Great Addington – an objector and 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 18/01648/OUT Land South East of Ferrers School, Higham Ferrers until 31 March 2020 for additional time to conclude the legal agreement.

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

- 15/00119/VAR 735 dwellings, 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, Land South East of Ferrers School, Higham Ferrers – negotiations were progressing.
- 19/01024/OUT 11 dwellings, Mike Wells Cars, Montague Street, Rushden – negotiations were progressing.
- 19/00499/FUL residential extension, East View, Raunds Road, Chelveston – revised plans being sought in line with committee resolution

In response to a question as to why, following a recent planning inspectorate decision where we were told we did not have a five year land supply, 735 dwellings were being given towards Corby's housing requirements, the Head of Planning Services confirmed that this issue would be taken up with the North Northamptonshire Joint Planning Unit.

RESOLVED:

- (i) That the report be noted.
- (ii) That the extension of time for application 18/01648/OUT until 30 March 2020 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) 19/01495/FUL – Land between 53 and 59 Church Street, Warmington

The application was for the erection of a single storey dwelling (re-submission of 19/00597FUL). The Head of Planning Services advised that following receipt of what he considered to be a justified request from a member of the Warmington Neighbourhood Plan Group to defer consideration of the application as it may not meet the standards set out in the recently made Warmington Neighbourhood Plan, it was now being recommended that the application be deferred to allow for a meeting between Officers, the Parish Council's Neighbourhood Plan Group and the applicant's agent.

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 future meeting of the Planning Management Committee.

(ii) Housing Land Supply

The Head of Planning Services read the following statement:

“Members are advised that an appeal decision has just been received (dated 24.01.20, four houses allowed at The Willows, Thrapston) that may have a bearing on the application of policy to housing proposals. Based on the evidence presented at the appeal, the Inspector concluded that the Council was only able to demonstrate a 4.28-year housing supply. The Council is yet to see the detailed calculations used by the Inspector and is contacting the Planning Inspectorate to request that these are provided in order to be satisfied as to whether they are accurate, or whether the Council would wish to challenge the decision.

Where Councils cannot demonstrate a 5-year housing land supply (5YHLS), its policies concerning the supply of housing are rendered out of date and we may find it difficult to resist some new applications for housing in open countryside where they are on the edges of settlements. This is because the ‘tilted balance’ provisions of the National Planning Policy Framework apply. There is then a presumption that permission should be granted for a housing proposal, unless the adverse impacts of doing so would outweigh the benefits.

If the trigger in NPPF paragraph 11d is invoked (the so called ‘tilted-balance’) the decision maker needs to determine if there are remaining development plan policies or not. Some policies will still be capable of relevance that do not relate to the supply of housing (e.g. where there is impact on habitats or heritage sites). The change is that the bar for harm is raised a lot higher so the impacts now have to be ‘significant or demonstrable’ to outweigh the benefits.

Different considerations can also apply where there is an adopted Neighbourhood Plan (NP) younger than 2-years old. Paragraph 14 of the NPPF allows any relevant NP policies concerning the location of housing to predominate, and lowers the 5YHLS to only 3 years.

Whilst the impacts of the appeal on decision making needs to be further examined by officers, as an interim measure Members are advised - on all housing proposals - they will need to consider whether the tilted balance approach is relevant to the decision.”

In response to a question about what was the position of those NPs which were older than 2-years old, the Head of Planning Service confirmed that the position of those plans needed to be clarified.

Councillor Peter Tomas arrived at 7.15pm.

(iii) 19/01093/FUL - Chelveston Renewable Energy Park, The Airfield, Chelveston

The Committee considered an application for the construction and operation of a reciprocating engine peak lopping electricity generating station and associated exhaust stacks, cooling plant, access from an existing private track and security measures. The application had been brought before the Committee in accordance with the Scheme of Delegation as it was a major non-residential development.

Members noted that both Chelveston Parish Council and Stanwick Parish Council had objected to the application as it was contrary to the ethos of a renewable energy site and there was nothing in planning terms to prevent the power station running at all times on natural gas. The Local Highways Authority did not object to the application subject to some works being carried out to improve the road surface of an unnamed public road leading to the site. No objections had been received from local residents or businesses.

During debate on the application, Members noted that the application was for a non-renewable power station within a renewable energy park. The application site was also not in accordance with the Chelveston cum Caldecott Neighbourhood Plan as it was not in one of the locations outside of the settlement boundaries for commercial opportunities and non-renewables were not supported. There would be a large visual impact on the church in Caldecott. There would also be an impact on highways as there would be many more HGV trips. Concerns were raised around the business plan for the application as it appeared that the business had knowingly bid for a supply level they would not be able to meet. Energy could be stored by the company for when needed.

At the invitation of Chairman, the representative of the applicant was available to answer any technical questions that Members had. He clarified that there were no contracts for supply and the peaking plant would only be used when the Grid asked them to turn it on and it would then be turned off when not needed. It would not be running all the time and would be used for instant short bursts. With regards to storage, a previous application had been approved for battery installation, but there would not be enough batteries to generate the required power. It was acknowledged that the development could be located anywhere in the country, but the proposed site already had infrastructure to the grid.

It was suggested that if the Committee were minded to approve the application then an additional condition should be included on construction hours due to the sites proximity to Chelston Rise.

It was moved that the application be refused. As there was no seconder to the motion, the motion fell. It was further moved and seconded that the application be granted. On being put to the vote there were nine votes for the motion, one against and no abstentions, therefore 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 control construction hours.

(iv) 19/00709/FUL – Kingswood House, Hollington Road, Raunds

The Committee considered an application for a change of use from an existing Care Home to ten residential flats, including the alterations at Kingswood House. The application had been brought before the Committee in accordance with the Scheme of Delegation as it was a major residential development and the Officer recommendation was contrary to the views of the Town Council.

Members noted that Raunds Town Council had strongly objected to the application due to the loss of an important facility in the town, the application was not in keeping with Raunds Neighbourhood Plan and it did not meet the town's requirement that housing is of good design and attractive to families wishing to move into the area. It was further noted that three letters objecting to the application had been received from nearby residents. The Local Highways Authority had no objections to the application but had concerns over the amount of space proposed for manoeuvring in and out of parking spaces and required that the applicant provided evidence that the space proposed was adequate. Northamptonshire Adult Social Services (NASS) had commented that their modelling of future demand for care related accommodation showed a significant shortfall of accommodation suitable for older people across the county.

During debate on the application, Members noted that the current business appeared not to be financially viable, however no evidence had been provided to support that view in accordance with Policy 7 of the Joint Core Strategy (JCS). The comments of NASS on the shortfall of this type of accommodation was noted as well as moving customers to another residential setting may have a detrimental effect on the physical and mental health of vulnerable people. Concern was also raised about the limited amenity space for each property, particularly as they were fairly large units and may be future family homes. It was felt that parking would not be improved by the development as currently the majority of residents of the home would unlikely drive. Concern was raised about the loss of 7 residential spaces and sought clarification of the impact of the housing position.

In response, Officers acknowledged that the application did not comply with Policy 7(c) of the JCS but they felt that the harm was not sufficient to warrant refusal. With regards to parking, the application met the highways standards and it was in a sustainable location. Members were reminded that the tilted balance would apply to this application and the NPPF stated that permission should be granted unless the adverse impacts significantly and demonstrably outweighed the benefits.

It was moved that the application be granted. As there was no seconder to the motion, the motion fell. It was further moved and seconded that the application be deferred. On being put to the vote, there were seven votes for the motion, two against and no abstentions, therefore the Committee **agreed to defer** the application to:

- 1) Enable officers to seek further information regarding the impact of the proposed development on the supply of housing;
- 2) Seek further information from the applicant regarding the viability of the care home; and
- 3) Allow for a Members site visit.

SUSPENSION OF COUNCIL PROCEDURE RULE 8

At 9pm, it was proposed that Council Procedure Rule 8 (Duration of Meeting) be suspended to enable the Committee to continue the business on the agenda. On being put to the vote, it was

RESOLVED:

That Council Procedure Rule 8 be suspended to enable the Committee to continue the business on the agenda.

Councillor Roger Glithero left the meeting at 9pm and did not return.

ADJOURNMENT OF MEETING

The meeting was adjourned at 9.10pm and reconvened at 9.15pm.

(v) 19/01659/FUL – 3 Chapel Close, Great Addington, Kettering

The Committee considered an application for the erection of a new double garage incorporating the existing garage. The application had been brought before the Committee in accordance with the Scheme of Delegation as an objection had been received from Great Addington Parish Council and the ward member had requested that the Committee make the decision.

Members noted that Great Addington Parish Council had objected to the application due to the size, layout and design of the application contradicting paragraphs 127 (a) and (b) of the National Planning Policy Framework, the visual impact on the host building and surrounding areas and the adverse effect on the neighbouring amenity. It was further noted that seven letters objecting to the application had been received from nearby residents. The Local Highways Authority did not object to the application but had requested that the applicant was made fully aware of their responsibilities in respect of Public Footpath MA17 which runs in close proximity to the proposed site.

During debate on the application, Members noted that under permitted development legislation a detached single storey outbuilding could be constructed on the area of garden land to the side of the property in any materials and with multiple windows, so this application could be seen as a better option as things such as materials could be controlled.

It was moved and seconded that the application be granted. On being put to the vote, there were seven votes for the motion, one against and no abstentions, therefore the Committee **agreed to grant** the application, subject to the conditions detailed in the officer's report and update sheet.

(vi) 19/01437/FUL – Hamblin House, Hamblin Court, Rushden

The Committee considered an application for a change of use from existing commercial offices to domestic dwellings and alteration and refurbishment of existing commercial offices to form dwellings consisting of four single storey one-bedroomed ground floor flats; one single storey two bedroom first floor flat, one two storey one-bedroom dwelling and one two storey two-bedroom dwelling and waste bin storage. The application had been considered at the Planning Management Committee meeting held on 18 December 2019, where the Committee agreed to defer the application to seek clarity on:

- The rights of access;
- For officers to consider and report back on the potential for the following two conditions:

- Construction vehicles cannot deliver from the High Street/can only deliver from the car park
- Lighting for the alleyway serving flats 5 and 6 and the alleyway to the High Street.

Members noted that all areas of concern had now been satisfactorily addressed.

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.

(vii) 19/01532/FUL – 19 North Street, Raunds

The Committee considered an application for the erection of two, three bedroomed bungalows. The application had been brought before the Committee at the request of two Ward Members following an objection from Raunds Town Council.

Members noted that Raunds Town Council had objected to the application due to the current flooding issues within the town, concerns that Brick Kiln Road had a drainage problem and the application would add to the flood risk. The development of the site contravened Raunds Neighbourhood Plan and the additional dwellings exceeded the quota for housing numbers. The Town Council also supported the concerns and comments from the Local Highways Authority. The Local Highways Authority required the applicant to ensure that all of the proposed parking spaces complied with the Northamptonshire Parking 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 the conditions detailed in the officer's report and update sheet.

(viii) 19/01981/ADV – Enterprise Centre, Michael Way, Raunds

The Committee considered an application for the erection of six banners (3.5m wide by 2m high) on Heras fencing. The application had been brought before the Committee in the interest of transparency as the applicant was East Northamptonshire Council.

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 9 December 2019 to 10 January 2020.

RESOLVED:

That the report be noted.

Chairman