

COUNCIL MEETING

Date: 27 January 2020

Venue: East Northamptonshire House, Cedar Drive, Thrapston

Time: 7.30pm

Present: Councillors:-

Dudley Hughes	(Chairman of the Council)
Helen Howell	(Vice-Chairman of the Council)
Steven North	(Leader of the Council)

Rosalie Beattie	Dorothy Maxwell
Tony Boto	Andrew Mercer
David Brackenbury	Gillian Mercer
Wendy Brackenbury	Sarah Peacock
Val Carter	Harriet Pentland
Richard Gell	Janet Pinnock
Roger Glithero	Ronald Pinnock
Glenvil Greenwood-Smith	Roger Powell
Sylvia Hobbs	Rupert Reichhold
Marian Hollomon	Geoff Shacklock
Sylvia Hughes	Alex Smith
Bert Jackson	Phillip Stearn
Barbara Jenney	Peter Tomas
David Jenney	Peter Wathen
Lance Jones	Lee Wilkes
Richard Lewis	Colin Wright

362. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Annabel de Capell Brooke, John Farrar, Helen Harrison and Robin Underwood.

363. MINUTES

The minutes of the council meeting held on 9 December 2019 were agreed as a true and correct record of the proceedings.

Following approval of the amendment to the minutes, they were duly signed by the Chairman.

364. DECLARATIONS OF INTEREST

The Chairman invited those who wished to do so to declare any interests in respect of items on the agenda.

No declarations of interest were made.

365. ANNOUNCEMENTS BY THE CHAIRMAN

The Chairman welcomed to the Council its two newest members, Cllr Bert Jackson and Cllr Peter Tomas who had recently been elected to the wards of Higham Ferrers Chichele and Higham Ferrers Lancaster wards respectively on 12 December 2019.

The Chairman wished to give his thanks Michelle Drewery, Head of Resources for her service to the Council, noting that this would be her final council meeting prior to commencing her new job. On behalf of the Council he wished her all the best for the future. He also welcomed Bhupinder Gill, the Council's new monitoring officer and Rob Harbour, new Executive Director for Growth and Infrastructure to their first council meetings.

The Chairman also reminded members of two of his forthcoming civic events, as follows:

1 March 2020	Chairman's Civic Service, St John's Church, Chelveston at 3.00pm
21 March 2020	Musical evening with Doctor Busker, Saxon Hall, Raunds at 7.30pm

366. ANNOUNCEMENTS BY THE CHIEF EXECUTIVE

The Chief Executive had no announcements to make.

367. LEADER'S ADDRESS

The Leader of the Council made the following address to Council:-

Most of what I would have covered is in the main body of the council meeting this evening but I will expand on a couple of them.

As you are aware from my address at the Annual Meeting of the Council as we are a relatively small authority I am committed to supporting the staff in preparation for the changes that are coming and whilst we are making sure we can still do the day job for our residents. Therefore it was not right to launch lots of new initiatives that may not have neem completed by 21st March next year.

However, there are some key legacy projects to finalise before then. I'm pleased to say that the Enterprise Centre in Raunds is still bang on track and on budget to be open before the summer and already we are receiving considerable interest from would be tenants. As you know this will provide much needed support for the business community whether it be a start up or an SME looking to expand.

The local plan is going through some final site allocation consultations and will soon be ready to be finalised for submission to the planning inspectorate. Although then the timing will be out of our hands we hope the public inquiry will be finished before the end of the year and that this council will be able to adopt the district wide local plan before we cease as a council.

We are just about to go into our final round of Community Facilities Fund projects with a fund this year of £200,000. At the end of this process, overall we will have funded hundreds of projects around the district and invested over £2.5m into our community.

Rushden SUE is a key legacy project and of course the masterplan is on the agenda tonight. This will deliver over 2,500 quality homes, local employment and open space. Although houses will have to be built around the district this will go some way in delivering supply in one area. The local employment is also important as although we have delivered with Rushden Lakes and Warf Park the biggest number of job opportunities for a generation we do need to have as much local employment as possible.

We are still also trying to move forward with Tresham garden village, which has just received some more government funding, and the Greenway, although we are not the landowner of course so it does hinder timing.

Unitary will I'm sure be covered in the Chairman of Transformation Committee's report to council. However we did have a meeting last week with the Ministry of Housing, Communities and Local Government and it is clear the new government is still intent on creating two new unitaries in Northamptonshire and the Structural Changes Order is going through the parliamentary process. I understand the Statutory Instrument Committee is meeting on 5th February 2020 and if placed on their agenda it could be tabled on the floor of the House of Commons before half-term. So hopefully by budget council on the 2nd March 2020 things will be a lot clearer.

368. REPORTS OF COMMITTEES

(a) Planning Policy – 17 December 2019 and 20 January 2020

The reports of the above Committee, presented by its Chairman, Councillor David Brackenbury, was received.

(b) Planning Management – 18 December 2019

The report of the above Committee, presented by its Chairman, Councillor Phillip Stearn, were received.

(c) Policy and Resources – 13 January 2020

The report of the above Committee, presented by its Chairman, Councillor Richard Lewis, was received. It was noted that consideration of recommendation R9 relating to 'Asset Management Update' would be considered later in the agenda for the meeting.

Draft Medium Term Financial Strategy and Plan

RESOLVED:

- (i) That delegated authority be given to the Chief Executive, following consultation with the s151 Officer and Leader, to represent the Council on the Business Rates Pilot Board and to make whatever decisions necessary to represent the interest of the Council on that Board within the parameters set out by MCHLG and which shall include the authority to agree the allocation of this funding.
- (ii) That authority be delegated to the Chief Executive and s151 Officer, following consultation with the Leader, to monitor the spend of £2.4m, subject to the additional £1.9m being approved in the Budget 2020/21, against the milestones and aims of the Future Northants Programme as directed by the Secretary of State and any future Structural Change Order, when made.

(Reason: To ensure the monies allocated into the Future Northants Programme are governed appropriately)

Council Tax Base

RESOLVED:

That a tax base of 32,320 for the year 2020/21 be approved.

(Reason: To fulfil the Council's statutory requirements.)

(d) Transformation – 22 January 2020

The report of the above Committee, presented by its Chairman, Councillor Helen Howell, was received.

369. MOTIONS

It was reported that no Notice of Motions had been received under Procedure Rule 11.

370. QUESTIONS

The following questions were submitted by Councillor Dorothy Maxwell under Procedure Rule 10.2:

- 1. In the year of planting trees, 2020, can ENC ask developers of new houses to plant a tree for every house built with a small root ball? Also can ENC plant a tree for every child in this authority as a contribution towards becoming carbon neutral by 2050.**

Response by the Chief Executive

This is an initiative that can be considered through the planning process, when the council is considering landscaping schemes for applications for planning permission for new housing development. The emerging North Northamptonshire Place Shaping Supplementary Planning Document, which is being prepared by the North Northamptonshire Joint Planning and Delivery Unit, will help as a policy document that supports high quality landscaping.

- 2. When key staff leave, would it be possible for councillors to be informed? For example, a Principal Planning Enforcement Officer.**

Response by the Chief Executive

When key staff leave the council, including at Heads of Service level and above, this is normally communicated to all councillors via the members' briefing. In respect of key planning officers the Head of Planning Services will introduce a new procedure to inform councillors of leavers and also, importantly, new starters. The Principal Enforcement Officer post has been advertised and will, hopefully, be filled in due course.

3. To ensure healthy lifestyles, can a minimum sized area be created to include play equipment and grass areas for sports in new developments? At present some developers believe that two swings fit the purpose!

Response by the Chief Executive

There are specifications and standards for the size and content of play areas that are used by planning officers when considering applications for new development. It is a matter that is taken seriously by the Planning Management Committee. Some older developments may appear to have inadequate areas for play, but on more recent applications the necessity for good quality play areas are addressed through the planning application process. There are also standards for playing fields that are monitored by Sports England, which also advises councils should there appear to be a shortfall of quality facilities.

371. RUSHDEN EAST SUSTAINABLE URBAN EXTENSION DRAFT MASTERPLAN FRAMEWORK DOCUMENT

The Head of Planning Services presented a report seeking approval to issue the draft Rushden East Sustainable Urban Extension Masterplan Framework Document for public and stakeholder consultation between 10th February 2020 and 23rd March 2020.

It was noted that the vision and objectives that underpinned the draft Masterplan Framework Document were established in the Rushden East Vision Statement (REVS) that was approved by Council at its meeting on 17 July 2017.

Whilst the draft Masterplan covered a range of complex and interrelated planning and development factors, in particular, it sought to address three key issues:

- Integration with Rushden and Higham Ferrers
- Employment development
- Phasing and future development

In respect of the proposed consultation process it was noted that this would include meetings with Rushden and Higham Ferrers Town Councils, and a public exhibition which was hoped to be held in the foyer of Cineworld at Rushden Lakes.

Following a query, the Head of Planning Services undertook to circulate a copy of the draft Masterplan document to all councillors following the meeting.

RESOLVED:

That approval be given to issue the draft Rushden East Sustainable Urban Extension Masterplan Framework Document for public and stakeholder consultation between 10th February 2020 and 23rd March 2020.

(Reason: To enable the council to seek views on the planning of the Rushden East SUE, which is a corporate priority)

372. SAFEGUARDING UPDATE

The Chairman of the Licensing Committee, Enforcement Officer and Safeguarding Officer introduced a presentation on important safeguarding issues which provided details of how the Council was working with partners in relation to:-

- County lines drug trafficking;
- Cuckooing and exploitation; and
- Modern slavery.

The Enforcement Officer undertook to circulate links to the videos referenced in the presentation to all members of the council.

RESOLVED:

That the presentation be noted.

373. URGENT ITEM - APPOINTMENTS TO COMMITTEES

The Chairman informed the council that he had agreed to take an urgent item on to the agenda to enable the council's two new councillors to be appointed to and participate on committees prior to the next council meeting.

The Leader of the Council put forward nominations to committees which currently held vacancies for the Conservative Group in accordance with political balance rules.

RESOLVED:

The following changes to committee appointments:-

- a) Councillor Bert Jackson to serve on the Licensing Committee and Planning Management Committee.
- b) Councillor Peter Tomas to serve on the Governance and Audit Committee and the Planning Management Committee.

(Reason – To accord with Council's role in making appointments to committees)

374. EXCLUSION OF PUBLIC AND PRESS

RESOLVED:

That the public and press be excluded from the meeting during consideration of the following item of business in accordance with paragraph 3 of Part 1 of Schedule 12A of Section 100A of the Local Government Act 1972 as exempt information may be disclosed:-

Asset Management Update.

375. ASSET MANAGEMENT UPDATE

The Executive Director, Resources and Commercial presented an update on the council's asset management strategy and in particular sought approval for an action to be taken in relation to a specific asset. The report was not for publication in accordance with paragraph 3 of Part 1 of Schedule 12A of Section 100A of the Local Government Act 1972.

RESOLVED:

That approval be given to the allocation of £50,000 in 2019/20 to the Revenue Budget. This will be funded from re-allocating revenue contribution (reserves) planned to finance the capital programme. The capital programme will reduce by £50,000 to offset this.

(Reason: To deliver the Audit Action Plan)

Chairman

GOVERNANCE AND AUDIT COMMITTEE

Date: 29 January 2020

Venue: East Northamptonshire House, Cedar Drive, Thrapston

Time: 7.30pm

Present: Councillors: Peter Wathen (Chairman)
Alex Smith (Vice Chairman)
Annabel de Capell Brooke Peter Tomas
Rosalie Beattie Richard Gell

External attendees:

Rachel Ashley-Caunt (Head of Internal Audit)
Neil Harris Ernst & Young LLP, (EY), External Auditor

376. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Robin Underwood, and Sylvia Hobbs

377. MINUTES

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

378. DECLARATIONS OF INTEREST

No declarations of interest were made.

379. QUESTIONS UNDER COUNCIL PROCEDURE RULE 10.3

No questions were submitted under Procedure Rule 10.3.

380. CHANGE TO ORDER OF THE AGENDA

The Chairman advised that there would be a change to the order of the agenda and Item 9, Progress on 2018/19 Audit, would be considered first.

381. PROGRESS ON 2018/19 AUDIT

The External Auditor provided a verbal update on the progress of the 2018/19 audit. EY were unable to complete the audit until the statutory audit opinion on Northamptonshire County Council's accounts had been received. KPMG had completed their statutory audit opinion on the NCC 2017/18 accounts in December 2019 and work had now substantially concluded on the pension fund for 2018/19, and an assurance letter in respect of this had been received by

EY on 27th January 2020. The Committee was advised that no matters had arisen that was material to the opinion of EY, and the 2018/19 audit should now be completed by the end of February 2020. A report would be brought to the next meeting of this Committee for sign off. The External Auditor thanked officers for their forbearance during this process and he would update officers on the plans for the 2019/20 audit.

The Chairman advised the Committee that he had personally written to the external auditors, expressing concern regarding the delay of the completion of the audit, and also seeking assurance that the 2019/20 audit would be expedited as soon as possible. He had also written to the PSAA to express concern.

The Committee was advised that there had been an unprecedented number of organisations that had not yet been given an opinion on their 2018/19 audits. Clarification would be issued on the outstanding audits and a sustainable delivery plan would be developed for 2019/20. The External Auditor would be finalising a delivery model over the coming weeks, with the audit aiming to be delivered by the end of September 2020. The Committee was reassured that EY were back up to a full team of senior auditors, having previously had a gap of 8 FTE posts, through a rigorous interview and testing process.

RESOLVED:

That the verbal update be noted

382. INTERNAL AUDIT – PROGRESS AND PERFORMANCE

The Head of Internal Audit presented a report which provided the Committee with information on the progress made by Internal Audit on the delivery of the Annual Internal Audit Plan for 2019/20 and associated measures of performance. The Committee were advised that the delivery of the Annual Internal Audit Plan remained on schedule, with 94% of the Audit Plan either underway or complete.

The Committee was advised that the Asset Management audit had been completed with a limited assurance rating. The report had looked at two key areas of risk; corporate properties and management of the Council's asset portfolio and commercially leased properties, and found little assurance with either. The Committee noted the management response to this, along with an update on the status of the actions arising, as at Appendix C of the report.

Officers provided an overview as to how the situation had manifested itself over recent years; this had been due to a gradual decline with a number of factors such as staff changes and the position of the team within the organisation. The Committee noted that the Asset Management Audit had been carried out at the request of officers, and was provided with reassurances that action was already underway to resolve several of the outstanding urgent issues, prior to the conclusion of the Audit. Record keeping which had previously been solely paper based was now electronically managed, with scanning of copies of certificates and other key documentation underway. Copies of statutory documents would also be put on the Council's Intranet for information. A follow up Audit would be undertaken in late Quarter 3 or Quarter 4 of 2020/21.

The Committee was advised that a joint working approach had been agreed with Corby Borough Council, who would take over the estate management of key commercial stock. A Memorandum of Understanding had been signed and was now with Corby.

The Chairman requested that the Terms of Reference for the Governance and Audit Working Group be amended, to include the Asset Management Audit within its remit. A revised Terms of Reference would be brought back to the next meeting of the Governance and Audit Committee.

The Head of Economic and Commercial Development thanked the Facilities Manager for all the work that had been completed or was underway.

RESOLVED:

That the report be noted

(Reason: To review the performance of Internal Audit against the agreed plan and any key findings regarding the council's risk management and control arrangements in accordance with the Public Sector Internal Audit Standards.)

383. LOCAL PLAN PROJECT

The Planning Policy Manager gave a presentation on the Local Plan, detailing its background, aims and future timeline. The Committee was advised that the Local Plan was currently in line with the timetable, despite some delays, with an aim to have it signed off at the meeting of the Planning Policy Committee in June.

The Internal Auditor advised that all actions in the Audit had a due date of November 2019, and would be followed up with an update to be brought to the next meeting of this Committee.

RESOLVED:

That the report be noted

384. RISK MANAGEMENT – UPDATE ON QUARTER 2 RISK SCORES (2019/2020)

The Finance Manager presented a report providing the Committee with an update on the Council's risk register scores for Quarter 2, and clarification as to why some scores had notably decreased. The Committee was advised that a full risk report for Quarter 3 would be brought to its next meeting.

RESOLVED:

That the report and accompanying statement be noted.

(Reason: To ensure the council has an up to date and effective risk reporting process in place.)

385. ENTERPRISE CENTRE EAST NORTHANTS RISK REVIEW

The Head of Economic and Commercial Development presented a report reviewing the current risk register for the Enterprise Centre East Northants project. The Committee were advised that the main risk over the past six months had been the appointment of the operator. However this was now almost resolved, with the awarded contract due to be signed imminently. It was noted that there had been 45 enquiries about renting space in the Centre.

RESOLVED:

That the report be noted

(Reason: To provide oversight of the Enterprise Centre East Northants risks.)

Chairman

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	

386. APOLOGIES FOR ABSENCE

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

387. MINUTES OF PREVIOUS MEETINGS

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

388. 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).

389. QUESTIONS FROM MEMBERS UNDER COUNCIL PROCEDURE RULE 10.3

There were no questions under Council Procedure Rule 10.3.

390. 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.

391. 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.

392. 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.

393. 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.

394. 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.

395. 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

PLANNING MANAGEMENT COMMITTEE

Date: 12 February 2020

Venue: East Northamptonshire House, Cedar Drive, Thrapston

Time: 7.00pm

Present

Councillors:	Phillip Stearn	Chairman
	Gill Mercer	Vice Chairman
	Roger Glithero	Harriet Pentland
	Helen Howell	Geoff Shacklock
	Bert Jackson	Peter Tomas
	Barbara Jenney	Robin Underwood
	Andy Mercer	Lee Wilkes

396. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Ron Pinnock and Peter Wathen.

397. DECLARATIONS OF INTEREST AND INFORMAL SITE VISITS

(a) Declarations of Interest

Councillor	Application	Nature of Interest	DPI	Other Interest
Andy and Gill Mercer	19/01594/OUT Land Rear of Abbott House and 1-3 Glapthorn Road, Oundle	Members of Northamptonshire County Council, who are the applicant.		Yes – left meeting for this application
Peter Tomas	19/01777/FUL Rushden Memorial Clinic, Hayway, Rushden	Works for the owner of the site and the applicant is known to him.	Yes – left meeting for this application	

(b) Informal Site Visits

Councillor Roger Glithero declared that he had visited Car Park and Land, Rockingham Motor Speedway, Mitchell Road, Corby on a number of occasions.

Councillor Bert Jackson declared that he had visited Land West of Rushden Lakes, Ditchford Lane, Rushden (19/01092/FUL), Land Rear of Abbott House and 1-3 Glapthorn Road, Oundle (19/01594/OUT), Rushden Memorial Clinic, Hayway, Rushden (19/01777/FUL) and 332 Addington Road, Irthlingborough (19/01607/VAR).

Councillor Harriet Pentland declared that she had visited Land West of Rushden Lakes, Ditchford Lane, Rushden (19/01092/FUL) and Rushden Memorial Clinic, Hayway, Rushden (19/01777/FUL).

398. QUESTIONS FROM MEMBERS UNDER COUNCIL PROCEDURE RULE 10.3

There were no questions under Council Procedure Rule 10.3.

399. PUBLIC SPEAKERS

The following people spoke on the item as indicated:

- 19/01092/FUL Land West of Rushden Lakes, Ditchford Lane, Rushden - an objector; Rushden Town Council, a Ward Member and the Applicant
- 19/01594/OUT - Land Rear of Abbott House and 1 – 3 Glapthorn Road, Oundle – two Ward Members, Oundle Town Council and the Agent for the Applicant
- 19/01769/FUL - Car Park and Land, Rockingham Motor Speedway, Mitchell Road, Corby - the Agent for the Applicant
- 19/01777/FUL - Rushden Memorial Clinic, Hayway, Rushden - an objector; Rushden Town Council, a Ward Member and the Agent for the Applicant.

400. CHANGE TO THE ORDER OF THE AGENDA

The Chairman advised that application 19/01607/VAR 332 Addington Road, Irthlingborough would be considered first.

401. 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) 19/01607/VAR – 332 Addington Road, Irthlingborough

The application was for the variation of condition 24 (approved drawings) to allow for a redesign to provide 60 care beds grouped into six household units of 10 beds each in line with the latest Care Quality Commission Guidelines pursuant to planning application 15/00376/FUL – demolition of existing public house for the development of 56 bedroom nursing home. The Planning Development Manager advised that information had been received from the Council's solicitor, highlighting a recent Court of Appeal decision which may have a bearing on the application. It was now being recommended that the application be deferred to enable officers to consider the matter.

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

The Committee considered 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 (layout, scale, appearance.) Also the construction of a new link road between Ditchford Road and Rushden Lakes (with associated site clearance and earthworks) alongside junction works, footpaths, cycle ways, lighting, hard and soft landscaping and associated works. (Resubmission of 18/01197/FUL). The application had been brought before the Committee in accordance with the Scheme of Delegation and was accompanied by an Environmental Statement (ES) as it represented Environmental Impact Assessment (EIA) development

Members noted that Rushden Town Council, Irthlingborough Town Council and Higham Ferrers Town Council had not objected to the application but had all raised concerns and had requested involvement in the Section 106 discussions. It was further noted that Kettering Borough Council, Northampton Borough Council and the Borough Council of Wellingborough had all objected to the application. Kettering Town Centre, Wellingborough Town Centre and Corby Town Centre had all objected to the application. The Local Highways Authority (LHA) had had not objected to the application but requested that conditions be attached to any planning permission that may be granted.

The Council's retail consultant had concluded that the application was acceptable in sequential and impact terms although they were mindful that aspects of the health of town centres locally were a matter of concern.

During debate on the application, some Members acknowledged that whilst the site may be isolated from the rest of the Rushden Lakes development it was not isolated from existing development in the area, for example a service station and restaurant. The proposed application would be a valuable extension to Rushden Lakes. It was noted that the Council's Retail Consultant had stated that the application was acceptable in both sequential and impact terms. The Local Plan Part 2, which had now allocated the land for development, was currently out for consultation and so should have some weight given to it. Members fully supported a no poach condition but questioned why Raunds and Thrapston were not included in the list of towns. If the Committee were minded to grant the application then the proposed conditions should be brought back to a future meeting of the Committee for consideration. The recommended reason for refusal was very specific, loss of open countryside, however recent reports to the Planning Policy Committee recommended development of the land. It was positive that the application would lead to job creation, including during construction. Members had concerns at the number of proposed parking spaces, particularly parent and child spaces. The objections being made on this application were the same which were made on the original application for Rushden Lakes and which were rejected at appeal. Some Members felt that the application appeared contrived and appeared to be a condition to get the road which had been previously approved built. The site was not allocated in the Rushden Neighbourhood Plan. There was some concern with the retail consultant's report as in a report for a previous application it was stated that additional retail units would have an impact on Rushden Town centre. If minded to grant, a no poach condition should be extended to businesses already located in Rushden and a significant amount awarded for Rushden Town Centre.

In response, Officers clarified that the area of land included in the Local Plan Part 2 consultation was a more extensive area of land and the proposed additional site allocation did not include retail. As the consultation on the Local Plan Part 2 had not yet concluded, very little weight could be given to that Plan. If the Committee were minded to grant the application it would then be required to be forwarded to the Secretary of State for him to consider whether to call it in.

It was moved and seconded that the Committee is minded to grant the application. On being put to the vote, there were nine votes for the motion, two against and no abstentions, therefore the Committee **agreed to be minded to grant** the application subject to a s106 agreement and conditions, contrary to officer recommendation. The application is to be reported back to the Committee with proposed conditions and heads of terms for Members approval. Conditions/obligations to include:

- Additional parent and child spaces;
- Very strong no poach condition – to include duration and type – condition should be strengthened from garden square conditions;
- Subsidised bus service obligation;
- Adequate bus stop/layby provision;
- Car charging points and adequate electrical infrastructure to support future additional charging points.

Officers are asked to liaise with the applicant to identify whether parking has been artificially restricted by the Local Highway Authority, and subsequently to ensure adequate parking provision is secured.

402. ADJOURNMENT OF THE MEETING

The meeting was adjourned at 8.35pm and reconvened at 8.45pm.

Councillor Roger Glithero left the meeting and did not return.

403. CONTINUATION OF PLANNING APPLICATIONS

Councillors Andy and Gill Mercer left the meeting for the following application.

(iii) 19/01594/OUT – Land Rear of Abbott House and 1-3 Glapthorn Road, Oundle

The Committee considered an outline application for the development of 33 extra care apartments for older people with associated access, parking, community green space and landscaping (all matters reserved except 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 site was an important open greenspace within the town; the proposal would adversely impact on a neighbouring listed building and the proposed number of parking/disabled parking would be inadequate. Members further noted that 26 letters objecting to the application had been received from nearby residents. One letter supporting the application had been received. The LHA had commented that once essential work had been carried out on a bridge to the east of the site there would be no bus route within 400m of the site.

It was noted that the applicant's agent had now confirmed that the applicant was willing to provide the required developer contributions towards fire and rescue and libraries. Therefore, refusal reason number three fell away and no longer formed part of the Officer's recommendation.

During debate on the application, Members acknowledged that an extra care facility was needed in Oundle but this was the wrong location. It was one of the last areas of open space in the town and the application would be harmful to the setting and the surrounding listed buildings.

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 applicant had not submitted sufficient or robust evidence to support the assumption that the application site is redundant and has therefore failed to demonstrate that the site is surplus to requirements in terms of its function as an area designated as open space for sport and recreation. Furthermore, the applicant has not put forward an alternative area of open space which is of equivalent value and level of accessibility to serve the local community, as is required by Joint Core Strategy Policy 7 (c and d) and Rural North Oundle and Thrapston Plan Policy 15 (c) - Open Space, Sport and Recreational Facilities. The proposal would also, therefore, be in conflict with the aims of the NPPF, as set out at Paragraph 97.
2. The proposed development would be harmful to the landscape setting and, in turn, the architectural and spatial quality of Yarrow House, the Science Building (Grade II) and Oundle School Memorial Chapel, which is listed at Grade II* in recognition of its particular importance of more than special interest. The development would also have a negative impact upon the Oundle Conservation Area for the same reasons. The development would, therefore, not accord with the advice contained within NPPF Paragraph 196, Rural North, Oundle and Thrapston Plan Policy 9 (a and b) – Buildings of Local Architectural or Historic Interest and Joint Core Strategy Policy 2 (a, c and d) Historic Environment.

Councillors Andy and Gill Mercer returned to the meeting.

(iv) 19/01769/FUL – Car Park and Land Rockingham Motor Speedway, Mitchell Road, Corby

The Committee considered an application for the erection of a maintenance building, a concrete inspection area and the resurfacing of loose gravel hardstanding to tarmac. The application had been brought before the Committee in accordance with the Scheme of Delegation

Members noted that Deene and Deenethorpe Parish Council, Bulwick Parish Council, Benefield Parish Council, Weldon Parish Council, Stanion Parish Council, Brigstock Parish Council and Corby Borough Council had not objected to the application. Gretton Parish Council had not objected to the application but had commented that it was imperative building work ensured that adequate drainage was put in place to prevent any risk of flooding on roads in the vicinity of the proposed works. It was further noted the LHA had no objections to the application but requested the imposition of a condition.

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. Conditions to be strengthened in relation to ensuring the use does not result in further contamination of the site.

Councillor Peter Tomas left the meeting for the following application.

(v) 19/01777/FUL – Rushden Memorial Clinic, Hayway, Rushden

The Committee considered an application for the conversion and extension to create 14 one and two bedroomed flats for occupation by persons over 55 years of age, including communal parking and amenity spaces (resubmission of 19/00594/FUL)

Members noted that Rushden Town Council had objected to the application as it was an overdevelopment of the site and Rushden already had an overprovision of flatted development. Members further noted that four letters objecting to the application had been received from nearby residents. The LHA had no objections to the application, but commented that the applicant had proposed kerbing delineating the vehicle cross over, which would not be required. Confirmation of the arrangements for refuse collection as the access would remain private was required.

During debate on the application, Members noted that there was an excess of flats in Rushden. If the Committee were minded to grant the application then conditions should include the provision of electric charging points and sprinklers. It was noted that a plan had been received on how the collection of waste from the site would be dealt with. It was clarified that as the building was not listed, the retaining of internal features could not be conditioned; however the applicant was looking to retain what they could.

It was moved and seconded that the application be granted. On being put to the vote, there were six votes for the motion, one against and one abstention, therefore the Committee **agreed to grant** the application, subject to completion of a legal agreement (or other suitable mechanism) to secure obligations (Section 106) as set out in the report by 17 February 2020 (or other agreed date), conditions detailed in the officer's report and update sheet and the following amendments to conditions:

- Condition 19 – to be strengthened to future proof electrical infrastructure, to enable additional electric charging points to be added in future;
- Condition 16 – check the latest guidance and strengthen if possible to ensure sprinkler provision if this can be reasonably secured;
- Condition 9 – to include sensor lighting where appropriate.

If a satisfactory legal agreement is not completed 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.

Councillor Peter Tomas returned to the meeting.

(vi) 19/00956/FUL – Bluefield Farm, Nassington Road, Apethorpe

The Committee considered an application for a change of use of agricultural buildings to B1 (offices). The application had been brought before the Committee in accordance with the Scheme of Delegation as Apethorpe Parish Council had objected as the original application had included light industry involving storage and distribution.

The original application had sought consent for B2 (general industrial) and B8 (storage and distribution) uses but had now been amended to omit these two uses.

Members noted that Apethorpe Parish Council now supported the application for office use only. It was also noted that the LHA had now withdrawn their objection but had made a number of comments.

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.

Chairman