

DEVELOPMENT CONTROL COMMITTEE

Date: 28 April 2010

Venue: East Northamptonshire House, Cedar Drive, Thrapston

Time: 7.30pm

Present: Councillors: - Pauline Bradberry JP (Chairman)
Andy Mercer (Leader of the Council)

Wendy Brackenbury
Albert Campbell
Lisa Costello
Roger Glithero JP
Glenn Harwood MBE
Sylvia Hughes
Brian Northall

Ron Pinnock
Roger Powell
John Richardson MBE
Phillip Stearn
Robin Underwood
Pam Whiting

477. APOLOGIES FOR ABSENCE

Councillors Gill Mercer, Anna Sauntson and Clive Wood sent their apologies.

478. DECLARATIONS OF INTEREST AND INFORMAL SITE VISITS

No declarations of interest or informal site visits were made.

479. PUBLIC SPEAKERS

The following people spoke on the applications as indicated: -

- (i) District Councillor Reichhold, Mr C Best, Mr N Oakes and Mr M Bagshaw on application EN/09/00611/FUL – Land end of Creed Road, Oundle.
- (ii) Mr P Johnson on application EN/09/00759/FUL – 77 Brook Street, Raunds.

480. PLANNING APPLICATIONS

The Committee considered the schedule of applications and recommendations in the report, with updated information on some of the applications and representations made by public speakers at the meeting.

The applications where the Committee had agreed with the recommendations to grant are indicated under (a) below; those deferred under (b); and those withdrawn under (c) below. The full decision on the applications are included (on the page indicated) in the Appendix to these minutes.

(a) Applications Granted

- (i) EN/09/00759/FUL – 77 Brook Street, Raunds (See Page 948)

Members reconsidered the application following a formal site visit on 3 February and discussed the following issues:

- delivery times and public order issues appeared to have been resolved
- the ventilation consultants report prepared by the Rolton Group
- access to the chimney to ensure that it could be cleaned
- non-intermittent type lighting on the external sign
- the number of takeaways in Raunds.

Granted with the conditions detailed in the report and subject to:

- (a) an additional condition to ensure that the signage lighting was non-intermittent, and an Informative referring to the Rolton Group extraction/ventilation report be attached to the Decision Notice; and
- (b) details to discharge Condition 5 be sent to the Rolton Group in concurrence with the Ward Member.

(ii) EN/09/00405/REM – 77 Kimbolton Road, Higham Ferrers (See Page 950)

The Committee discussed the landscaping issues raised in representations by local residents and considered that, because these had been satisfactorily resolved and there were no other outstanding issues, the application could be granted.

Granted with the conditions detailed in the report.

(b) Applications Deferred

EN/09/00611/FUL – Land End of Creed Road, Oundle (See Page 948)

Members considered the following issues when discussing the application:

- the fact that the Rural North, Oundle and Thrapston Plan (RNOTP) had not been adopted by the Council because of concerns, particularly infrastructure related to housing growth and transport issues affecting Oundle
- a decision was still awaited from the Secretary of State on the appeal lodged by the Council regarding concerns with the RNOTP, which included issues raised by this proposed development
- the cumulative approach/assessment regarding the planned housing sites for Oundle and the effect on increased traffic within the town
- the effect on the economic viability and character of the town centre caused by extra traffic and congestion – local people will go elsewhere to shop – and potential affect on tourism
- transport/highways issues should be reconsidered with the Highways Authority – more accurate picture required including a proper cumulative assessment of traffic flows within the town
- the Transport Assessment was not detailed enough and had not adequately addressed the cumulative effect of the future housing proposals for Oundle
- proposed application does not match Core Spatial Strategy requirements and current review of the Strategy could affect existing policies on housing, transport, employment, shopping and provision of leisure facilities in Oundle
- the effect of the forthcoming Priors Hall development near Corby on local highways and schools in and around Oundle
- the Town Council should be allowed to spend money received from any Section 106 Agreement on schemes they want for the whole town
- the developer should build houses under Code Level 4 energy requirements

and the development should also meet the requirements of the new Site Waste Management Plan.

Chris Bond from the Highways Authority noted the comments made by Members, and offered to meet with Members, the Town Council and Officers to discuss the transport and highways issues raised by the Committee.

Deferred for further consideration of highway matters, including the checking of the Transport Assessment and the cumulative impact of development proposed in Oundle, to ensure that the proposed development would not have an adverse impact on infrastructure within the town and would meet the requirements of the North Northamptonshire Core Spatial Strategy Policies 7 and 14 (now Policies 6 and 13).

A meeting be arranged to discuss the above matters involving the Highways Authority; Oundle Town Council; the Chairman of the Development Control Committee; Oundle Ward Members; and Councillors Glithero, Reichhold and Richardson.

(c) Applications Withdrawn

EN/10/00444/FUL – The White House and Collyweston Garage, 95 Main Road, Collyweston (See Page 950)

The Committee noted that Officers had withdrawn the application from the agenda as the application had been found to be invalid because the wrong Ownership Certificate had been completed. In addition, the applicant had submitted amended plans omitting land outside his ownership.

RESOLVED:

That the above planning applications be dealt with as indicated in the Appendix to these minutes at pages 948 to 951.

481. APPEAL DECISION MONITORING REPORT

Members noted the Council's planning appeal decisions from 8 March to 2 April 2010.

Chairman

**List of Applications Determined by
DEVELOPMENT CONTROL COMMITTEE - 28 April 2010**

EN/09/00611/FUL

Date received	Date valid	Overall Expiry	Ward
27 April 2009	19 June 2009	18 September 2009	Oundle
Applicant	Persimmon Homes (East Midlands) Ltd		
Agent	John Martin And Associates - Mrs V Coleby		
Location	Land End Of, Creed Road, Oundle.		
Proposal	Erection of 145 dwellings with associated open space, landscaping and access.		

Decision **Application Deferred for further consideration of highway matters, including the checking of the Transport Assessment and the cumulative impact of development proposed in Oundle, to ensure that the development would not have an adverse impact on infrastructure within the town and would meet the requirements of the North Northamptonshire Core Spatial Strategy Policies 7 and 14 (now Policies 6 and 13).**

A meeting be arranged to discuss the above matters involving the Highways Authority; Oundle Town Council; the Chairman of Development Control Committee; Oundle Ward Members; and Councillors Glithero, Reichhold and Richardson.

EN/09/00759/FUL

Date received	Date valid	Overall Expiry	Ward
18 May 2009	21 May 2009	16 July 2009	Raunds Saxon
Applicant	Mr A Miah		
Agent	Berrys		
Location	77 Brook Street, Raunds.		
Proposal	Change of use of ground floor of Nos 77- 79 to Hot Food takeaway (A5 Use Class) from Retail use (A1) plus revised shopfront, 3 no fascia lights and alterations to the chimney to house extract duct		

Decision **Application Granted, subject to:**

(a) an additional condition be added to ensure that the signage lighting was non-intermittent, and an Informative referring to the Rolton Group's extraction/ventilation report be attached to the Decision Notice; and

(b) details to discharge Condition 5 be sent to the Rolton Group in concurrence with the Ward Member.

Conditions/Reasons:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
Reason: Statutory requirement under provision of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. Prior to the commencement of the development hereby permitted, details and samples of the external roofing and facing materials to be used for the front building alterations, including the chimney, shall have been submitted to and be approved in writing by the Local Planning Authority and the development shall be implemented in accordance with the details so approved, unless otherwise agreed in writing by the Local Planning Authority.
Reason: To achieve a satisfactory appearance for the development.
3. In accordance with the submitted Environmental Noise Survey and Impact Assessment received on 25th November 2009, an inductor attenuator shall be installed within the proposed extraction system/extract duct. Details of this inductor attenuator, including its noise reduction level shall be submitted to and be approved in writing by the Local Planning Authority before commencement of development. The level of sound reduction shall be no less than 25dB (A) and the induct attenuator shall thereafter be installed in accordance with the details so approved and be retained in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.
Reason: To preserve the amenities of neighbouring occupiers and in the interest of local amenity.
4. The extraction and ventilation system shall be in accordance with the recommendations made in the Kitchen Ventilation Technical Review Report prepared by Rolton Group Ltd (report number: 10-0139) received by the Local Planning Authority on 26th March 2010, unless otherwise agreed in writing by the Local Planning Authority.
Reason: To preserve the amenities of neighbouring occupiers and in the interest of local amenity.
5. Notwithstanding the submitted details and before commencement of the development hereby permitted, full design details of the extraction system and final external chimney dimensions shall be submitted to and be approved in writing by the Local Planning Authority. The extraction system and chimney shall thereafter be implemented/constructed in accordance with the details so approved, unless otherwise agreed in writing by the Local Planning Authority.
Reason: To preserve the amenities of neighbouring occupiers and in the interest of local amenity.
6. The takeaway hereby permitted shall be adapted so as to provide sound insulation against internally generated noise and to ensure that the external noise levels of the flat comply with BS8233.
Reason: To preserve the amenities of future occupiers of the flat and in the interest of local amenity.
7. The premises shall not be open to customers or any other visiting member of the public except between the hours of 17:30pm to 23:00pm Mondays to Sundays and no deliveries shall be carried out except between the hours of 08:30am to 18:00pm Mondays to Saturdays.
Reason: In the interest of neighbouring amenity and local amenity.
8. The development shall be carried out strictly in accordance with the amended details received by the Local Planning Authority on 26th March 2010, drawing numbers: 957-01 Revision D, 957-02 Revision B, and 957-03 Revision B.
Reason: In avoidance of doubt and to clarify the terms of this consent.
9. Prior to the implementation of the takeaway hereby approved, or the first floor flat to be located directly above takeaway as approved under application reference 08/01304/FUL, whichever is the latter, the first floor flat shall be laid out in accordance with drawing number DK957-03B received by the Local Planning Authority 26th March 2010 unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of residential amenity.

10. The means of illumination shall not be of a flashing, pulsating or intermittent kind.

Reason: In the interests of highway safety.

EN/10/00444/FUL

Date received	Date valid	Overall Expiry	Ward
8 March 2010	18 March 2010	13 May 2010	Fineshade

Applicant **Conquest Homes LLP**

Agent **Wilmot Partnership Design**

Location **The White House And Collyweston Garage, 95 Main Road, Collyweston.**

Proposal **Proposed amendments to Plots 3 and 4 to previously approved scheme - EN/07/02435/FUL.**

Decision **Application had been Withdrawn from the Committee by Officers before the meeting, because the applicant had submitted the wrong Ownership Certificate and had submitted amended plans omitting land outside his ownership.**

EN/09/00405/REM

Date received	Date valid	Overall Expiry	Ward
20 March 2009	9 April 2009	9 July 2009	Higham Ferrers Lancaster

Applicant **Ashgate Mount Homes Ltd**

Agent **Len Mason Consultant**

Location **77 Kimbolton Road, Higham Ferrers, Rushden.**

Proposal **Reserved Matters: Landscaping associated with demolition of existing buildings and redevelopment of twenty four dwellings with associated external works pursuant to outline planning permission EN/04/02158/OUT dated 21 March 2006.**

Decision **Application Granted**

Conditions/Reasons:

1. The railings along the southern and western boundaries of the site to Chichele Street and Kimbolton Road shall be provided in accordance with the details received by the Local Planning Authority on 20 October 2009, unless otherwise agreed in writing by the Local Planning Authority.
Reason: To ensure a satisfactory elevational appearance for the development and in the interest of visual amenity.
2. The boundary screening and planting details shown on drawing numbers: 451/01B (changes made 24.02.10) and 07-072-06 Revision C, received by the Local Planning Authority on 15th March 2010, shall be provided in accordance with the submitted details before the first occupation of the dwellings and shall thereafter be retained in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure adequate standards of privacy for neighbours and future occupiers and to safeguard the amenity of the area.

3. Notwithstanding the submitted details, any planting within the areas forward of the pedestrian visibility splays of the vehicular access points along Chichele Street shall be reduced and maintained at a height not exceeding 0.6 metres above carriageway level.

Reason: In the interest of highway safety.