

# PLANNING MANAGEMENT COMMITTEE

**Date:** 26 February 2020

**Venue:** East Northamptonshire House, Cedar Drive, Thrapston

**Time:** 7.00pm

**Present**

<p><b>Councillors:</b> Phillip Stearn Gill Mercer</p>	<p>Chairman Vice Chairman</p>
<p>Roger Glithero Helen Howell Bert Jackson Barbara Jenney Lance Jones Andy Mercer</p>	<p>Harriet Pentland Geoff Shacklock Peter Tomas Robin Underwood Peter Wathen. Lee Wilkes</p>

## 422. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Ron Pinnock and Alex Smith.

## 423. MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 30 January 2020 were approved and signed by the Chairman.

## 424. DECLARATIONS OF INTEREST AND INFORMAL SITE VISITS

### (a) Declarations of Interest

Councillor	Application	Nature of Interest	DPI	Other Interest
Roger Glithero	19/01327/OUT OP0038 TL0389, Cotterstock Road, Oundle	Has known the landowner's family for a number of years.		Yes (left meeting for item)
Barbara Jenney	19/01327/OUT OP0038 TL0389, Cotterstock Road, Oundle	Landowner is known to her.		Yes
Andy Mercer	19/01327/OUT OP0038 TL0389, Cotterstock Road, Oundle	The landowner, when a councillor on ENC, nominated him as Leader of the Council.		Yes (left meeting for item)
Gill Mercer	19/01327/OUT OP0038 TL0389,	Was a member of the Planning Policy Committee		Yes (left meeting

	Cotterstock Road, Oundle	that dealt with the application site.		for item)
Harriet Pentland	19/01327/OUT OP0038 TL0389, Cotterstock Road, Oundle	Landowner is known to her. Also, works for Tom Pursglove MP who has submitted a letter formally associating himself with residents objections.		Yes
Geoff Shacklock	19/01327/OUT OP0038 TL0389, Cotterstock Road, Oundle	The landowner and their family is known to him.		Yes
Phillip Stearn	19/01327/OUT OP0038 TL0389, Cotterstock Road, Oundle	Is against the application so can be considered to have pre-determined the matter.		Yes (left meeting for item but did speak as a Ward Member)
Robin Underwood	19/01327/OUT OP0038 TL0389, Cotterstock Road, Oundle	The landowner, when a councillor on ENC, nominated him as Chairman of the Council and he has known the family for a number of years.		Yes (left meeting for item)
Lee Wilkes	19/01327/OUT OP0038 TL0389, Cotterstock Road, Oundle	Landowner is known to him.		Yes
Lance Jones	18/01109/FUL Land to the North East Side of Midland Road, Raunds	Kier were a client of his until 2019 but he longer has a financial interest in Kier.		Yes

**(b) Informal Site Visits**

Councillor Bert Jackson declared that he had visited OP0038 TL0389, Cotterstock Road, Oundle (19/01327/OUT), Land to the North East Side of Midland Road, Raunds (18/01109/FUL) and Land Between 53 and 59 Church Street, Warmington (19/01495/FUL) .

**425. QUESTIONS FROM MEMBERS UNDER COUNCIL PROCEDURE RULE 10.3**

There were no questions under Council Procedure Rule 10.3.

#### **426. PUBLIC SPEAKERS**

The following people spoke on the item as indicated:

- 19/01327/OUT OP0038 TL0389, Cotterstock, road, Oundle - 5 objectors; Cotterstock Parish Meeting, Oundle Town Council, three Ward Members and the Applicant
- 18/01109/FUL - Land to the North East Side of Midland Road, Raunds – the Agent for the Applicant
- 19/01495/FUL – Land Between 53 and 59 and Church Street, Warmington – the Agent for the Applicant, an objector and Warmington Parish Council

#### **427. CHANGE TO THE ORDER OF THE AGENDA**

The Chairman advised that applications 18/01109/FUL Land to the North East side of Midland Road, Raunds and 19/01495/FUL Land Between 53 and 59 Church Street, Warmington would be considered first.

#### **428. 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) 18/01109/FUL Land to the North East side of Midland Road, Raunds**

The Committee considered a full application for the erection of 10 dwellings, including access, parking, landscaping and associated infrastructure. 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 Raunds Town Council had objected to the application on the grounds of the Raunds Neighbourhood Plan and that the dwellings exceeded the quota for housing numbers. The Town Council had also submitted a further representation objecting to the application on the grounds of the five year land supply, flood risk and that it was an unadopted road. The Local Highways Authority (LHA) had not objected to the application but had recommended that conditions should be used to ensure the access and footpath was built to an adoptable standard.

During debate on the application, Members noted the recent appeal decision that the district did not have a five year land supply and the impact that had on applications and made Neighbourhood Plans. There were concerns that tandem parking was being proposed despite that type of parking not being supported. If the Committee were minded to grant the application then a condition should be considered about ensuring the road was completed to adoptable standards. Concern was also raised about overdevelopment on the site and how waste would be collected.

Officers confirmed that they were currently studying the appeal decision and considering whether a statutory appeal to High Court should be made.

**The meeting adjourned at 8.10pm and reconvened at 8.20pm to enable officers to consider the proposed reasons for refusal.**

It was moved and seconded that the application be refused. On being put to the vote the Committee **agreed to refuse** the application, contrary to officer recommendation, due to

The proposal would represent an overdevelopment of the site as evidenced by an over reliance on impractical tandem parking and inadequate provision for waste storage and collection. As a result, the proposal would function poorly and therefore represents poor design, contrary to Raunds Neighbourhood Plan Policy R2 and NPPF Paragraph 127. The identified harm significantly and demonstrably outweighs the benefits of the scheme including the modest contribution to housing land supply (including affordable provision).

**(ii) 19/01495/FUL Land Between 53 and 59 Church Street, Warmington**

The Committee considered an application for the erection of a single storey dwelling (resubmission of 19/00597/FUL). The application had been brought before the Committee in accordance with the Scheme of Delegation as an objection had been received from Warmington Parish Council and that the ward member had not confirmed that the application could be dealt with under delegated powers.

The application had been considered by the Committee on 30 January 2020, but had been deferred to allow for a meeting to be held between Officers, the Parish Council's Neighbourhood Plan Group and the applicant's agent.

During debate on the application, Members questioned whether due to the floor height of the proposed dwelling whether there would be overlooking on the neighbouring property. In response, officers advised that it was proposed to condition that boundary treatments were agreed prior to the occupation of the dwelling.

It was moved and seconded that the Committee grant the application. On being put to the vote, there were 12 votes for the motion, none against and one abstention, therefore the Committee **agreed to grant** the application subject to the conditions detailed in the officer's report.

**429. ADJOURNMENT OF THE MEETING**

The meeting was adjourned at 8.50pm and reconvened at 9.00pm.

**Councillors Roger Glithero, Andy Mercer, Gill Mercer, Phillip Stearn and Robin Underwood left the meeting and did not return.**

**430. APPOINTMENT OF CHAIRMAN FOR THE REMAINDER OF THE MEETING**

As the Chairman and Vice Chairman were not able to take part in the remainder of the meeting, it was moved, seconded and **RESOLVED** that Councillor Helen Howell take the Chair for the remainder of the meeting.

#### **431. 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.

#### **432. CONTINUATION OF PLANNING APPLICATIONS**

##### **(iii) 19/01327/OUT – OP0038 TL0389, Cotterstock Road, Oundle**

The Committee considered an outline 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.

The application had been considered by the Committee on 13 November 2019 but had been deferred 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 highways 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.

It was noted that correspondence had been received from the Ministry of Housing, Communities and Local Government (MHCLG) advising that the Secretary of State had received a request to call in the planning application for his own determination. MHCLG advised that the formal assessment of the case would not begin until after the Planning Management Committee had decided upon the application.

During debate on the application, Members noted that approximately 50% of the application was within Glapthorn Parish. Concerns were raised about the proximity of the Anglian Water Sewerage Works and confirmation was sought about the distance from the works to the nearest domestic receptor. Officers confirmed that the distance was approximately 89m. It was noted that one of the speakers made reference to it being ENC policy that there should be a 400m buffer between the works and residential properties. It was confirmed that this distance was not in any of ENC's policies but was contained in the Minerals and Waste Local Plan but there was no evidence that the application would prejudice the sewerage works. There were already existing dwellings within the 400m zone and Anglian Water had made no objections to the application. It was also noted that there had been around 10 unsubstantiated complaints made to Environmental Protection during the last 10 years but we would not know how many complaints about odour had been made directly to Anglian Water. It was noted that both Anglian Water and ENC had appointed independent experts to check the data, who were both satisfied.

Whilst welcoming the reduction to 30mph, Members sought clarification from Northamptonshire Highways about how Cotterstock Road would be made safer due to the reduction in speed limit. Northamptonshire Highways clarified that at 30mph the standards required on the road would reduce, for example, visibility splays would reduce to 43m instead of 215m. The proposed junction appeared to comply with standards but that would be subject to the full application. It was acknowledged that there would be additional traffic but it was not felt that the impacts were sufficient to be considered severe enough to warrant refusal of the application on highways grounds.

Members acknowledged that this was a difficult application to consider. They had looked in depth at it at a number of meetings and had also attended a number of site visits and had received pre-meeting briefings.

It was moved and seconded that the application be granted. On being put to the vote, there were seven votes for the motion, none against and one abstention, therefore the Committee **agreed to grant** the application, subject to the satisfactory completion of a Section 106 legal agreement which secures obligations as set out in the original report by 28 February 2020 (or other agreed date).

If a satisfactory Section 106 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.

The application will now be referred to the Ministry of Housing, Communities and Local Government.

**Chairman**