

# DEVELOPMENT CONTROL COMMITTEE

Date: 29 September 2010

Venue: East Northamptonshire House, Cedar Drive, Thrapston

Time: 7.30pm

Present: Councillors: - Pauline Bradberry JP (Chairman)

Wendy Brackenbury  
Albert Campbell  
Lisa Costello  
Glenn Harwood  
Sylvia Hughes  
Brian Northall

Ron Pinnock  
Anna Sauntson  
Phillip Stearn  
Robin Underwood  
Pam Whiting  
Clive Wood

## 175. CHAIRMAN'S STATEMENT

The Chairman read out a statement (attached as Appendix A to these minutes at page 291) regarding a decision made by the Development Control Committee at its meeting on 18 August 2010 for application EN/09/00611/FUL at Land End of Creed Road, Oundle.

## 176. MINUTES

The minutes of the meeting held on 8 September 2010 were approved and signed by the Chairman.

## 177. APOLOGIES FOR ABSENCE

Councillors Roger Glithero JP, Andy Mercer, Gill Mercer, Roger Powell and John Richardson MBE sent their apologies.

## 178. DECLARATIONS OF INTEREST AND INFORMAL SITE VISITS

### (a) Interests

#### (i) Prejudicial

Members declared personal and prejudicial interests in the applications below as indicated. They left the meeting and did not take part in the discussion and voting on the respective application or item.

| Member            | Application or Agenda Item | Nature of Interest   |
|-------------------|----------------------------|--|
| Pam Whiting       | EN/10/01272/FUL            | Her landlord's business (where she worked) would be affected by the proposed development |
| Wendy Brackenbury | Item 7                     | Knows the owner of the property  |

**(ii) Personal**

Members declared personal interests in the applications below as indicated. They remained in the meeting and took part in the discussion and voting on the respective application.

| <b>Member</b>   | <b>Application or Agenda Item</b> | <b>Nature of Interest</b>         |
|-----------------|-----------------------------------|-----------------------------------|
| Ron Pinnock     | EN/10/01272/FUL                   | Knows the applicant               |
| Robin Underwood | EN/10/01272/FUL                   | Knows the applicant and agent     |
| Clive Wood      | Item 7                            | Has purchased wood from the owner |

**(b) Informal Site Visits**

Councillor Robin Underwood declared that he had undertaken an informal site visit for application EN/10/01272/FUL.

**179. PUBLIC SPEAKERS**

The following people spoke on the applications as indicated: -

- (i)** District Councillors R Reichhold and D Bateman; Oundle Town Councillor P King; Mr C Best on application EN/10/00611/FUL – Land End of Creed Road, Oundle.
- (ii)** Mrs C Illingworth on application EN/10/00616/REM - 9 Lakeside Close, Thrapston.
- (ii)** Mr K Pawlowski on application EN/10/01122/FUL – 87A Addington Road, Irthlingborough

**180. PLANNING APPLICATIONS**

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

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

**(a) Applications Granted**

- (i) EN/10/00121/RWL** – 88A to 116 High Street South, Rushden (See Page 285)

The Committee considered that there were no issues with this renewal application and it was

**Granted** with the conditions detailed in the report.

- (ii) EN/10/00616/REM** – 9 Lakeside Close, Thrapston (See Page 288)

Members gave further consideration to the application (following a Members' site

visit), including delivery of building materials to the site during construction and site levels, and it was agreed that the application be

**Granted** with the conditions detailed in the report, with an additional condition regarding site levels.

**(b) Applications Deferred**

**(i) EN/10/00611/FUL – Land end of Creed Road, Oundle (See Page 284)**

The Committee gave further consideration to this application after it had been deferred from a previous meeting (18 August 2010) and discussed the following issues:

- The potential status of the emerging Oundle 2020 Town Plan as a future planning policy document in relation to the existing RNOT Plan and Core Spatial Strategy
- The recent Government announcement regarding proposed changes to housing density levels
- Substantive concerns and unforeseen circumstances should be taken into account by local authorities when considering large housing developments
- The Code Level for Sustainable Homes regarding energy saving measures will go up in October 2010 and whether this Level should be incorporated into the proposed development
- The Government's forthcoming localism agenda and how this will take account of local wishes regarding future housing development

and it was agreed that the application be

**Deferred** contrary to the recommendation to grant, for clarification of the Government's position on housing targets, localism and spatial planning and in order to enable further progress to be made on the Oundle 2020 Town Plan, which should come to fruition before a decision was made on the application.

**(ii) EN/09/01850/FUL – The Green Dragon, 1 Hall Hill, Brigstock (See Page 284)**

Members noted that further advice had been received from the Highways Authority, that the proposed footpath improvements would reduce the width of the main road (The Syke) to less than 5 metres. It was therefore agreed that the application be

**Deferred** to enable further discussions between the agent and Highway Authority regarding the highway improvement works.

**(iii) EN/10/01122/FUL – 87A Addington Road, Irthlingborough (See Page 289)**

The Committee discussed the position of the proposed access onto Addington Road and it was agreed that the application be

**Deferred** for a formal Members' Site Visit on Tuesday 5 October 2010 at 9.30am.

**(iv) EN/10/01272/FUI – 28 Commercial Street, Higham Ferrers (See Page 290)**

Members noted that the applicants were proposing to submit a revised scheme with fewer dwellings and it was agreed that consideration of the application be

**Deferred** until the revised scheme had been received.

**RESOLVED:**

That the above planning applications be dealt with as indicated in the Appendix to these minutes at pages 284 to 290.

**181. LOCAL LIST OF INFORMATION REQUIREMENTS**

Members considered new guidance for the preparation of Local Lists of Information Requirements for planning applications. This included the main changes that were required to the existing Local Validation Requirements and set out the process for consulting on these changes.

**RESOLVED:**

That the revised Local List of Information Requirements be approved for consultation.

**182. EXCLUSION OF THE PUBLIC AND PRESS**

**RESOLVED:**

That the public and press be excluded during consideration of the following item of business, because exempt information as defined under Paragraphs 1 and 7 of Schedule 12A of the Local Government Act 1972, may be disclosed.

**183. UNAUTHORISED WORKS TO A LISTED BUILDING - MANOR FARM, LOWER BENEFIELD**

The Committee received a report on proposed listed building enforcement action for unauthorised works at Manor Farm, Lower Benefield, a Grade II listed building. A late representation received from one of the owners of the property was submitted for consideration.

Members noted that, subject to him being satisfied with the evidence, the Solicitor to the Council had authority to prosecute the owners if they failed to comply with any Listed Building Enforcement Notice served on them.

**RESOLVED:**

That a Listed Building Enforcement Notice be served on the owners of the property requiring works be carried out to the external envelope of Manor Farm, Lower Benefield, to restore the building to its former state, and that the works include the re-laying of natural Collyweston stone slates on the roof of the building and the removal of the unauthorised dormers and roof lights.

**Chairman**

## List Of Applications Determined By

**DEVELOPMENT CONTROL COMMITTEE - 29 September 2010**

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**EN/09/00611/FUL**

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|----------------------|---------------------|--------------------------|---------------|
| Date received        | Date valid          | Overall Expiry           | Ward          |
| <b>27 April 2009</b> | <b>19 June 2009</b> | <b>18 September 2009</b> | <b>Oundle</b> |

Applicant **Persimmon Homes (East Midlands) Ltd**

Agent **John Martin And Associates - Mrs V Coleby**

Location **Land End Of, Creed Road, Oundle.**

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Proposal **Erection of 145 dwellings with associated open space, landscaping and access**

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**Decision**      **Application Deferred contrary to the recommendation to grant, for clarification of the Government's position on housing targets, localism and spatial planning and in order to enable further progress to be made on the Oundle 2020 Town Plan, which should come to fruition before a decision was made on the application.**

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**EN/09/01850/FUL**

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|                         |                         |                        |                |
|-------------------------|-------------------------|------------------------|----------------|
| Date received           | Date valid              | Overall Expiry         | Ward           |
| <b>19 November 2009</b> | <b>27 November 2009</b> | <b>22 January 2010</b> | <b>Lyveden</b> |

Applicant **Prospect Brigstock Ltd**

Agent **Paul Bancroft Architects**

Location **The Green Dragon, 1 Hall Hill, Brigstock.**

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Proposal **Proposed new single storey maisonettes and conversion of outbuildings for the Green Dragon Public House**

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**Decision**      **Application Deferred to enable further discussions between the agent and Highway Authority regarding the highway improvement works.**

Date received                      Date valid                      Overall Expiry                      Ward  
**21 January 2010                      29 January 2010                      26 March 2010                      Rushden Sartoris**

Applicant                      **Ms Gloria Neave**

Location                      **88A To 116, High Street South, Rushden.**

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Proposal                      **Renewal of extant outline planning permission EN/07/00021/OUT: Redevelopment of site to residential all matters reserved except access and layout, dated 05.03.07**

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**Decision                      Application Granted**

**Conditions/Reasons:**

1. Approval of the details of the scale and appearance of the building(s) and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the local planning authority in writing before the development is commenced.  
Reason: The application is in outline only and the reserved matters referred to will require full consideration by the local planning authority.
2. Application for the approval of the reserved matters must be made not later than the expiration of three years beginning with the date of this permission.  
Reason: Statutory requirement under Section 51 of the Planning and Compulsory Purchase Act 2004.
3. The development to which this permission relates shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.  
Reason: Statutory requirement under Section 51 of the Planning and Compulsory Purchase Act 2004.
4. Before any work is commenced on the development the subject of this permission details of the provision of foul water and surface water drainage installations to serve the development proposed shall have been submitted to and approved by the local planning authority, and the development shall thereafter be carried out in accordance with the approved details.  
Reason: To safeguard public health and to prevent the potential for flooding on the site and elsewhere.
5. Prior to the commencement of development, a schedule of boundary treatments shall be submitted to and approved in writing by the local planning authority. Boundary treatment shall be completed in accordance with the approved schedule prior to the first occupation of any of the dwellings hereby approved and shall thereafter be retained.  
Reason: To ensure a satisfactory standard of development, which does not adversely affect the residential amenity of the area.
6. Prior to the commencement of development details of the proposed slab levels to all new onsite buildings, gardens and the car parking area, shall be submitted to and approved in writing by the local planning authority. The submitted details shall clearly depict the slab level relationship of the proposed development with the slab level of the existing surrounding buildings and adjacent gardens. The development shall be completed in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.  
Reason: In the interests of the amenities of adjacent occupiers and to ensure a satisfactory form of development.
7. Before the development hereby permitted is commenced, details of the construction and surfacing of the vehicular access to the public highway, parking facilities and all other hard-surfaced areas within the site, and details showing closure of the existing vehicular access points and surfacing

and accommodation works along the frontage of the site, shall have been submitted to and approved in writing by the local planning authority. The development shall be in complete accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: In the interest of highway safety and visual amenity.

8. Prior to the commencement of development detailed drawings of the means of access shall be submitted to and approved in writing by the local planning authority. The said drawings shall include details of the following:
- (i) provision of 2.5m x 43.0m vehicular vision splays
  - (ii) provision of 2.0m x 2.0m pedestrian vision splays
  - (iii) provision of adequate surface water drainage designed to prevent unregulated discharge of water onto the highway
  - (iv) provision of maximum 1 in 15 gradient

Development shall be completed in strict accordance with the subsequently approved details prior to the occupation of the development hereby approved.

Reason: In the interests of the safety and convenience of users of the access, existing adjacent public highway, and the existing adjacent public footpath.

9. The development hereby permitted shall not be commenced until details of a comprehensive contaminated land investigation has been submitted to and approved by the Local Planning Authority (LPA) and until the scope of works approved therein have been implemented. The assessment shall include all of the following measures unless the LPA dispenses with any such requirements in writing:
- site investigation shall be carried out to fully and effectively characterise the nature and extent of any land contamination and/or pollution of controlled waters. It shall specifically include a risk assessment that adopts the Source-Pathway-Receptor principle and takes into account the sites existing status and proposed new use. Two full copies of the site investigation and findings shall be forwarded to the LPA.

Reason: To ensure potential risks arising from previous site uses have been fully assessed

10. Where the risk assessment identifies any unacceptable risk or risks, a detailed remediation strategy to deal with land contamination and/or pollution of controlled waters affecting the site shall be submitted and approved by the LPA. No works, other than investigative works, shall be carried out on the site prior to receipt of written approval of the remediation strategy by the LPA.

Reason: To ensure the proposed remediation plan is appropriate.

11. Remediation of the site shall be carried out in accordance with the approved remediation strategy. No deviation shall be made from this scheme without the express written agreement of the LPA. On completion of remediation, two copies of a closure report shall be submitted to the LPA. The report shall provide validation and certification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post remediation sampling and monitoring results shall be included in the closure report.

Reason: To provide verification that the required remediation has been carried out to the required standards.

12. If, during development, contamination not previously considered is identified, then the LPA shall be notified immediately and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspect contamination has been submitted to and agreed in writing with the LPA.

Reason: To ensure all contamination within the site is dealt with.

13. The details to be submitted in accordance with Condition 1 above shall include details of measures to safeguard existing trees on site and on the adjoining sites. These details shall include but not be limited to an Arboricultural Method Statement and Tree Protection Plan, and be in accordance with British Standard 5837:2005. The development shall be carried out wholly in accordance with the scheme of tree protection so approved in writing by the local planning authority, unless otherwise agreed in writing by the local planning authority.

Reason: In order to retain existing mature trees on the site insomuch as the approved development will allow in the interests of the visual appearance of the completed development.

14. Prior to the commencement of development, details of a secure lockable gate to the rear alleyway shall be submitted to and approved in writing by the local planning authority. The lockable gate shall be completed in accordance with the approved details prior to the first occupation of any of the dwellings hereby approved and be thereafter retained.

Reason: To ensure a satisfactory standard of development and ensure the site does not attract anti-social behaviour

15. Prior to the commencement of demolition prior approval is required for the method of demolition and a method statement for the demolition of existing onsite buildings shall be submitted to and approved in writing by the local planning authority. The statement shall include details of hours of demolition operations, measures to minimise noise disruption during demolition works, and means of minimising dust during demolition. All debris resulting from demolition works shall be completely removed from the site and the demolition works programme (from its commencement to the removal of the last of the demolition debris) shall be completed in a period not exceeding one month, unless otherwise agreed in writing by the local planning authority. No element of the buildings shall be demolished other than as shown on the approved plans. Demolition shall be undertaken strictly in accordance with the approved demolition method statement.

Reason: In the interests of the amenities of adjacent occupiers and visual amenity.

16. Details of external illumination to the car parking area hereby approved shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. The external lighting shall be installed in accordance with the approved details prior to the first occupation of any of the dwellings hereby permitted.

Reason: In the interests of crime prevention and the amenities of the users of the parking area.

17. Notwithstanding the approved details, prior to the commencement of development details of covered secure cycle parking and bin storage facilities shall be submitted to and approved in writing by the Local Planning Authority. The covered cycle parking and bin storage shall be provided in accordance with the approved details prior to the occupation of the first of the dwellings hereby approved.

Reason: To ensure that adequate convenient and secure cycle parking is available and in the interests of neighbouring amenities.

18. Prior to the commencement of development details of the location of temporary contractor car parking during construction works shall be submitted to and approved in writing by the local planning authority. For the duration of the construction works the temporary car parking area shall be available for contractors' use in accordance with the approved details.

Reason: In order to avoid undue congestion and on-road car parking during construction works.

19. Prior to the commencement of development hereby permitted, details of provisions for waste reduction and recycling, water efficiency and recycling and techniques of sustainable construction to be used for the construction of the building(s) hereby permitted, shall be submitted to and approved in writing by the local planning authority, and the development shall be implemented in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development is sustainable in accordance with national government advice contained in PPS1 and Policy 14 of the adopted North Northamptonshire Core Spatial Strategy.

20. At least 10% of the energy supply of the development shall be secured from renewable or low-carbon energy sources (as described in the glossary of Planning Policy Statement: Planning and Climate Change December 2007). Prior to the commencement of development, details and a timetable of how this is to be achieved, including details of the physical works on site, shall be submitted to and be approved in writing by the Local Planning Authority. The details so approved shall be implemented in accordance with the approved timetable and retained as operational

thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development is sustainable in accordance with national government advice contained in PPS1 and policies 13 and 14 of the adopted North Northamptonshire Core Spatial Strategy.

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## EN/10/00616/REM

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|                     |                     |                    |                        |
|---------------------|---------------------|--------------------|------------------------|
| Date received       | Date valid          | Overall Expiry     | Ward                   |
| <b>6 April 2010</b> | <b>6 April 2010</b> | <b>1 June 2010</b> | <b>Thrapston Lakes</b> |

Applicant **Mr Steve Welch**

Location **9 Lakeside Close, Thrapston.**

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Proposal **Reserved matters: Pursuant to outline application for erection of one dwellinghouse and new vehicular access from Swan Close (all matters reserved except for means of access) Permission EN/07/01750/OUT**

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**Decision Application Granted with an additional condition regarding site levels.**

**Conditions/Reasons:**

1. Before commencement of the development hereby permitted, details and samples of the external roofing and facing materials to be used for the construction of the dwelling shall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter 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.
2. Notwithstanding the vertical timber cladding shown on drawing number: 2010/50 Revision A, horizontal timber cladding shall be provided on the front elevation of the dwelling hereby approved, and details of the size, proportions, colour and finish details of the cladding shall be submitted and approved in writing by the Local Planning Authority prior to commencement of development. The development shall thereafter be implemented and maintained in accordance with the details so approved, unless otherwise agreed in writing by the Local Planning Authority.  
Reason: To ensure the development does not detract from the character and appearance of the properties in Swan Close and to achieve a satisfactory appearance for the development.
3. The vehicular access shall have a gradient not exceeding 1 in 15 for a distance of 5.0 metres back from the correct level at the highway boundary. Prior to the first occupation of the development hereby permitted, this area shall be hard paved in accordance with the surface shown on drawing number: 2010/50 Revision A for a minimum of 5.0 metres back from the highway boundary and be thereafter retained, unless otherwise agreed in writing by the Local Planning Authority.  
Reason: In the interest of highway safety.
4. In accordance with the submitted details, pedestrian visibility splays of 2.4 metres x 2.4 metres shall be provided on both sides of the access and any planting within the areas forward of the pedestrian visibility splays of the vehicular access point shall be reduced and maintained at a height not exceeding 0.6 metres above carriageway level.  
Reason: In the interest of highway safety.
5. The boundary screening and planting details shown on drawing numbers: 2010/50 Revision A and 2010/52, received by the Local Planning Authority on 25th June 2010, shall be provided in accordance with the submitted details before the first occupation of the dwelling 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.

6. All planting, seeding and turfing comprised in the approved details of landscaping shall be carried out in the first planting season following the occupation of the building(s) or the completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure a reasonable standard of development and to avoid detriment to the visual amenity of the area.

7. Should the railings on the front west boundary of the application site adjacent to No.16 Swan Close be removed (identified on drawing number: 2010/50), replacement railings of no more than 1.0 metre in height shall be reconstructed along the boundary in accordance with details to be submitted and approved 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.

8. Notwithstanding the submitted details, larch lap fencing of no less than 1.8 metres high shall be erected along the rear boundary of the site to No.9 Lakeside Close to match the existing fencing and this fencing 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.

9. The development hereby permitted shall be carried out strictly in accordance with the amended details received by the Local Planning Authority on 25 June 2010, drawing numbers: 2010/50 Revision A, 2010/51 Revision A, 2010/52, and drawing number: 2010/52 received on 13 August 2010, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to clarify the terms of this planning permission and to ensure that the development is carried out as permitted.

10. The development hereby permitted shall be constructed strictly in accordance with the levels details shown on amended drawings received by the Local Planning Authority on 25 June 2010, drawing numbers: 2010/51 Revision A, 2010/52; and drawing number: 2010/52 received on 13 August 2010, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to clarify the terms of this planning permission and to ensure that the development is carried out as permitted.

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## EN/10/01122/FUL

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|                     |                     |                       |                                 |
|---------------------|---------------------|-----------------------|---------------------------------|
| Date received       | Date valid          | Overall Expiry        | Ward                            |
| <b>15 June 2010</b> | <b>15 June 2010</b> | <b>10 August 2010</b> | <b>Irthlingborough Waterloo</b> |

Applicant **Mr K Pawlowski**

Agent **John Spencer Technical Drawing Services**

Location **87A Addington Road, Irthlingborough.**

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Proposal **New vehicular access (Re-submission of 10/00235/FUL)**

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Decision **Application Deferred for a formal Members' Site Visit on Tuesday 5 October 2010 at 9.30am.**

Date received                      Date valid                      Overall Expiry                      Ward  
**14 July 2010                      14 July 2010                      8 September 2010                      Higham Ferrers Chichele**

Applicant    **F And L Group Ltd - Mr F Langley**

Agent        **Sidey Design Architecture**

Location    **28 Commercial Street, Higham Ferrers.**

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Proposal    **Construction of nine two storey residential units consisting of five two-bed units and four one-bed units together with eleven off-road parking spaces**

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Decision    **Application Deferred until the revised scheme had been received.**

## Chairman's Statement

### Decision made by the Development Control Committee on 18 August 2010

#### EN/09/00611/FUL at Land End of Creed Road, Oundle

Under East Northamptonshire Council's Constitution, decisions can only be made by the Committee via a majority voting **in support of** a motion. If a motion does not achieve a majority **in favour** then no decision has been made.

In the case of the Creed Road application, at the Development Control Committee on 18 August, a motion to approve the application with certain conditions was proposed but not approved. The Committee **did not decide to refuse the application**, merely not to approve it with those conditions.

At this stage the Committee could still have decided to:

- approve it;
- approve it with different conditions;
- defer a decision; or
- refuse it.

The further motion which was in fact then proposed sought to **defer** the application to seek further negotiation of the timing of the payments in the Section 106 Agreement and **this was duly carried**. This motion is what the minutes of the meeting recorded as the decision.

I appreciate that this may seem rather complicated but this is the process laid down in the Council's Constitution, in common with many other Councils.

Councillor Pauline Bradberry  
Chairman of East Northamptonshire Council's Development Control Committee  
29 September 2010