

# DEVELOPMENT CONTROL COMMITTEE

**Date:** 1 December 2010

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

**Time:** 7.30pm

**Present:** Councillors: - Gill Mercer (Vice Chairman) In the Chair

Lisa Costello  
Glenn Harwood MBE  
Sylvia Hughes  
Andy Mercer  
Brian Northall  
Ron Pinnock

Roger Powell  
Anna Sauntson  
Phillip Stearn  
Robin Underwood  
Pam Whiting  
Clive Wood

## 289. MINUTES

The minutes of the meeting held on 10 November 2010 were approved and signed by the Chairman.

## 290. APOLOGIES FOR ABSENCE

Councillors Wendy Brackenbury, Pauline Bradberry (Chairman) Albert Campbell, Roger Glithero JP and John Richardson MBE sent their apologies.

## 291. 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 took no part in the discussion and voting on the respective application.

<b>Member</b>	<b>Application</b>	<b>Nature of Interest</b>
Pam Whiting	EN/10/01272/FUL	Her landlord's business (where she worked) would be affected by the proposed development
Andy Mercer	EN/10/01574/NCC	Member of Northamptonshire County Council and attended a meeting where he supported (pre-determined) the application
Ron Pinnock	EN/10/01574/NCC	Member of Northamptonshire County Council's Development Control Committee

**(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</b>	<b>Nature of Interest</b>
Ron Pinnock, Anna Sauntson and Clive Wood	EN/10/01272/FUL	All know the applicant
Robin Underwood	EN/10/01272/FUL	Knows the applicant and agent
Roger Powell	EN/10/01574/NCC	Lives near the school and his grand daughters attend the school
Pam Whiting	EN/10/01574/NCC	Daughter works at the school

**(b) Informal Site Visits**

No informal site visits were declared.

**292. PUBLIC SPEAKER**

Mr T Coleby spoke on application EN/10/01025/OUT – Vehicle Depot and Adjacent Land, Kettering Road, Islip.

**293. PLANNING APPLICATIONS**

The Committee considered the planning applications report, with updated information on some of the applications and representations made by public speakers at the meeting. The full decision on the applications are included (on the page indicated) in the Appendix to these minutes.

**(i) EN/10/00135/FUL – 43 Brook Street, Raunds (See Page 411).**

The Committee discussed the application and sought clarification on which part of the premises would be granted A5 use. Members were also informed that A5 use for the whole of the premises would require a separate application.

**Granted** with the conditions detailed in the report and with an additional condition specifying which part of the premises would be for A5 use only on the plan.

**(ii) EN/10/01272/FUL – 28 Commercial Street, Higham Ferrers (See Page 412).**

Members considered that the applicants had taken into account Members' views following the previous deferral. A meeting had been held and the number of units had been decreased, parking improved and amenity space provided.

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

**(iii) EN/10/01025/OUT** – Vehicle Depot and Adjacent Land, Kettering Road, Islip (See Page 412).

The Committee considered that the applicants had taken into account Members' views following their previous presentation by the developers and could support it. However, there was some concern that:

- Lorries would erode the surface of the highway whilst turning at the roundabout on the junction with Kettering Road and the A6116, because of the size of the roundabout
- Signage should be put in place on Kettering Road to ensure that lorries leaving the site should not turn left and go through the villages of Twywell and Woodford.

After discussing these concerns it was agreed that the application be

**Deferred** for a Members' formal site visit at approximately 9.45am on Thursday 9 December.

**(iv) EN/10/01138/FUL** – 35 Grove Street, Raunds (See Page 412).

Members discussed the application and were concerned about the number of car parking spaces within the site and lack of on-street parking and any changes in parking restrictions near the site on Grove Street since the previous proposals were granted. After discussing these concerns it was agreed that the application be

**Deferred** for a Members' formal site visit at 9.00am on Thursday 9 December, and clarification of when the traffic orders were put in place.

**(v) EN/10/01574/NCC** – Denfield Park Junior School, Victoria Road, Rushden (See Page 414).

The Committee considered the application from Northamptonshire County Council and noted that officers were initially concerned about the protection of the existing trees on the site during the construction of the new extension, however the county council had now submitted an Arboricultural Method Statement and Tree Protection Plan in support of the application. These had been considered by the Council's Tree Officer who recommended that the trees on the site be protected in accordance with the submitted Tree Protection Plan prior to the commencement of the development and that the works be undertaken in accordance with the submitted Arboricultural Method Statement.

Members expressed concern that school staff would still be able to use the existing access from Victoria Road. In order to lessen the effect of passing traffic on residents living in Victoria Road, they wanted the county council to consider restricting traffic from using this entrance if an alternative route for staff could be found.

After discussing these concerns and the proposed conditions it was agreed that

**No Objections** be made to the proposal, subject to the conditions being recommended as reported and that Condition 2 be amended to request that Northamptonshire County Council should consider that traffic use be restricted from Victoria Road other than for emergency vehicles if an alternative route could be provided within the site to access the staff car park.

**(vi) EN/10/01938/EXT** – Land at St James Industrial Estate, Corby (See Page 415).

Members discussed the application from Corby Borough Council and considered that it would not have a major impact on this district and it was agreed that

**No Objections** be made to the proposal.

**RESOLVED:**

That the above planning applications be dealt with as indicated in the Appendix to these minutes at pages 411 to 415.

**294. COMMUNITIES AND LOCAL GOVERNMENT CONSULTATION DOCUMENT - PLANNING FOR SCHOOLS DEVELOPMENT**

The Committee considered a Government consultation document "Planning for Schools Development" on new permitted development rights for schools.

Members noted the comments made by officers to the consultation and discussed some issues regarding: the use of buildings once the schools closed or went out of business; liability for issues regarding noise and contamination; and to ensure that there were enough planning controls in place to prevent other uses occurring once permission had been given for school use.

**RESOLVED:**

That the comments set out in the report be endorsed as the proposed response to the Communities and Local Government consultation document "Planning for Schools Development", and that the Committee's concerns that there was no definition of the type of school be highlighted.

**295. REVIEW OF TREE PRESERVATION ORDERS AND REPLACEMENT OF THE TOWN AND COUNTRY PLANNING (TREES) REGULATIONS 2008 - CONSULTATION**

Members received a consultation from the Government on the proposed streamlining of Tree Preservation Orders and replacement of the Town and Country Planning (Trees) Regulations 2008.

The main changes to the Regulations covered alteration to the model Order, specifically the removal of the word "dying" from the description of the tree; reductions in the level of consultation and publication requirements; and consent duration and compensation.

The Committee considered the proposed response drafted by Officers to the consultations and it was

**RESOLVED:**

That, subject to any further comments being received from Members before the end of the consultation period, the Head of Planning Services be authorised to submit the consultation response drafted by Officers for submission to the Communities and Local Government Department.

**296. EXCLUSION OF PUBLIC AND PRESS**

**RESOLVED:**

That the public and press be excluded from the meeting 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.

**297. APPROVAL FOR CARRYING OUT WORKS**

It was reported that the owner of a property in Oundle had not complied with a Listed Building Enforcement Notice served by the Council and it was proposed that the Council carry out the work to the property and reclaim the costs from the owner.

Members noted the advice received from the Solicitor to the Council and it was

**RESOLVED:**

That approval be given for the carrying out of works to the property specified by the Listed Building Enforcement Notice in accordance with Section 42 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and that a 'Before Action' letter be served on the owner (or owners) of the property before the work commenced.

**Chairman**

## List Of Applications Determined By

### DEVELOPMENT CONTROL COMMITTEE - 1 December 2010

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**EN/10/00135/FUL**

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Date received	Date valid	Overall Expiry	Ward
<b>27 January 2010</b>	<b>25 May 2010</b>	<b>20 July 2010</b>	<b>Raunds Saxon</b>

Applicant **Joyton Indian Cuisine - Mrs R Miah**

Location **43 Brook Street, Raunds, Northamptonshire, NN9 6LL.**

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Proposal **Change of use within an existing restaurant Use Class (A3) to include hot food takeaway Use Class (A5)**

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**Decision      Application Permitted**

#### **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. The parking area illustrated on the submitted site plan received by the local planning authority 07/05/10 shall be retained for the use of the development hereby permitted at all times.  
Reason: To ensure appropriate on-site parking provision.
3. The takeaway element of the business shall only be open to customers between the hours of 17:30 to 23.00 Monday to Thursday, 17:30 to 12.00 midnight on Fridays and Saturday and 17:30 to 23:00 on Sundays.  
Reason: To safeguard the amenities currently enjoyed by the occupants of nearby residential dwellings.
4. The development hereby permitted shall be carried out strictly in accordance with the approved plans (15 and 1. Received by the Local Planning Authority on 07.05.10) unless otherwise agreed in writing by the local planning authority.  
Reason: In order to clarify the terms of the planning permission and to ensure that the development is carried out as permitted.
5. Within 28 days of the date of this permission, a plan showing the area of the building to be used for the takeaway (A5) use hereby approved and the area to be retained for the use of the restaurant (A3) shall have been submitted and approved in writing by the local planning authority. The use shall take place in accordance with the approved plan and retained in that manner, unless agreed in writing by the local planning authority.  
Reason: To clarify the terms of this permission.

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**EN/10/01025/OUT**

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Date received                      Date valid                      Overall Expiry                      Ward  
**2 June 2010                      2 June 2010                      1 September 2010                      Thrapston Lakes**

Applicant    **Greatline Developments Ltd**

Agent        **Roger Tym And Partners - Mr T Coleby**

Location    **Vehicle Depot And Adjacent Land, Kettering Road, Islip, Northamptonshire.**

Proposal    **Outline: Demolition of existing buildings and redevelopment comprising 60320m2 (gross external) class B8 floorspace and 15010m2 (gross external) class B1 (C)/B2 floorspace together with associated roads, parking/servicing and landscaping (some matters reserved)**

**Decision        Deferred for site visit Thursday 9 December 2010**

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**EN/10/01138/FUL**

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Date received                      Date valid                      Overall Expiry                      Ward  
**18 June 2010                      20 September 2010                      20 December 2010                      Raunds Saxon**

Applicant    **Mr P Hughes**

Agent        **Kingswood Design Ltd**

Location    **35 Grove Street, Raunds, Wellingborough, Northamptonshire.**

Proposal    **Residential development of fourteen flats**

**Decision        deferred for site visit 9 December 2010**

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**EN/10/01272/FUL**

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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, Northamptonshire, NN10 8AS.**

Proposal    **Construction of seven two storey two bed residential units together with ten off-road parking spaces and associated private amenity space**

**Decision        Application Permitted**

**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. No development shall take place until (1) samples of the materials to be used in the construction of

the external surfaces of the buildings hereby permitted and (2) details of the windows and external doors to be installed have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To achieve a satisfactory appearance for the development.

3. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority details of the proposed ground and slab levels. The submitted details shall clearly show the ground and slab level relationship between the development site and the adjacent sites. Development shall be carried out in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: For the avoidance of doubt and to ensure a satisfactory form of development in relation to neighbouring land and buildings.

4. No development shall take place until full details of hard landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out in accordance with the approved details. These details shall include the parking layout (with the removal of the dedicated parking bays) and the proposed materials and surfacing of the car parking area, vehicle and pedestrian access and circulation areas, the private back yards and any other hard surfacing materials.

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

5. None of the dwellings hereby permitted shall be occupied until space has been laid out and surfaced within the site, in accordance with plan 10/028/21 Rev A, for ten cars to be parked.

Reason: In the interest of highway safety.

6. Prior to the commencement of development hereby permitted, a sustainability strategy to include 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.

7. No external construction work shall be undertaken at the site other than between the hours of 8.00am and 6.00pm Mondays to Fridays, 8.00am to 1.00pm on Saturdays and not at all on Sundays and public bank holidays.

Reason: To ensure noisy operations are not undertaken during noise sensitive times, in the interests of the residential amenity of the existing nearby dwellings.

8. Prior to the commencement of development a method statement that includes details of measures to minimise noise and dust during construction works shall be submitted to and approved in writing by the local planning authority.

Reason: In the interests of the residential amenity of the existing nearby dwellings.

9. Before any of the dwellings hereby permitted is occupied, a sign shall be erected in the south east corner of the site to inform visitors of the private use of the access lane to the rear of the existing dwellings on Commercial Street, in accordance with details to be submitted to and approved in writing by the local planning authority.

Reason: In the interest of residential amenity.

10. Before any of the dwellings hereby permitted is occupied the improvement works to the adjacent highway shown on drawing 10/028/21 Rev A shall have been completed.

Reason: In the interest of highway safety.

11. The development shall be carried out in full accordance with the approved plans, 10/028/20 RevA and 10/028/21 RevA received by the planning authority on 7/10/2010, unless otherwise agreed in writing by the local planning authority.

Reason: For the avoidance of doubt and to clarify the terms of this permission.

Date received                      Date valid                      Overall Expiry                      Ward  
**31 August 2010                      31 August 2010                      21 September 2010                      Rushden Hayden**

Applicant    **Northamptonshire County Council**

Agent        **GHM Rock Townsend - Mr N Ascione**

Location     **Denfield Park Junior School, Victoria Road, Rushden, Northamptonshire.**

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Proposal     **Erection of single storey extensions to provide six new classrooms, new hall, WCs, stores, office and staff room, internal and external refurbishment works to the existing school and associated external works including a new covered play area, MUGA, car parking and a new vehicle access of John Clark way.**

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**Decision        No Objection (Consultation Response)**

**Conditions/Reasons:**

1. East Northamptonshire Council request that appropriate external materials be used for the construction of the extensions. For parts of the building which would be constructed in brickwork, East Northamptonshire Council request that these match the existing school building as closely as possible.
2. East Northamptonshire Council request that Northamptonshire County Council consider whether all traffic use could be restricted from Victoria Road and if an alternative route could be provided within the site to access the staff car park. If this cannot be achieved, East Northamptonshire Council would support the imposition of a condition to ensure that the vehicular access served off Victoria Road is used by staff only and the imposition of the other conditions recommended by the Local Highway Authority.
3. In the interest of preserving the residential amenities of the occupiers in the surrounding properties, East Northamptonshire Council wishes to see conditions imposed to control noise and light emissions, and in this regard, it supports the recommendations made by the Environmental Protection Officer.
4. East Northamptonshire Council recommends that all vegetation clearance work be carried out outside of the bird breeding season and that Natural England be contacted in the event that bats are discovered on the site.
5. The application seeks to remove a number of trees in the northern area of the site in order to accommodate the proposed access, turning and parking areas. Whilst East Northamptonshire Council has no objection to the removal of these trees, we would request that a condition be imposed to require a new landscaping scheme for this area.
6. East Northamptonshire Council wishes to see conditions imposed to ensure that tree protection is put in place, in accordance with the Tree Protection Plan, to protect the protected trees on-site prior to commencement of development, and that the development be undertaken in accordance with the submitted Arboricultural Method Statement.

Date received                      Date valid                      Overall Expiry                      Ward  
**21 October 2010                      21 October 2010                      11 November 2010**

Applicant    **Corby Borough Council**

Agent        **Pegasus Planning Group - Mr S Bawtree**

Location    **Land At St James Industrial Estate, Corby, Northamptonshire, .**

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Proposal    **Erection of a superstore, associated parking and servicing areas, petrol filling station, car wash facilities and infrastructure works including new and realigned roads and new landscaping**

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Decision    **Query/Consultation Answered**

Conditions/Reasons: