

Minutes of the Area Planning Committee Wellingborough

held at 7.00 pm on Wednesday 22nd June, 2022 in the Council Chamber,
Swanspool House, Doddington Road, Wellingborough, Northants, NN8 1BP

Present:-

Members

Councillor Paul Bell (Chair)
Councillor Jonathan Ekins
Councillor Philip Irwin (Substitute)
Councillor King Lawal

Councillor Malcolm Waters (Vice-Chair)
Councillor Lora Lawman
Councillor Malcolm Ward

Officers

Ms J Sandhu (Interim Planning Management and Enforcement Lead Manager)
Mrs D Kirk (Senior Development Management Officer)
Mr C Law (Senior Development Management Officer)
Mr N Bell (Legal Adviser)
Mrs F Hubbard (Senior Democratic Services Officer) (Committee Administrator)
Mrs E Robinson (Democratic Services Support Officer)

1 Apologies for non-attendance

It was noted that an apology for absence was received from Councillor Ken Harrington. Councillor Philip Irwin attended as a Substitute for Councillor Ken Harrington.

2 Members' Declarations of Interest

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

Councillors	Application	Nature of Interest	DPI	Other Interest
King Lawal	NW/22/00187/FUL	Has attended the Compass Church who propose to relocate to 2 – 4 Meadow Close but is not a Member		Yes
Lora Lawman	WP/20/00526/FUL	Councillor G Lawman (husband of Councillor L Lawman) had submitted a comment in the Update Report		Yes

3 Minutes of the meeting held on 11 May 2022

RESOLVED:-

That the minutes of the Planning Committee held on 11 May 2022, be confirmed as a correct record and signed.

4 Planning Application WP/20/00526/FUL - Hearnden Court, Henshaw Road, Wellingborough

The Committee considered an application for the demolition of existing Hearnden Court. Development of 57 Extra Care flats plus communal spaces, landscaping and parking at Hearnden Court, Henshaw Road, Wellingborough.

The Senior Development Management Officer presented the report which detailed the proposal, description of the site, the planning history, relevant planning policies, outcome of consultations and an assessment of the proposal, providing full and comprehensive details.

The Committee Update Report included a recommendation by the Council's independent viability assessor, who recommended a viability review mechanism in accordance with paragraph 9 of the National Planning Policy Guidance, should be included in any Section 106 Agreement.

The Committee considered the planning application report and noted additional information in the Committee Update Report.

It was further recommended that planning permission be granted subject to the completion of a Section 106 Legal Agreement and the conditions set out at the end of the annexed original report (Committee Report – Agenda Item 4) or any further extension agreed in writing between the applicant and NNC and the conditions set out at the end of the annexed original report (Committee Report – Agenda Item 4).

That should the Section 106 legal agreement not be completed by 31 January 2023 or any further extension agreed in writing between the applicant and NNC that it be delegated to the (Interim) Principal Planning Manager to refuse planning permission.

The Chair then invited the Committee to determine the application.

During the debate, a Member asked for clarity in relation to elements of affordable housing and shared ownership which was clarified by the Senior Development Management Officer. The same member was concerned that the flats could be sold off in the future and would like to see them protected against that happening, so they remain as Extra Care flats.

In response, the Senior Development Management Officer advised there are clauses within Section 106 Legal Agreements that deal with this. She added that the rented units are held in perpetuity but the shared ownership units could be sold back but there would be clauses within the legal agreement.

The legal adviser confirmed that a condition could be added to control this, restricting that the accommodation be used by over 55's or younger if the person had a disability and needed extra care. The Section 106 Legal Agreement would control affordable housing provisions.

It was noted that the Ward in the report was incorrect and should be amended to show Brickhill and Queensway Ward not Swanspool Ward.

A query was raised if a viability assessment was required. In response, the Senior Development Management Officer, advised that even for 100% affordable housing and Section 106 financial contributions towards mitigating any deficiencies in existing community facilities, such as a doctors surgery, a viability assessment still needs to be provided even if a planning application is for 100% affordable housing.

It was proposed by Councillor Paul Bell and seconded by Councillor Jonathan Ekins that planning permission be granted with the additional condition restricting the accommodation to be used by over 55's or younger due to disability and in need of extra care.

On being put to the vote, the motion for approval was unanimously carried.

RESOLVED:-

That planning permission be granted subject to the completion of a Section 106 Legal Agreement and the conditions set out at the end of the annexed original report (Committee Report – Agenda Item 4) or any further extension agreed in writing between the applicant and North Northamptonshire Council (NNC) and the conditions set out at the end of the annexed original report (Committee Report – Agenda Item 4).

That should the Section 106 legal agreement not be completed by 31 January 2023 or any further extension agreed in writing between the applicant and North Northamptonshire Council (NNC) that it be delegated to the (Interim) Principal Planning Manager to refuse planning permission.

The following condition be added:-

None of the individual units of residential accommodation at the development shall be used otherwise than as a private place of residence for a person or persons of whom at least one must be a "qualified person" (defined below) at the date of his or her first occupation of the unit in question' For the purposes of this condition "a qualified person" means a person who is or has attained the age of 55 years or younger if has disability and needs extra care and thereby in need of personal care by reason of old age or by reason of disablement. (Whether or not such person suffers from a registered disability under the terms of the Chronically Sick and Disabled Persons Act 1970). An occupier of one of the individual units of residential accommodation who is not a "qualified person" but who shares or previously shared the accommodation with a "qualified person" (e.g. a spouse or surviving spouse) must have attained the age of at least 55 years.

Reason: To ensure that the units of accommodation hereby approved are solely occupied in accordance with the use of the site as a residential institution for the provision of accommodation and care for elderly persons as detailed in the application restricting the accommodation to be used by over 55's or younger if has disability and needs extra care. The inclusion of viability review mechanism in accordance with paragraph 9 of the National Planning Policy Guidance should be included within any S106.

5 Planning Application NW/22/00185/FUL - 5 Ryeburn Way, Wellingborough

The Committee considered an application for part two storey and part single storey rear extension and single storey front extension at 5 Ryeburn Way, Wellingborough.

The Senior Development Management Officer presented the report which detailed the proposal, description of the site, the planning history, relevant planning policies, outcome of consultations and an assessment of the proposal, providing full and comprehensive details.

The Committee considered the planning application report.

It was recommended that planning permission be granted subject to the conditions set out in the report.

The Chair then invited the Committee to determine the application.

It was proposed by Councillor Jonathan Ekins and seconded by Councillor King Lawal that planning permission be granted.

On being put to the vote, the motion for approval was unanimously carried.

RESOLVED:-

That planning permission be granted subject to the conditions (and reasons) numbered 1 to 4 in the report.

6 Planning Application NW/22/00187/FUL - 2 - 4 Meadow Close, Wellingborough

The Committee considered an application for the change of use from Use Class E(g) Office, to Use Class F1(f) Public Worship at 2 – 4 Meadow Close, Wellingborough.

The Senior Development Management Officer presented the report which detailed the proposal, description of the site, the planning history, relevant planning policies, outcome of consultations and an assessment of the proposal, providing full and comprehensive details.

The Committee considered the planning application report.

It was recommended that planning permission be granted subject to the conditions set out in the report.

The Chair then invited the Committee to determine the application.

It was proposed by Councillor Jonathan Ekins and seconded by Councillor King Lawal that planning permission be granted.

On being put to the vote, the motion for approval was unanimously carried.

RESOLVED:-

That planning permission be granted subject to the conditions (and reasons) numbered 1 to 4 in the report.

7 Appeal Information

RESOLVED:-

That the Appeal Information be noted.

8 Planning Appeal Decision Letter

The Interim Planning Management and Enforcement Lead Manager addressed the Committee in relation to the comments made by the Planning Inspector, regarding the appeal decision for 67 – 69 High Street, Finedon and the costs awarded against the Council.

This was a planning application that the Committee refused against officer recommendation for approval.

She referred to the Committee's reasons for refusal on the grounds of no on-site parking and poor visibility due to parked vehicles. The Planning Inspector stated that there was already an existing building on this site and this was a conversion and a parked vehicle would cause drivers to slow down further.

The Interim Planning Management and Enforcement Lead Manager wanted to highlight the Inspector's advice and interpretation in relation to conversions and parking and for members of the Area Planning Committee to take into consideration for any future planning applications.

In response, Councillor Malcom Ward (Ward Councillor) stated that two parked cars had been written off and the Planning Inspector had visited the site on 30 May 2022, the first Monday of half-term, and not seen the teachers' vehicles parked. He defended the decision on the basis of his facts and asked for his comments to be recorded in the minutes.

Another Member commented that he was not surprised this planning application had now been approved.

RESOLVED:-

That the Planning Appeal Decision (and cost decision) be noted.

9 Close of meeting

Chair

Date

The meeting closed at 7.36 pm.