

Minutes of a meeting of the Area Planning Committee Thrapston

At 6.00pm on Wednesday 10th May 2023

Held in the Council Chamber, Cedar Drive, Thrapston

Present:-

Members

Councillor Jennie Bone (Chair)
Councillor Kirk Harrison
Councillor Bert Jackson
Councillor Barbara Jenney
Councillor Andy Mercer

Councillor Gill Mercer (Vice Chair)
Councillor Roger Powell
Councillor Geoff Shacklock
Councillor Lee Wilkes

Officers

Karen Fossett (Interim Development Manager)
Troy Healy (Principal Planning Manager)
Pete Baish (Principal Development Management Officer)
Jennifer Wallis (Development Management Officer)
Jacqui Colbourne (Development Management Officer)
Simon Aley (Planning Lawyer)
Louise Tyers (Senior Democratic Services Officer)

77 Apologies for non-attendance

There were no apologies for non-attendance.

78 Members' Declarations of Interest and Informal Site Visits

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
Bert Jackson and Lee Wilkes	NE/22/01569/FUL 155 Wellingborough Road, Rushden	The applicants undertook work for them.		Yes (left meeting for item)

The following informal site visits were declared:

- 1 Hunters Rise, Brigstock (NE/22/00633/FUL) – Councillors Jennie Bone and Bert Jackson.
- 46 Cartrill Street, Raunds (NE/23/00040/VAR) – Councillors Jennie Bone, Kirk Harrison, Bert Jackson and Lee Wilkes.
- 14 Main Street, Wakerley (NE/22/01571/FUL) – Councillor Jennie Bone.
- First Floor, 95 High Street, Rushden (NE/22/01328/FUL) – Councillors Jennie Bone, Bert Jackson and Gill Mercer.
- 155 Wellingborough Road, Rushden (NE/22/01569/FUL) – Councillors Jennie Bone and Bert Jackson.

79 Minutes of the meeting held on 29 March 2023

RESOLVED:

That the minutes of the Area Planning Committee Thrapston held on 29 March 2023 be confirmed as a correct record and signed.

80 Planning Application NE/22/01472/FUL - 1 Hunters Rise, Brigstock

The Committee considered an application for the erection of a detached two storey dwelling with a single storey granny annexe.

The 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.

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

Requests to address the meeting had been received from Stephanie Beckett, an objector and Councillor Sally Wilks on behalf of Brigstock Parish Council and the Committee was given the opportunity to ask questions for clarification.

Ms Beckett stated that she did not object to the application but had concerns about the footpath as it had been blocked by the applicant. With the previous application there had been a condition about access, and she urged the Committee to make the same decision as before about the footpath. The Committee should grant the application with a proviso that Swan Avenue residents could access the footpath.

Councillor Wilks stated that she was surprised that the land had been transferred to new ownership. The Swan Avenue development had been completed in 2007 with a path left for access to the footpath. It had been an oversight by the former East Northamptonshire Council not to put the path on the definitive map. Residents would welcome support in getting the obstruction removed. The Parish Council had no objection to the application.

The Chair invited the Committee to determine the application.

During debate on the application, the following points were made:

- The Planning Officer clarified that the blockage was across the link to the footpath and not on the public right of way. The removal of the blockage could not be conditioned as it was not within the boundary of ownership.
- There were two versions of the footpath, the one on the ground and the one in the definitive register. The definitive register version was within the site and would need to be diverted.
- If the Committee were minded to grant the application, it could be granted subject to a S257 order being put in place to divert the footpath. If the S257 order was not granted, then there could be a permission in place which could not be implemented.

It was proposed by Councillor Kirk Harrison and seconded by Councillor Bert Jackson that planning permission be granted, subject to the conditions set out in the report and update report and an additional condition to ensure the footpath diversion is achieved.

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 in the committee report, update report and the following additional condition to ensure the footpath diversion is achieved:

No development hereby approved shall take place until a footpath diversion order that incorporates the diversion of the existing footpath MK12 and re-routing of the footpath to the western boundary of the site has been made and confirmed by the Local Planning Authority.

Upon any confirmed diversion the new footpath route shall be made available and kept open and unobstructed during the construction of the development and shall thereafter remain open and unobstructed in perpetuity.

Reason: To ensure that the footpath remains open and unobstructed during and after the construction of the development in the interest of highway safety.

81 Planning Application NE/23/00040/VAR 46 Cartrill Street, Raunds

The Committee considered an application for the Variation of Condition 11 to allow for retention of porous driveway with gravel topping instead of the approved hard surface driveway pursuant to application 18/01510/OUT Outline: Demolition of existing building and residential development consisting of 5 No 4-bedroom dwellings with amended access, associated parking and amenity space (all matters reserved except access); and to reflect the changes proposed to the site plan approved under condition 1 pursuant to 20/00346/REM - Reserved matters for Appearance, Landscaping, Layout, Scale, pursuant to Outline Planning Permission 18/01510/OUT.

The 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.

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

Requests to address the meeting had been received from Steve Mulvaney, an objector, Councillor Bill Cross on behalf of Raunds Town Council, Councillor Helen Howell, the Ward Member and Alex Jelley the agent and the Committee was given the opportunity to ask questions for clarification.

Mr Mulvaney stated that he represented the residents of Cartrill Gardens. The agreed plans had specified a tarmac driveway and residents and the Council had been misled by the developer ignoring the plans. The gravel driveway which had been put in was now collapsing and limited disabled people accessing their homes. Residents had expected a robust driveway, but it had failed within 12 months. The Council's

Enforcement Officer had visited the site and said that the driveway was not fit for purpose. The agent had stated that the developer believed only the first part of the driveway was required to have a hard surface, but this was difficult to believe.

Councillor Cross stated that he was the Chair of Raunds Town Council Planning Committee. The original plan was for a hard-standing surface to the houses and the installed driveway was not in keeping with the surrounding area. The driveway was not suitable for bicycles or prams and wheelchair access would be difficult. The Committee should support residents by confirming the requirement for a hard surface driveway.

Councillor Howell stated that she fully supported residents in their fight for an acceptable access as was promised. The Reserved Matters application clearly stated that tarmac was required. The hard standing was not inclusive as it did not accommodate people with disabilities, and this was unacceptable. Properties had been brought on the understanding of a tarmac drive. The Enforcement Officer had said the driveway was not fit for purpose. If this application was approved, then it would set a dangerous precedent that developers did not have to comply with conditions. The driveway did not provide inclusive access. The Committee needed to consider the consequences of approving this application.

Mr Jelley stated that this was a private driveway and his client was aware of the highway's standards. His client had not understood the implications of the condition and wished to apologise. The gravel was better for drainage and Environmental Health had made no comments. The focus tonight needed to be on the merits of the application and whether gravel instead of hard standing was suitable.

The Chair invited the Committee to determine the application.

During debate on the application, the following points were made:

- The variation was because the developer was not aware of the requirement of tarmac for the whole of the driveway. If he was prepared to put tarmac down, why did not the Council insist it was laid? The Planning Officer clarified that this was a retrospective application which was only considering a change of materials.
- The Interim Development Manager clarified that if the Committee wanted to take enforcement action, they would need highways support, which they did not have.
- Members raised concerns about the Equalities Act 2010 when making decisions. If this application was granted, it would discriminate against disabled residents and we could face legal action.
- Members reiterated that gravel was not a suitable material and caused many issues for residents. There was no significant benefit for gravel being used.

It was proposed by Councillor Lee Wilkes and seconded by Councillor Kirk Harrison that planning permission be refused and that enforcement action be authorised.

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

RESOLVED:-

- (i) That planning permission be refused, contrary to officer recommendation, for the following reason:

The proposed gravel surface, together with the lack of any dedicated footpath, would fail to provide safe pedestrian access to the dwellings and fails to meet the requirements of Category 2 of the National Accessibility Standards (Part M of the Building Regulations 2010) as required by Policy 30(c) of the adopted North Northamptonshire Joint Core Strategy 2011-2031 and contrary to paragraphs 92(b), 104(c), 110(b), 112, 130(f) and 135 of the NPPF as well as Policy EN30 of the emerging East Northants Local Plan Part 2.

- (ii) That enforcement action be authorised to regularise this position.

82 Planning Application NE/22/01571/FUL 14 Main Street, Wakerley

The Committee considered an application to raise the roof of the garage to allow for the creation of a habitable space over to provide a home office.

The Principal 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.

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

It was proposed by Councillor Andy Mercer and seconded by Councillor Lee Wilkes that planning permission be granted, subject to the conditions set out in the report.

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 in the committee report.

83 Planning Application NE/22/01328/FUL First Floor, 95 High Street, Rushden

The Committee considered an application for the change of use of the upper floor to C3 residential accommodation comprising 2 x 1-bedroom apartments and 2 x 2-bedroom apartments, with new front door and rear amenity space.

The Principal 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.

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

Requests to address the meeting had been received from Councillor David Coleman on behalf of Rushden Town Council and Dean Wishart, the agent for the applicant and the Committee was given the opportunity to ask questions for clarification.

Councillor Coleman stated that this application was for another inferior development which added nothing to the town centre. This development required seven parking spaces but only three were being provided. He reiterated the issues with on-street parking in the area and that the Highways Authority supported that public car parks should not be relied upon. The Town Council did not agree that vehicles could manoeuvre to exit the site in a forward manner which would cause conflict with other vehicles. This was an inferior development with cramped conditions and the relevant standards should be adhered to.

Mr Wishart stated that he welcomed the recommendation to approve the application. All of the proposed flats met the minimum space standards. The joint amenity space surfacing would be improved. The Highways Authority had not objected, and the development would be close to a range of services. The proposed windows would allow a large amount of natural light. Environmental Protection had also not objected. This was a good use of unused office space in a town centre.

The Chair invited the Committee to determine the application.

During debate on the application, the following points were made:

- It was stated that the rear of the Costa building had a large extractor system in place, how much of the amenity space would be available if it was full of machinery? There would also be noise from the Royal Mail sorting office through the night.
- There was concern at the proposed parking as the coffee shop's waste bins were also in the area. On a visit to the site, cars were parked in a way which would block the turning so cars would have to exit the site in reverse gear onto a busy high street. Parking was woefully inadequate.

It was proposed by Councillor Gill Mercer and seconded by Councillor Bert Jackson that planning permission be refused.

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

RESOLVED:-

That planning permission be refused, contrary to officer recommendation, for the following reason:

The proposed conversion represents an over-intensive conversion delivering small flats for which the need cannot be robustly defended as required by Policy H4 of the Rushden Neighbourhood Plan and results in harm to the amenities of future occupiers by reason of poor daylight/sunlight, outlook, cramped accommodation, lack of adequate amenity space and inconvenient parking arrangements, thereby failing to

comply with Policy 8 of the North Northamptonshire Joint Core Strategy 2011-2031 and Policy H4 of the Rushden Neighbourhood Plan.

Councillors Bert Jackson and Lee Wilkes left the meeting of the following item and did not return.

84 Planning Application NE/22/01569/FUL 155 Wellingborough Road, Rushden

The Committee considered an application for the proposed demolition of a single storey element, front two storey extension, loft conversion including external fire exit staircase.

The Principal 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.

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

The Chair invited the Committee to determine the application.

It was proposed by Councillor Gill Mercer and seconded by Councillor Geoff Shacklock that planning permission be granted, subject to the conditions set out in the report.

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 in the committee report.

85 Close of Meeting

The Chair thanked members, officers and the public for their attendance and closed the meeting.

The meeting closed at 8.15pm.

Chair

Date