

Development Control Committee

Tuesday 1 October 2019

7.00 pm in Council Chamber, The Cube, Corby

Present: Councillor Riley – Chair

Councillors Dady, Addison, P. Beattie, Brown, Latta, Caine & Watts

23. Apologies for Absence

Apologies for absence were received from Councillors Reay, Eyles, Watt & Sims.

24. Declarations of Interest

Members were asked to declare any personal interests they may have in the business to be discussed and/or indicate whether this was prejudicial or non-prejudicial, the nature of any interest, and whether they intended participating in the relevant agenda item.

No declarations were made.

25. Minutes of Previous Meeting

Members were requested to approve the minutes of the Development Control Committee meeting held on 3 September 2019, copies of which had been circulated.

RESOLVED that:-

The minutes of the meeting of the Development Control Committee held on 3 September 2019 copies of which had been circulated to Members, be agreed as a correct record

26. Planning Applications

26.1 19/00390/REG3 **Removal of existing windows on the first and second floors and replacing with new UPVC units AT Deene House, New Post Office Square, Corby.**

A report was presented to Committee seeking consent or replacement of existing single glazed aluminium sash windows with new UPVC double glazed windows.

Relevant Planning Policy had been considered, consultations had taken place with the Property Officer, Sustainability Officer and Environmental Health Officer, no comments had been received.

The changes to the outward appearance of Deene House following replacement of the existing windows was considered to cause no demonstrable harm to the street scene.

RESOLVED that:

Approval be granted subject to the following conditions:

1. Full planning permission

The development hereby permitted shall begin before the expiration of three years from the date of this permission.

Reason: As required by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. List of Approved Plans and Drawings

The development shall conform in all aspects with the plans and details shown in the schedule of plans as listed below, unless variations are agreed by the Local Planning Authority.

Reason: For the avoidance of doubt and to ensure a suitable form of development in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

1. Human Rights Act 1998

- 1.1. Officers have considered the Human Rights Act 1998 in reaching a recommendation to grant planning permission, subject to conditions. Officers have considered the potential interference with the rights of the owners/occupiers of surrounding properties under Article 8/or Article 1 of the First Protocol of the Act and consider that it is appropriate.
- 1.2. Officers have also considered the interference with the human rights of the applicant under Article 8/and or Article 1 of the First Protocol caused by imposing conditions. Officers consider that the conditions are necessary to protect the rights and freedoms of others and to control the use of the property in accordance with the general interest. The interferences are therefore justifiable and proportional.

2. Section 17 of the Crime and Disorder Act 1998

- 2.1. Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with Section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to grant planning permission.

26.2 19/00263/REG3 Change of use to night shelter and HMO accommodation AT Dorking House, (comprising no's 82, 98 and 100 Dorking Walk, Corby

A report was presented to Committee seeking planning permission to change the use of the existing building comprising no's 82, 98 and 100 Dorking Walk to a night shelter and HMO accommodation.

There would be no new floor space, all alterations would be internal with the exception of a new entrance to no.82, and the only other external works proposed were to fencing off of garden space to provide separate amenity space for the office and HMO uses.

Public consultation had taken place by way of a site notice and neighbour notification letters, no objections had been received.

Statutory consultees were contacted and the Police and NCC responded, their comments were contained in the officer's report.

The building had a history of use as a refuge centre with out of hours counselling, the building had been vacant since November 2016 and with minimal external works including the installation of a 1.8m high fence to sub divide the existing garden between 98 and 100 an external door to no.82 it would make a good night shelter.

The proposed homeless shelter was considered to address homelessness within Corby Town and the benefits would outweigh any harm to local amenity.

RESOLVED that:

The application be approve subject to the following conditions:

1. The development hereby permitted shall begin before the expiration of three years from the date of this permission.

Reason: As required by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be built in accordance with the approved plans as listed below in the 'Schedule of Plans'. The development shall be completed in accordance with the approved plans unless alternative details have been submitted and approved in writing by the Local Planning Authority prior to commencement.

Reason: To specify the permission and for the avoidance of doubt.

3. Prior to occupation, details of CCTV and fire management system shall be submitted prior to the development hereby approved coming into effect and agreed with the Fire Authority, Northamptonshire Police Crime Prevention Officer and the Local Planning Authority.

Reason: To minimise anti-social behaviour, reduce crime and fear of crime and to comply with Policy 8 of the North Northamptonshire Joint Core Strategy (2016).

4. Prior to occupation of the development, a detailed operational management plan for the development shall be submitted to the Local Planning Authority for approval. The management plan must include the following as a minimum:
- The management structure of the night shelter;
 - Operational management details for day and night hours and a complaints structure.
- Furthermore, the applicant shall also agree to a monitoring programme to be undertaken on a monthly basis with the Local Authority to assess operational procedures and occupation levels within the approved shelter.
- Reason:** To ensure that the numbers of persons using the shelter are not excessive and also to ensure that the shelter does not exceed its regulatory capacity giving rise to increased noise and disturbance, minimising anti-social behaviour in order to comply with Policy 8 of the North Northamptonshire Joint Core Strategy (2016).
5. The applicant shall agree as part of its management and operation plan a clear local connection for the shelter. Users will be from the Corby area and the service will not act as an attraction for people outside Corby Borough with no local connections. The applicant shall agree in writing with the Housing Authority and will be assessed monthly thereafter.
- Reason:** To ensure that the proposed development supports the needs of the local community and is not overstretched in use by users from outside of the town's boundaries in order to comply with Policies 7 and 8 of the North Northamptonshire Joint Core Strategy (2016).
6. The applicant as part of its management and operation plan shall agree a referral system which shall be implemented and agreed between the applicant and the Housing Authority prior to the occupation of the development. This referral system must include a risk assessment of users prior to being referred to the homeless shelter and shall be available both as a nine to five service as well as an out of hours service so that it can provide risk assessments 24/7.
- Reason:** To ensure that the number of persons using the development are not excessive, the proposed shelter does not exceed its regulatory capacity and users are assessed properly prior to entering that they do not pose a risk to fellow users, workers and members of the neighbouring community, minimising anti-social behaviour and noise and disturbance in order to comply with Policy 8 of the North Northamptonshire Joint Core Strategy (2016).
7. Prior to occupation of the development, access control requirements to and within the building shall be discussed and agreed in writing with the Northamptonshire Police Crime Prevention Officer and the Local Planning Authority.
- Reason:** To design out crime and promote the well-being in the area. In accordance with policy 8 of the North Northamptonshire Joint Core Strategy.
8. Prior to any on site construction works, details of the proposed lighting scheme for the entire exterior of the site shall be submitted to and approved in writing by the Local Planning Authority. The uniformity should provide equal quality of illumination in all areas. It must be designed to enhance the quality of the CCTV images and not produce any glare. The scheme shall include low lux levels and a plan showing the position, type and extent of the lighting over the area to be lit. The approved scheme shall be implemented prior to the first occupation of the associated proposal and shall be retained in that form thereafter.
- Reason:** To ensure that there is adequate lighting over the associated scheme and to reduce the fear of crime through the creation of a safe environment and accord with policy 8 of the North Northamptonshire Joint Core Strategy.
9. No development shall commence until details of the measures to be incorporated into the development to demonstrate how 'Secured by Design' principles will be applied and have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- Reason:** To design out crime and promote the well-being in the area. In accordance with Policy 8 of the North Northamptonshire Joint Core Strategy (2016).

10. Prior to the commencement of development details of the boundary treatments to all communal areas and around the site shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of the fences, bollards and gates for approval by the Local Planning Authority. The scheme shall show the type and height of fences, hedges, walls or other means of enclosure, and these shall be provided in accordance with the approved scheme.

Reason: To ensure a satisfactory appearance for the development in the interests of visual amenity, a reasonable degree of privacy for occupiers of the proposed dwellings, improve safety and security of pedestrians. This will ensure the development is in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy (2016).

11. The number of permanent residents of the Houses in Multiple Occupation (Sui Generis) hereby approved shall be no greater than eleven (11) at any one time unless further planning permission is sought and obtained from the Local Planning Authority.

Reason: To meet the intent of the application and in the interest of residential amenities and to comply with Policy 8 of the North Northamptonshire Joint Core Strategy (2016).

12. The number of permanent residents of the Night shelter (Sui Generis) hereby approved shall be no greater than sixteen (16) at any one time.

Reason: To meet the intent of the application and in the interest of residential amenities and to comply with Policy 8 of the North Northamptonshire Joint Core Strategy (2016).

13. Prior to the first occupation of the development hereby permitted details of the proposed enclosed secure bicycle parking shall be submitted to and approved in writing by the Local Planning Authority and the scheme approved shall be provided and be retained thereafter.

Reason: To ensure the provision and availability of adequate cycle parking in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

14. No building or use hereby permitted shall be occupied or the use commenced until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for protection, in the course of development. The approved scheme shall be implemented so that planting is carried out no later than the first planting season following the occupation of the building(s) or the completion of the development whichever is the sooner. All planted materials shall be maintained for five years and any trees or plants removed, dying, being damaged or becoming diseased within that period shall be replaced in the next planting season with others of similar size and species to those originally required to be planted unless the Council gives written consent to any variation.

Reason: To protect and enhance the character of the site and the area, and to ensure its appearance is satisfactory in accordance with Policies 3 and 8 of the North Northamptonshire Joint Core Strategy.

Reasons for Approval:

The proposed scheme for a change of use to a night shelter and HMO accommodation results in no significant material elevational changes to the fabric of the building or to the detriment of the adjacent area. The scheme would provide a necessary facility for local homeless persons and could be controlled by the use of appropriately worded conditions should planning permission be granted. The proposed homeless shelter is considered to address homelessness within Corby Town and, on balance, its benefits would outweigh any harm to local amenity and is recommended for approval. As a homeless shelter, the proposed scheme is supported by Paragraph 92 of the National Planning Policy Framework (2019) in providing a targeted facility for homeless persons within the community which is accessible, appropriate in scale and is accessible to anyone to anyone in need of assistance within the growing population of Corby. The decision has been reached taking into account paragraphs 126 and 127 of the National Planning Policy Framework (2019). The proposal is considered to comply

with Policies 1, 7 and 8 of the North Northamptonshire Joint Core Strategy 2016, the National Planning Policy Framework 2019 and no other material considerations indicate that the policies of the development plan should not prevail. Furthermore the decision has been reached taking into account paragraphs 186-187 of the National Planning Policy Framework 2019.

Informatives

1. In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from the 'Saved' Local Plan Policies 1997, Joint Core Strategy Adopted July 2016, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.
2. Matters relating to Licensing will be ongoing and will be dealt with by the Local Authority's Environmental Health department.

26.3 19/00282/REG3 Change of use of former footpath to garden land AT 53 Willow Brook Road, Corby

The application sought to obtain consent for change of use of a former footpath to garden land at 53 Willow Brook Road, Corby. The disused path would form part of the dwellings front, side and rear garden.

Relevant policies had been considered, consultation had taken place with statutory consultees, and neighbour notification letters had been sent. Consultee comments were contained within the report and there had been no objections from neighbours.

The applicant would be required to apply for a Stopping Up Order from the local Highways Authority to formalise the closure of the footpath, prior to the purchase of the land and implementation of the permission.

In conclusion the Change of Use was considered acceptable and the proposal had no impact on the existing street scene or residential amenity.

RESOLVED that:

The application be approved subject to the following conditions:

1. The development must be begun not later than the expiration of three years, beginning with the date of this permission.

Reason: To accord with Section 91 (as amended) of the Town and Country Planning Act 1990.

2. The development hereby approved shall be built in accordance with the approved plans as listed below in the 'Schedule of Plans'. The development shall be completed in accordance with the approved plans unless alternative details have been subsequently approved following an application for a non-material amendment.

Reason: To specify the permission and for the avoidance of doubt

Informative/s

- 1 An Order authorising the stopping up (removal of public rights of way) of any highway will need to be made by the applicant, the highway to be stopped up must be being developed upon and fall within the planning boundary or be a condition of the planning permission.

Applications for Section 247 and Section 248 Orders can be submitted in advance of planning decisions being made or when the planning permission has been granted. Applications can also be made if the planning decision is subject to a planning appeal or has been called in by the Secretary of State. In cases where the planning permission decision has yet to be made, any draft Stopping Up Order published cannot be confirmed until planning permission has been granted.

Please note that the Secretary of State cannot make an Order under these provisions retrospectively and that applicants have no authority to stop up any highway until the

decision to grant an Order has been published (unless an alternate order has been granted, such as a Traffic Regulation Order granted by the Highway Authority under section 14 of the Road Traffic Regulations Act 1984).

Reason/s for Approval

1. The proposed Change of Use from former footway to private garden is considered to be acceptable in terms of its redundant use, scale and siting, the proposal has no impact upon the existing street scene or the residential amenity of neighbouring properties. The proposal is therefore in accordance with Policies 7 and 8 of the North Northamptonshire Joint Core Strategy 2016, National Planning Policy Framework 2018 and no other material considerations indicate that the policies of the development plan should not prevail, furthermore the decision has been reached taking account the advice of the National Planning Policy Framework 2019.

Schedule of Plans

Location Plan 1:1250	06.06.2019
Block Plan 1:500	06.06.2019
Proposed drawing of boundary fence	18.06.2019

Human Rights Act 1998

Officers have considered the Human Rights Act 1998 in reaching a recommendation to grant planning permission, subject to conditions. Officers have considered the potential interference with the rights of the owners/occupiers of surrounding properties under Article 8 and/or Article 1 of the First Protocol of the Act and consider that it is proportionate.

Officers have also considered the interference with the human rights of the applicant under Article 8 and/or Article 1 of the First Protocol caused by imposing conditions. Officers consider that the conditions are necessary to protect the rights and freedoms of others and to control the use of property in accordance with the general interest. The interference is therefore justifiable and proportionate.

Section 17 of the Crime and Disorder Act 1998

Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to approve, Officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

26.4 19/00384/REG3 Change of use from public footpath to private garden AT 42 Dresden Close, Corby

A planning application was presented to Committee for a change of use from public footpath to residential amenity space at 42 Dresden Close, Corby.

The footpath used to run between two properties but this had now been stopped up and an extension to the property built.

Planning permission was required before the occupant could apply to the County Council for an official stopping up order for the footpath.

Relevant policies had been considered and a notice had been posted in August with neighbour notification letters being sent. No objections had been received.

The officer concluded that the loss of portion of footpath was considered an acceptable deviation from policy and was therefore considered acceptable.

RESOLVED that:

Approve subject to the following conditions:

1. Full planning permission

The development hereby permitted shall begin before the expiration of three years from the date of this permission.

Reason: As required by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. List of Approved Plans and Drawings

The development shall conform in all aspects with the plans and details shown in the schedule of plans as listed below, unless variations are agreed by the Local Planning Authority.

Reason: For the avoidance of doubt and to ensure a suitable form of development in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

Informative

The applicant should note that following the receipt of a favourable decision notice, they should pursue a 'Stopping Up Order' from the Local highways Authority in line with the advice received from Corby Borough Councils Planning Locum Legal Officer. This must be in place before the sale of the land can be finalised.

Human Rights Act 1998

- 2.2. Officers have considered the Human Rights Act 1998 in reaching a recommendation to grant planning permission, subject to conditions. Officers have considered the potential interference with the rights of the owners/occupiers of surrounding properties under Article 8/or Article 1 of the First Protocol of the Act and consider that it is appropriate.
- 2.3. Officers have also considered the interference with the human rights of the applicant under Article 8/and or Article 1 of the First Protocol caused by imposing conditions. Officers consider that the conditions are necessary to protect the rights and freedoms of others and to control the use of the property in accordance with the general interest. The interferences are therefore justifiable and proportional.

Section 17 of the Crime and Disorder Act 1998

- 2.4. Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with Section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to grant planning permission.

**26.5 19/00396/REG Repair/replacement/new windows/doors to the stable block,
19/00395/LBC resurfacing/soft/hard landscaping of the external courtyard,
 installation of gas central heating and new log burner, internal
 alterations, new aerial/satellite dish and relocation of kiosk AT East
 Carlton Country Park.**

The report before Committee covered multiple elements which focussed on enhancing the functionality of the Heritage Centre for the benefit of residents of the Borough.

Some windows would be repaired and redecorated and some replaced with bi-fold doors, new outer doors would front the bi-fold doors and match the timber panel above. The existing entrance would be replaced with a window matching the existing windows, two of the current windows would be replaced with doors and two automatic skylights would be inserted in the kitchen mono pitch roof.

The hard standing to the front of the building would be replaced with a Maple Glow resin bound surface, this would include a block edge border and drainage at the bottom of the ramp by the existing well. Internal works would also be carried out to install a log burner, central heating, removal of partition walls to create more seating, the current kiosk would be moved to an area closer to the new café allowing an improved serving area for customers.

Relevant policies had been considered, an advertisement had been placed in the local evening paper and neighbour notification letters had been sent out, no representations had been received.

It was concluded that the proposed development would cause no demonstrable harm to the listed heritage assets and no negative impact upon neighbouring amenity.

RESOLVED that:

Approve subject to the following conditions:

1. Full planning permission

The development hereby permitted shall begin before the expiration of three years from the date of this permission.

Reason: As required by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. List of Approved Plans and Drawings

The development shall conform in all aspects with the plans and details shown in the schedule of plans as listed below, unless variations are agreed by the Local Planning Authority.

Reason: For the avoidance of doubt and to ensure a suitable form of development in accordance with Policy 2 and 8 of the North Northamptonshire Joint Core Strategy.

3. Details of the Boiler Flue

Prior to the commencement of the relevant part of the works, exact details of the overall diameter, colour and method of fixing for the boiler flue shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a suitable form of development in accordance with Policy 2 and 8 of the North Northamptonshire Joint Core Strategy.

Informative

The applicant should note that conditions 3, 4, 5 and 6 require the submission of additional information before the relevant elements of the work commence. This process has a statutory determination period of 8 weeks and costs £116 per application. All four conditions could be discharged in a single submission or four separate submissions.

Human Rights Act 1998

Officers have considered the Human Rights Act 1998 in reaching a recommendation to grant planning permission, subject to conditions. Officers have considered the potential interference with the rights of the owners/occupiers of surrounding properties under Article 8/or Article 1 of the First Protocol of the Act and consider that it is appropriate.

Officers have also considered the interference with the human rights of the applicant under Article 8/and or Article 1 of the First Protocol caused by imposing conditions. Officers consider that the conditions are necessary to protect the rights and freedoms of others and to control the use of the property in accordance with the general interest. The interferences are therefore justifiable and proportional.

Section 17 of the Crime and Disorder Act 1998

Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with Section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to grant planning permission.

26.6 19/00242/REG4 Change of Use from public amenity land and footway to provide a vehicular access AT 15 Gamston Walk, Corby

The application was before Committee seeking partial change of use of public amenity land to private driveway allowing access to the front garden of the host property. A Wayleave Agreement had been agreed with Corby Borough Council to cross the land but not park on it, this agreement would cease once the applicant no longer resided at the property.

Relevant policies had been considered, consultation had taken place with NCC Highways and their comments were contained within the report, neighbour notification letters had been sent and no objections had been received.

The officer concluded that the proposal was necessary to improve the quality of life for the occupant, no adverse harm would be caused to the character of the locality or residential amenity.

RESOLVED that:

Approve subject to the following conditions:

1. Full planning permission

The development hereby approved shall begin before the expiration of three years from the date of this permission.

Reason: As required by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. List of Approved Plans and Drawings

The development shall conform in all aspects with the plans and details shown in the application as listed below, unless variations are agreed by the Local Planning Authority in advance and in writing:

Reason: For the avoidance of doubt and to ensure a suitable form of development in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

Schedule of Plans

Swept Path analysis 1:200 @ A3 19045/101

New Driveway 1:200 @ A3 594/07

3. Working Hours for Construction

The demolition, earth removal, infilling, landscaping, foundation and building works required to implement this development shall only be carried out between the hours of:

- Monday to Friday – 8.00am to 6.00pm
- Saturdays - 8.00am to 1.00pm
- And no audible work on Sundays and Bank Holidays

Personal Approval

The planning permission resides for the benefit of the current occupier Mr Jase Duffy of 15 Gamston Walk, Corby NN18 0AL. In the event that the Mr Duffy no longer resides at the address, vacates or sells the premises the permission will cease.

Reason: The Land is in the ownership of Corby Borough Council, the occupier Mr Jase Duffy only benefits from permission to cross the land. The restricting of the permission to be a personal permission for the current occupier of the property only, and in the event Mr Duffy no longer resides at the address, the original use of the land will resume. To maintain Corby's open spaces and to reinstate the character of the area thereafter. Policy 7 of the North Northamptonshire Joint Core Strategy.

Reasons for Approval

The proposed development will not change the character of the existing dwelling or immediate locality the proposed materials are considered acceptable. The proposal is in keeping with the surrounding area in terms of its visual appearance, and will not prejudice the safety of other highway users or cause unacceptable impact upon the on the amenity of t nearby neighbouring occupiers. The proposal is therefore considered to comply with Policy 7 and 8 of the North Northamptonshire Joint Core Strategy 2016 and paragraph 38 and 109 of the National Planning Policy Framework 2019

Schedule of Plans

Human Rights Act 1998

Officers have considered the Human Rights Act 1998 in reaching a recommendation to grant planning permission, subject to conditions. Officers have considered the potential interference

with the rights of the owners/occupiers of surrounding properties under Article 8/or Article 1 of the First Protocol of the Act and consider that it is appropriate.

Officers have also considered the interference with the human rights of the applicant under Article 8/and or Article 1 of the First Protocol caused by imposing conditions. Officers consider that the conditions are necessary to protect the rights and freedoms of others and to control the use of the property in accordance with the general interest. The interferences are therefore justifiable and proportional

Section 17 of the Crime and Disorder Act 1998

Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with Section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to grant planning permission officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

27. Close of Meeting

The meeting closed at 7.45pm.