

Development Control Committee**Tuesday 10 December 2013****7.00pm in The Council Chamber, The Cube, Corby**

Present: Councillor – Latta (Chair)

Councillors Addison, Beeby, Goult, Brown, Butcher, Heggs, Riley, & P Beattie

27. Apologies for Absence

Apologies for absence were received from Councillor Petch. Councillors Eyles substituted.

28. 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. Councillor Sims arrived during the officers presentation of the following item and declared a personal non prejudicial interest in 13/00275/DPA Proposed 3 bedroom detached house with off road, undercroft parking and associated works at 18 Ripley Road Cottingham.

29. Minutes of the Previous Meeting

Members were asked to confirm the minutes of the meeting held on 12 November 2013 as a correct record.

RESOLVED that:-

The minutes of the meeting held on 12 November 2013 be agreed as a correct record.

30. Applications for Planning Permission**30.1 13/00275/DPA Proposed 3 bedroom house with off road, undercroft parking and associated works at 18 Ripley Road, Cottingham.**

The Planning Officer presented a report on an application relating to land associated with 18 Ripley Road, Cottingham. There had been previous application on the site with planning permission being granted on one of those occasions.

It was proposed to erect a two storey building providing a 3 bedroom property with off road parking which would be partially underneath the first floor of the property, there would be access along the side of the property to get to the rear garden.

Relevant policies and guidance had been considered and consultation had taken place with Cottingham Parish council, Environment Agency, CBC Environmental Health, CBC Landlord Services, Anglian Water, CBC Housing Strategy and Highway Authority.

A site notice had been posted and neighbour notification had taken place in the form of letters to those closest to the property. Three objections had been received and details were in the officers report.

There had been a recent history of applications on the site with outline permission being refused in 2008; this was overturned on appeal by the Planning Inspectorate.

There had been policy changes since the original outline consent with the introduction of the National Planning Policy Framework and at a local level the introduction of the Core Spatial Strategy.

The amendments to the application of a reduction in scale and improvements to visual impact were considered to improve the visual relationship between the new property and the existing one at no. 18.

There had been objection to the application on the grounds of privacy, side windows would be for the landing and en-suite whilst all other windows would look onto the rear garden and the road to the front of the property. To ensure that no additional overlooking took place it was

reasonable to revoke the right to insert additional windows in the side elevations and permitted development rights would be removed to prevent the property being extended.

The principle development of the site had been established, the dwelling had a hipped roof rather than pitched and this had considerably improved the appearance and scale of the property. There had been a reduction in the ground floor footprint which had improved the impact on no. 18.

There was off street parking improved through the application process and the imposition of planning conditions to allow the authority to retain control over size, number of windows, drainage and visibility.

Mr Wilkinson attended the meeting and addressed Committee, he stated that there were already issues with the amount of vehicles both parked in the street and using the street, there was very little off road parking and the permission granted to no. 17 had insisted on two off road parking spaces, surely this too should have two off road spaces.

There were issues regarding whether this dwelling reflected the area and he welcomed the conditions made by the officer. The design of surrounding properties was simple and a house of this size did not make sense.

Mr Wilkinson said that this did not fit with Planning Policy 13 or North Northamptonshire Core Strategy.

Mr Murphy attended the meeting and addressed Committee on behalf of residents at no.20. The main objection was the size of the dwelling, 7.5 m x 4.5m, the existing property was only 5.5m. In the streetscene the size far outweighed no.18 which was a two bed semi. A neighbour had recently be refused an extension. Mr Murphy said he doubted if the off road parking would be used.

Mr Burns (Applicant) attended the meeting and addressed the Committee, he said he had never experienced problems when driving up Ripley Road or parking. The principle had already been established and he had made the property smaller. Mr Burns said he had tried to work with the Parish Council and the Borough Council.

The Ward Councillor said he wanted to say what he had said on previous occasions, that the Highway Authority should have to look at each request for building applications, visit the site and then make a decision. If they had consulted with the relevant Councillor they would have got a better picture.

RESOLVED that:-

Approve 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 of the Town and Country Planning Act 1990;

2. Before construction of the dwelling commences, samples of the brickwork and roofing materials shall be submitted to and approved in writing by the Local Planning Authority. Development shall only take place in accordance with the approved details.

Reason: In the interests of visual amenity and to protect the character and appearance of the area in line with Policy P1(E) of the Corby Borough Local Plan & Policy 13 of the North Northamptonshire Core Spatial Strategy.

3. If, during development, contamination is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a method statement which details a scheme for dealing with the suspected contamination has been submitted to and approved in writing by the Local Planning Authority.

Reason: To take account of any contamination that is not apparent at this moment in time

4. Full details of all boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. Development shall only take place in accordance with the approved details. All boundary treatments shall be in place before the property is first occupied.

Reason: In the interests of residential amenity in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

5. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008 or any subsequent revisions, no extensions, no alterations to the roof and no additional windows shall be inserted in the side elevations of the building without the written approval of the Local Planning Authority.

Reason: In the interests of residential amenity in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

6. The driveway space to the front of the property as approved shall at all times remain available for parking a vehicle.

Reason: In the interests of highway safety in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

7. This approval relates to the amended drawing by ADC Architecture & Development – Planning Issue General Arrangement Dwg No. PL-131/1

Reason: For the avoidance of doubt and in the interests of proper planning.

Reasons for Approval:

The proposal to erect a detached dwelling on land to the side of 18 Ripley Road, Cottingham would comply with ‘Saved Policy’ P1 (E) of the Corby Borough Local Plan and Policy 13 of the North Northamptonshire Core Spatial Strategy. The principle of residential development has already been established and the dwelling as proposed would be acceptable with regard to its design, siting, scale appearance and would have acceptable impacts upon the degrees of privacy and amenity of neighbouring properties and would be acceptable with regard to highway safety.

Statement of Applicant Involvement:

Discussions took place with the applicant and their agent prior to the application being made. During the application process, amended plans were received, which have resolved issues of scale, appearance, amenity impact and the usability of the parking space.

Note to Applicant

In respect of Condition 4 – the front boundary treatment must not exceed 0.6 metres in height as shown on the approved plan in order to preserve visibility from the new driveway

31. Exclusion of the Press and Public

The press and public be excluded from the meeting during consideration of the following reports on the grounds that they contain exempt information as defined in the Local Government Act 1972 (as amended).

Reason Report is Marked “Not for Publication”

This report is marked “Not for Publication” because it contains exempt information as defined in the following paragraph of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended):

Paragraph 3

Information relating to the financial or business affairs of any particular person (including the authority holding that information).

- 31. 11/00228/DPA **Erection of 74 residential units and associated infrastructure work on Strata Homes site: Land north of Cottingham Road, to the east of West Glebe Park including improvement to and extension of existing access road and creation of new open space, former Council Depot, Cottingham Road, Corby.****

The Planning Officer presented a report seeking Committees agreement to vary the affordable housing requirements for the Strata Homes site at the Former Council Depot.

An independent review had shown that the agreement to provide 7 affordable housing units could not be justified. Officers had negotiated a sum towards off site provision which they were recommending Committee accept.

As the development proceeded, sales values had not increased as thought, it was then concluded it would not be viable for the Local Planning Authority to insist on further Affordable Housing beyond the 7 units.

Relevant policies had been considered including the

- National Planning Policy framework March 2012,
- DCLG April 2012: S106 Affordable Housing Requirements – this established new practices for reviewing planning obligations related to affordable housing
- OCPC -11 September 2012 - Policy for Deferred Developer Contributions – This agreed an option to defer developer contributions if supported by a financial appraisal.

The scheme was acceptable in normal planning terms and it was normal to weigh viability in the balance if shown to be an issue. There had continued to be erosion in the financial viability of the scheme if the 7 houses continued to be factored in.

The 8 additional shared ownership units were excluded from the present concerns and would still be provided, these were the developers own shared-ownership offer that met the 2012 National Planning Policy framework definition of Affordable Housing.

The Council again engaged its own specialist viability experts who reviewed sales data and build costs for July to November 2013, it was concluded that based on present data the scheme could not justify affordable housing contributions and profit margins at the site were low as existing units had been sold for a market value below average for the area.

A range of options had been considered:

- No change and no variation of the legal agreement in which case the developer can chose to challenge the Council via a new appeal route.
- Seeking a future deferred developer's contribution with payment based on a final reckoning.

The Council had received independent advice that lead officers to the view that the financial sum that had been offered was a fair offer in the circumstances. If Committee agreed the 7 affordable houses would be sold as market housing. The settlement would be paid to the Council immediately and both parties would secure certainty.

The officer concluded the site had been difficult to develop with unusual costs; there were clear planning advantages in securing the site's development. Lack of on site affordable housing was regrettable.

There was no change to the Council's policy of seeking to maximise affordable housing on this or other sites. If other sites came forward offering less then viability would need to be independently examined in a similar fashion.

Members of the Committee discussed at length their concerns about the prices the properties had been sold at and the fact that the builder had built 100% affordable housing on a site near by but felt that the sum offered was inadequate.

Officers advised Committee that the Government had now allowed developers to appeal against affordable housing.

Members voted on the officer's recommendation to accept the financial contribution offered by the developer, this recommendation fell and members put forward that option 2 of the officers report be moved. HoS Planning and Environmental Quality said he would like to bring to the Committees attention that this option carried the risk that the amount currently being offered may not be realised.

It was moved and seconded to go with option 2 of the officer's report which was Deferred Developer Contributions, a vote was taken and it was:

RESOLVED that:-

Option 2 of the officer's report was carried:

- Seek a future deferred developer's contribution with payment based on a final reckoning.

32. Close of Meeting 7.55pm.