

Development Control Committee

Tuesday 12 February 2019

7.00 pm in Council Chamber, The Cube, Corby

Present: Councillor Riley – Chair

Councillors Dady, Brown, Ferguson, Latta, Addison, Reay, Sims & Petch

45. Apologies for Absence

Apologies for absence were received from Councillors Cassidy & Rutt.

46. 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 such declarations were made.

47. Minutes of the Previous Meeting

Members were requested to approve the minutes of the Development Control Committee meeting held on 15 January 2019, copies of which had been circulated.

RESOLVED that:-

The minutes of the meeting of the Development Control Committee held on 15 January 2019 copies of which had been circulated to Members, be agreed as a correct record.

48. Accessibility for the Physically Disabled and Development Management.

This item was withdrawn.

49. Planning Applications

49.1 18/00668/DPA **Two storey side extension, part two storey rear extension and part single storey rear extension AT 6 Studfall Avenue, Corby**

The Planning Officer presented a report previously brought to Committee on the 15 January 2019 and deferred for a site visit. The application sought consent for a two storey and part single storey rear extension and a two storey side extension.

The relevant policies had been considered and consultation had taken place with the Environmental Protection Officer, Conservation Officer, Highways and the Tree Officer.

Relevant notifications had been posted and placed in the local paper and neighbour notification letters had been sent out. Objections had been received, however, many of these were not material planning considerations and objections that were relevant were contained within the officer's report.

Overall the proposal was considered acceptable in terms of its design and impact upon the Conservation Area, impact on the amenity of neighbours and parking.

Mr Harper addressed Committee and said he objected as the application would affect light to his property and his right of way to the rear of his property. If the extension went ahead it would create an obstacle course for him to get bins to the kerbside, the current right of way was bad enough, he had lived in his property for 38 years and if this application was given approval he would have to go to the Civil Court to object.

Mr Moore addressed Committee saying that the right of way was a civil matter as pointed out by the objector and not a planning issue, if I wanted to build the single storey extension it would not need to go to planning as it would be permitted development, we just want to improve the house as this was a cheaper option as a young family.

Members asked officers to clarify the Right of Way and the planning officer confirmed that it was a Civil Matter. Members said that having been on a site visit they understood the concerns but these were not a planning matter and so it was

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 application as listed below, unless variations are agreed by the Local Planning Authority in order to discharge other conditions attached to this decision:

Amended Plans Drawing Number 18/9/1A received 02/11/2018

Location Plan Received 01/10/2018

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.

3. Front Windows

The proposed fenestrations sited to the front of the elevation shown in drawings number 18/9/1A must stay in perpetuated unless agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory appearance in the interests of visual amenity and promote a safe street through natural surveillance complying with Policy 8 of the North Northamptonshire Joint Core Strategy.

4. North West Elevation

Notwithstanding the provision of the Town and County Planning (General Permitted Development (England) Order 2015 (or any Order revoking and/or re-enacting that Order) no windows or other openings, other than those shown on the approved plans, shall at any time be placed in the side (north eastern facing) elevation. Of the development hereby permitted without the grants of a separate planning permission from the Local Planning Authority.

Reason: To ensure no adverse outlook is created on the neighbouring properties and to protect the character of the surrounding area in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy (2016).

2.0 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.

3.0 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.

49.2 18/00633/DPA**Creation of first floor to host dwelling with two storey rear addition AT- 15A Arnhill Road, Gretton**

The Planning Officer presented a report applying for approval of an addition at a first floor and raise the height at roof level, the proposal included installation of a balcony to the first floor, a two storey rear extension and changes to the internal layout.

All relevant policies had been considered and consultation had taken place with Environmental Health and Gretton Parish Council, a site notice had been posted and neighbour notification letters had been sent, all relevant objections were contained within the report.

The development by virtue of its design, size, scale and appearance did not adversely affect the amenity of residents, the proposal was in accordance with Policy 8 or the NNJCS 2016 "Saved" Policy P10R of the Corby Borough Local Plan and the NPPF (2018) and so the officer recommended approval.

Mr Hindle the applicant addressed Committee, he hoped the Committee would respond positively to the application, this was the second application that had been made on the site and he had worked closely with the planning department reducing the roof pitch, changes to the windows, the property would be extended to the rear and would not appear overbearing, there would be no loss of light or privacy to neighbours and there was ample parking on site. Mr Hindle hoped that with all this in mind the Committee would find the proposal acceptable.

RESOLVED that: -**1.0 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 in order to discharge other conditions attached to this decision:

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.

3. Materials, Sample Panels before specified elements started.

Sample panels of the timber cladding demonstrating the colour, texture, face bond and pointing are to be erected on site and approved in writing by the Local Planning Authority before the relevant parts of the work are commenced. The development shall be completed in accordance with the approved details before the building is occupied.

Reason: In order that the external appearance of the building is satisfactory in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy

4. Submission of Landscaping Scheme

A scheme of planting to the north east and south west boundaries to be submitted to the Local Planning Authority for agreement.

Reason: To safeguard the amenities of the adjoining premises from overlooking and loss of privacy in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy 2016.

5. Obscured Glazed Window

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order) the proposed first floor windows shall be glazed with obscure glass to level 4 obscurity to be

agreed with the Local Planning Authority and shall be permanently maintained thereafter as obscure glazed.

Reason: To safeguard the amenities of the adjoining premises from overlooking and loss of privacy in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy 2016.

No Further Windows

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order) no windows, other than those shown on the approved plans shall at any time be placed in the north east, north west or south west elevation of the building/extension hereby permitted without the grant of a separate planning permission from the Local Planning Authority.

Reason: To safeguard the amenities of the adjoining premises from overlooking and loss of privacy in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

2.0 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.

3.0 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.

50. Regular Section 106 Monitoring Update

A report was brought before Committee as previously requested to periodically update on the progress of Section 106 agreements.

A comprehensive appendix had been attached for Committee and since the last update there had been a major overhaul of the Council's Monitoring process relating to S106 Agreements.

Monitoring letters had been sent to all developers asking for details relating to build outs and approaching trigger points.

Members asked about specific items on the list and the Officer advised that he would appreciate any information relating to items as he had not been at the Council when a lot of the S106's were initiated and had been trying to obtain as much information from Heads of Service and others to complete an accurate document. The Officer advised Members of Committee that a regular quarterly report would be brought in future.

RESOLVED that: -

The report be noted.

51. Close of Meeting

The meeting closed at 7.46pm.