

Development Control Committee

Tuesday 9 August 2016

7.00 pm in The Council Chamber, The Cube, Corby

Present: Councillor Latta – Chair

Councillors Dady, Goult, Petch, Riley, Rutt, Sims and Brown

15. Apologies for Absence

Apologies for absence were received from Councillor Beattie.

16. 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 declared a personal non-prejudicial interest in Planning Application 16/00109/COU Change of use from Public House to residential, Bluebell Inn, Gretton.

17. Minutes of the Previous Meeting

Members were requested to approve the minutes of the Development Control Committee meeting held on 28 June 2016 and 12 July, copies of which had been circulated.

RESOLVED that:-

The minutes of the meeting of the Development Control Committee held on 28 June and 12 July 2016, copies of which had been circulated to Members, be agreed as a correct record.

At this point Chair asked the Principal Planner to update Committee on an application on the Agenda.

The Principal Planner informed Committee that there had been new documentation received with regard to application **16/00274/COC Erection of Energy Recovery Facility, Shelton Road, Corby**. CBC had requested that NCC allow further time to examine the new information and this had been granted. The Principal Planner withdrew the report with a view to bringing it to the 6 September meeting.

18.1 15/00143/DPA Erection of a single dwelling at Land off Rockingham Road, Cottingham for Mr Wetherell

A report was presented to Committee for the erection of a single dwelling and detached garage at land off Rockingham Road, Cottingham.

Relevant policies had been considered including the NPPF paragraphs 14 and 17, Sections 6, 7 and 11.

Consultations had taken place with statutory consultees, an advertisement had been placed in the local evening paper, notices posted and letters to neighbours had been sent, all comments were contained within the report.

The proposal was acceptable in design and scale terms, and full consideration had been given to the OPUN Design Support Services comments, these supported the view that the development could be viewed as outstanding and/or innovative reflecting the highest standards of architecture.

The Parish Council had raised concerns about the proposed means of draining surface water, it was considered that this could reasonable be addressed and controlled by way of a condition.

Mr Waine attended the meeting and addressed Committee he commented that the officers report was a full and fair assessment of the application. The application was recommended for approval referencing in particular Paragraph 55 of NPPF, the observation by the Parish Council seen in light of the exception to your normal policy to restrict within village confines.

The criteria to consider were set out in the report and comprised an element of whether it was truly outstanding or innovative.

OPUN had been instructed to provide an assessment of design to advise whether the design complied with the NPPF, they saw it as a highly sustainable landscape and building of outstanding contemporary design. It would be carbon neutral compliant with passive house standards of energy efficiency. The building had efficient fabrics that were well above building regulations, the building did not affect amenity, there would be no overlooking or loss of light, visual splays could be met and so Mr Waine respectfully requested that the Committee accept the officer's recommendation.

Members said that although they would normally object to building outside the village envelope and were concerned about creating a precedent the design of this dwelling appeared to take the surroundings in to account, the site had been derelict for some time and needed to be utilised and so this was a good idea.

Councillor Rutt requested that a condition be added for a survey to be done regarding protected mammals and this was agreed by Committee.

RESOLVED that:-

That planning permission be granted subject to the following conditions and a condition for a survey of protected mammals:-

1. The development hereby permitted shall be commenced no later than three years from the date of this permission.

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

2. The approved plans comprise the Location Plans entitled 'Promap' and 'Blackwell's' and drawing numbers 550/05A,05, 550/10, 550/11A and 550/12A received by the Local Planning Authority on 9th February 2016, and drawing number 550/20, received on 7th June 2016. The development shall be completed in accordance with the approved plans except where conditions attached to this planning permission indicate otherwise or where 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.

3. Full details of the proposed open sided canopy and greenhouse shall be submitted to, and approved in writing by, the Local Planning Authority before development commences. The approved canopy and greenhouse shall be constructed in the positions shown on the approved plans and shall thereafter be satisfactorily retained at all times.

Reason: In the interests of the visual amenity of the area, in accordance with the requirements of Policies 3, 8 and 13 of the North Northamptonshire Joint Core Strategy 2011 – 2031 and Sections 7 and 11 of the National Planning Policy Framework.

4. Samples of the materials to be used in the construction of the new dwelling, garage, open sided canopy and greenhouse shall be submitted to, and approved in writing by, the Local Planning Authority before development commences. The respective buildings shall be constructed of the approved materials and shall thereafter be satisfactorily retained at all times.

Reason: In the interests of the visual amenity of the area, in accordance with the requirements of Policies 3, 8 and 13 of the North Northamptonshire Joint Core Strategy 2011 – 2031 and Sections 7 and 11 of the National Planning Policy Framework.

5. Samples of the materials to be used in the construction of the proposed footpaths, driveway and parking areas, and of the proposed means of sealing and draining these areas, shall be submitted to, and approved in writing by, the Local Planning Authority before development commences. These areas shall be surfaced, sealed and drained in the approved manner/using the approved materials before the approved dwelling is first occupied and shall thereafter be satisfactorily retained at all times.

Reason: In the interests of the visual amenity of the area, in accordance with the requirements of Policies 3, 8 and 13 of the North Northamptonshire Joint Core Strategy 2011 – 2031 and Sections 7 and 11 of the National Planning Policy Framework.

6. Details of the proposed treatment of the site boundaries shall be submitted to, and approved in writing by, the Local Planning Authority before development commences. This shall include for:-
- a) the retention of all existing hedges at heights to be agreed with the Local Planning Authority,
 - b) the cutting back of the hedge, located along the north western site boundary to the north east of the proposed access, for a distance of 2.4 metres measured from the carriageway edge of Rockingham Road,
 - c) further boundary tree and hedge planting.

The approved treatment shall be completed before the approved dwelling is first occupied, or within a timescale to be agreed in writing with the Local Planning Authority, and shall thereafter be satisfactorily retained at all times.

Reason: In the interests of the visual amenity of the area and highway safety, in accordance with the requirements of Policies 3, 8 and 13 of the North Northamptonshire Joint Core Strategy 2011 – 2031 and Sections 7 and 11 of the National Planning Policy Framework.

7. Notwithstanding the details given on the approved plans a revised scheme for the internal landscaping of the site shall be submitted to, and approved in writing by, the Local Planning Authority before development commences. The approved scheme, and any boundary hedge and tree planting to be undertaken under the terms of condition 6 above, shall be implemented in the first planting season following the completion of the development, or first occupation of the dwelling, whichever is the sooner. The approved scheme shall be maintained by the applicant or their successors in title for a period of at least ten years to the satisfaction of the Local Planning Authority. This maintenance shall include for the replacement of any tree, hedge or shrub which is removed, becomes seriously damaged or dies, by a similar sized tree, hedge or shrub of the same species or other species as agreed in writing by the Local Planning Authority.

Reason: In the interests of the visual amenity of the area and highway safety, in accordance with the requirements of Policies 3, 8 and 13 of the North Northamptonshire Joint Core Strategy 2011 – 2031 and Sections 7 and 11 of the National Planning Policy Framework.

8. Any new gates shall be installed a minimum of five metres from the carriageway edge of Rockingham Road and shall open inwards into the site.

Reason: In the interests of highway safety, in accordance with the requirements of Policy 8 of the North Northamptonshire Joint Core Strategy 2011 – 2031.

9. Details of the existing and proposed ground levels, and of the finished floor levels of the new dwelling, garage, open sided canopy and greenhouse shall be submitted to, and approved in writing by, the Local Planning Authority before development commences. The ground levels, and finished floor levels of the respective buildings, shall thereafter be set at the approved levels.

Reason: So as to ensure that the various elements of the development suitably harmonise with their surroundings, in accordance with the requirements of Policies 3, 8 and 13 of the North Northamptonshire Joint Core Strategy 2011 – 2031 and Sections 7 and 11 of the National Planning Policy Framework.

10. Details of the proposed means of draining foul and surface water from the developed site, which shall be based on sustainable drainage principles, shall be submitted to, and approved in writing by, the Local Planning Authority before development commences. The approved drainage scheme shall be completed in accordance with the approved details before the

approved development is first occupied and shall thereafter be satisfactorily retained at all times.

Reason: In order to ensure that the development is satisfactorily drained.

11. No development shall take place until the applicants, or their agents or successors in title, have secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which shall first have been approved in writing by the Local Planning Authority.

Reason: To ensure that features of archaeological interest are properly examined and recorded, in accordance with the requirements of Section 12 of the National Planning Policy Framework.

12. Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until parts A to C have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition D has been complied with in relation to that contamination.

A. Site Characterisation

Further to the provided contamination assessment, additional investigative and risk assessments must be completed in accordance with a scheme to assess the full nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

human health,

property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,

adjoining land,

groundwaters and surface waters,

ecological systems,

archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' (or any model procedures revoking and replacing those model procedures with or without modification)'.

B. Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

C. Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless

otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

D. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of part A, and where remediation is necessary, a remediation scheme must be prepared in accordance with the requirements of part B, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with part C.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with the requirements of Policy 8 of the North Northamptonshire Joint Core Strategy 2011 – 2031 and Section 11 of the National Planning Policy Framework.

13. Details of any Biomass Boilers and/or Combined Heat and Power (CHP) Plant to be installed as part of the development shall be submitted to, and approved in writing by, the Local Planning Authority before development commences. The approved development shall be carried out in accordance with the approved details and shall thereafter be satisfactorily retained at all times.

Reason: To protect residential amenity and minimise the impact of the plant on local air quality, in accordance with the requirements of Policy 8 of the North Northamptonshire Joint Core Strategy 2011 – 2031 and Section 11 of the National Planning Policy Framework.

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015, or any subsequent Order or statutory provision amending, revoking or re-enacting that Order, no extensions shall be added to the new dwelling and no freestanding structures (other than those hereby approved) shall be erected within its curtilage without the prior written approval of the Local Planning Authority.

Reason: To enable the Local Planning Authority to retain a degree of control over the development in the interests of safeguarding the character of the surrounding area and the amenities of the occupiers of the neighbouring property, in accordance with the requirements of Policies 3, 8 and 13 of the North Northamptonshire Joint Core Strategy 2011 – 2031 and Sections 7 and 11 of the National Planning Policy Framework.

Informatives

1. Nesting birds and bats, their nests/roosts and their access to those nests/roosts are protected under the Wildlife and Countryside Act 1981. Should nesting birds, bats or other protected wildlife be found during the construction works you should stop work immediately and contact Natural England on 0300 060 3900. Failure to do so could potentially lead to you being prosecuted under the remit of this Act.
2. As this plot adjoins residential properties there is the potential for local residents to be disturbed during the construction works and as a result of deliveries of fuel. In view of this please could you ensure that construction works, and any deliveries to and from the site,

are carried out solely between the hours of 08.00 to 18.00 hrs Monday to Friday, 08.30 to 13.30 hours on Saturdays, and at no time whatsoever on Sundays or Bank Holidays.

Reasons for Approval:

The proposal is considered to be in accordance with the requirements of Policies 1, 3, 8, 11, 13 and 29 of the North Northamptonshire Joint Core Strategy 2011 – 2031 and paragraphs 14 and 17 and Sections 6, 7 and 11 of the National Planning Policy Framework. It is considered that the erection of a new dwelling on this site would accord with current planning policy in that it would represent an outstanding and innovative form of development, reflecting the highest standards of architecture, that would enhance its setting and that would be sensitive to the defining characteristics of the local area. It is also contended that the proposed development would safeguard the character and appearance of, and relate in a satisfactory manner to, its surroundings; would safeguard the amenities currently enjoyed by the occupiers of the adjoining property, and would not give rise to any undue highway safety or ecological concerns.

Statement of Applicant Involvement:

In dealing with this application Corby Borough Council has sought to approach the decision making process in a positive way, in accordance with the requirements of paragraphs 186 and 187 of the NPPF..

18.2 16/00109/COU Change of use from Public House to dwelling, The Blue Bell Inn, High Street, Gretton, Corby

A report was presented to Committee with regard of Change of Use from an Inn to a dwelling house, the Public House was within the Gretton Conservation Area and situated in the middle of a row of residential terraced properties.

Relevant policies had been considered and consultation had taken place with Gretton Parish Council, Highways, Corby Borough Council Property Services and Environmental Services, comments contained within the report.

Neighbour Notification Letters had been sent, site notice posted and an Advertisement placed in the local evening paper, representations had been received and were noted in the officer's report.

The Blue Bell Inn was a non-listed building in the Gretton Conservation Area and therefore the Council was statutorily required to consider whether the application preserved and/or enhanced the character and appearance of the Conservation Area.

The application was before Committee because if allowed it would result in the loss of a public house which was contrary to the NNJCS and the NPPF which sought to protect village facilities and services.

A decision had been made by the owners in 2011 to sell the pub but to this day there had only been one offer in February 2016 subject to the property securing a change of use but during the process the buyer withdrew in May 2016 and the pub remained for sale as a going concern.

The officer concluded that following the submission of extensive marketing information and evidence clearly demonstrating that the Blue Bell Inn was no longer a viable prospect the change of use was deemed acceptable when viewed against the requirements contained in Policy 7 (c i) of the NNJCS.

Mrs Caulfield attended the meeting and addressed Committee stating she was the owner of the Blue Bell Inn and the only objections had been from the darts team, golf society etc who rarely frequented the pub.

The pub was acquired in 2004 and in 2011 it was decided to sell the pub, in 2012 Mr Caulfield died and Mrs Caulfield had to run the pub and hold a part time job, it had not been viable for some time and with the lack of interest it was decided to apply for change of use, the Talbot Inn had previously been given planning permission for change of use but was still trading, the

stress was beginning to affect Mrs Caulfield's health and she thought that residential use would be a better use than the pub becoming derelict.

Mr Ansell attended the meeting and addressed Committee as the agent for Mrs Caulfield's application. He said the report had been very well considered and the information before Committee showed that the Inn was not supported by the local community and he requested that the Committee support the officer's recommendation.

Members commented that it was always sad to lose a village facility and they understood the difficulties that Mrs Caulfield was having and so it was

RESOLVED that:-

The application be approved subject to the following conditions:

1. The development hereby permitted shall be commenced no later than three years from the date of this permission.

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

Reason for Approval:

Subject to the condition above the proposed change of use is considered to preserve the Gretton Conservation Area and have a better relationship with the adjacent residential properties. The proposal is therefore considered to comply with Policy 7 and 8 of the North Northamptonshire Joint Core Strategy, guidance within the National Planning Policy Framework and Planning Practice Guidance and requirements of the Planning (Listed Buildings and Conservation Area) Act 1990.

Statement of Applicant Involvement:

During the application process additional financial and marketing information was requested and provided by the applicant.

19. Close of Meeting

The meeting closed at 7.35 pm.