

## South Northamptonshire Council

### Planning Committee

Minutes of a meeting of the Planning Committee held as a remote meeting on Thursday 9 July 2020 at 2.15 pm.

Present      Councillor Richard Dallyn (Chairman)  
                  Councillor Ken Pritchard (Vice-Chairman)  
                  Councillor Phil Bignell  
                  Councillor Rebecca Breese  
                  Councillor John Budden  
                  Councillor Karen Cooper  
                  Councillor Steven Hollowell  
                  Councillor Martin Johns  
                  Councillor Lisa Samiotis  
                  Councillor John Townsend  
                  Councillor Elaine Wiltshire  
                  Councillor Paul Wiltshire

Substitute    Councillor Roger Clarke for Councillor Carole Clarke  
Members:

Also            Paul Brunige – Strategic Housing Officer for S/2019/1391/MAO  
Present:

Apologies    Councillor Carole Clarke  
for             Councillor Mary-Anne Sergison-Brooke  
Absence:

Officers:      Jim Newton, Assistant Director: Planning & Economy  
                  Paul Seckington, Senior Manager of Development Management  
                  Susan Garbutt, Principal Planning Officer  
                  Saffron Loasby, Principal Planning Officer  
                  Matthew Barrett, Solicitor  
                  Lesley Farrell, Democratic and Elections Officer

#### 16      **Declarations of Interest**

Councillor Steven Hollowell declared a general Non-Statutory Disclosable Interest in all archaeological aspects of planning applications, as a member of the Northamptonshire Archaeological Society.

#### 17      **Minutes**

The Minutes of the meeting of the Committee held on 11 June 2020 were agreed as a correct record and would be signed by the Chairman in due course.

18 **Chairman's Announcements**

The Chairman made the following announcements:

1. The Chairman reminded Members of the remote meeting etiquette and asked all Members to ensure they complied with the protocol.
2. The Chairman explained that in light of this being a virtual meeting the arrangements for public participation had been slightly amended to facilitate the process whilst still ensuring public participation was possible. A pre-recorded address would be played, or a written statement would be read by the Chairman at the appropriate time in lieu of members of the public speaking in person during the meeting.
3. The Chairman advised that application S/2019/1801/MAF had been withdrawn from the planning process by the applicant.

19 **Proposed Pre-Committee Site Visits (if any)**

There were no proposed Pre-Committee site visits.

20 **Land west of Bedford Road, Little Houghton**

The Committee considered application S/2019/1391/MAO an outline application (all matters reserved except for access) for up to 22 dwellings including new pick up/drop of and turning area with additional vehicle parking and highways access for Little Houghton CE Primary School at land west of Bedford Road, Little Houghton for Francis Jackson Homes Limited.

A pre-recorded address from Selena Jacobs, Clerk to Little Houghton Parish Council speaking on behalf of Little Houghton Parish Council, was played to the Committee.

A pre-recorded address from Greg Smart, agent for local residents, speaking in objection to the application, was played to the Committee.

A pre-recorded address from Paul Johnson, Agent for the applicant, speaking in support of the application, was played to the Committee.

It was proposed by Councillor Hollowell and seconded by Councillor Wiltshire that the application should be approved with an added condition that extra parking for the school should be included in the reserved matters.

In reaching its decision the Committee considered the officer's report and presentation, the addresses of the public speakers and the written update.

**Resolved**

- (1) That authority be delegated to the Assistant Director for Planning and Economy to grant permission for application S/2019/1391/MAO subject to:
- 1) The completion of a planning obligation under section 106 of the Town and Country Planning Act 1990, as substituted by the Planning and Compensation Act 1991, to secure the following (and any amendments as deemed necessary):
    - a) Provision of 32% affordable housing on site
    - b) Payment of a financial contribution towards off site sports and recreation provision in the locality of £924.00 per dwelling
    - c) Payment of a financial contribution towards the provision of refuse/recycling bins for the development of £70 per dwelling (index linked)
    - d) Payment of a financial contribution towards educational infrastructure serving Primary Education of £76,458.00 and Secondary Education of £92,689(index linked).
    - e) Payment of a financial contribution towards library infrastructure serving of £5,096 (index linked).
    - f) Payment of a financial contribution towards primary health care provision serving of £20,070.88 per dwelling (index linked)
    - g) Payment of a financial contribution towards fire and rescue provision serving of £892 per dwelling (index linked)]
    - h) Payment of the Council's monitoring costs
  - 2) The following conditions (and any amendments to those conditions as deemed necessary):

#### TIME LIMITS AND GENERAL IMPLEMENTATION CONDITIONS

1. Application for approval of all the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission and the development hereby permitted shall be begun either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved whichever is the later.

Reason: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, and Article 5(1) of the Town and Country Planning (General Development Procedure) Order 2015 (as amended).

2. The development shall not be carried out otherwise than in complete accordance with the approved plans and details unless a non-material or minor material amendment is approved by the Local Planning Authority under the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). The approved plans and details are:

Sketch Layout Plan Drawing No - 1030-4 01 revision d2 dated 24/06/2020

Abington Consulting Engineers, FRA dated 10th March 2020 Rev D received 06/04/2020

Abington Consulting Engineers Transport Statement Rev E dated 10th March 2020 received 06/04/2020

MORE TO BE ADDED AS DEF IS PLAYING UP

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

CONDITIONS REQUIRING LOCAL PLANNING AUTHORITY WRITTEN APPROVAL OR TO BE COMPLIED WITH BEFORE ANY DEVELOPMENT COMMENCES

3. Details of the layout, scale, appearance and landscaping (hereafter referred to as 'the reserved matters') shall be submitted to and approved in writing by the Local Planning Authority before any development takes place and the development shall be carried out as approved.

Reason: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, and Article 6 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).

4. No development shall take place until details of all finished floor levels in relation to existing and proposed site levels and to the adjacent buildings have been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall be constructed in accordance with the approved levels.

Reason: In order to safeguard the visual amenities of the area in accordance with advice within Section 12 of the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

5. No development shall take place until full details of the construction of the balancing pond(s) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to any other development works which would accentuate the surface water run-off from the development hereby approved, the balancing ponds shall be constructed in full in accordance with the approved details.

Reason: To ensure that the development/site is served by proper arrangements for the disposal of surface water/foul sewage, to comply with Policy BN7 of the West Northamptonshire Joint Core Strategy and Government guidance contained within the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

6. No part of the development hereby permitted shall take place until:

- (a) a desk study and site walk over to identify all potential contaminative uses on site, and to inform the conceptual site model has been carried out by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11', and
- (b) has been submitted to and approved in writing by the Local Planning Authority.

No development shall take place until the Local Planning Authority has given its written approval that it is satisfied that no potential risk from contamination has been identified.

Reason: To ensure that any ground and water contamination is identified and adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use to comply with Policy G3(E) of the South Northamptonshire Local Plan, Policy BN9 of the West Northamptonshire Joint Core Strategy and Section 15 of the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

- 7. If contamination is found by undertaking the work carried out under condition 6, then no development hereby permitted shall take place until
  - (a) a scheme of remediation and/or monitoring to ensure the site is suitable for its proposed use has been prepared by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and
  - (b) has been submitted to and approved in writing by the Local Planning Authority.

No development shall take place until the Local Planning Authority has given its written approval of the scheme of remediation and/or monitoring required by this condition.

Reason: To ensure that any ground and water contamination is adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with Policy G3(E) of the South Northamptonshire Local Plan, Policy BN9 of the West Northamptonshire Joint Core and Section 15 of the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

- 8. No development shall take place, including any works of demolition until a Construction Method Statement has been submitted to, and approved in writing by the Local Planning Authority. The statement shall provide for at a minimum:
  - a) The parking of vehicles of site operatives and visitors;
  - b) The routing of HGVs to and from the site;
  - c) Loading and unloading of plant and materials;
  - d) Storage of plant and materials used in constructing the development;
  - e) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;

- f) Wheel washing facilities including type of operation (automated, water recycling etc) and road sweeping;
- g) Measures to control the emission of dust and dirt during construction;
- h) A scheme for recycling/ disposing of waste resulting from demolition and construction works;
- i) Delivery, demolition and construction working hours;
- j) The mitigation measures recommended at (ADD REFERENCES) of the submitted Environmental Statement (DATE)

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

Reason: To ensure the environment is protected during construction in accordance with Policy G3 of the South Northamptonshire Local Plan and Government guidance contained within the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

9. If the development hereby approved does not commence by 1st June 2021. A revised ecological survey shall be undertaken prior to the commencement of the development to establish changes in the presence, abundance and impact on protected species. The survey results, together with any necessary changes to the mitigation plan or method statement shall be submitted to and approved in writing the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not cause harm to any protected species or their habitats in accordance with Policy BN2 of the West Northamptonshire Joint Core Strategy and Government guidance contained within the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

10. No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP: Biodiversity shall include as a minimum:
- a) Risk assessment of potentially damaging construction activities;
  - b) Identification of 'Biodiversity Protection Zones';
  - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
  - d) The location and timing of sensitive works to avoid harm to biodiversity features;
  - e) The times during construction when specialist ecologists need to be present on site to oversee works;
  - f) Responsible persons and lines of communication;
  - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person;
  - h) Use of protective fences, exclusion barriers and warning signs

The approved CEMP: Biodiversity shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy BN2 of the West Northamptonshire Joint Core Strategy and Government guidance contained within Section 15 of the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

**CONDITIONS REQUIRING LOCAL PLANNING AUTHORITY WRITTEN APPROVAL OR TO BE COMPLIED WITH BY DEVELOPER BEFORE SPECIFIC CONSTRUCTION WORKS TAKE PLACE**

11. Full details of the fire hydrants to be provided or enhanced on the site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any above ground works. Thereafter and prior to the first occupation of the development, the fire hydrants shall be provided or enhanced in accordance with the approved details and retained as such thereafter.

Reason: To ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire in accordance with Government Guidance contained within the National Planning Policy Framework.

12. Before any above ground works commence full details of the surface water drainage scheme for the site, based on the approved Flood Risk Assessment and Drainage Strategy, document ref. no. xxxxxx shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details. These shall include:
  - a) Details (i.e. designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets and attenuation basins. Details of the drainage system are to be accompanied by full and appropriately cross-referenced supporting calculations. In all calculations, proposed values of impermeable area should include a 10% allowance for Urban Creep, as taken from CIRIA C753 (version 6) paragraph 24.7.2.
  - b) Cross sections of all control chambers (including site specific levels mAOD) and manufacturers' hydraulic curves for all hydrobrakes and any other flow control devices.
  - c) Demonstration that for events with a return-period in excess of 3.3% (1in30), exceedance flow routes are appropriately routed such that there is no residual risk to property and critical infrastructure.

Reason: To prevent the increased risk of flooding, both on and off site, by ensuring the satisfactory means of surface water attenuation and discharge from the site to comply with Policy G3(M) of the South Northamptonshire Local

Plan, Policy BN7 of the West Northamptonshire Joint Core Strategy and Government advice in the National Planning Policy Framework.

13. No development shall take place until the applicant (or their agents or successors in title) has submitted to and had approved in writing by the local planning authority a programme of archaeological work consisting of a written scheme of investigation and a timetable for that work. The development shall thereafter proceed in accordance with the approved written scheme of investigation and timetable.

Reason: To secure the provision of archaeological investigation and the subsequent recording of the remains, to comply with Government advice in the National Planning Policy Framework (NPPF) (Section 16).

14. All services serving the proposed development shall be provided underground unless details of any necessary above ground service infrastructure, whether or not permitted by the Town and Country Planning (General Permitted Development Order) 1995 (as amended), have first been submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of the development that they serve, the above ground services shall be provided on site in accordance with the approved details.

Reason: To ensure the satisfactory appearance of the completed development and to comply with Policies G3(A) and EV1 of the South Northamptonshire Local Plan and Government guidance contained within the National Planning Policy Framework.

15. If, during development, contamination not previously identified is found to be present at the site, no further development shall be carried out until full details of a remediation strategy detailing how the unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. Thereafter the remediation strategy shall be carried out in accordance with the approved details.

Reason: To ensure that any ground and water contamination is identified and adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with Policy G3(E) of the South Northamptonshire Local Plan, Policy BN9 of the West Northamptonshire Joint Core and Section 15 of the National Planning Policy Framework.

16. No development above slab level shall take place until a scheme for protecting the proposed dwellings from traffic noise from the A428 has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall achieve internal levels of 30dB LAeq (8 hour) and 45dB L<sub>AmaxF</sub> in all sleeping areas between 2300 hours and 0700 hours with windows shut and other means of ventilation provided. An internal level of 40dB LAeq 1 hour shall be achieved in all other areas of the building and an external level of 50dB LAeq (16 hours) shall be achieved in garden areas and balconies. Any works which form part of the scheme shall be completed in accordance with the approved

details before any of the permitted dwellings to which the scheme relates are occupied.

Reason: To avoid noise giving rise to significant adverse impacts on health and quality of life and to comply with advice in the NPPF (section 15) and Policy G3(D) of the South Northamptonshire Local Plan.

17. Details of the proposed construction, materials and surfacing of the access road and its junction with the public highway shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of those works. The development shall be carried out in accordance with the approved details before first occupation of the dwellings and thereafter permanently maintained as such.

Reason: In the interests of highway safety, to comply with Policy G3(B) of the South Northamptonshire Local Plan and Government guidance in Section 12 of the National Planning Policy Framework.

18. Details of the external [lighting/security lighting/floodlighting] including the design, position, orientation and any screening of the lighting shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of those works. The lighting shall be installed and operated in accordance with the approved scheme at all times thereafter.

Reason: In order to safeguard the visual amenities of the area in accordance with Policy G3(A) and EV1 of the South Northamptonshire Local Plan and Government advice in The National Planning Policy Framework.

19. All species used in the planting proposals associated with the development shall be native species of UK provenance.

Reason: To conserve and enhance biodiversity and prevent the spread of non-native species in accordance with Policy BN2 of the West Northamptonshire Joint Core Strategy and Government guidance contained within Section 15 of the National Planning Policy Framework.

**CONDITIONS REQUIRING LOCAL PLANNING AUTHORITY WRITTEN APPROVAL OR TO BE COMPLIED WITH BY DEVELOPER BEFORE OCCUPATION**

20. Prior to first occupation of the development hereby approved, a Landscape and Ecology Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the LEMP shall be carried out in accordance with the approved details.

Reason: To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy BN2 of the West Northamptonshire Joint Core Strategy and Government guidance contained within Section 15 of the National Planning Policy Framework.

21. No building hereby permitted shall be occupied until details of the implementation, maintenance and management of the sustainable drainage scheme are submitted to and approved in writing by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

- ii) a timetable for its implementation, and
- ii) a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason: To ensure that the development/site is served by sustainable arrangements for the disposal of surface water, to comply with Policy G3(M) of the South Northamptonshire Local Plan, Policy BN7 of the West Northamptonshire Joint Core Strategy and Government advice in the National Planning Policy Framework.

22. The proposed access and parking, turning, loading and unloading facilities shall be provided in accordance with the approved plans before first occupation of the development hereby permitted. The access [parking, turning, loading and unloading facilities shall thereafter be retained for use in connection with the development for those purposes only.

Reason: In the interests of highway safety, to ensure the provision of adequate off-street car parking [and turning/loading/unloading] to comply with Policy G3(B) of the South Northamptonshire Local Plan and Government guidance in Section 12 of the National Planning Policy Framework.

23. Details of a turning area to be provided within the curtilage of the site so that motor vehicles may enter, turn around and leave in a forward direction [including refuse and emergency service vehicles] (including surfacing and drainage details) shall be submitted to and approved in writing by the Local Planning Authority before the development reaches slab level. The turning area shall be constructed and completed in accordance with the approved details before the development is first occupied and shall be retained for the manoeuvring of motor vehicles at all times thereafter.

Reason: In the interests of highway safety and to comply with Policy G3(B) of the South Northamptonshire Local Plan and Government guidance in Section 12 of the National Planning Policy Framework.

24. No dwelling hereby permitted shall be occupied until it has been provided with a system of ducting to allow for the future installation of electrical vehicle charging infrastructure to serve that dwelling.

Reason: To comply with Policy S10 of the West Northamptonshire Joint Core Strategy and to maximise opportunities for sustainable transport modes in accordance with paragraph 110(e) of the National Planning Policy Framework.

25. Prior to the commencement of the development hereby approved, full details of a drainage strategy for the entire site, detailing all on and off site drainage works required in relation to the development, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the drainage works shall be carried out and completed in accordance with the approved strategy, until which time no discharge of foul or surface water from the site shall be accepted into the public system.

Reason: To ensure that sufficient capacity is made available to accommodate the new development and in order to avoid adverse environmental impact upon the community in accordance with Government guidance contained within the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

26. A Green Travel Plan prepared in accordance with the Department of Transport's Best Practice Guidance Note "Using the Planning Process to Secure Travel Plans" (and its subsequent amendments) shall be submitted to and approved in writing by the Local Planning Authority prior to the first use or occupation of the development hereby permitted. The approved Green Travel Plan shall thereafter be implemented and operated in accordance with the approved details.

Reason: In the interests of sustainability and to ensure a satisfactory form of development, in accordance with Government advice in the National Planning Policy Framework.

27. If remedial works have been identified in condition 7, the development shall not be occupied until the remedial works have been carried out in accordance with the scheme approved under condition 7. A verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that any ground and water contamination is adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with Policy G3(E) of the South Northamptonshire Local Plan, Policy BN9 of the West Northamptonshire Joint Core and Section 15 of the National Planning Policy Framework.

#### CONDITIONS TO BE COMPLIED WITH AT ALL TIMES

28. The existing hedges along the eastern boundary fronting Bedford Road of the application site shall be retained at a minimum height of not less than two metres and any trees or plants which die, are removed or become seriously damaged or diseased within 5 years from the completion of the development shall be replaced in the next planting season with others of similar size and the same species, unless the Local Planning Authority gives written consent to any variation.

Reason: To provide an effective and attractive screen for the development in the interests of visual amenity and to accord with Policies G3(L) and EV29 of the South Northamptonshire Local Plan OR

Reason: To protect the amenities of nearby properties and to accord with Policy G3(D) of the South Northamptonshire Local Plan.

29. All site clearance (including the removal of any vegetation or works to hedgerows) should be timed so as to avoid the bird nesting season, this being during the months of March until July inclusive unless alternative provisions have been previously agreed in writing by the Local Planning Authority

Reason: To ensure that the development will conserve and enhance the natural environment and will not cause significant harm to any protected species or its habitat in accordance with the Government's aim to achieve sustainable development as set out in Section 15 of the National Planning Policy Framework.

30. Notwithstanding the provisions of Classes [A-D (inc)] of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting or amending that order) no [further] enlargement [alteration or improvement] of [any/the] dwellinghouse shall be undertaken at any time without the prior planning permission of the Local Planning Authority.

Reason: Taking into account the sensitivity of the site it is considered to be in the public interest to ensure the merits of future proposals can be assessed by the Local Planning Authority so that visual amenity is conserved and to accord with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, G3(A) and EV1 of the South Northamptonshire Local Plan and Section 12 of the National Planning Policy Framework.

31. Notwithstanding the provisions of Class E of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting or amending that order) no building or structure [other than oil or LPG storage tanks] shall be erected or placed within the curtilage of the dwelling hereby permitted without the prior planning permission of the Local Planning Authority.

Reason: Having regard to the density, character and layout of the development the Local Planning Authority consider such structures would be likely to adversely affect the amenity of neighbouring occupiers and the character of the area and consider it is in the public interest to require an application to enable the merits of any proposal to be assessed in accordance with Policy G3(D) of the South Northamptonshire Local Plan. OR

Reason: To enable the Local Planning Authority to retain planning control over the development of this site in order to safeguard the character and appearance of the area in accordance with Policy G3(A) of the South Northamptonshire Local Plan.

32. That the Reserved Matters application should include extra parking for the Primary school.

21 **Thorpe Mandeville Manor, Banbury Lane, Thorpe Mandeville, OX17 2HR (H)**

The Committee considered application S/2019/1799/MAF for the change of use of residential dwellinghouse (The Manor House) to a mixed use comprising residential dwellinghouse (Use Class C3) and private function venue (Use Class D2) at Thorpe Mandeville Manor Banbury Lane Thorpe Mandeville OX17 2HR for Mr & Mrs Teare.

It was proposed by Councillor Paul Wiltshire and seconded by Councillor John Townsend that application S/2019/1799/MAF be refused due to the unacceptable noise and harm to the amenity of neighbouring properties.

On being put to the vote the proposal was lost on the Chairman's casting vote and the motion subsequently fell.

It was proposed by Councillor Ken Pritchard and seconded by Councillor Elaine Wiltshire that application S/2019/1799/MAF be approved subject to the conditions being amended to prevent live music being played in the garden and to restrict visitors to a maximum of 50 people in total at any one time.

In reaching its decision the Committee considered the officer's report and presentation and the written updates.

**Resolved**

- (1) That authority be delegated to the Assistant Director for Planning and Economy to grant permission for application S/2019/1799/MAF subject to the following conditions (and any amendments to those conditions as deemed necessary):

**TIME LIMITS AND GENERAL IMPLEMENTATION CONDITIONS**

1. The development shall not be carried out otherwise than in complete accordance with the approved plans and details unless a non-material or minor material amendment is approved by the Local Planning Authority under the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). The approved plans and details are:

Plan/Document	Date Received by the Local Planning Authority
Site Location Plan (J1078969/43)	16/9/19
Existing Plans Cellar (1078969-50)	16/9/19
Existing Plans Ground Floor (1078969-51)	16/9/19
Existing Plans First Floor (1078969-52)	16/9/19
Existing Plans Second Floor (1078969-53)	16/9/19
Design and Access Statement (Carter Jonas,	

September 2019)	16/9/19
Transport Statement (HVJ Transport Ltd, July 2019)	16/9/19
Noise Management Plan (Noise Air, 23 January 2020)	29/1/20

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

2. This permission shall be limited to a period of time expiring 24 months from the date of this permission. At or before the expiration of this period the use shall be discontinued, and the site restored to its former use.

Reason: In order to safeguard the amenities of the area in accordance with Policy G3(A,D,E,I and J) of the South Northamptonshire Local Plan and emerging policy SS2(b,f&m) of the South Northamptonshire Part 2 Local Plan.

**CONDITIONS REQUIRING LOCAL PLANNING AUTHORITY WRITTEN APPROVAL OR TO BE COMPLIED WITH BEFORE ANY DEVELOPMENT COMMENCES**

3. When the premises is being used for the D2 uses hereby permitted vehicular access to the site shall be by way of an in and out access arrangement for the two accesses off Banbury Lane (vehicles to enter via the Manor access and exit via the Stables access) in accordance with the Transport Statement (HVJ Transport, July 2019).

Reason: In the interests of highway safety to comply with Policy G3(B) of the South Northamptonshire Local Plan, emerging Policy SS2(j) of the South Northamptonshire Part 2 Local Plan and Government guidance contained within the National Planning Policy Framework.

4. The development shall be carried out in accordance with either:

(a) the approved Noise Management Plan (Noise Air, Version 1, 23 January 2020);

(b) an amended Noise Management Plan and any alternative mitigation measures that are agreed as part of condition 6 (Noise Monitoring Strategy);  
or

(c) an alternative Noise Management Plan that has been first submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the recommended noise mitigation measures are implemented in the interests of safeguarding amenity and to accord with Policy G3(D&E) of the South Northamptonshire Local Plan, emerging Policy SS2(f) of the South Northamptonshire Part 2 Local Plan and Government guidance contained within the National Planning Policy Framework.

5. Prior to first use of the premises for the D2 use hereby permitted a Noise Monitoring Strategy shall be submitted to and approved in writing by the Local Planning Authority. The Strategy shall include;

(i) Full details of how all D2 events are to be monitored by a competent person over the period of the temporary permission hereby approved; and

- (ii) Full details of the location of the external monitoring points to ensure external noise levels can be determined at the nearest noise sensitive properties; and
- (iii) How and when the results of the monitoring will be submitted to the Local Planning Authority; and
- (iv) Details of any amendments to the mitigation measures in the approved Noise Management Plan (Noise Air, Version 1, 23 January 2020), deemed necessary following the results of the monitoring.

Amplified music played in the dining room during monitoring shall not exceed a working limit of more than 85 dB (A) with windows closed. The measurements and assessment shall be made according to BS 4142:1990. The approved Strategy shall be implemented during the temporary period of the permission hereby approved.

Reason: To ensure the creation of a satisfactory environment free from intrusive levels of noise in accordance with Policy G3(D&E) of the South Northamptonshire Local Plan, emerging Policy SS2(f) of the South Northamptonshire Part 2 Local Plan and Government guidance contained within the National Planning Policy Framework.

6. No live or recorded music or sound-amplifying equipment shall be installed or operated within the garden.

Reason: To ensure the creation of a satisfactory environment free from intrusive levels of noise in accordance with Policy G3(D&E) of the South Northamptonshire Local Plan and emerging policy SS2(f) of the South Northamptonshire Part 2 Local Plan.

7. Details of the external lighting including the design, position, times of use, orientation and any screening of the lighting shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of those works. The lighting shall be installed and operated in accordance with the approved scheme at all times thereafter.

Reason: To protect the amenities of nearby residents and to safeguard the visual amenities of the area in accordance with Policies G3(A,D,I&J) and EV1 of the South Northamptonshire Local Plan, emerging policy SS2(b,e,f&m) of the South Northamptonshire Part 2 Local Plan and Government advice in The National Planning Policy Framework.

#### CONDITIONS TO BE COMPLIED WITH AT ALL TIMES

8. The D2 use of the premises hereby permitted shall be used only for the purpose of private functions and events and for no other purpose whatsoever, including any other purpose in Class D2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) or in any provision equivalent to that class in any statutory instrument revoking, amending or re-enacting that order.

Reason: To safeguard the visual amenities of the area and protect the amenities of nearby residents in accordance with Policy G3 of the South Northamptonshire Local Plan and emerging policy SS2(b,e,f&m) of the South Northamptonshire Part 2 Local Plan.

9. The D2 use of the premises (Manor House and garden) hereby permitted shall be open to pre-booked customers only (not the general public) and shall be restricted to a maximum of 50 people in total at any one time.

Reason: To protect the amenities of nearby residents and to comply with Saved Policy G3(D&E) of the South Northamptonshire Local Plan and emerging policy SS2(f) of the South Northamptonshire Part 2 Local Plan.

10. The operational use of the D2 use hereby permitted taking place within the Manor House is permitted at any time (24 hours) Monday to Sunday and including Bank and Public Holidays.

Reason: To clarify the permission.

11. The operational use of the D2 use hereby permitted taking place within the garden of the Manor House shall only take place within the following times:-  
· 08:00 to 23:00 for events of up to 30 people  
· 08:00 to 21:00 for events of over 30 people.

Reason: To protect the amenities of nearby residents and to comply with Saved Policy G3(D&E) of the South Northamptonshire Local Plan and emerging policy SS2(f) of the South Northamptonshire Part 2 Local Plan.

12. Notwithstanding the approved Transport Statement (HVJ Transport, July 2019) parking for the D2 use hereby approved shall be within the existing gravel parking area to the west of the Manor House and Stables only. Parking for D2 use events shall be marshalled to ensure efficient use of the available parking area.

Reason: In the interests of highway safety to ensure the provision of adequate off-street car parking and in the interests of public and visual amenity in accordance with Policies G3 (A,B,D,E&J) of the South Northamptonshire Local Plan, emerging policy SS2(b,f,j&m) of the South Northamptonshire Part 2 Local Plan, the Parking SPD and Government guidance in Section 12 of the National Planning Policy Framework.

**22 Thorpe Mandeville Manor, Banbury Lane, Thorpe Mandeville. OX17 2HR (G)**

As reported under the Chairman's announcements, application S/2019/1801/MAF had been withdrawn by the applicant.

**23 Appeals Progress Report**

The Assistant Director Planning and Economy submitted a report which aimed to keep members informed upon applications which have been determined by the Council, where new appeals have been lodged, Public Inquiries/hearings scheduled or appeal results achieved.

**Resolved**

(1) That the position statement be accepted.

**24 Urgent Business (previously agreed with the Chairman)**

There were no items of urgent business.

The meeting closed at 4.10 pm

Chairman:

Date: