



Committee Members present:

John Weir (JW) Chair

Lee Barron (LB)

Cllr Wendy Amos (WA)

Cllr Catherine Boardman
(CB)

David Dickinson (DD) (Sub
for Cllr Sandra Barnes)

In attendance:

John Hill (JH) – Development
Control Manager

Andrew Ryley (AR) – Senior
Development Management
Officer

Rhea Keehn – Governance,
Policy and Communications
Officer

Daventry UDA Planning Committee Minutes

Agenda Item 3

This Public meeting was held on

5th August 2009

At

Council Chambers

Daventry District Council

Daventry

Reference	Minutes	Action
	<p>The Chair opened the meeting at 6 pm.</p> <p>There was 1 member of the public present.</p>	
Item 1	<p><u>Item 1: Apologies</u></p> <p>Apologies were received from Cllrs Sandra Barnes, Tony Woods, Richard Church and Alan Hills.</p>	
Item 2	<p><u>Item 2: Declaration of interests</u></p> <p>CB declared personal non-prejudicial interests as a Governor of Moulton College. JW declared personal non-prejudicial interest as a small share holder in Taylor Wimpey. DD declared personal non-prejudicial interest as an observer to Joint Strategic Planning Committee (JSPC) and WA and CB declared a personal non prejudicial interest as members of the JSPC.</p> <p>All members remained for the duration of the meeting.</p>	
Item 3	<p><u>Item 3: Minutes of the meeting held on 14th April 2009</u></p> <p>IT WAS AGREED: That the minutes of the meeting were agreed as a true and accurate record of the meeting.</p>	
Item 4	<p><u>Item 4: St. Crispins Local Development</u></p> <p>Item 4: Middlemore 6a</p> <p>Applicant: George Wimpey West Midlands</p> <p>Application No: 08/0123/REMWND</p> <p>Description: Reserved matters application including access, layout, scale, appearance and landscaping for erection of 22 dwellings with associated access pursuant to outline planning consent DA/2002/0073 dated 5th July 2002 for residential development with provision for public open space, school and</p>	

new access (period for reserved matters submission extended by planning consent DA/2005/0653 dated 1st September 2005).

Address: Site 6A, Middlemore, Daventry, Northamptonshire

Ward: Abbey North

4.1. AR introduced the paper and committee update sheet.

4.2 LB spoke and made the following points:

a) The original report was prior to the standard charge being applied and this discussion now centres on delivery.

b) Pleased affordable housing is not compromised.

c) 10% reduction is not given easily and should not be seen as a discount and is only to enable delivery in the current economic climate. It is not sustainable and does benefit anyone long term.

d) Constructions Futures is a flagship scheme and a reduction should be avoided. Further discussion with George Wimpey should be had.

4.3 The committee agreed and sought clarification as to how s106 money would be spent and how a reduction in s106 money would affect infrastructure delivery.

4.4 AR clarified that heads of terms and figures agreed would be defined in the s106 and funds would be identified for these purposes. There are no specific items at this time; we are flexible to use the s106 fund on projects that are most needed. These headings will be part of the s106 agreement.

4.5 The committee sought clarification on the former standard charge that was imposed by WNDC and expressed concern about setting a precedent.

4.6 AR stated that the original s106 was negotiated prior to the

	<p>planning application strategy standard charge being approved by the Board. In the report, paragraph 1.1 and 1.2 state the reasons for the reduction and re-iterate the conditions.</p> <p>4.7 AR clarified for the Committee that there is a standard definition of what constitutes as a start date on site. The report imposes a condition that work must start on site within 6 months from issuing the resolution.</p> <p>4.8 DD strongly expressed that the committee would not be considering proposals of this kind at all except for 3 matters which uniquely all applied to this particular application, namely:</p> <ol style="list-style-type: none">1. Middlemore was a long-standing approval granted many years ago and this phase had been approved including a proposed level of s.106 obligations before WNDC's Planning Obligations Strategy had been published. Levels of s.106 negotiated after the publication of the Planning Obligations Strategy in Northampton were more than double the level per dwelling being proposed here. S.106 at this level would not now be considered as being acceptable.2. The applicant was agreeing to an early start-on-site and a build-out within 2 years of any planning application being issued, which was beneficial to WNDC's objectives in the difficult housing market of 2009 and 2010.3. The applicant was agreeing to a claw-back of any reduction which might be agreed at this meeting in the event that the whole phase was not completed within the 2-year period. <p>He made reference to some wording within the officers' report</p> <ol style="list-style-type: none">a) On page 5 – the word 'timely' was omitted from the	
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	<p>sentence 'delivery of the site' and this word should have been included in the officers' proposals at Page 7, 4.3. This concession should only be allowed to ensure 'timely' delivery of completion of the phase, which should be agreed as being within 2 years of any planning permission being issued and starting on site within 6 months of any planning permission being issued. If these conditions fail to be met, then enforcement including appropriate fines should be applied and the s106 monies should revert back to the original level.</p> <p>b) Constructions Futures is a flagship scheme of WNDC and was signed off by a minister; therefore, officers should be seeking to receive the full amount from George Wimpey and they should be encouraged to come on board with this scheme throughout their company.</p> <p>4.9 JW sought officer clarification over the wording of page 7 paragraph 4.3.3 'section 106 signed within one month'. Does that still apply?</p> <p>4.10 AR clarified that the wording is not clear. It should read that commencement on site should start within 6 months of the planning permission being given.</p> <p>4.11 JW clarified the conditions as: 6 months material start on site, 18 months to completion from date of this resolution, all subject to s106 being agreed within 2 months of this resolution.</p> <p>4.12 AR stated to the committee that there was some confusion over the wording of timings of delivery on page 7, 4.3.3 Paragraph 4.7.5. He clarified that it should read that 6 months to start on site, 18 months build out, 2 months to complete s106.</p>	
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4.13 The Committee stated that this was all subject to the s106 and planning permission being issued within 2 months of the resolution should the committee be minded to grant it, and thereafter the development has to commence within 6 months of that date and completed within 2 years of that date.

4.14 The committee strongly expressed that a reduction in s106 contributions is not something that the committee would support with fresh applications and is only an exception to reflect that this was negotiated prior to the adoption of the planning obligation strategy and also to reflect the change in the economic climate that we are experiencing.

4.15 The Committee stated that they should protect the Constructions Futures. This should not be negotiable.

4.16 The Chair stated that this shouldn't set a precedent for Daventry District Council with any reserved matters application that they may receive.

4.17 In reaching the resolution set out below the Committee specifically wished it minuted that it was based on the following:

- the section 106 negotiated was not in line with the Corporation's full 'standard charge' as set out in its Planning Obligation Strategy (POS) and this would normally be applied other than very specific circumstances.
- the low level was only considered because this application was a phase of a long-standing approval and that negotiations were ongoing and very far advanced before the POS was fully adopted by the Corporation.
- the 10% reduction is a specific concession relating to this scheme only to allow the timely delivery of the

	<p>development in the particular circumstances applying to the local housing market in 2009 and 2010.</p> <p>IT WAS RESOLVED: that the report be APPROVED as per the officer's report and update sheet with the conditions that:</p> <p>A. The prior completion of a Section 106 agreement the terms of which being set out in the report but with the exception of requiring:</p> <ol style="list-style-type: none"> 1) The original approved financial contribution of £2134 towards Construction Futures being maintained in full, and 2) The section 106 agreement being signed within 2 months of the date of the Committee meeting, the 5th August 2009. Thereafter a material commencement of development taking place on site within 6 months of the date of issuing the reserved matter approval and thereafter the whole development built out within 2 years of the date of issuing the reserved matter approval. If any of these requirements are not met then the 10% discount will cease to apply. <p>B. The imposition of the conditions set out in the report.</p>	
	<p>5. Future meeting dates were agreed to be</p> <ul style="list-style-type: none"> • 8th September 2009 • 13th October 2009 • 10th November 2009 	

6.	<p>AOB</p> <p>There being no further business the meeting closed at 6.35 pm</p> <p>Rhea Keehn</p> <p>Governance, Policy and Communications Officer</p> <p>Signed by the Chairman</p> <p>.....</p> <p>Dated</p>	
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Appendix A

COMMITTEE UPDATE

Daventry UDA Planning Committee

5th August 2009

Agenda Item 4:

Application number: 08/0123/REMWND

Applicant: George Wimpey West Midlands

Address: Site 6A Middlemore, Daventry, Northamptonshire

Description: Reserved matters application including access, layout, scale, appearance and landscaping for erection of 22 dwellings with associated access pursuant to outline planning consent DA/2002/0073 dated 5th July 2002 for residential development with provision for public open space, school and new access (period for reserved matters submission extended by planning consent DA/2005/0653 dated 1st September 2005).

Natural England: have responded to the latest ecological information and have stated:

“We are satisfied with the findings of the ecological appraisal and reptile survey and note that some ecological enhancements have been proposed for the site. Whilst we take note that the site is small, we believe that further opportunities could be explored for habitat creation / enhancement that could contribute towards local BAP targets. We also consider that to address the requirements of what is currently proposed as a condition, that is ‘a comprehensive scheme to increase biodiversity across the site’, more detail is required at this

stage to negate the need for a planning condition. The enhancements should be more specific i.e. there should be information on the area of habitat that will be provided and the specific species along with a Masterplan which shows where these areas will be spatially and how they will be managed and maintained in the future. At present, unless this information is submitted to your authority prior to formal determination, we would consider it necessary for the proposed planning condition to remain.”

Officer comment: on this basis the recommended conditions remain unchanged from the report before Members.

Correction: paragraph 1.2 of the report needs to be altered to reflect the policy update in the report, i.e. the removal of the Northamptonshire Structure Plan policies and the revision to the East Midlands Regional Plan polices. This is revised as follows:

1.2 The proposed development is considered appropriate in this location. It would not materially harm the visual amenity of the surrounding area, adversely impact upon residential amenity or have a detrimental impact on highway safety. The proposal is therefore found to be in accordance with Policies 1 (Regional Core Objectives), 2 (Promoting Better Design), 11 (Development in the Southern Sub-area and 13b (Housing Provision (Northamptonshire) of the East Midlands Regional Plan (2009) and Policies GN1 (General Policy- Protect and Enhance the Environment), GN2 (General Policy), GN3 (Implementing Development), EN25 (Landscaping), EN26 (Landscaping Implementation), EN35 (Protecting Sites in Daventry Town), EN42 (Design of Development) HS4 (Housing Land in Daventry), HS25 (Affordable Housing) of the Daventry District Local Plan, as well as Planning Policy Statement 1 (Sustainable Development) and Planning Policy Statement 3 (Housing).