

NORTHAMPTON BOROUGH COUNCIL

PLANNING COMMITTEE

Tuesday, 22 September 2009

PRESENT: Councillor B. Markham (Chair); Councillor Meredith (Deputy Chair);
Councillors Golby, Malpas, Mason and Matthews

1. APOLOGIES

Apologies were received from Councillors Church, J Conroy, De Cruz and M Hoare.

The Chair welcomed Mr G Jones, the new Development Control Manager, to his first meeting of the Committee.

2. MINUTES

Subject to the amendment of the minute concerning Application No N2009/0481 to add a further condition so as to remove the Applicant's permitted development rights in respect of the use of temporary flood lighting, the minutes of the meeting of the Committee held on 26 August 2009 were signed by the Chair.

3. DEPUTATIONS / PUBLIC ADDRESSES

- RESOLVED:** (1) That Mrs Lane, Councillor Meredith and Mr R Clarke be granted leave to address the Committee in respect of Application No N/2009/0620 – Proposed Two-Storey Side Extension at 27 Barley Hill Road, Southfields.
- (2) That Mr Sterling and Councillor Hadland be granted leave to address the Committee in respect of Application No N/2009/0610 – Erection of 4No Detached Houses With Associated Garages, Access and Parking at Building Plot at Rear of 76 Church Way.
- (3) That Mr D Talbot be granted leave to address the Committee in respect of Application No N/2008/1265 – Criminal Justice Centre Within Use Class C2a With Associated Parking, Landscaping and Access – Land at Pavilion Drive.

4. DECLARATIONS OF INTEREST

1. Councillor Meredith declared a personal and prejudicial interest in Application No N2009/0620 – Proposed Two-Storey Side Extension at 28 Barley Hill Road, Southfields as having previously expressed an opinion on the application.
2. Councillor Golby declared a personal interest in Application No N2009/0593 – Outline Planning Application for the Construction of a 112-Bedroom Hotel Complex, Spa and Leisure Facility, Access Road, Car Park and Associated Development. All Matters Reserved Except From Access, Appearance, Layout and Scale at Upton Way, Duston Mill as his family had a business in the same

vicinity as the application site.

3. Councillor Meredith declared a personal and prejudicial interest in Application Nos N2009/0700 – Installation of a 7 Jet Water Feature, Repaving and Installation of Street Furniture, Seating, Bollards, Uplighting etc in Market Square; N/2008/1265 – Criminal Justice Centre Within Use Class C2a With Associated Parking, Landscaping and Access, Land at Pavilion Drive; N/2009/0638 – Demolition of Maple Buildings at 37 Ash Street and the Erection of a “Places For Change Building” Offering Support and Accommodation for Vulnerable and Homeless Comprising 48 Self-Contained Flats Together With Office Accommodation, Day Centre, Training Facilities and Medical Room at Maple Buildings, 35-37 Campbell Street; and N/2009/0593 – Outline Planning Application for the Construction of a 112-Bedroom Hotel Complex, Spa and Leisure Facility, Access Road, Car Park and Associated Development. All Matters Reserved Except From Access, Appearance, Layout and Scale at Upton Way, Duston Mill as being a substitute member of the WNDC Northampton Planning Committee.
4. Councillor Malpas declared a personal interest in Application No N2009/1265 – Criminal Justice Centre With Use Class C2a With Associated Parking, Landscaping and Access, Land at Pavilion Drive as his partner was employed in a building adjacent to the site.
5. Councillor Mason declared a personal interest in Application No N/2009/0638 – Demolition of Maple Buildings at 37 Ash Street and the Erection of a “Places For Change Building” Offering Support and Accommodation for Vulnerable and Homeless Comprising 48 Self-Contained Flats Together With Office Accommodation, Day Centre, Training Facilities and Medical Room at Maple Buildings, 35-37 Campbell Street as the Hope Centre was a charity that had benefited from her Mayoral charity fundraising.

5. MATTERS OF URGENCY WHICH BY REASON OF SPECIAL CIRCUMSTANCES THE CHAIR IS OF THE OPINION SHOULD BE CONSIDERED

The Chair was of the opinion that the following matters be discussed as a matter of urgency due to the undue delay of consideration of it were deferred:

Section 106 Agreements

Councillor Malpas referred to the decision of the Committee on 30 July 2008 that the Committee receive reports on outstanding Section 106 Agreements. He noted that this did not appear to have been actioned and that the particular instance that he had highlighted in respect of the Ashmead Development for the maintenance of the green space still appeared to be outstanding.

RESOLVED: (1) That the Borough Solicitor and Head of Planning investigate the situation in respect of the Section 106 Agreement for the Ashmead development and contact Councillor Malpas accordingly.

(2) That the Head of Planning submit periodic reports to the

Committee on Section 106 Agreements generally.

6. LIST OF CURRENT APPEALS AND INQUIRIES

The Head of Planning submitted a report and commented that a further appeal had now been received in respect of the car wash in the Homebase car park in Weedon Road. He also indicated that the appeals in respect of Application Nos N/2008/1262 and N/2008/1276 had been dismissed.

RESOLVED: That the report be noted.

7. OTHER REPORTS

None.

8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS

None.

9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

None.

10. ITEMS FOR DETERMINATION

(A) N/2009/0620- PROPOSED TWO- STOREY SIDE EXTENSION AT 28 BARLEY HILL ROAD, SOUTHFIELDS

The Head of Planning submitted a report in respect of in respect of Application No N/2009/0620 and elaborated thereon.

Mrs Lane, the next door neighbour commented that these properties were north facing and therefore were on the cold side of Barley Hill Road. The proposed extension would come right up against their conservatory, which they used as a dining room, and would further block light to it. She commented that she and her husband had already taken steps to improve the affect of natural light within their bungalow.

Councillor Meredith commented that he was against this application. There were several bungalows that surrounded the site and the proposal would be out of context with its surroundings and would dominate the neighbouring property. He noted that the houses were designed to have garages added but not this scale of development.

Councillor Meredith, having declared a personal and prejudicial interest in the matter, left the meeting.

Mr Clarke, the agent for the applicant, was aware that the planners would prefer that the extension be set back but he commented that the applicant needed the extra space to create room for his growing family. If the extension was set back then the box bedroom could not be extended. Mr Clarke also commented that the trees at the front of the property would tend to break up the view of the frontage of the property.

The Head of Planning commented that there was a mix of housing types in Barley Hill Road generally arranged in groups of like type. He acknowledged the concerns of the next door neighbours but considered that the effect of the extension would be minimal on them due to its orientation. It was noted that there would be no windows to the side elevation of the extension.

The Committee discussed the application.

RESOLVED: That the application be refused by reason of its scale and massing. The proposed extension would form an incongruous feature detrimental to visual amenity and contrary to Policies E20 and H18 of the Northampton Local Plan and the Supplementary Planning Guidance – Residential Extensions Design Guide.

Councillor Meredith rejoined the meeting.

(B) N/2009/0692- RECONSTRUCTION OF ROOF INCLUDING DORMER WINDOWS TO REAR FOLLOWING FIRE AT 48 BANTS LANE.

The Head of Planning submitted a report and elaborated thereon.

The Committee discussed the application.

RESOLVED: That the application be approved as the impact of the development on the character of the original buildings, street scene and residential amenity is considered to be acceptable and in accordance with Policies E20 and H18 of the Northampton Local Plan and SPG Residential Extensions Design Guide.

(C) N/2009/0610- ERECTION OF 4NO DETACHED HOUSES WITH ASSOCIATED GARAGES, ACCESS AND PARKING AT BUILDING PLOT AT REAR OF 76 CHURCH WAY

The Head of Planning submitted a report in respect of Application No N/2009/0610 and noted that a planning permission for a development of three properties on this site was still extant.

Mr Stirling, the next door neighbour, commented that he believed that the developer had done a good job to meet the concerns of residents and the site was big enough for four houses. However, the concern to neighbours was the access road and the proposed turning space arrangement outside 76 Church Way. He noted that the owner of 76 Church Way was a builder working for the developer of this back land site. He noted that it would take a legal agreement to keep the turning space clear and also that the owner of 76 Church Way had three cars presently; where would these be parked? He felt that the proposal represented an overdevelopment of Church Way. Mr Stirling noted that the visibility splay was 4.5 metres wide but then came to a pinch point of 2.8 metres expanding to 3.5. This seemed to confirm that the access road would be inadequate.

Councillor Hadland noted that backing out onto Church Way would be acceptable; but how would the turning circle be enforced? He noted that the four proposed houses

were large family properties and one could reasonably expect three to four vehicles per property. He also commented that whilst the site access was on the outside of a bend the boundaries onto Church Way comprised high front walls, which gave an enclosed feeling. He commented that the extant planning permission for three properties was acceptable but more than this was not.

The Head of Planning noted that it would be difficult to enforce the turning head but this was critical to the owner of 76 Church Way and it would be in his own interest to keep it clear. He noted that the Highways Authority were happy with the access width and he understood the minimum access road width would be 3.8 metres.

The Committee discussed the application.

Councillor Malpas proposed and Councillor Meredith seconded:

“(1) That consideration of this application be deferred to allow further consultation with the Highways Authority in respect of the access arrangements to the site.

(2) That the developer be requested to allow the Committee a site visit.”

Upon a vote the motion was carried.

RESOLVED: (1) That consideration of this application be deferred to allow further consultation with the Highway Authority in respect of the access arrangements to the site.

(2) That the developer be requested to allow the Committee a site visit.

11. ENFORCEMENT MATTERS

None.

12. APPLICATIONS FOR CONSULTATION

(A) N/2009/0700- INSTALLATION OF A 7 JET WATER FEATURE, REPAVING AND INSTALLATION OF STREET FURNITURE- SEATING, BOLLARDS, UPLIGHTING ETC AT MARKET SQUARE

The Head of Planning submitted a report in respect of application No N/2009/0700 and referred to the Addendum, which set out the Council's Conservation Officer's comments. He also noted that an archaeological watching brief would be kept on the development during the engineering works. In answer to a question it was noted that water jets would be 1.5 metres high and the fountains would not be switched on all day every day.

The Committee discussed the application.

RESOLVED: (1) That the Committee welcomes the application and raises no objection to it by reason of the siting and design of the proposed

interactive water feature and new street furniture would not have a significant adverse impact on the amenity or public safety and would preserve the character and appearance of the All Saints Conservation Area and would comply with Policy E26 of the Northampton Local Plan, advice in PPG15 (Planning and Historic Environment).

- (2) If WNDC were minded to approve this application conditions be attached to ensure that an archaeological watching brief is carried out during construction and that samples of the materials are submitted for consideration.

(B) N/2008/1265- CRIMINAL JUSTICE CENTRE WITHIN USE CLASS C2A WITH ASSOCIATED PARKING, LANDSCAPING AND ACCESS, LAND AT PAVILION DRIVE

The Head of Planning submitted a report in respect of application No N/2009/0638 and referred to the Addendum, which noted that Northamptonshire Police had set out a briefing sheet outlining the background to the application; providing a summary of the proposal; a synopsis of the Detainee Release Policy and a letter of representations from Threadneedle Property Investments Limited in respect of the interpretation of Policy B14 of the Northampton Local Plan.

Mr Talbot, on behalf of Northamptonshire Police, commented that the proposal was not a prison but comprised two floors of offices and a custody suite. The proposal would provide two hundred jobs, mostly for evidence gathering and the supervision of detainees. The facilities met Home Office Guidance and the design had been through a committee of excellence. He believed that the proposal would improve Police efficiency. In answer to a question he noted that the nearest similar facilities were in Leicester and that this proposal would replace the current facilities at Campbell Square, Weston Favell and Towcester.

The Committee discussed the application.

RESOLVED: (1) That the Committee raise no objections as by reason of its scale and use the proposed Criminal Justice Centre would generate significant employment opportunities and community benefit and therefore complies with the requirements of Policy B14 of the Northampton Local Plan. The proposal would have no undue detrimental impact upon visual amenity and therefore complied with Policies E14 and E20 of the Northampton Local Plan.

- (2) This recommendation is subject to WNDC ensuring that the submitted protocol for the release of detainees is secured by a Section 106 Agreement along with the matters identified in the previous report to the Planning Committee as appended to the report.

(C) N/2009/0638- DEMOLITION OF MAPLE BUILDINGS AND 37 ASH STREET AND THE ERECTION OF A "PLACES FOR CHANGE BUILDING" OFFERING SUPPORT AND ACCOMMODATION FOR VULNERABLE AND HOMELESS

COMPRISING 48 SELF CONTAINED FLATS, OFFICE ACCOMMODATION, DAY CENTRE, TRAINING FACILITIES AND MEDICAL ROOM AT MAPLE BUILDINGS, 35-37 CAMPBELL STREET

The Head of Planning submitted a report in respect of application No N/2009/0638 and elaborated thereon.

The Committee discussed the application.

RESOLVED: (1) That the Committee welcomes the scheme and raises no objection as by reason of its design, scale and use the proposed “Places For Change” building would generate significant community benefit and employment opportunities and therefore complies with the requirements of Policy B14 of the Northampton Local Plan. The proposal would have no undue detrimental impact upon visual amenity and therefore complies with Policy E20 of the Northampton Local Plan.

(2) If WNDP are minded to approve this application then conditions are requested to be attached to any approval notice to deal with the following:

- Contamination – ensure that a condition is attached that ensures that remedial works are undertaken.
- Refuse and recycling storage – to ensure that details submitted are implemented and maintained.
- Noise – to ensure that the specification and installation of appropriate noise mitigation and ventilation measures are undertaken.
- Air quality – to ensure a further assessment is carried out and the specification of remedial measures is undertaken.

(D) N/2009/0593- OUTLINE PLANNING APPLICATION FOR THE CONSTRUCTION OF A 112- BEDROOM HOTEL COMPLEX, SPA AND LEISURE FACILITY, ACCESS ROAD, CAR PARK AND ASSOCIATED DEVELOPMENT. ALL MATTERS RESERVED EXCEPT ACCESS, APPEARANCE, LAYOUT AND SCALE AT UPTON WAY, DUSTON MILL

The Head of Planning submitted a report in respect of application No N/2009/0593 and referred to the Addendum, which noted that the description of the development had been changed by the WNDP to “Outline Planning Permission for the Construction of a 112 bedroom Hotel Complex, Spa and Leisure Facility, Access Road, Car Park and Associated Development. All Matters Reserved Except for Means of Access, Layout and Scale of Hotel Complex and Layout, Scale and Appearance of Spa and Leisure Facility Building and Car Parking.” As a result of this the officer recommendation was altered to raising concern with WNDP about the layout and orientation of the hotel element of the proposals. He also noted that the applicant felt that the sequential test was not relevant to this site and also an objection submitted by Councillor P D Varnsberry. In answer to a question the Head of Planning noted that the proposed

Spa would be some 10.5 metres in height.

The Committee discussed the application.

RESOLVED: That WNDC be informed that the Council objects to the application for the following reasons:

- (1) Notwithstanding that the site is allocated in the Local Plan for the uses proposed, in light of the recently adopted Regional Plan (Policy 22 and Policy MKSM/SRS Northamptonshire 3) the Council has strong concerns over the potential impact that the development would have on Northampton Town Centre and considers that the application should not be approved without first demonstrating that the development accords with the requirements of PPS6 including the sequential analysis of alternative sites.
- (2) That the application by virtue of its scale, orientation and layout, particularly in respect of the hotel element, should respect the local character of Upton Way and that any reserve matters of appearance accord with this and saved Policies D7, E1, E2, E14 and E20 of the Northampton Local Plan.

The meeting concluded at 20.24 hours.