

NORTHAMPTON BOROUGH COUNCIL

PLANNING COMMITTEE

Tuesday, 9 February 2010

PRESENT: Councillor Collins (Chair); Councillor Meredith (Deputy Chair);
Councillors Church, J. Conroy, Golby, Malpas and Woods

1. APOLOGIES

Apologies were received from Councillors Lane, Mason, Matthews and M Hoare.

2. MINUTES

The minutes of the meeting of the Committee held on 12 January 2010 were signed by the Chair.

3. DEPUTATIONS / PUBLIC ADDRESSES

1. That S Summers and Councillor Simpson be granted leave to address the Committee in respect of Application No N/2009/1044 – Installation of Play Equipment and Associated Landscaping of The Racecourse, Kettering Road.
2. That Messrs Johnston, Croft, Langford and Councillor Garlick be granted leave to address the Committee in respect of Application No N/2009/0865 – Single Storey Side Extension, Extension and Alterations to Garage, Second Floor Roof Extensions and Alterations, Replacement of Front Boundary Wall and Gates at 41 Rowan Avenue (as amended by revised plans received 22 December 2009).
3. That Messrs White, Kilsby, Robinson and Mrs White be granted leave to address the Committee in respect of Application No N/2009/0924 – Single Storey First Floor Rear Extensions at Kingsley Nursing Home, 18-20 Kingsley Road.
4. That Councillor Glynane be granted leave to address the Committee in respect of Application No N/2010/0007 – Retrospective Application for Change of Use to Tea Room (Class A3) at The Stables, Delapre Abbey, London Road.
5. That Messrs Toone and Colley, County Councillor Hallam and Councillors Garlick and B Markham be granted leave to address the Committee in respect of Application No N/2008/0970 – Development of 111no Affordable Residential Properties With Alterations to Access, Associated Parking and Infrastructure Works on Development Land at Booth Rise.
6. That County Council Hallam be granted leave to address the Committee in respect of Application No N/2009/1065 – Installation of All Weather Pitch With Perimeter Fencing. 8no 15m Floodlighting Columns. Alterations and Remodelling of Existing Bunding to Facilitate Relocation of Athletics Track and Sports Pitches at Thomas Beckett RC Upper School, Kettering Road North.

4. DECLARATIONS OF INTEREST

Councillor Church declared a personal and prejudicial interest in respect of Item 9a Application No N/2009/1044 – Installation of Adventure Play Equipment and Associated Landscaping at The Racecourse, Kettering Road as being a member of the Friends of The Racecourse and having been closely involved in the project.

Councillor Woods and Church declared a personal interest in respect of Item 10b Application No N/2009/0924 – Single Storey and First Floor Rear Extensions at Kingsley Nursing Home, 18-20 Kingsley Road as being known to the applicant.

Councillor Malpas declared a personal and prejudicial interest in respect of Item 10b Application No N/2009/0924 – Single Storey and First Floor Rear Extensions at Kingsley Nursing Home, 18-20 Kingsley Road as being a friend of the applicant.

Councillors Church and Woods declared a personal interest in respect of Item 12a Application No/N/2008/0970 – Development of 111no Affordable Residential Properties and Alterations to Access, Associated Parking and Infrastructure Works on Development Land at Booth Rise as being Board members of WNDC. Councillor Woods further declared his personal interest as Chair of the Northamptonshire Joint Core Strategy Planning Committee in so far as one of the objectors had referred to the Joint Core Strategy.

Councillors Church and Woods declared a personal interest in respect of Item 12b Application No/N/2009/0165 – Installation of All Weather Pitch With Perimeter Fencing. 8no 15m Floodlighting Columns. Alterations and Remodelling of Existing Bunding to Facilitate Relocation of Athletics Track and Sports Pitches at Thomas Beckett RC Upper School, Kettering Road North as WNDC Board members.

Councillor Meredith declared a personal interest in respect of Items 12a Application No/N/2008/0970 – Development of 111no Affordable Residential Properties and Alterations to Access, Associated Parking and Infrastructure Works on Development Land at Booth Rise and 12b Application No/N/2009/0165 – Installation of All Weather Pitch With Perimeter Fencing. 8no 15m Floodlighting Columns. Alterations and Remodelling of Existing Bunding to Facilitate Relocation of Athletics Track and Sports Pitches at Thomas Beckett RC Upper School, Kettering Road North as a substitute member of the WNDC's Northampton Planning Committee.

Councillor Simpson declared a personal and prejudicial interest in respect of Item 9a Application No N/2009/1044 – Installation of Adventure Play Equipment and Associated Landscaping at The Racecourse, Kettering Road as a member of the Friends of The Racecourse.

Councillor Meredith declared a personal interest in respect of Item 10b Application No N/2009/0924 – Single Storey and First Floor Rear Extensions at Kingsley Nursing Home, 18-20 Kingsley Road as being known to one of the objectors.

Councillor Glynane declared a personal interest in Application No N/2010/0007 – Retrospective Application for Change of Use to Tea Room (Class A3) at The Stables, Delapre Abbey, London Road as a frequent customer of the tea rooms.

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

None.

6. LIST OF CURRENT APPEALS AND INQUIRIES

The Head of Planning submitted a report and elaborated thereon.

RESOLVED: That the report be noted.

7. OTHER REPORTS

None.

8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS

None.

9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

(A) N/2009/1044-INSTALLATION OF PLAY EQUIPMENT AND ASSOCIATED LANDSCAPING AT THE RACECOURSE, KETTERING ROAD

(Councillor Church left the room in accordance with his declaration of interest.)

The Head of Planning submitted a report and referred to the Addendum, which noted three additional representations in support of the proposal and comments from the Health Improvement Coordinator.

Mr Summers, a member of Friends of The Racecourse, commented on the Friends' support for this beacon project, which were part of plans to improve the facilities within The Racecourse over the last five years. Funding had been acquired from the Play Builder Fund, which had been made in concert with the Borough Council, University College and the Police. He noted that the development only required planning permission because one of the items of equipment would be in excess of 4 metres in height. Mr Summers commented that over several public consultations, only two objections to the proposal had been received. He noted that the play area made use of the contours in the land and although one item of equipment would be 6 metres high, it would be located 1.5 metres below the general lie of the land. He noted that the scheme would only take up 0.2% of the total area of The Racecourse. He commented that there was general support for the proposal from residents, youth workers and from Health. In answer to a question, Mr Summers commented that the master planning process had looked at other locations for the equipment and had visited other sites undertaken by the same designer.

Councillor Simpson, as a member of Friends of The Racecourse, expressed his support for the proposal and noted the long history in trying to make improvements on The Racecourse. The Friends wished to enhance the park. He noted that the Play Builder application had included a lot of public consultation, which had included genuine community involvement. Three options had originally been proposed and the

one now submitted to the Committee was the one most favoured. He noted that the location made best use of the natural contours of the land and that he had visited the site recently and the work was progressing well. In answer to a question, Councillor Simpson commented that whilst he did not have the details of the public consultation to hand, it had been undertaken across several sessions over different days.

(Councillor Simpson left the room in accordance with his declaration of interest.)

The Committee discussed the application.

RESOLVED: That the application be approved as the proposed play equipment would improve the existing facilities and facilitate the use of The Racecourse without harm to residential amenity and in accordance with the guidelines contained within PPG24 (Planning and Noise) and the appearance and setting of The Racecourse in accordance with Policies E20 and E26 of the Northampton Local Plan.

(Councillor Church rejoined the meeting.)

10. ITEMS FOR DETERMINATION

(A) N/2009/0865- SINGLE STOREY SIDE EXTENSION, EXTENSION AND ALTERATIONS TO GARAGE, SECOND FLOOR ROOF EXTENSIONS AND ALTERATIONS, REPLACEMENT FRONT BOUNDARY WALL AND GATES AT 14 ROWAN AVENUE (AS AMENDED BY REVISED PLANS RECEIVED 22 DECEMBER 2009

The Head of Planning submitted a report in respect of Application No N/2009/0865 and referred to the Addendum which noted that correspondence from 22 Rowan Avenue was in support of the application rather than an objection to it, as reported in paragraph 6.3 of the report. In answer to a question, it was noted that there would continue to be access to the roof terrace from the proposed roof conservatory. In answer to another question, it was noted that planning permission for boundary walls was required where they were proposed to be in excess of 1 metre and adjacent to the highway.

Mr Croft, a resident of Rowan Avenue, commented that the street scene in the Avenue was unusual and properties were generally white rendered and local stone was used for the front boundary wall. This seemed to be the pattern as originally set out in the 1930s. He objected to the proposal for garage doors at the rear of the garage, and that the roof conservatory seemed excessive and not in keeping with the area, and that the boundary wall should be the same as for the other properties in the Avenue.

Robert Johnston, a local resident, noted that the original notification of the application had been sent to eight properties, seven of whom had responded to object. He noted that the Boothville Residents Association objected to the proposal and he was disappointed that the report had a recommendation for approval. He noted that the property had previously had a low front boundary wall the same as others in the Avenue, but this had been demolished some years previously by the current owner. He felt the impact on the street by the proposal would be extensive. He believed that the conservatory on the roof terrace would lead to overlooking of no 43 Rowan Avenue and he felt that there would be increased intrusion on neighbours, as this would be a proper room rather than a roof garden.

Councillor Garlick commented that, as was often the case in these situations, what one individual found to be acceptable another did not. He understood that concerns around the front boundary wall related to its height and its defensive nature but at the same time the design fitted in with the house. However, there was a question of its effect on the general street scene. He noted that in respect of the roof conservatory, that obscured glass would ameliorate issues of overlooking and that although 14 Booth Rise was opposite, it was some distance away. He also noted the concerns in respect of the garage and the doors to the rear, which could lead to cars being driven through to the back garden. He believed that the proposal could be a pleasant development but the Committee needed to be aware of the implications. In answer to a question, he commented that he was not aware of any evidence that the applicant would carry out car repair work in the back garden.

Mr Langford, the applicant, noted that the roof terrace was currently used to a maximum. It was served by a full width staircase. He noted that his property was the tallest building in the area and that he had written to twelve neighbours when he was formulating his proposals, to discuss any issues. He had received three responses, all of which had been supportive. He had written to Mr Johnston to invite him to view the roof garden and to see the views from the roof garden, however this invitation had not been taken up. In respect of the height of the front boundary wall, he commented that he had had his garage broken into twice, and that a neighbour had also had a similar experience, and because of medical circumstances surrounding his partner the boundary wall was needed to protect her. He commented that the proposal for garage doors at the rear of the garage was only to allow access to the garden for garden machinery. In answer to questions, Mr Langford commented that he had no intention of driving his car through the garage to work on it in the garden and that there would be no bright lights shining from the roof conservatory.

The Head of Planning noted that the issues to consider were in respect of the general character of the area and the potential for overlooking from the roof conservatory. He noted that the separation distance from the proposal to 43 Rowan Avenue was 22 metres, which was well in excess of usual requirements and additionally would be at an oblique angle. He noted that the existing roof terrace was already well used.

The Committee discussed the application.

RESOLVED: That approval be given to the application subject to the conditions set out in the report, as the proposed development would not have an undue adverse impact on the visual or residential amenity of the area and complied with Policy 2 of the East Midlands Regional Plan, Policies E20 and H18 of the Northampton Local Plan and advice in supplementary planning guidance "Residential Extensions Design Guide".

(B) N/2009/0924- SINGLE STOREY AND FIRST FLOOR REAR EXTENSIONS AT KINGSLEY NURSING HOME, 18-20 KINGSLEY ROAD

(Councillor Malpas left the meeting in accordance with his earlier declaration of interest.)

The Head of Planning submitted a report in respect of Application No N/2009/0924 and referred to the Addendum, which referred to a letter dated 6 July 2009 submitted by the applicant from NCC regarding their commissioning intentions for residential and nursing care services, which were circulated to members of the Committee.

Mr White, the next door neighbour to the application site, commented on the numerous planning applications that had been submitted for this site and queried how the Committee would take account of their cumulative effect. He referred in particular to an existing extant planning permission. He asked the Committee not to consider the current application in isolation. Part of his objection was based on the cumulative effect of planning applications and felt the current application represented a move too far. He believed that the Community Care Commission requirements for 12 square metres accommodation for residents applied only to new accommodation and not to existing and he understood that people would pass very close to his boundary wall affecting the amenity of his garden. He commented that there was nothing left of the original Victorian building.

Mrs White, a next door neighbour to the application site, commented that the site was predominantly residential and formed part of a conservation area. She queried what the situation would be if the current use ceased and the property was to return to residential use. Would current extension be demolished and the garden restored to its former state. She also commented on the risk of flash flooding if further development was allowed. She asked the Committee to consider if the extension were really necessary.

Mr Robinson, the applicant, commented that national standards had been set by Government for many years. Recent requirements had required larger room sizes and en-suite bathrooms to be provided. The copy letter from the County Council referred to earlier set out the County Council's timetable for care homes to meet those standards. All he was trying to achieve was an improvement of standards for current residents. He noted that the site visit the previous day had clarified that the separation distance was 5.5 metres and not 2.5 metres as set out in paragraph 7.3 of the report. Mr Robinson noted that he was not planning to accommodate more residents but just improving the standards for the ones who were there.

The Head of Planning confirmed that the separation distance referred to in paragraph 7.3 of the report should read 5.5 metres. He also noted that Mr White had referred to the extant planning permission which ran out in April 2010 and commented that drawings of those proposals were available.

RESOLVED: That consideration of the application be deferred so as to allow the Committee to consider the potential implications of the extant planning permission.

(Councillor Malpas rejoined the meeting.)

(C) N/2009/0953- CHANGE OF USE FROM AMENITY LAND TO PRIVATE GARDEN AT LAND AT REAR OF 10 BROOKFIELD ROAD

The Head of Planning submitted a report in respect of Application No N/2009/0953 and referred to the Addendum, which set out a response from the applicant to concerns

raised by a resident of Raeburn Road. In answer to a question, the Head of Planning confirmed that the land in question was owned by the Council.

The Committee discussed the application.

RESOLVED: That the application be approved subject to the conditions set out in the report as the proposed change of use of amenity ground to domestic garden would have no detrimental effect on the amenity of surrounding properties or street scene and was in accordance with Policies E17 and E20 of the Northampton Local Plan.

(D) N/2010/0007- RETROSPECTIVE APPLICATION FOR CHANGE OF USE TO TEA ROOM (CLASS A3) AT THE STABLES, DELAPRE ABBEY, LONDON ROAD

The Head of Planning submitted a report in respect of Application No N/2010/0007 and elaborated thereon. The Head of Planning noted that one of the suggested conditions was for the use to last for five years only so as to retain options for the future use of the building. In answer to a question, he noted that “tea room” meant light refreshments on a small scale.

Councillor Glynane, as the Ward Councillor, expressed his support for the application and noted that it was supported by the local community. He queried what the disabled access arrangements would be.

The Head of Planning commented that the internal arrangements within the building would remain as existing and that disabled access would be from the walled garden.

The Committee discussed the application.

RESOLVED: That the application be approved subject to the conditions set out in the report, as the proposed development would have no adverse impact on the character or setting of the listed building or the amenities of nearby residential occupiers and therefore complied with Policies E26 and D6 of the Northampton Local Plan, Policies 26 and 27 of the East Midlands Regional Plan and Planning Policy Guidance 15: Planning and the Historic Environment.

11. ENFORCEMENT MATTERS

None.

12. APPLICATIONS FOR CONSULTATION

(A) N/2008/0970- DEVELOPMENT OF 111NO AFFORDABLE RESIDENTIAL PROPERTIES WITH ALTERATIONS TO ACCESS, ASSOCIATED PARKING AND INFRASTRUCTURE WORKS ON DEVELOPMENT LAND AT BOOTH RISE

The Head of Planning submitted a report in respect of Application No N/2008/0970 and referred to the Addendum, which clarified that there would be 165 car parking spaces

provided as part of the proposed development; objections from Councillors Hawkins, Mildren and Simpson; a letter of objection from Sally Keeble MP, which was circulated to members of the Committee; objections from the Boothville Residents Association, including some photographs, which were displayed to the Committee; and letters of objection from the residents of 8 and 50 Booth Rise. In answer to a question, the Head of Planning noted that the Boothville Post Office appeal decision had no particular strategic highways implications in respect of this application. He also noted that Policy E6 of the Northampton Local Plan was a retained policy and that the proposed split between social housing and shared housing was 50:50.

Councillor Garlick noted that it would be the WNDC who would determine this application. He also commented that Northampton was only second to London in the number of green spaces that it had. These areas needed to be protected. He expressed concerns at the mono tenure of the proposal and the effects this would have by adding on to existing homes. He understood that badgers currently used the site and he noted that other green spaces in the vicinity were also under the threat of development. He believed that this particular area of green space provided a link for flora and fauna that stretched from the Kettering Road south to Riverside.

County Councillor Hallam commented that he had previously spoken to the Committee in respect of the application for Thorpville and considered that this was a similar situation on the opposite side of the Round Spinney roundabout. He noted that previous applications on this site had been refused and expressed concern that the developer had increased the number of dwellings to be constructed. He believed that local conditions on the roads had worsened over recent times and noted traffic congestion at peak times. He believed that the Committee could not ignore the Local Plan and that the Committee should recommend to WNDC that the application be rejected.

Mr Toone, a local resident, commented that there had been almost one hundred objections plus objections from Councillors and the MP. He stated that whilst future generations would benefit from affordable housing, he did not believe that this particular site was sustainable. He noted that the previous applications had been refused on the grounds of traffic noise and air quality. He believed that this site should be developed after other more suitable sites had been utilised. He also believed that the scheme seemed overcrowded and that garden sizes were too small. He noted the lack of bus routes and cycle ways in the area and that the traffic survey was now out of date. He believed that major investment was required in sewerage and drainage to serve the development and that the site did not comply with the usual affordable housing requirements.

Councillor B Markham stated that it would be the WNDC's responsibility to reassure themselves as to the highways' implications and shared the concerns of previous speakers as to the sustainability and suitability of the land for this development. He supported the provision of affordable housing but only if sites were suitable for it. He believed that the scheme was overcrowded and that there would be issues for those properties backing onto or fronting Lumbertubs Ways. He did not believe that this scheme represented any benefit to the area in general.

Mr Coley, on behalf of Genesis Homes, the applicant, commented that the application satisfied the technical issues raised by the Borough and County Councils and WNDC.

In overall terms, he noted that this scheme was sixteen out of seventeen that Genesis Homes were undertaking in the south of England. He noted that they had already provided two hundred and fifty homes in Northampton and that work on this scheme had commenced in 2004. He noted that the split between rented and shared ownership properties would be 50:50 and that there were some 7,500 people on the Council's housing waiting list with only 240 new properties for social rent becoming available each year, but at the same time the Council was selling houses through the Right to Buy scheme. He noted that mortgages for properties in Northampton were running at seven times average income. He believed that this demonstrated the need for the scheme and indicated that Genesis Homes would be happy to discuss with the Highways Authority any issues there might be concerning access to the site. In answer to questions, Mr Colley commented that Genesis Homes were active in Stevenage, Basildon and Welling amongst other areas and that they had carried out a local consultation in 2005 and had attended residents association meetings if requested to do so.

The Head of Planning noted that the Environment Agency had now withdrawn their original objections and that this was contained in correspondence in September 2009 and confirmed on 12 January 2010. He noted that the current status of the land was as green space, but this should not be confused as being the same as public open space. The land was privately owned and was not available to the public to use. He also noted that an ecology study had been carried out and was considered to be acceptable and that air quality and noise issues had been dealt with. In answer to a question, the Head of Planning noted that this site was not identified as open space within Policy E6 of the Northampton Local Plan and although consent would represent a departure, there were other sites in the vicinity that also created a green buffer. Consideration also needed to be given to the imperative to provide housing. This site had been considered as part of the Urban Capacity Study and was considered to have housing development potential.

The Committee discussed the application.

Councillor Malpas proposed and Councillor Church seconded

"That the Council object to the development on the grounds of the volume of the development proposed for the site and its impact upon the quality of open space to be provided within the development; air quality; noise issues, particularly for those properties to be sited adjacent to Lumbertubs Way; traffic issues in respect of Round Spinney roundabout and Lumbertubs roundabout and access to the site; the lack of an Environmental Impact Assessment; and connectivity issues.

However, if WNDC were minded to approve the application it was requested that the following be secured:

- A legal agreement to secure a financial contribution to enhancements to existing areas of open space within the vicinity in order to enable these spaces to cope with the likely increase in demand following the occupation of post development.
- Conditions to ensure that the proposal is implemented in accordance with the recommendations that are supplementary ecological assessment.
- Conditions requiring a study into possible contaminants and a means for the

remediation.

- Conditions requiring the submission of a noise assessment and mitigation strategy.
- Conditions to ensure that the trees covered by the Tree Preservation Order are protected during the construction process.”

Upon a vote the motion was carried.

RESOLVED: That the Council object to the development on the grounds of the volume of the development proposed for the site and its impact upon the quality of open space to be provided within the development; air quality; noise issues, particularly for those properties to be sited adjacent to Lumbertubs Way; traffic issues in respect of Round Spinney roundabout and Lumbertubs roundabout and access to the site; the lack of an Environmental Impact Assessment; and connectivity issues.

However, if WNDC were minded to approve the application it was requested that the following be secured:

- A legal agreement to secure a financial contribution to enhancements to existing areas of open space within the vicinity in order to enable these spaces to cope with the likely increase in demand following the occupation of post development.
- Conditions to ensure that the proposal is implemented in accordance with the recommendations that are supplementary ecological assessment.
- Conditions requiring a study into possible contaminants and a means for the remediation.
- Conditions requiring the submission of a noise assessment and mitigation strategy.
- Conditions to ensure that the trees covered by the Tree Preservation Order are protected during the construction process.

(B) N/2009/1065- INSTALLATION OF ALL-WEATHER PITCH WITH PERIMETER FENCING. EIGHT NO 15M FLOODLIGHTING COLUMNS. ALTERATIONS AND REMODELLING OF EXISTING BUNDING TO FACILITATE RELOCATION OF ATHLETICS TRACK AND SPORTS PITCHES AT THOMAS BECKET RC UPPER SCHOOL, KETTERING ROAD NORTH

The Head of Planning submitted a report in respect of Application No N/2009/1065 and elaborated thereon.

County Councillor Hallam commented that this application was very different to the previous one, which had been commercially led. The school had worked with the local community to get to the stage of submitting this proposal and there would be some community use. He expressed the hope that the school would maintain its liaison with the local community. He also noted that the school was particularly pleased with its sports college status. He supported the application.

The Committee discussed the application.

RESOLVED: That WNDC be informed that the Council would wish to see the following matters taken into account:

- A restriction of the hours of use of the pitch is proposed by way of condition to protect the amenity of neighbouring properties.
- That the applicant should provide details to demonstrate that they have properly assessed and will meet the recommended light levels set out in the document “Guide on the Limitation of the Effects of Obtrusive Light From Outdoor Lighting Installations” to prevent light spillage to neighbouring properties.
- That the applicant provide additional details by way of a tree survey identifying whether there would be an acceptable impact on nearby protected trees.

The meeting concluded at 21.14 hours