

NORTHAMPTON BOROUGH COUNCIL

PLANNING COMMITTEE

Tuesday, 27 October 2009

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

1. APOLOGIES

Apologies were received from Councillors De Cruz, M Hoare, Malpas and Meredith.

2. MINUTES

The minutes of the meeting of the Committee held on 22 September 2009 were signed by the Chair.

3. DEPUTATIONS / PUBLIC ADDRESSES

The Chair noted that Item 12b N/2009/0744 – Reserved Matters Application Including Appearance, Landscaping, Layout and Scale, Pursuant to Outline Consent WN/2006/0013 dated 19.04.07 – Erection of 231 Dwellings, Roads and Sewers and Public Open Space at Former British Timken Site, Main Road, Duston, was to be deferred.

- RESOLVED:**
- (1) That Mr Stirling 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 on Building Plot to the Rear of 76 Church Way.
 - (2) That Messrs Holmes and Taylor, Mrs Jackson and Councillor Davies be granted leave to address the Committee in respect of Application No N2009/0644 – First Floor Extension Above Annex (as amended by revised plans received on 11 September 2009) at 21 Huntsmead.
 - (3) That Messrs Button and Clarke and Councillors Perkins and Simpson be granted leave to address the Committee in respect of Application No N/2009/0765 – Part Retrospective Three Storey Side Extension, Single Storey Extensions, Dormer Window and Velux Windows to Existing Building, Front and Boundary Fence at 2 The Drive/3 The Crescent.

4. DECLARATIONS OF INTEREST

1. Councillor Church declared a personal interest but not prejudicial in Item 10e N/2009/0765 – Part Retrospective Three Storey Side Extension, Single Storey Extensions, Dormer Window and Velux Windows to Existing Building, Front and Boundary Fence at 2 The Drive/3 The Crescent as being the County Councillor for Kingsley Ward and being known to one of the objectors.

2. Councillor Church declared a personal interest but not prejudicial in Item 12a N/2009/0720 – Change of Use of Ground Floor From a Bank (Class A”) to a Bingo Hall (Class D2) and Formation of New Access Door on to Abington Street at 33 Abington Street and N/2009/0772 – Change of Use to Amusement Centre at 31-33 Abington Street as being a Member of the WNDC Board.
3. Councillor Matthews declared a personal interest but not prejudicial in respect of Item 9a N/2009/0685 – Construction of Multi Use Games Area on Land at Dayrell Road, Camp Hill as having had previous dealings with a proposal to locate a MUGA in this area.
4. Councillor Simpson declared a personal interest in Item 12e N/2009/0765 –Part Retrospective three storey side extension, single storey extensions, Dormer Window and Velux Windows to existing building, Front and Boundary Fence at 2 The Drive/ 3 The Crescent, as being known to one of the objectors.

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 item be considered as a Matter of Urgency due to the undue delay if consideration of it were deferred:

RTPI Councillor Summer School

Councillors Golby and Matthews made a presentation on their attendance at the RTPI Summer School, which had taken place in Exeter during August 2009. They elaborated upon the lectures that they had attended and the study tours to Crediton and Tiverton and a visit to the Exeter waterfront.

RESOLVED: That the presentation be noted and that Councillors Golby and Matthews be thanked for their presentation.

6. LIST OF CURRENT APPEALS AND INQUIRIES

The Head of Planning submitted a report and elaborated thereon. Concern was expressed in respect of an Inspector’s decision to allow an appeal in respect of Application No N/2009/0288 – Proposed Change of Use of Part of the Car Park to Accommodate Car Wash Area at the Romany Public House, Kingsley Road.

RESOLVED: That the report be noted.

7. OTHER REPORTS

None.

8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS

None.

9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

(A) N/2009/0685- CONSTRUCTION OF MULTI USE GAMES AREA ON LAND AT DAYRELL ROAD, CAMP HILL.

The Head of Planning submitted a report and elaborated thereon.

The Committee discussed the Application.

RESOLVED: That the application be approved subject to the conditions set out in the report as the proposed multi use games area would provide a useful local community facility without being detrimental to residential amenity in accordance with PPS23 (Planning and Pollution) and PPG24 (Planning and Noise) and have no significant impact on the site of acknowledged nature conservation value in accordance with Policy E18 of the Northampton Local Plan.

10. ITEMS FOR DETERMINATION

(A) N/2009/0028LB- PROPOSED DEMOLITION OF INFIRMARY BUILDING AND PROPOSED ALTERATIONS AND EXTENSION TO REMAINING BUILDINGS AT FORMER ST EDMUNDS HOSPITAL SITE, WELLINGBOROUGH ROAD.

The Head of Planning submit a report in respect of Application No N/2009/0028LB and elaborated thereon and referred to the Addendum, which set out amendments to Condition 4 following further discussions with the Conservation Officers; and a request to seek a delegation to the Head of Planning to agree any further minor changes to the wording of the conditions.

The Committee discussed the application.

RESOLVED: (1) That the application be approved subject to the conditions set out in section 6 of the report, as amended by the Addendum, subject to the completion of the Section 106 Agreement to the satisfaction of the Borough Council in respect of the associated planning permission as the proposal would ensure the redevelopment of this prominent semi-derelict site, which would enhance the character of the area and assist in the regeneration of the town overall. The proposal would also ensure the retention of the majority of the listed buildings on the site that formed an important part of the town's heritage in accordance with Policy 26 of the Regional Plan and the aims and objectives of PPG15.

(2) That the Head of Planning be given authority to agree any further minor changes to the wording of the conditions applying to this planning permission.

(B) N/2009/0606- SUBDIVISION OF INDUSTRIAL UNIT AND PART USE AS BUILDERS MERCHANT (SUI GENERIS). EXTERNAL CHANGES INCLUDING AND ALTERING AND CREATING OPENINGS AND ERECTION OF 2M HIGH FENCE AROUND YARD AT UNIT 5 MINTON BUSINESS

CENTRE, MAIN ROAD FAR COTTON.

The Head of Planning submitted a report in respect of Application No N2009/0606 and elaborated thereon and referred to the Addendum which noted the receipt of corrected drawings submitted by the agent and that the Environment Agency had not raised no substantive objections.

The Committee discussed the application.

RESOLVED: That the application be approved subject to the conditions set out in the report as the change of use to a builders merchants and external changes to the building and forecourt were acceptable by virtue of maintaining the business characteristics of Minton Business Centre, utilising suitable highway access and enhanced the appearance of the building and the site. For these reasons the changes accord with Saved Policies B2, B3, B14 and E20 of the Northampton Local Plan and no other material considerations indicated otherwise.

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

The Head of Planning submitted a report in respect of Application No N/2009/0610 and reminded the Committee that consideration of this application had been deferred at the previous meeting of the Committee so as to allow further comments from the Highways Authority in respect of the access and for a site visit to take place. The Head of Planning referred to the Addendum, which set out a proposed additional condition in respect of the storage of refuse and materials for recycling.

Mr Stirling noted that the Committee had visited the site on the afternoon of 26 October and he confirmed that the developer had e-mailed him confirming the suggestions now reported by the Head of Planning. He acknowledged that the developer had tried to meet the concerns of neighbours and Mr Stirling was happy with the proposed conditions. Mr Stirling made a general comment about incremental infill developments on what was originally a country lane and queried at what point would the planning authority decide that enough development had taken place.

The Head of Planning commented that each application needed to be considered on its merits and that the Highways Authority would be mindful of other developments that had taken place in the vicinity and their impact on the road network.

The Committee discussed the application.

RESOLVED: That the application be approved subject to the conditions set out in the report and Addendum as the proposed development would have no undue detrimental impact upon the visual amenity of the locality and residential amenity of nearby occupiers or highway safety and therefore accords with Policies E20, H6 and H10 of the Northampton Local Plan and Planning Policy Statement 3 – Housing.

(D) N/ 2009/0644- FIRST FLOOR EXTENSION ABOVE ANNEX (AS AMENDED

BY REVISED PLANS RECEIVED ON 11 SEPTEMBER 2009) AT 21 HUNTSMEAD.

The Head of Planning submitted a report in respect of Application No N/2009/0644 and elaborated thereon.

Mr Holmes, the owner of 16 Botmead Road, expressed concerns that the proposed extension would have an overbearing and dominating effect on his property and garden. He acknowledged that the scheme had been revised but felt the proposal was still intrusive. He noted that the gap between the wall of the annex and his boundary fence would only be two or three metres. Mr Holmes stated that he and his wife made much use of their rear garden and felt that their enjoyment of it would be affected. He believed that the proposal was contrary to Policy H18 and believed that the applicant's revisions to the scheme did not go far enough.

Mrs Jackson, a resident of 19 Huntsmead opposite the application site, believed that the proposal would have a severe impact on the street scene. She believed that the proposal would not be in keeping with the other houses and that the proposed dormer window would look odd, particularly with the building that it was attached to. She felt that the overall impression would be one of being cramped. She hoped that the annex would not be used as a dwelling, as it looked as if it could be. She also noted the very limited parking in the area.

Councillor Davies, as Ward Councillor, stated that the estate had been laid out with a mixture of house types, without overlooking and limited vehicle access to the properties. Parking was mainly off-street. He noted that this property had a double garage with a small drive. Councillor Davies supported the comments made by Mr Holmes and noted that velux windows in the roof would overlook 16 Botmead Road. He also concurred that the overall impression would be of a cramped development.

Mr Taylor, the applicant, commented that he lived at 21 Huntsmead with his wife, two sons and his mother lived in the annex. His family did not wish to move and he apologised for any distress that had been caused to his neighbours. He believed that the Head of Planning's report was accurate and that the development was in keeping with the area. In respect of the concerns expressed in relation to parking, he noted that there would be no more cars using the property. He noted that the annex was currently used by his mother and that planning conditions would prevent its use as a separate dwelling unit. In respect of concerns of overshadowing he noted that, because of the orientation of the properties, any overshadowing would be into his garden.

The Head of Planning noted that in respect of Mr Holmes comment, the distance between his boundary fence and the existing garage annex was some four metres and some twelve metres to his bungalow. The original submission had been for a full length extension but the present proposal was a little over half of that scheme. The Head of Planning noted that overshadowing would not be a reasonable ground on which to resist the proposal because of the orientation of the buildings and the velux windows could be conditioned to have obscured glass in order to protect amenity. He confirmed that a separate dwelling unit would require a new planning application and as such the current proposal should be viewed as an extension to the existing house. The Head of Planning also noted that the separation distance from the proposed dormer window to the neighbour opposite at 19 Huntsmead was some twenty four

metres and was acceptable by any recognised standard; privacy was not considered an issue but could be conditioned; overshadowing and light was not an issue because of the orientation of the buildings; the drive was considered adequate space for four vehicles. The mass of the extension could be considered a material issue.

The Committee discussed the application and having visited the site as a Committee expressed concern about the scale and mass of the development creating a sense of enclosure to neighbouring properties, particularly 19 Huntsmead, due to its siting and proximity would result in loss of outlook. Following debate the Committee concluded that this would harm neighbour amenity in conflict with Development Plan Policy.

RESOLVED: The proposed extension, by reason of its siting, scale, and relationship with the surrounding development, would result in loss of outlook and create a sense of enclosure to the detriment of the amenity of neighbouring residents contrary to Policy H18 of the Northampton Local Plan.

(E) N/2009/ 0765- PART RETROSPECTIVE THREE STOREY SIDE EXTENSION, SINGLE STOREY EXTENSIONS, DORMER WINDOW AND VELUX WINDOWS TO EXISTING BUILDING, FRONT AND BOUNDARY FENCE AT 2 THE DRIVE/ 3 THE CRESCENT

The Head of Planning submitted a report in respect of Application No N/2009/0765 and noted that Recommendation 2 should be amended to read "That the Borough Solicitor be authorised to issue ...". The Head of Planning referred to the Addendum, which set out additional letters of objection received from residents of The Crescent and The Drive. The Head of Planning noted that the Planning officer's concerns were in respect of the awkward roof form and transition from the existing property to the extension.

Mr Button, a resident of 1 The Crescent, commented that he had lived in the area for thirty five years and there was much local concern about the proposal. He noted that 1 and 2 The Drive were late Victorian houses built as a pair to match each other. He considered that the proposal was out of keeping with the original dwelling and had a dominating affect on the street scene. He noted that the applicant had already submitted two sets of revised plans and also the lack of onsite car parking. He queried why the pavement crossover was to be removed, which appeared to further restrict off street parking. He urged the Committee to refuse the application.

Councillor Simpson, as the Ward Councillor, noted that he appeared to be notified of a planning application for this site nearly every year. He stated that previously boundary walls had collapsed and trees had been removed. He believed that the proposal would make the nursing home dominate the area and he felt that the proposal pushed the boundaries of what should be considered acceptable. He noted that some discussion had taken place about Phippsville either being included within the Racecourse Conservation Area or a new conservation area being created. He urged the Committee to refuse the application.

Mr Clarke, the agent for the applicant, commented that the principle of the extension had been agreed by the Committee in June. The intention was to access rooms on the second floor by lift. Since June, the Community Care Commission had revised standards and required bedrooms to have en-suite bathrooms. That was why the

original application had now been revised to accommodate these changes. The difference was that the roof line would now be some 2.7 metres higher and 0.3 metres wider than the original planning permission. Views would be obscured by existing trees and street scene and he felt that there were no grounds on which the Committee could refuse the application.

Councillor Perkins stated that his mother was a resident of the care home and he had grown up in and around The Crescent and The Drive. He believed that it was in the public interest to allow the application. The home had received a number of awards for the care provided and he confirmed that since June 2009 the County Council had applied new standards, which required the changes to the original planning permission. He also noted the increasing elderly nature of the population and also the fact that one care home had recently closed in the area and he understood that a second might do so soon. He confirmed that the changes the applicant was seeking was merely to meet the new standards.

The Head of Planning noted that it was a material consideration to consider the building's use as a care home and its need to meet national standards. It was acknowledged that the proposal was intended to meet those new standards. The concerns concerned the bulk and mass of the second floor, which accommodated the lift shaft and mechanism and two new bedrooms with en-suite facilities. The Committee needed to balance the needs of the care home against the harm to the street scene and amenity of the proposal.

The Committee discussed the application.

- RESOLVED:** (1) That the application be refused by reason of its design, height and relationship with the existing building, the side extension forms an incongruous and discordant feature, detrimental to the character and appearance of the host building and that of the surrounding street scene contrary to Policy 2 of the Regional Plan and Policy E20 of the Northampton Local Plan and the aims and objective of PPS1.
- (2) That the Borough Solicitor be authorised to issue an Enforcement Notice requiring the demolition of the unauthorised side extension, which forms part of this application, with a compliance period of six months.

11. ENFORCEMENT MATTERS

None.

12. APPLICATIONS FOR CONSULTATION

- (A) N/2009/0720- CHANGE OF USE OF GROUND FLOOR FROM A BANK (CLASS A2) TO A BINGO HALL (CLASS D2) AND FORMATION OF NEW ACCESS DOOR ON TO ABINGTON STREET AT 33 ABINGTON STREET AND N/2009/0772- CHANGE OF USE TO AMUSEMENT CENTRE AT 31 TO 33 ABINGTON STREET**

The Head of Planning submitted a report in respect of Application Nos N/2009/0720 and N/2009/0772 and referred to the Addendum, which noted the Regeneration Team's rejections to the proposals. Members were made aware of the two distinct site areas covered by the two applications.

The Committee discussed the proposal.

RESOLVED: That WNDC be informed that the Committee strongly objects to both consultations as the proposal for an amusement centre in this location would reduce the opportunity to bring back retail use to a significant unit in Abington Street, contrary to the advice in PPS6 – Planning For Town Centres and Saved Policies R5 and R6 of the Northampton Local Plan.

**(B) N/2009/0744- RESERVED MATTERS APPLICATION INCLUDING:
APPEARANCE, LANDSCAPING, LAYOUT AND SCALE, PURSUANT TO
OUTLINE CONSENT WN/2006/0013 DATED 19.04.07- ERECTION OF 231
DWELLINGS, ROADS AND SEWERS AND PUBLIC OPEN SPACE AT
FORMER BRITISH TIMKEN SITE, MAIN ROAD, DUSTON**

The Head of Planning commented that issues as set out in the Addendum had recently arisen between the applicants and WNDC in respect of the number of dwellings agreed to in the outline planning permission and this proposal. For this reason it was now proposed that consideration of this application be deferred pending resolution of the situation.

RESOLVED: That the application be deferred.

The meeting concluded at 20.50 hours.