

NORTHAMPTON BOROUGH COUNCIL

PLANNING COMMITTEE

Tuesday, 31 May 2011

PRESENT: Councillor Flavell (Chair); Councillor Golby (Deputy Chair);
Councillors Hibbert, Markham, Mason, Meredith and Aziz

1. APOLOGIES

Apologies for absence were received from Councillors N. Choudary, Davies, Hallam, Lynch and Oldham.

2. MINUTES

The minutes of the meeting held on 5 April 2011 were agreed and signed by the Chair.

3. DEPUTATIONS / PUBLIC ADDRESSES

- RESOLVED:**
- (1) That Philip Robbins be granted leave to address the Committee in respect of application no. N/2011/0110.
 - (2) That Messrs Coles and Waine be granted leave to address the Committee in respect of application no. N/2011/0195.
 - (3) That Messrs Stewart and Winterburn, and Councillor Hadland be granted leave to address the Committee in respect of application no. N/2011/0208.
 - (4) That Messrs Clarke, Burnhope and Smart, Sally Haddon and Councillor Strachan be granted leave to address the Committee in respect of application no. N/2011/0305.
 - (5) That Councillor Mason be granted leave to address the Committee in respect of application no. N/2011/0215.

4. DECLARATIONS OF INTEREST

Councillor Golby declared a Personal Interest in Item 10D- N/2011/0208, as being a member of Duston Parish Council.

Councillor Mason declared a Personal and Prejudicial Interest in Item 10E- N/2011/0215, as being a friend of the applicant.

Councillor Mason declared a Personal and Prejudicial Interest in Item 10F- N/2011/0243, as being a friend of the applicant.

Councillor Mason declared a Personal and Prejudicial Interest in Item 10G-N/2011/0219, as being a friend of the applicant.

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 List of Current Appeals and Inquiries and elaborated thereon.

RESOLVED: That the report be noted.

(A) N/2011/0110- ERECTION OF 2NO FLATS (AS AMENDED BY REVISED PLANS ON 6 APRIL 2011)- LAND ADJACENT TO 18 WALLACE ROAD

The Head of Planning submitted a report in respect of application no N/2011/0110 and commented that if the Committee were minded to approve the application Condition 10 could be amended to provide for "secure" bin storage.

Philip Robbins, a neighbour, commented that the development of the site opposite was supposed to have been in keeping with the existing area but it was not; the buildings were not rendered and the roof-line was lower. He referred to the application considered at the last meeting and the fact that it was not clear where the front door to the extension of the existing terrace would be. There had been no mention of a footpath between the extended end of the terrace and this proposal.

The Head of Planning noted that the issues Mr Robbins raised were the same as at the last meeting and that the design of the proposal echoed that on the opposite corner to provide a balance between the two corner sites. In answer to questions he commented that a site visit had not been arranged in this instance as the site was readily visible from the public domain and a planning application for related development on the adjoining site had been considered by the Committee at its previous meeting and that the site was fenced so there was no general access to this amenity space. He also noted that the Police had made no particular comment in respect of anti social behaviour either generally or in connection with the electricity sub station.

The Committee discussed the application.

RESOLVED: That the application be approved subject to the conditions set out in the report and as amended in respect of Condition 10 regarding "secure" bin storage, as the principle of residential development in an existing residential area was acceptable and in accordance with Policy H6 of the Northampton Local Plan and PPS3. By reason of the proposed siting, appearance and design, the proposed flats would not be detrimental to visual, residential amenity or highway safety in accordance with Policies H6 and E20 of the Northampton Local Plan and the aims and objectives of the PPS3 and PPG13.

(C) N/2011/0195- TWO SINGLE STOREY FRONT EXTENSIONS AND SINGLE STOREY REAR EXTENSION- 50 ABINGTON PARK CRESCENT

The Head of Planning submitted a report in respect of application no. N/2011/0195 and elaborated thereon.

Barry Waine, on behalf of the neighbours, commented that this application should be viewed in the context of a previous refused application on the grounds of overshadowing. The extension at the front would extend some 4 metres beyond the building line of the neighbours. It would dominate number 49 and create a tunnelling effect. The balcony would be out of scale with both the property and the area. The original proposal for the balcony had been intrusive and despite the now proposed glass screen it would still overlook the garden of number 51. He considered that the application failed the tests set out in planning policies H18, E20 and E26. In answer to a question Mr Waine commented that the neighbours had experienced noise on some occasions from the existing balcony; a larger balcony would increase this potential.

David Coles, the agent for the application, noted that the property already had a balcony and the proposal for this had been revised and that the proposed extension had been reduced by 800mm. He noted that the proposal would not have any effect on the street scene and that it was within the building line of both 49 and 51 Abington Park Crescent. The extension would not effect number 49 as the gable end was north facing and already partially overshadowed by the existing structure of number 50. Mr Coles observed that the balcony would only be extended by a small amount and its effect on number 51 would be minimal. Additional planting to the existing landscaping would screen this. In answer to a question Mr Coles commented that the glass screen had not been part of the original proposal but had come from the original, subsequent discussions.

The Committee discussed the application.

Councillor Markham proposed and Councillor Mason seconded "That consideration of the application be deferred pending a site visit."

Upon a vote the motion was carried.

RESOLVED: That consideration of the application be deferred pending a site visit.

(D) N/2011/0208- FIRST FLOOR SIDE EXTENSION ABOVE EXISTING GARAGE, SINGLE STOREY REAR EXTENSION AND CONSERVATORY- 24 PINE COPSE CLOSE

The Head of Planning submitted a report in respect of application no. N/2011/0208 and elaborated thereon.

Councillor Hadland, on behalf of Councillor Caswell who had referred the application to the Committee, commented that the properties in the cul-de-sac were well spaced and referred to the extension at number 22 which he believed was more in keeping with the

area. The proposal kept the existing roof line and bulked out the extension. He believed that the proposal would close the gap between the properties to 300mm. He suggested that the Committee should visit the site if it had not already done so.

Bill Stewart, a neighbour, commented that he believed that the proposal did not meet the Council's Residential Design Guide and would increase the size of the property by some 67%. He queried why the extension at number 22 had been required to meet the Design Guide but that the proposal for number 24 would not. He commented that the applicant had already removed trees that were covered by a Tree Preservation Order. He also commented that whilst the application stated that the rear extension would extend 5m the effect of the flue meant that this was actually 5.6m. The development would be out of keeping with the area and necessitated the repositioning of an existing first floor window. He stated that the applicant had realigned the boundary fence some 160mm within his boundary so that the distance from the extension to the fence meant that the prescribed spacing could not be maintained.

Greg Winterburn, the applicant stated that he had asked an architect to draw up plans for him and he acknowledged that his neighbours disagreed with them. He observed that the roof lines of numbers 6, 12 and 22 Pine Copse Close were continuous. He believed that the issues regarding the rear extension were of secondary importance. He was a builder of many years experience and would not construct something distasteful. He confirmed that his boundary fence had been replaced along the original fence's line. In answer to a question Mr Winterburn stated that he had pruned some trees before being aware of the Tree Preservation Order; he had contacted the Council and been advised that there were no issues arising from the work he had done.

The Head of Planning noted that the report referred to the extent of the extension being more than 5m and confirmed the actual proposed projection from the existing rear elevation as being 5.3metres. The Residential Design Guide was just guidance which did not preclude approval of proposals that did not conform with it and it was considered that the proposal was in general conformity with its aims and objectives. He observed that Number 22 could have extended to the existing roof line without it being refused. The Head of Planning observed that the rear extension was single storey and only projected two metres beyond the neighbour's property. This was acceptable. The proposal at the front would not detract from the street scene and the distance between properties would still be substantial.

The Committee discussed the application.

RESOLVED: That the application be approved subject to the conditions set out in the report as the proposed development by reason of its scale, siting and design would not have an undue detrimental impact on the character and appearance of the host building, wider streetscene, amenity of adjoining neighbours or protected trees in accordance with Policies E11, E20 and H18 of the Northampton Local Plan and advice in the Council's Supplementary Planning Guidance (SPG) on Residential Extensions.

(H) N/2011/0305- CONVERSION OF A SINGLE DWELLING INTO 3NO ONE

BEDROOM AND 1NO TWO BEDROOM FLATS- 22 WATKIN TERRACE

The Head of Planning submitted a report in respect of application no. N/2011/0305, elaborated thereon and referred to the Addendum that set out additional comments from 13 Beaconsfield Terrace and 32 Watkin Terrace. He noted that parking was a particular issue but that the existing, lawful uses of the house would attract vehicle use in any case.

Tony Clarke, commented that he believed that the report had been badly written as an issue transferred from WNDC. He thought that the planning history set out in paragraph 4.1 was irrelevant and that the references to advice from an Agent in other paragraphs misleading. He noted that the property did not meet the combined ground and first floor minimum area of 100m² for conversion to flats. He observed that there were already a number of flat conversions in Watkin Terrace and queried when it would be decided that there were enough. He believed that critical density already existed being exacerbated by the fact that the street was a cul-de-sac. He also believed that the character of the area had already been destroyed by previous planning permissions. He believed that the premise that existing uses would generate comparable car use to this proposal for flats was false; there could be an extra eight or nine vehicles. He urged the Committee to refuse the application.

Sally Haddon, a local resident, referred to the existing parking problems in Watkin Terrace/ Beaconsfield Terrace that included double parking in the evenings. She observed that the camber in the cul-de-sac also caused problems. There was no residents parking scheme and felt that a majority of residents would not agree to one in any case. She noted that 34 Watkin Terrace had permission for conversion to four flats and that another property in the terrace was up for sale making a potential for 12 flats. She queried whether agreement could be reached as to the number of cars per property and referred to existing problems of rubbish from those properties that had already been converted. She believed that people would not give up cars. She commented that there was no provision for bikes; that there was a need for more family homes and that the residents had had enough.

Councillor Strachan, as local ward Councillor, asked that the Committee refuse the application and noted that parking provision was already oversubscribed and made worse by the residents parking schemes in neighbouring streets. The properties all had narrow frontages. A number of the properties had already changed hands and developers were converting them to flats. The Council needed to listen to the residents. He feared that more owner occupiers would move out.

Meredith Smart, partner of the applicant, stated that she believed that many of the points raised by Mr Clarke about the previous planning history of the house were irrelevant. The house had previously five occupants with three cars. There was a market for properties close to the town centre where people could walk rather than use a car. These flats were aimed at young professional people. Their intention was to develop the flats to a high standard and to have long term lets. The comments made by other speakers about car usage were speculation. She noted that many residents of Watkin Terrace and Beaconsfield Terrace currently did not have cars or drive. She believed that much of the parking space was taken up by people using the park or who then walked to work in the town centre. In answer to questions Meredith Smart commented that they did not intend to sell the flats but to manage them; that they would not be living there as the accommodation would be unsuitable for their young family

and that her idea of spacious was where someone could live comfortably with separate bedroom, living and kitchen areas.

Chad Burnhope, the applicant, stated that he would be managing the build and the tenants subsequently. He accepted that parking was an issue. He had been working on the house since November and had seen people park up and then go to the park or walk off in the direction of the town centre. He believed that a residents parking scheme would help and he thought that it would reduce parking by eight to ten vehicles. He stated that many of the existing residents already did not drive. He accepted that rubbish was an issue but that he could not be held responsible for other landlords; perhaps better advice to tenants was needed. Mr Burnhope thought that the comments made by Mr Clarke about the Council were unfair: the application should be treated the same as any other. In answer to questions Mr Burnhope commented that a secure bin store would be provided on the site of the former shed in the garden; that he would monitor the tenants through monthly visits and the rental agreement; and that the fire escape from the basement would be via a ladder accessed from a removable polycarbonate panel.

The Head of Planning stated that although the planning history set out in the report was not, in this case relevant, it was part of the history of the dwelling. Any previous use as a HIMO for seven or more residents had not been lawful. A site visit had been arranged because of the size of the property and its cul-de-sac location. The Addendum referred to parking matters; disabled parking was a County Council matter. He noted that comments made about whether the flats would be sold or rented or issues concerning other landlords were not relevant to the application. Concerns about fire safety were an issue for Building Regulations.

The Committee discussed the application.

Councillor Meredith proposed and Councillor Mason seconded "That consideration of the application be deferred so as to allow the Head of Planning to discuss with the applicant the issues raised by the Committee."

Upon a vote the motion was carried.

RESOLVED: That consideration of the application be deferred so as to allow the Head of Planning to discuss with the applicant the issues raised by the Committee.

7. OTHER REPORTS

(A) SOUTHBRIDGE WEST

The Head of Planning submitted a report that sought a variation to the Section 106 Agreement in respect of LA/2002/0005.

The Committee discussed the report.

RESOLVED: That the variation of the Section 106 Agreement for LA/2002/0005, Southbridge West, as set out in the report be agreed.

8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS

None.

9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

None.

10. ITEMS FOR DETERMINATION

(B) N/2011/0187- ERECTION OF SINGLE STOREY FRONT EXTENSION TO FORM ADDITIONAL BEDROOM- 74 LUMBERTUBS LANE

The Head of Planning submitted a report in respect of application no. N/20110187 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 impact of the proposed development on the character of the original dwelling, street scene and residential amenity was considered to be acceptable and in accordance with Policies E20 and H18 of the Northampton Local Plan and Residential Extensions Design Guide.

(E) N/2011/0215- CHANGE OF USE FROM PUBLIC HOUSE TO MIXED USE OF COMMUNITY CENTRE, TAXI OFFICE, HAIRDRESSING SALON AND HOT FOOD TAKEAWAY- RETROSPECTIVE APPLICATION- THE MILLWHEEL PUBLIC HOUSE, BILLING BROOK ROAD

The Head of Planning submitted a report in respect of application no. N/2011/0215 and elaborated thereon.

Councillor Mason commented that although the map attached to the report showed the existence of Brookside Residents Centre, this had in fact been demolished some three years previously. This proposal represented the only residents facility in the area and was well used. It was important to the community. In answer to a question Councillor Mason stated that key holders were responsible for the security of the Community Centre.

[Councillor Mason left the remainder of the meeting in accordance with her declaration of interest given earlier at item 4.]

The Committee discussed the application.

RESOLVED: That the application be approved subject to the conditions set out in the report the proposed use would support the vitality and viability of the Local Centre and provide a community facility without harm to the amenities of surrounding properties. The proposal therefore complies with PPS4 – Planning for Sustainable Economic Growth and Policy E20 of the Northampton Local Plan.

(F) N/2011/0243- RETENTION OF 3NO FASCIA SIGNS AND 1NO FREESTANDING SIGN- THE MILLWHEEL PUBLIC HOUSE, BILLING BROOK ROAD.

[Councillor Mason was not present for this item having left the room in accordance with her declaration of interest given at item 4, above]

The Head of Planning submitted a report in respect of application no. N/2011/0243 and elaborated thereon.

The Committee discussed the application.

RESOLVED: That the application be approved subject to the conditions set out in the report as by reason of its siting, scale and appearance, the signage would not lead to an adverse impact upon amenity or public safety and was therefore compliant with the requirements of PPG19 – Outdoor Advertisement Control.

(G) N/2011/0219- TWO STOREY REAR EXTENSION- 24 TOLLGATE CLOSE

[Councillor Mason was not present for this item having left the room in accordance with her declaration of interest given at item 4, above]

The Head of Planning submitted a report in respect of application no. N/2011/0219 and elaborated thereon.

The Committee discussed the application.

RESOLVED: That the application be approved subject to the conditions set out in the report as by reason of siting, scale and general design, the impact of the proposed development on the character of the original building, street scene and residential amenity was considered to be acceptable and in accordance with Policies E20 and H18 of the Northampton Local Plan.

11. ENFORCEMENT MATTERS

None.

12. APPLICATIONS FOR CONSULTATION

None.

The meeting concluded at 20.30 hours.