

NORTHAMPTON BOROUGH COUNCIL

PLANNING COMMITTEE

Tuesday, 3 April 2012

PRESENT: Councillor Flavell (Chair); Councillor Yates (Deputy Chair);
Councillors Aziz, N Choudary, Golby, Hallam, Hibbert, Lynch, Mason,
Meredith and Oldham

1. APOLOGIES

Apologies for absence were received from Councillor Davies.

2. MINUTES

The minutes of the meeting held on 6 March 2012 were agreed and signed by the Chair.

3. DEPUTATIONS / PUBLIC ADDRESSES

RESOLVED: That Messrs Charles and Ogle be granted leave to address the Committee in respect of application no. N/2012/0170.

That Messrs Howson and Renn be granted leave to address the Committee in respect of application no. N/2011/1249.

That Mrs Hallisey, Professor Petford, Messrs Richardson and Rowley and Councillors Stone and Strachan be granted leave to address the Committee in respect of application no. N/2012/0067.

4. DECLARATIONS OF INTEREST

Councillor Hibbert declared a Personal interest in application no. N/2012/0067 as his daughter had signed a petition objecting to the proposal.

Councillor Yates declared a Personal and Prejudicial interest in application no. N/2012/0067 as being a member of Cabinet when it considered the CAAP and St John's Development Proposals on 12 October 2011.

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 discussed as a Matter of Urgency due to the undue delay if considered were to be deferred.

National Planning Policy Framework

The Head of Planning circulated the Addendum and noted that the National Planning Policy Framework had been published on 27 March 2012 and replaced the existing planning policy documents and in essence, put all national planning policy advice into one document: training would be made available to Councillors. He elaborated upon the new Policy Framework and noted that the Addendum set out its implications in respect of the applications for consideration later in the meeting.

RESOLVED: That the report be noted.

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.

7. OTHER REPORTS

None.

8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS

None.

9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

(A) N/2012/0170- CREATION OF MULTI-USE SKATEPARK AT MIDSUMMER MEADOW

The Head of Planning submitted a report in respect of application no N/2012/0170 elaborated thereon and referred to the Addendum that set out the effects of the NPPF on the application, additional representations from the County Council Archaeology Adviser and Northampton Wildlife Trust, the Applicants response to the Wildlife Trust, updates to the report in respect of contaminated land, flood risk and car parking and additional or amended proposed conditions.

Mr Charles, as Chair of Northampton Skateboard Park, commented that skateboarders in Northampton had been campaigning for new facilities for several years since the closure of Radlands. Skateboarders at present had to travel out of Northampton to use other facilities despite there being a large number of people wanting to participate. Skateboarders wanted a facility that would encourage competitions and therefore draw more people to the Town who as a by-product would spend their money on goods and services in Northampton. Mr Charles noted

that since the anti skateboarding bye-laws had been introduced the need for a venue for skateboarders had become more pressing. He commented that not everyone was interested in football, rugby or cricket and that skateboarding was a healthy activity. He believed that the proposal before the Committee was forward thinking. In answer to questions Mr Charles commented that the Northampton Skateboard Park Group represented approximately a thousand skateboarders; that members of the Skateboard Group had agreed to manage the issues of litter themselves; and that the facility had been designed to accommodate a number of activities, at all ability levels including young children on scooters.

Mr Ogle, on behalf of the Council as applicant, invited questions from the Committee. In answer to questions Mr Ogle commented that the change to the opening hours of the car park was to avoid its use by commuters; that the Council would have an ongoing maintenance liability for the facility; that the Events Team were keen to organise events with the Skateboard Group; and that usage of the site would be monitored and support given to help develop the use of the site as appropriate.

The Head of Planning noted that the Skateboard Park would have flexible opening hours and that further discussions could be held with the Applicant in respect of car parking so as to allow safe drop off and pick up arrangements at those times when the car park was closed to the public. He also noted that the lack of facilities in the County Town was an important point and the provision of this facility would prevent some journeys to other places and as a physical activity complied with national policy. In answer to questions, the Head of Planning commented that dropping off points could be dealt with by signage; that the Skateboard Group could advertise the facilities via a website; and that the issue of the car park opening hours was still being discussed, there were two options being considered, and that proposed condition 10 dealt with this.

The Committee discussed the application.

RESOLVED: That the application be approved subject to the conditions set out in the report as amended to reflect the NPPF, and the amended and additional conditions set out in the Addendum, as the proposal represented an improvement in leisure facilities that would serve the Borough as a whole and which would not have any detrimental impact on the existing open space or on the amenities of adjoining occupiers. The proposal thereby complies with Policies E20, L1 and L16 of the Northampton Local Plan and the NPPF.

10. ITEMS FOR DETERMINATION

(A) N/2011/1249- ERECTION OF 14 DETACHED DWELLINGS WITH ASSOCIATED WORKS FOLLOWING THE DEMOLITION OF SINGLE EXISTING DWELLING (AS AMENDED BY REVISED PLANS RECEIVED ON 21 FEBRUARY 2012) AT 55 BERRY LANE, WOOTTON

The Head of Planning submitted a report in respect of application no N/2011/1249, elaborated thereon and referred to the Addendum that set out the effects of the

NPPF on the application, and additional representations from Wootton and East Hunsbury Parish Council and residents in Villagers Close and Berry Lane.

Mr Howson, stated that he represented residents in Berry Lane, who strongly objected to the proposed access onto Berry Lane but not to the proposed development of the site itself. He believed that there were issues of safety for pedestrians as Berry Lane narrowed at its far end and was negotiated by six buses a day. He believed that the previous planning permissions for the site were not relevant. Mr Howson asked that the Committee consider an alternative exit from the site onto Wooldale Road that he believed provided a better route for children and parents going to Caroline Chisholm School. He commented that children's safety should be a concern to the Committee. In answer to questions Mr Howson commented that Wooldale Road ran at the back of Berry Lane and that no houses fronted onto Wooldale Road.

Mr Renn, the architect, commented that the site had two previous permissions for residential development and that the access arrangements had been approved on each of those occasions by the Highway Authority. He believed that the site had no immediate effect on that part of Berry Lane referred to by Mr Howson which he also believed was some hundred metres distant. Discussions had taken place with the Environment Agency and flooding issues had been resolved. This proposal was for a lower density development than the previous two that had received permission and this aspect had been generally welcomed at a public meeting of the Wootton and East Hunsbury Parish Council in November 2011. In answer to a question Mr Renn commented that the applicant had investigated an alternative exist onto Wooldale Road but the difference in levels had led to a difficult engineering problem.

The Head of Planning clarified that the previous planning consents were a material consideration and noted that the existing permission for 21 houses could be enacted that would have a more intensive use of the site and more vehicle movements. In answer to questions the Head of Planning stated that the threshold where the provision of affordable housing would apply was 15 units; it was not known if the applicant had deliberately pitched this application so as to avoid the need to provide affordable housing; the NPPF had removed national advice on density which was now to be decided locally; that the proposed density was in keeping with the locality but might not be acceptable elsewhere; and that the Highway Authority had not required a Section 106 agreement for a TRO in the context of the current application in contrast to their position in respect of the application considered in February 2011.

The Committee discussed the application.

RESOLVED: That the application be approved in principle subject to:

(1) Prior finalisation of a S106 agreement to secure:

- A contribution towards education provision.
- A management plan, including management responsibilities and maintenance schedules, for the public open space and all external and shared/common areas of the development.

- (2) Planning conditions set out in the report and as amended by the NPPF as the proposed development would have no undue detrimental impact on the amenities of neighbouring occupiers as adequate separation can be provided to prevent any overlooking and overshadowing and would be in keeping with the character and appearance of the area due to the density of development proposed. The proposal complies with Policy E6 in that the development would not unacceptably prejudice the function of the wider area of greenspace in providing green space around the built up area of Northampton. The development would therefore be in line with the Policies H6, H17, H32, E20, E40 of the Northampton Local Plan and conforms with the NPPF.
- (3) That in the event that the S106 legal agreement is not secured within three calendar months of the date of this Committee meeting, delegated authority be given to the Head of Planning to allow or refuse or finally dispose of the application on account of the necessary mitigation measures not being secured in order to make the proposed development acceptable.

(B) N/2012/0067- ERECTION OF STUDENT ACCOMMODATION COMPRISING OF 464 BEDROOMS, ANCILLARY COMMUNAL FACILITIES, GYMNASIUM, EDUCATIONAL TRAINING SPACES, HARD AND SOFT LANDSCAPING, AND PUBLIC REALM WORKS, SERVICING ROAD AND PARKING FACILITIES (SUI GENERIS) AT ST JOHNS SURFACE CAR PARK

Councillor Yates left the meeting in accordance with his declaration of interest set out in minute 4 above.

The Head of Planning submitted a report in respect of application no N/2012/0067, elaborated thereon and referred to the Addendum that set out the effects of the NPPF on the application, an amended reason if the application were to be approved taking into account the NPPF, four further representations about the application, comments from the Environment Agency and Anglian Water and comments from the Highway Authority including additional conditions. He reported that two further representations from residents had been received. The Head of Planning described the development of the site from 1740 to present and emphasised the elevations for each side of the site and also emphasised the steps taken to mitigate the daylight effect on residents in Bloomsbury House. He believed that the final proposal represented a better solution than if the normally accepted standard in respect of daylight had been agreed. The Head of Planning noted the Highway Authority improvements to Swan Street and St John's Street to make them two-way were part of a wider scheme of road improvements not related to this application. He commented that the principle of residential development of the site was established but it was not possible for planning to differentiate between different types of residential development.

Mrs Hallissey, on behalf of residents of Bloomsbury House, Guildhall Road and Victoria Promenade, commented that she was not adverse to student accommodation in the town centre but queried whether this was the right location for it. She referred to Policy H21 of the Northampton Local Plan that proposed that there should be a mixed development of the site that included some residential use. She believed that this proposal would lead to a lack of privacy, light and peace for existing residents; Bloomsbury House had been designed to be predominately south facing to take advantage of the topography but this would now be nullified. Mrs Hallissey commented that the Highway proposals for Swan Street and St John's Street would create a rat run and that residents of Bloomsbury house had already lost the use of St John's Multi Storey Car Park. She believed that the scale of the proposal had been dictated by the need to have a financially viable scheme. In answer to questions Mrs Hallissey commented that only those residents who had bought a car park space with their flat were able to use the underground car park at Bloomsbury House; other tenants at Bloomsbury House had acquired a ten year lease of parking spaces at St John's Multi Storey Car Park but these had come to an end; some residents did currently use St John's surface car park; and residents amenity at Bloomsbury House would be effected by looking out onto bricks and windows rather than the existing open aspect.

Mr Richardson, a local businessman, stated that his business interests in the Town Centre were likely to benefit from this proposal, however, notwithstanding this, he was opposed to it. There was an expectation that the Council wanted this development and the University wanted it but he believed that it was not in the public interest for it to go ahead. He commented that other town centre car parks were due to close such as at Angel Street, Albion Place and the Plough Hotel and that such a combined loss of car parking within the town centre ring road was not in the best interests of the vibrancy and development of the Town Centre. He believed that history would judge harshly if this application were to be approved. Mr Richardson stated that the Council was wrong to "sell the family silver" merely to fill a financial black hole. He referred to the car park survey that showed that there were 1,800 unused car park spaces in the Town Centre; he believed that this revealed not that there were too many car park spaces provided but rather that the retail offer in the Town Centre was not good enough. Good Town Centre parking was needed rather than building on it. Mr Richardson stated that student accommodation should be located at one of the alternative sites that had been suggested for it. In answer to questions Mr Richardson stated that there were limited car parks in the Town Centre and given a choice people seemed to prefer surface car parking; that if the Town's population were to expand as predicted then all the car parking that could be found would be needed; that it was his belief that the loss of car parking would affect the Royal and Derngate Theatres; that a lot of effort was being made into improving the Town Centre and the prospect in the report of CCTV cameras, security staff and bouncers lowered the tone; and that whilst the St John's Multi Storey Car Park might be able to cope with the loss of parking from the surface car park in the short term, it would not be adequate in the longer term.

Councillor Stone, as a Ward Councillor, commented that she was representing constituents whose views she had taken seriously. She noted that the report referred to inclusion but the existing demographic of surrounding residents was already very broad taking in an age range from young to old and tenures from owner occupiers through rented to social housing. She believed that the proposal would be a

ghettoised development forcing people out from around the edges; the surrounding streets would not be safe. CCTV cameras were already being planned to counter anti-social behaviour. Councillor Stone commented that this was a gateway site that should invite people into the Town Centre: this proposal would not do that. It was more likely to chase existing residents out. This area would become more difficult to manage. She noted that there would be 35 windows overlooking existing homes that would be detrimental to existing residents' amenity.

Councillor Strachan, as a Ward Councillor, commented that a number of comments had been made of the proposals and changes had been made to the design, materials, lighting and landscaping of this scheme. There remained some highways issues including the safety of pedestrians; the development would not slow traffic coming down Guildhall Road. He had recently observed a person in a disabled electric chair have difficulty in crossing Guildhall Road. Councillor Strachan commented that there was a need to give young people the skills that were needed for jobs in the future and also to create those jobs. New technologies had to be explored. The University was a starting point for this. He commented that he supported the proposal in principle. In answer to a question Councillor Strachan stated that he did not believe that the proposal would ghettoise the area.

Mr Rowley, the Agent, stated that the site was important and was allocated for development as a sustainable brownfield site. The University had a pressing need for student accommodation and this was a good site for it: bringing people and extra spend into the Town Centre. They had worked hard to meet the Officers concerns to mitigate the effects on existing residents by the clever use of design and materials. The development was seen as a long term project and the development would be closely monitored; there would be security staff on site, a named contact for neighbours and students would have to adhere to a code of conduct. The University wanted the scheme to work for neighbours as well. In answer to questions Mr Rowley commented that a decision as to when the main entrance doors would close had yet to be made but was likely to be around 9 or 10pm, entry after this would be through a key fob mechanism; that the University had considered other sites but had concentrated on those allocated for development; that he had sympathy with existing residents but the site was allocated for development; that there had been two public consultations that had included the management of the development and the results of these had been built into the proposals set out in the report; and that he would be happy to discuss with the University the creation of a management committee to work with residents notwithstanding the contact point that was already provided for.

Professor Petford, Vice Chancellor Northampton University, commented that this proposal was critical for the University. The University had a turnover of £100m, employed 1,100 people and had 15,000 students. It was committed to Northampton and viewed their success and that of the Town and County as the same. He observed that other Universities in nearby towns and cities were spending large sums of money on developments in their respective town and city centres. It was important for the University to develop and enhance the skills base for Northamptonshire; it also needed to be attractive to students to want to come here. Two public consultations on the proposals had been carried out and the results of which had been taken into account in the proposals now before the Committee. Arrangements would be put into place to ensure that students took responsibility for their own behaviour. Professor Petford understood that the Royal and Derngate

Theatres supported the application. He commented that the University took its community role very seriously and gave his personal guarantee to make the management of the site work. In answer to questions Professor Petford commented that projected figures of the reduction of student numbers did not effect this proposal as the accommodation could be filled five times over; that cars could not be brought onto the site and it was commonplace for Universities to ban cars from halls of residence; that the incidence of bad behaviour by students was no greater than in the general population and that there would be 24hr onsite security; there would not be bouncers as had been rumoured; that the University was keen to work with residents; that students would have 24 hour access to the building and that Sheffield and Ipswich were examples of where similar developments had brought benefits to the local economy across a wide range of goods and services; that students would get to the main campuses via bus, cycling or walking and that a transportation plan was being discussed with the County Council; and that the University had a good reputation for getting students to volunteer to help charities and other organisations as a way of integrating with the Town.

The Head of Planning commented that paragraph 8.17 referred to the car parking issues, paragraph 8.20 and onwards referred to the management of the site and paragraphs 8.5 to 8.12 referred to the status of the site as brownfield land. He reminded the Committee that it needed to consider the application in terms of the proposed site and confirmed that the Royal and Derngate Theatres had not expressed any adverse comment on the application. He also noted that it was relatively unusual for a University Town not to have halls of residence in the town centre.

The Committee discussed the application.

RESOLVED: (1) That the application be approved subject to the conditions set out in the report as amended by the NPPF and the additional conditions and amendment set out in the Addendum as the proposed development would respect the character and appearance of the setting of adjoining Derngate Conservation Area, Statutory and locally listed buildings, would not significantly adversely affect impact upon the amenities of surrounding residential occupiers and would not be prejudicial to highway safety. For these reasons, the proposal would comply with the thrust of saved policies D29, E9, E20 of the Northampton Local Plan, Central Area Action Plan Pre Submission Policies 2, 17 & 21, West Northamptonshire Joint Core Strategy Pre Submission and conforms with the NPPF.

(2) That the County Council's Transportation Department be advised of the need to consult with local Councillors / residents and business on the proposed highway improvement works along St John's Street / Swan Street / Guildhall Road and on any proposed future bus rerouting or siting of bus stops in the vicinity and the Draft Parking Strategy.

11. ENFORCEMENT MATTERS

None.

12. ITEMS FOR CONSULTATION

None.

The meeting concluded at 20.45 hours.