

**NORTHAMPTON BOROUGH COUNCIL**

**PLANNING COMMITTEE**

**Tuesday, 12 February 2013**

**PRESENT:** Councillor Flavell (Chair); Councillors Aziz, Davies, Hallam, Hibbert, Lane, Mason, Meredith and Oldham

**1. APOLOGIES**

Apologies for absence were received from Golby, Lynch and Palethorpe.

**2. MINUTES**

The minutes of the meeting held on 15 January 2013 were agreed and signed by the Chair.

**3. DEPUTATIONS / PUBLIC ADDRESSES**

**RESOLVED:** That Mr Harrison be granted leave to address the Committee in respect of application nos N/2012/1225 and N/2012/1226.

**4. DECLARATIONS OF INTEREST/PREDETERMINATION**

None.

**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.

**7. OTHER REPORTS**

None.

**8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS**

None.

## **9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS**

None.

## **10. ITEMS FOR DETERMINATION**

- (A) N/2012/0904- TWO STOREY SIDE EXTENSION, SINGLE STOREY FRONT AND REAR EXTENSIONS AND ERECTION OF FRONT CANOPY (AS AMENDED BY REVISED PLAN RECEIVED ON 31 JANUARY 2013) AT 1 WHITTLEBURY CLOSE**

This application was withdrawn from the agenda.

- (B) N/2012/1225- APPLICATION FOR VARIATION OF CONDITIONS 2, 4, 5, 11, 12, 16, 17, 21 & 22 OF PLANNING PERMISSION N/2011/1160 (FOR THE DEMOLITION OF GARDEN CENTRE CONCESSION BUILDINGS AND ERECTION OF NEW SUPERMARKET; ERECTION OF NEW RETAIL BUILDING AND STORAGE BUILDING TO SERVE GARDEN CENTRE; RECONFIGURATION OF SERVICE AREA AND NEW SERVICE VEHICLE ROAD AND ALTERATIONS TO VEHICLE ACCESS.) TO ALLOW PROVISION OF AN ALTERNATIVE ACCESS FOR SERVICE VEHICLES AND AMENDMENTS TO CAR PARK LAYOUT AND TO AMEND THE HOURS OF OPENING FOR PROPOSED SUPERMARKET AT NORTHAMPTON GARDEN CENTRE, NEWPORT PAGNELL ROAD, NORTHAMPTON & N/2012/1226 APPLICATION FOR VARIATION OF CONDITIONS 2, 4, 5, 11, 12, 16, 21 AND 22 OF PLANNING PERMISSION N/2011/1160 (FOR THE DEMOLITION OF GARDEN CENTRE CONCESSION BUILDINGS AND ERECTION OF NEW SUPERMARKET; ERECTION OF NEW RETAIL BUILDING AND STORAGE BUILDING TO SERVE GARDEN CENTRE; RECONFIGURATION OF SERVICE AREA, NEW SERVICE VEHICLES ROAD AND ALTERATIONS TO VEHICLE ACCESS) TO ALLOW PROVISION OF AN ALTERNATIVE ACCESS FOR SERVICE VEHICLES AND AMENDMENTS TO CAR PARK LAYOUT AND A MINOR CHANGE TO THE ELEVATION OF THE PROPOSED SUPERMARKET AT NORTHAMPTON GARDEN CENTRE, NEWPORT PAGNELL ROAD, NORTHAMPTON**

The Head of Planning submitted a report in respect of application nos. N/2012/1225 and N/2012/1226, elaborated thereon and referred to the Addendum that set out comments from Wootton and East Hunsbury Parish Council and the response thereto.

Mr Harrison, the applicant's project surveyor, stated that the difference between the two applications was that one included a change to opening hours whilst the other did not. Two applications had been submitted so that if there were issues concerning the opening hours it would not delay the other matters that were comparatively modest. The principle elements of the applications were to change the opening hours, alterations to where the service road accessed the Newport Pagnell Road and a change to the materials of the front elevation of the supermarket. Mr Harrison explained that whilst Waitrose generally operated core opening hours nationally they did, depending on local demand, vary from these and also varied hours at peak trading times, such as the run up to Christmas. By altering where the service road

came out onto the Newport Pagnell Road it would not be necessary to alter the positioning of the existing pedestrian crossing which itself could be a lengthy process requiring a Traffic Regulation Order and possibly delay the project. It also had the advantage of increasing the car parking provision by over 30 spaces. The change to use brickwork on the front elevation of the supermarket was to enhance the effect of the signage on the building. In answer to questions Mr Harrison commented that the nearby girls school and Wootton and East Hunsbury Parish Council had not been directly consulted on these applications by Waitrose but that they had not raised anything during the course of the consultation on the original planning application; confirmed that the principle difference between the two applications was the change in opening hours and that it was hoped that if there were issues about this then the other matters would not be held up; that in respect of the use of the word "between" in terms of the opening hours allowed the supermarket to open within a defined start and finish time according to local demand; and that the change to the service road was to use the existing entrance to the garden centre.

The Head of Planning noted that the girls school and the parish council had been consulted upon both applications and had not raised any further comments than those already reported and in respect of the opening hours confirmed that the supermarket would be open for a range of hours within the times stated.

The Committee discussed the applications which were the subject of individual votes.

- RESOLVED:**
1. That the applications be approved subject to the conditions set out in the report and the prior resolution of the following matters:
    - i) To resolve the queries from the Environment Agency
    - ii) A legal agreement to ensure that the obligations contained within the Section 106 Agreement entered into in respect of Planning Permission N/2011/1160 is adhered to.

As the proposed variations of conditions would not create a significant impact upon visual amenity, neighbour amenity and highway safety. The proposed revised conditions are therefore in accordance with the requirements of the National Planning Policy Framework, Local Plan Policies E11, E19, E20 and E40.

2. That in the event that the 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 refuse or finally dispose of the application (at their discretion) on account of the necessary mitigation measures not have being secured in order to make the proposed development acceptable in accordance with the NPPF.
3. That delegated authority be given to the Head of Planning to frame the conditions in respect of the approval in order to respond to the current application for the approval of details reserved by condition attached to the parent planning permission in order to avoid any unnecessary duplication.

## 11. ENFORCEMENT MATTERS

None.

## 12. ITEMS FOR CONSULTATION

- (A) **N/2012/1250- OUTLINE APPLICATION FOR DEMOLITION OF EXISTING BUILDINGS & STRUCTURES ON SITE & THE CONSTRUCTION OF RETAIL FLOOR SPACE (USE CLASS A1), NON FOOD (BULKY GOODS) RETAIL FLOOR SPACE & NEW PETROL FILLING STATION (SUI GENERIS), TOGETHER WITH ALL ASSOCIATED AREAS OF HARDSTANDING, CAR PARKING, ENGINEERING & LANDSCAPE WORKS (ACCESS NOT RESERVED) AT LAND TO WEST OF EASTERN WAY, DAVENTRY & N/2012/1261 DEMOLITION OF EXISTING STRUCTURES ON SITE AND CONSTRUCTION OF NON-FOOD RETAIL FLOOR SPACE (USE CLASS A1), RESTAURANTS AND CAFÉ (USE CLASS A3), A NEW CINEMA COMPLEX (USE CLASS D2), REPLACEMENT LIBRARY (USE CLASS D1) AND ASSOCIATED INFRASTRUCTURE, ENGINEERING AND LANDSCAPE WORKS LAND TO NORTH OF HIGH STREET, DAVENTRY**

The Head of Planning submitted a report in respect of application nos. N/2012/1250 and N/2012/1261 elaborated thereon, and referred to the Addendum that set out an amendment to paragraph 7.11 of the report.

In answer to questions the Head of Planning commented these applications differed from the Rushden Lakes application in that they met a long term identified need local to Daventry which had been taken into account in the preparation of the Joint Core Strategy, whereas Rushden Lakes was not part of any development plan; the Daventry sites were town centre and edge of town centre as opposed to out of town; and the make-up of the developments was different. The Daventry sites were both previously developed land.

The Committee discussed the applications which were the subject of individual votes.

**RESOLVED:** That Daventry District Council be informed that the Council raise no objection to the applications for the following reason:

The proposed developments by reason of their scale and location would not adversely impact upon the viability and viability of Northampton and therefore accord with the requirements of the National Planning Policy Framework and Policies D1, D2, S2 and S8 of the West Northamptonshire Joint Core Strategy.

In terms of the application at the land to west of Eastern Way, Daventry, it is requested that DDC secure controls to ensure that the proposed convenience store is predominantly used for the sale of such goods (with ancillary comparison goods). This is to ensure certainty with regards to the potential impacts of the development and to accord with the details contained within the planning application.

The meeting concluded at 18.31 hours.

