



NORTHAMPTON
BOROUGH COUNCIL

PLANNING AGENDA

Tuesday, 1 October 2013

The Jeffrey Room, St. Giles Square, Northampton,
NN1 1DE.

6:00 pm

Members of the Committee

Councillor: Penny Flavell (Chair), Councillor Matthew Golby (Deputy Chair)

Councillors: John Caswell, Iftikhar Choudary, Nazim Choudary, Jamie Lane, Matthew Lynch, Lee Mason, Dennis Meredith, Brian Oldham, David Palethorpe and Mohammad Aziz Rahman

Chief Executive David Kennedy

If you have any enquiries about this agenda please contact
democraticservices@northampton.gov.uk or 01604 837722

PLANNING COMMITTEE

AGENDA

Meetings of the Planning Committee will take place at 6.00pm on 1 October, 29 October, 26 November and 17 December 2013, 14 January, 11 February, 4 March, 8 April, 6 May, 10 June, 1 July and 29 July 2014.

The Council permits public speaking at the Planning Committee as outlined below:

Who Can Speak At Planning Committee Meetings?

- Up to 2 people who wish to object and up to 2 people who wish to support an individual planning applications or any other matter on the public agenda.
- Any Ward Councillors who are not members of the Planning Committee. If both Ward Councillors sit on the Planning Committee, they may nominate a substitute Councillor to speak on their behalf.
- A representative of a Parish Council.

How Do I Arrange To Speak?

- Anyone wishing to speak (not including Ward Councillors who must let the Chair know before the start of the meeting) must have registered with the Council's Democratic Services section not later than midday on the day of the Committee.
NB: the Council operate a 'first come, first serve' policy and people not registered to speak will not be heard. If someone who has registered to speak does not attend the meeting their place may be relocated at the discretion of the Chair.

Methods of Registration:

- By telephone: 01604 837356
- In writing to: Northampton Borough Council, The Guildhall, St. Giles Square, Northampton , NN1 1DE, Democratic Services (Planning Committee)
- By email to: democraticservices@northampton.gov.uk (if no acknowledgement is received please telephone)

When Do I Speak At The Meeting

- A Planning Officer may update the written committee report then those registered to speak will be invited to speak.
- Please note that the planning officer can summarise issues after all the speakers have been heard and before the matter is debated by the Planning Committee Members and a vote taken.

How Long Can I Speak For?

- All speakers are allowed to speak for a maximum of three minutes.

Other Important Notes

- Speakers are only allowed to make statements – they may not ask questions or enter into dialogue with Councillors, Officers or other speakers.
- Consideration of an application will not be delayed simply because someone who is registered to speak is not in attendance at the time the application is considered
- Confine your points to Planning issues: Don't refer to non-planning issues such as private property rights, moral issues, loss of views or effects on property values, which are not a material consideration on which the decision will be based.
- You are not allowed to circulate new information, plans, photographs etc that has not first been seen and agreed by the Planning Officers
- Extensive late representations, substantial changes, alterations to proposals etc. will not be automatically accepted, due to time constraints on Councillors and Officers to fully consider such changes during the Planning Committee Meeting.

NORTHAMPTON BOROUGH COUNCIL

PLANNING COMMITTEE

Your attendance is requested at a meeting to be held:
in The Jeffrey Room, St. Giles Square, Northampton, NN1 1DE.

on Tuesday, 1 October 2013

at 6:00 pm.

D Kennedy
Chief Executive

AGENDA

- 1. APOLOGIES**
- 2. MINUTES**
- 3. DEPUTATIONS / PUBLIC ADDRESSES**
- 4. DECLARATIONS OF INTEREST/PREDETERMINATION**
- 5. MATTERS OF URGENCY WHICH BY REASON OF SPECIAL CIRCUMSTANCES THE CHAIR IS OF THE OPINION SHOULD BE CONSIDERED**
- 6. LIST OF CURRENT APPEALS AND INQUIRIES**
Report of Head of Planning (copy herewith)
- 7. OTHER REPORTS**
 - (A) NORTHAMPTON NORTH SUE, LAND OFF A43 KETTERING ROAD**
Report of Head of Planning (copy herewith)
 - (B) UPDATE ON MATTERS PERTAINING TO PLANNING APPLICATION N/2012/0909 - PROPOSED RESIDENTIAL DEVELOPMENT AT LAND OFF LANCASTER WAY, TOWCESTER ROAD**
Report of Head of Planning (copy herewith)
- 8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS**
None.
- 9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS**
None.
- 10. ITEMS FOR DETERMINATION**

(A) N/2013/0832 - REPLACEMENT OF ROOF COVERINGS ON A LIKE-FOR-LIKE BASIS, MASONRY/BRICK REPAIRS, NEW ROOF ACCESS HATCHES, ENHANCED ROOF ACCESS ARRANGEMENTS AND OVERHAUL/REPLACEMENT OF RAINWATER GOODS AND DEMOLITION OF SECOND FLOOR BATHROOM, DELAPRE ABBEY, LONDON ROAD

Report of Head of Planning attached.

Ward Delapre.

(B) N/2012/0835 - APPLICATION FOR A CHANGE OF USE TO INCREASE THE RESIDENTIAL MOORINGS AT MARINA BY 12 PLUS ERECTION OF GARAGE UNIT, NORTHAMPTON MARINA, VICTORIA PROMENADE

Report of Head of Planning attached.

Ward Castle.

11. ENFORCEMENT MATTERS

None.

12. ITEMS FOR CONSULTATION

None

13. EXCLUSION OF PUBLIC AND PRESS

THE CHAIR TO MOVE:

“THAT THE PUBLIC AND PRESS BE EXCLUDED FROM THE REMAINDER OF THE MEETING ON THE GROUNDS THAT THERE IS LIKELY TO BE DISCLOSURE TO THEM OF SUCH CATEGORIES OF EXEMPT INFORMATION AS DEFINED BY SECTION 100(1) OF THE LOCAL GOVERNMENT ACT 1972 AS LISTED AGAINST SUCH ITEMS OF BUSINESS BY REFERENCE TO THE APPROPRIATE PARAGRAPH OF SCHEDULE 12A TO SUCH ACT.”

NORTHAMPTON BOROUGH COUNCIL

PLANNING COMMITTEE

Tuesday, 3 September 2013

PRESENT: Councillor Flavell (Chair); Councillor Golby (Deputy Chair);
Councillors Aziz, Caswell, I. Choudary, N Choudary, Lynch, Mason,
Meredith, Oldham and Palethorpe

1. APOLOGIES

An apology was received from Councillor Lane.

2. MINUTES

The minutes of the meeting held on the 3rd July 2013 were agreed and signed by the Chair.

3. DEPUTATIONS / PUBLIC ADDRESSES

RESOLVED: That Mrs Masters, Councillor Markham Mr Ayers and Mr Avery be granted leave to address Committee in respect of Item N/2012/1092 & 1093.

That Mr Tocilla and Mr Lee be granted leave to address Committee in respect of Item N/20138/0311

That Councillor Markham be granted leave to address Committee in respect of Item N/2013/0526.

That Mr Chadwick, Ager and Smith be granted leave to address Committee in respect of Item N/12013/0527

That Mr George be granted leave to address Committee in respect of Item N/2013/1233

That Reverend Peck and Councillor Nunn be granted leave to address Committee in respect of Item N2013/0620

That Mr Duckworth be granted leave to address Committee in respect of Item N/2013/0728

That Dr Logendran and Mr Deva be granted leave to address Committee in respect of Item N/2013/0732

That Ms Patterson be granted leave to address Committee in respect of Item N/2013/0743

4. DECLARATIONS OF INTEREST/PREDETERMINATION

Councillor I Choudary declared a disclosable prejudicial interest in Item N/2013/0527 as he would be speaking against the planning application and would not therefore take part in the debate and vote.

Councillor Caswell declared a personal, non- prejudicial interest in Item N/2013/0810 as the Ward Councillor.

Councillor Aziz declared a disclosable prejudicial interest in Item N/2013/0527 as a resident of Abington Avenue and left the room during the debate and vote

The Director of Regeneration, Enterprise and Planning declared a disclosable interest in Item N/2013/0728 as the applicant on behalf of Northampton Borough Council.

Councillor Lynch declared a personal, non-prejudicial interest in Item N/2013/0526 as the Assistant Cabinet Member for Housing.

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

None.

6. OTHER REPORTS

None.

7. 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 including that both of the appeals that had been allowed related to decisions made by Planning Committee made against officer recommendation.

Councillor Oldham commented that it would be good practice for all Ward Councillors to be informed of planning decisions made at Committee as a matter of course.

Councillor Meredith questioned whether the Planning Inspectorate visited areas in which appeals had been allowed.

8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS

None

9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

None

(A) N/2013/0682 APPLICATION FOR CHANGE OF USE OF DORMANT ALLOTMENT LAND FOR CEMETERY EXTENSION, ALLOTMENT GARDENS, BERRYWOOD ROAD

The Head of Planning submitted a report in respect of Item no. N/2013/0682 and elaborated thereon.

RESOLVED: That the application be approved subject to conditions.

(B) N/2013/0810 - DOUBLE SIDED FREESTANDING NON-ILLUMINATED ENTERPRISE ZONE SIGN - EDGAR MOBBS WAY, NORTHAMPTON

The Head of Planning submitted a report in respect of Item no. N/2013/0810 and elaborated thereon.

RESOLVED: That the application be approved subject to the standard advert conditions.

10. ITEMS FOR DETERMINATION

(A) N/2012/1092 AND 1093 - APPLICATION FOR LISTED BUILDING CONSENT FOR ALTERATION AND RESTORATION OF ENTERPRISE HOUSE AND ITS CHANGE OF USE TO STUDENT COMMUNITY USE AND PLANNING APPLICATION FOR DEMOLITION OF BECTIVE WORKS AND JEBEZ HOUSE. ERECTION OF NEW STUDENT ACCOMMODATION BUILDING, INCORPORATING A RETAIL UNITS AND LOWER GROUND FLOOR PARKING AND SERVICE SPACE, TOGETHER WITH NEW VEHICULAR ACCESS AND PEDESTRIAN ACCESS AND ASSOCIATED LANDSCAPING PROPOSALS, PLUS THE ALTERATIONS AND RESTORATION OF ENTERPRISE HOUSE AND ITS CHANGE OF USE TO STUDENT COMMUNITY USE - BECTIVE WORKS, ENTERPRISE HOUSE AND JEBEZ HOUSE, BETWEEN BECTIVE ROAD AND YELVERTOFT ROAD, NORTHAMPTON

The Head of Planning submitted a report in respect of Items no. N/2012/1092 and N/2012/1093. He commented that the applications to consider were two applications the first of which was listed building consent, the second being an application for Planning Permission.

Mrs Masters spoke against the application N/2012/1093.

Councillor Markham, as the Cabinet Member for Housing, spoke against the application N/2012/1093.

Mr Ayers – (the applicant) spoke in favour of the applications N/2012/1092 and N/2012/1093.

Mr Avery – (the agent) spoke in favour of the applications N/2012/1092 and N/2012/1093.

The Committee discussed the applications.

RESOLVED:

1. That application N/2012/1093 be approved subject to conditions.
2. That application N/2012/1093 be refused for the reasons:
 - (1) The total development, by reason of its scale, massing and general design would form a strident and incongruous feature that would be detrimental to the character and appearance of the locality. The Proposal therefore fails to accord with the requirements of the National Planning Policy Framework and Local Plan Policies E20 and H6.
 - (2) Due to the nature of the use, the proposed development would lead to general noise and disturbance into the late evening / early morning to the detriment of local residential amenity of neighbouring occupiers contrary to the requirements of the National Planning Policy Framework.

(B) N/2013/0311 DEMOLITION OF EXISTING BUILDING AND CONSTRUCTION OF A FOOD STORE WITH ASSOCIATED PARKING, ACCESS AND SERVICING ARRANGEMENTS, RE-SUBMISSION OF PLANNING APPLICATION N/2012/0949 - 25-29 GAMBREL ROAD, NORTHAMPTON

The Head of Planning submitted a report in respect of Item no. N/2013/0311 and elaborated thereon.

Mr Tocilla addressed the Committee and spoke against the application.

Mr Lee (the agent) addressed the Committee and spoke in favour of the application.

The Committee discussed the report.

RESOLVED: That the application be approved subject to conditions.

(C) N/2013/0526 RESIDENTIAL DEVELOPMENT FOR 6 DWELLINGS AT THE FORMER GARAGE SITE OFF GREENFIELD AVENUE (AS AMENDED BY REVISED PLAN RECEIVED ON 15 AUGUST 2013)

The Head of Planning submitted a report in respect of Item N/2013/0526 and elaborated thereon.

Councillor Markham, as the Cabinet Member for Housing, addressed the Committee and spoke in favour of the application.

The Committee discussed the application.

RESOLVED: That the application be approved subject to conditions.

(D) N/2013/0527 VARIATION OF CONDITIONS 1 AND 2 OF PLANNING PERMISSION N/2012/0085 TO ALLOW THE LIGHTS TO BE USED DURING THE HOLDING OF OUTDOOR CONCERTS (2 PER YEAR) AND TO EXTEND THE TIME WHEN THE LIGHTS CAN BE USED BY 15 MINUTES TO 22:30 HOURS ON 6 OCCASIONS PER YEAR. AFTER 22:30 HOURS THE LIGHTS TO BE DIMMED TO 100 LUX UNTIL 23:00 HOURS AND THEN SWITCHED OFF, NORTHAMPTONSHIRE CRICKET CLUB, WANTAGE ROAD, NORTHAMPTON

Having declared disclosable prejudicial interests in Item N/2013/0527 Councillor I Choudary and Councillor Aziz left the room.

The Head of Planning submitted a report in respect of Item N/2013/0527 and elaborated thereon and referred to the Addendum in which further amended recommended conditions had been added.

Mr Chadwick addressed the Committee and spoke against the application.

Mr Ager addressed the Committee and spoke against the application.

Councillor I Choudary, having re-entered the room, addressed the Committee and spoke against the application as an interested party and then left the room before the item was debated.

Mr Smith (the applicant) addressed the Committee and spoke in favour of the application.

The Committee discussed the application.

RESOLVED: That the application be approved subject to conditions set out in the addendum.

(E) N/2013/0562 - ERECTION OF A 2M HIGH CLOSE-BOARDED TIMBER FENCE TO PART OF THE FRONT AND SIDE PERIMETER - 7 HALL CLOSE

The Head of Planning submitted a report in respect of Item no. N/2013/0562 and elaborated thereon.

The Committee discussed the application.

RESOLVED: That the application be approved subject to conditions.

(F) N/2013/0615 SINGLE STOREY REAR EXTENSION - RE-SUBMISSION OF PLANNING APPLICATION N/2013/1233, 30 UNDERBANK LANE, NORTHAMPTON

The Head of Planning submitted a report in respect of Item no. N/2013/0615 and elaborated thereon.

Mr George (the applicant) addressed Committee and spoke in favour of the application.

The Committee discussed the application.

RESOLVED: That the application be approved subject to conditions.

(G) N/2013/0620 CHANGE OF USE TO YOUNG PERSONS DROP-IN CENTRE AND INSTALLATION OF ACCESS RAMP, ANCILLARY BUILDING, ABINGTON PARK, WELLINGBOROUGH ROAD, NORTHAMPTON

The Head of Planning submitted a report in respect of Item no. N/2013/0620 and elaborated thereon.

Reverend Peck addresses the Committee and spoke in favour of the application.

Councillor Nunn addressed the Committee and spoke in favour of the application.

The Committee discussed the application.

RESOLVED: That the application be approved subject to conditions.

(H) N/2013/0654 ERECTION OF ONE FREE-STANDING NON-ILLUMINATED SIGN, MIDSUMMER MEADOW, BEDFORD ROAD

The Head of Planning submitted a report in respect of Item no. N/2013/0654 and elaborated thereon.

The Committee discussed the application.

RESOLVED: That the application be approved subject to the standard advert conditions.

(I) N/2013/0728 ERECTION OF A 104 BEDROOM HOTEL (USE CLASS C1) WITH ANCILLARY RESTAURANT INCLUDING HARD/SOFT LANDSCAPING, SERVICE AREA AND ACCESS, ASSOCIATED WORKS AND DEMOLITION OF EXISTING BUILDINGS AT ALBION PLACE CAR PARK, LAND EAST OF SWAN STREET/ST JOHNS TERRACE

The Head of Planning submitted a report in respect of Item no. N/2013/0728 and referred to the amended recommended conditions as set out in the Addendum.

Mr Duckworth (applicants' architect) addressed the Committee and spoke in favour of the application.

The Committee discussed the application.

RESOLVED: That the application be approved subject to conditions including the amended conditions in the addendum.

(J) N/2013/0732 - INSTALLATION OF FRONT BOUNDARY HEDGE 2M HIGH WITH 2M HIGH FENCE BEHIND, AND RETENTION OF PEDESTRIAN GATE - PART RETROSPECTIVE, 56 AUGUSTA AVENUE

The Head of Planning submitted a report in respect of Item no. N/2013/0732 and elaborated thereon.

Dr Logendran (applicant) addressed the Committee and spoke in favour of the application.

Mr Deva addressed the Committee and spoke in favour of the application.

The Committee discussed the application.

RESOLVED: That the application be approved subject to conditions.

(K) N/2013/0743 CHANGE OF USE OF GROUND FLOOR AND BASEMENT FROM RETAIL (USE CLASS A1) INTO A PARISIAN CAFE AND DRINKING ESTABLISHMENT (USE CLASS A3/A4), 72 ST GILES STREET

The Head of Planning submitted a report in respect of Item no. N/2013/0743, referred to the Addendum which outlined the change of use (Use Class A1) into a Sui Generis and elaborated thereon.

Ms Patterson (applicant) addressed the Committee and spoke in favour of the application.

The Committee discussed the application.

RESOLVED: That the application be approved subject to conditions and noting the clarification in the addendum.

11. ENFORCEMENT MATTERS

None

12. ITEMS FOR CONSULTATION

None.

The meeting concluded at 9.07pm

Directorate: Planning and Regeneration
 Head of Planning: **Susan Bridge**



List of Appeals and Determinations – 1st October 2013

Written Reps Procedure			
Application	Del/PC	Description	Decision
N/2012/1267 APP/V2825/A/13/2197666	DEL	Change of use to house of multiple occupation for up to 8 people (Sui Generis) – Retrospective at 1 Manfield Road	AWAITED
N/2013/0131 APP/V3825/A/13/2198834	PC	Redevelopment of site to provide a convenience store (class A1) including ancillary parking and service area at Ashtree Service Station, 237-245 Main Road, Duston	AWAITED
N/2013/0181 APP/V2825/D/13/2200499	DEL	Single storey rear extension, hipped roof converted to gable and erection to rear dormer at 46 Berry Lane	AWAITED
N/2013/0184 APP/V2825/A/13/2201880	PC	Change of use of dwelling into 6no. bed HIMO. Re-submission of planning permission N/2012/0762 at 26 Cloutsham Street	AWAITED
N/2013/0226 APP/V2825/H/13/2200032	DEL	Non illuminated display boards (8 at 5m x 4m) at first floor and infill panel together with mural at ground floor at The White Horse Public House, 25A Harborough Road	AWAITED
N/2013/0297 APP/V2825/A/13/2200829	PC	Erection of single-storey dwelling including detached garage (as amended by revised plans and additional information received 21/05/2013) at land rear of 25 Penfold Lane	AWAITED
N/2013/0479 APP/V2825/A/13/2202065	DEL	Erection of 2no. one Bed apartments with associated parking at 102 Eastern Avenue North.	AWAITED
Public Inquiry			
		None	
Hearing			
		None	

The Address for Planning Appeals is: Mr Brian Rowe, Room 301, The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN.	Appeal decisions can be viewed at - www.planningportal.gov.uk
Local Government (Access to Information) Act 1985 Background Papers The Appeal Papers for the appeals listed	Author and Contact Officer Mrs Rita Bovey, Development Management Team Leader Telephone 01604 837237 Planning and Regeneration The Guildhall, St Giles Square, Northampton, NN1 1DE



PLANNING COMMITTEE: 1st October 2013

DIRECTORATE: Regeneration, Enterprise and Planning

HEAD OF PLANNING: Susan Bridge

REPORT TITLE: Northampton North SUE, land off A43
Kettering Road

1. RECOMMENDATION

- 1.1 That Planning Committee notes that Full Council will be recommended to devolve this Council's decision making authority as local planning authority to Daventry District Council in respect of the above cross-boundary outline planning application as set out in this report.

2. BACKGROUND

- 2.1 The Northampton North Sustainable Urban Extension (SUE) is identified in the submitted West Northamptonshire Joint Core Strategy as suitable for the development of up to 2,000 dwellings, two primary schools, a local centre, employment land, A43 corridor improvement measures and the necessary infrastructure to support the delivery of the development.
- 2.2 The identified site is located on the northern edge of Northampton and on the eastern side of the A43. The SUE is within Daventry District. The village of Moulton lies immediately to the west and the village of Overstone and Overstone Park lie to the east. Adjoining the southern boundary of the SUE is the urban edge of Northampton and in particular Round Spinney Industrial Estate and Southfields residential area.
- 2.3 Barratt Homes is planning to submit an outline planning application for the Northampton North SUE development to Daventry District Council around the middle of September 2013. The development will include:

- Up to 2,000 dwellings in total;
- Detailed consideration of the first 216 dwellings;
- 3.48ha for a local centre incorporating potential provision for Use Class A1 foodstore (2,000 sqm), Class A4 public house (650 sqm), Class C2 care home (2,800 sqm), Class D1 day nursery (465 sqm), Class D1 medical centre (550 sqm), a parade of 5 retail units (Classes A1, A2, A3, A5 and D1) (450 sqm), Class B1(c) light industry (5,000 sqm);
- A new 3-form entry primary school (3,150sqm);
- Public Open Space provision to include outdoor sports pitches, allotments and children's play space;
- Associated drainage infrastructure including Sustainable Urban Drainage (SuDs) features;
- A new section of dual carriageway road to form a realigned A43, commensurate with the development of the housing.

The significant majority of the application site lies within the administrative boundary of Daventry District Council and aligns with the SUE area identified in the submitted West Northamptonshire Joint Core Strategy, with only a narrow piece of land to the east of the A43 that falls within the administrative boundary of Northampton Borough Council. The indicative master plan proposes that the land within the Borough boundary would be required for the improvement and realignment of the A43 and as part of the strategic open space. No built development is indicated on the plan.

2.4 In circumstances where an application site crosses the administrative boundary between two Local Planning Authorities (LPAs) two identical applications should be submitted, one to each LPA, seeking planning permission for the development of land falling within each LPA's administrative area and identifying the relevant area on the site plan.

2.5 Paragraph 73-74 of Circular 04/2008 set out the applicable procedures in respect of payment of the application fee:-

"The planning fee is payable solely to the authority of whichever area contains the larger or largest part (within the red line) of the whole application site."

2.6 In this case, the significant majority of the application site falls within the administrative area of Daventry District Council, accordingly, the application fee is payable solely to Daventry.

2.7 Paragraph 73 of Circular 04/2008 states that where an application site straddles one or more LPAs boundaries, it is necessary to submit identical applications to each LPA, identifying on the plans which part

of the site is relevant to each. Although it is strictly possible and lawful for an applicant to formulate two distinct planning applications for each LPA where each application only describes and seeks consent for the development proposed within each LPA's administrative area, such an approach would be artificial since the LPA would need to know details of the development proposed in the other LPA's administrative area in order to make an appropriate determination of the application.

- 2.8 In the absence of alternative administrative or statutory arrangements, a planning application should be determined by the LPA in whose administrative area the development is proposed to be carried out. In the case of cross-boundary applications, this can lead to two LPAs making individual determinations, imposing different conditions on the permissions and entering into separate S106 agreements. This is not recommended as it does not promote a coordinated approach to development management and the permissions granted by each LPA may be inconsistent in terms of the conditions attached to them and the obligations entered into the related S106 agreements. This is, of course, highly undesirable in terms of achieving a coordinated approach to delivering development. It is also contrary to Government guidance, which encourages joint working between LPAs in relation to the use of their planning powers. Paragraph 178 of the National Planning Policy Framework (NPPF) advises that public bodies have a duty to cooperate on planning issues that cross administrative boundaries, particularly those which relate to strategic priorities. The Government expects joint working on areas of common interest to be diligently undertaken for the mutual benefit of neighbouring authorities, a concept that underpins the approach to strategic plan-making pursued jointly by Northampton Borough Council, Daventry District Council and South Northants Council.
- 2.9 Section 101(1) of the Local Government Act 1972 authorises a local authority to arrange for the discharge of functions by any other local authority. This provision could be relied on by a LPA to delegate its development control functions to another local authority in respect of a specific cross-boundary planning application.
- 2.10 Accordingly, Northampton Borough Council could delegate its decision making powers to Daventry District Council in respect of its determination on this particular cross-boundary planning application in relation to Northampton North SUE. Daventry District Council, which would have been paid the full application fee in any event, would then determine both the applications submitted directly to them.
- 2.11 In this case, given that the proposed development within Northampton Borough would involve the realignment of the A43 only and that the Local Highway Authority is the same for both LPAs i.e. Northamptonshire County Council, Officers consider that it would be appropriate in this particular case for Northampton Borough Council to delegate its development control functions to Daventry District Council.

- 2.12 A secondary consideration is that as Northampton Borough Council would not receive a planning fee for the application and so would assume all of the costs associated with the processing of the application, including publicity (notification letters, site and press notices), administration, Officer and Member time would be borne by Daventry District Council. This approach would also be beneficial in that consultees and members of the public would not be confused by the roles of the respective LPAs when receiving separate consultation correspondence from the two Authorities concerned.
- 2.13 The Committee should also note that Northampton Borough Council will have the opportunity to comment on the application following its submission to Daventry District Council and formulate its consultation response.

3. CONCLUSION

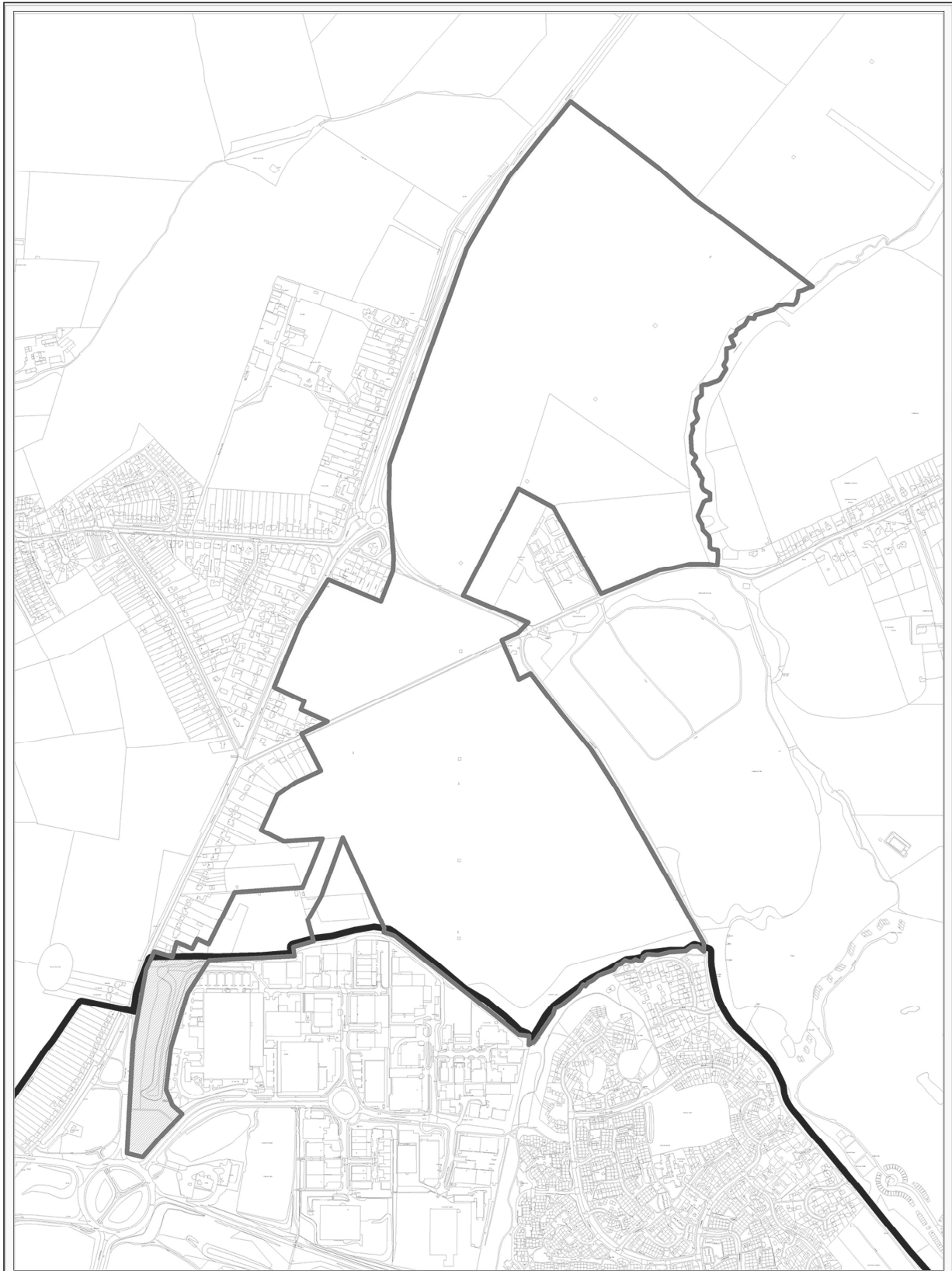
- 3.1 It is considered that due to the small scale and extent of the proposed development associated with the Northampton North SUE that falls within Northampton Borough's administrative boundary, in accordance with Section 101(1) of the Local Government Act 1972, it is recommended that the Planning Committee notes that Full Council will be recommended to delegate its development control powers to Daventry District Council in respect of the outline planning application for Northampton North SUE. For the avoidance of doubt, the Full Council is being recommended to delegate its powers only in respect of the outline planning application and reserve the right to re-consider the decision for the submission of reserved matters.

5. LEGAL IMPLICATIONS

- 5.1 As set out in the report.

6. SUMMARY AND LINKS TO CORPORATE PLAN

- 6.1 In reaching the attached recommendations regard has been given to securing the objectives, visions and priorities outlined in the Corporate Plan together with those of associated Frameworks and Strategies.



Name: M Burgess
 Date: 19th September 2013
 Scale: 1:7500 @ A3
 Dept: Planning

Northampton North SUE, land off A43

— Borough Boundary — SUE Boundary  SUE within Borough

Produced from the 2009 Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office. © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Licence number: 100019655



PLANNING COMMITTEE: 1st October 2013

DIRECTORATE: Regeneration, Enterprise and Planning

HEAD OF PLANNING: Susan Bridge

REPORT TITLE: Update on matters pertaining to Planning Application N/2012/0909 – Proposed residential development at land off Lancaster Way, Towcester Road, Northampton

1. RECOMMENDATION

1.1 That this report is noted.

2. BACKGROUND

2.1 At the Planning Committee meeting held on the 2nd July 2013, planning application N/2012/0909 for the erection of 142 dwellings at the above site was considered and approved in principle, subject to the prior completion of a Section 106 Legal Agreement. At that meeting the issue of land ownership and the correct serving of Notices under Article 11 of the Town and Country Planning (Development Management Procedure)(England) Order 2010 was raised by the residents. This report is by way of updating the Committee on these points and to clarify the position.

2.2 It is not a requisite that the site is owned by the applicant at the time of making a planning application, however, in making such an application, it is incumbent upon developers to submit a certificate clarifying the ownership of the application site. These certificates can take a number of forms and in this particular instance the applicant stated that they did not own the site, but had notified all affected landowners (this is known as 'Certificate B').

2.3 Subsequent to the Planning Committee meeting, it has transpired that the Certificate B had been erroneously completed on account of there being some land in unknown ownership. Furthermore, it has also been established that part of the site is owned by the Borough Council. In order to rectify these matters, the applicant has now completed the correct certificate (referred to as

'Certificate C') together with the developer placing an advertisement in the local press.

3. UPDATE

- 3.1 The fact that an advertisement has been placed in the local press means that any unknown landowners have now been given the opportunity to make representations on this planning application. At the time of preparing this report, no comments have been received by the Council as Local Planning Authority.
- 3.2 Within the planning process, the matter of land ownership is essentially an administrative matter as opposed to a material consideration. The reason is that a planning permission would run with the land as opposed to a specific landowner or developer. The merits of a particular proposal would be the same regardless the identity of the landowner.
- 3.3 It is considered appropriate to bring these matters to the attention of the Planning Committee for information, however, for the reasons specified in Paragraph 3.2 and the fact that there is no change in planning circumstances, it is not necessary to for the Planning Committee to reassess this application. Nevertheless, the matters pertaining to the ownership certificate, the steps taken by the applicant and the fact that the Borough Council is an affected landowner should be noted.

4. BACKGROUND PAPERS

- 4.1 07/0348/FULWNN; N/2012/0909; and Item 10a from the Committee Agenda of the 2nd July 2013.

5. LEGAL IMPLICATIONS

- 5.1 None.

6. SUMMARY AND LINKS TO CORPORATE PLAN

- 6.1 In reaching the attached recommendations regard has been given to securing the objectives, visions and priorities outlined in the Corporate Plan together with those of associated Frameworks and Strategies



PLANNING COMMITTEE: 1st October 2013
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Susan Bridge

N/2013/0832: **Listed Building Consent Application for the replacement of roof coverings on a like-for-like basis, masonry/brick repairs, new roof access hatches, enhanced roof access arrangements and overhaul/replacement of rainwater goods and demolition of second floor bathroom to Delapre Abbey, London Road**

WARD: Delapre & Briar Hill

APPLICANT: Northampton Borough Council
AGENT: Purcell

REFERRED BY: Head of Planning
REASON: Borough Council Application

DEPARTURE: NO

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 APPROVAL IN PRINCIPLE subject to prior referral to the Secretary of State, and conditions attached in Paragraph 9.2 for the following reason:

The proposal has no adverse impact on the character, appearance or historical significance of the listed building and will ensure its long term survival and removal from the Heritage at Risk Register. The proposal thereby accords with Policy E20 of the Northampton Local Plan and the National Planning Policy Framework.

2. THE PROPOSAL

2.1 The works entail the removal of second floor bathroom which is a 20th Century addition, emergency works to the roofs, and the provision of systems to enable better access for maintenance in the future. The purpose of the emergency works is to undertake repairs to the roofs and dormer windows to prevent water ingress which is causing damage to the fabric of the building, as set out below:

- Replacing roof coverings on selected roofs, at high level, on a like-for-like basis.
- Alterations to falls of lead lined gutters to assist with improved surface water drainage of roof slopes.
- Structural repairs to the north wing and library.
- Insulation of roof slopes where re-roofing is taking place.
- Removal of poor quality softwood windows in North Range and replacement with purpose made casements.
- Rebuilding of some chimney stacks.
- Installation of fall restraint system to provide safe access to undertake general maintenance.
- Two new access hatches to enhance maintenance access.
- Installation of new lighting protection system.
- Replacement of rainwater goods including replacement of plastic goods with cast iron. Additional rainwater goods and upgrading to reduce rainwater run-off. Rationalisation of rainwater goods to improve aesthetics.

3. SITE DESCRIPTION

3.1 Delapre Abbey is a Grade II* Listed Building dating from 1145 and forms part of a complex of buildings some of which are also listed Grade II. The property is approached by a tree lined drive and sits within a parkland setting located approximately 1 mile from the town centre. The building is within the Registered Battlefield (Battle of Northampton 1460) and the designated Delapre Park Conservation Area. The building is included on the English Heritage 'At Risk' register.

- 3.2 The building is currently the subject of a Stage 2 bid for Heritage Lottery Funding which should enable key parts of the building to be brought back into effective use, securing the building's future.

4. PLANNING HISTORY

- 4.1 Listed building applications for minor alterations, none directly relevant to the current application.

5. PLANNING POLICY

5.1 Development Plan

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The current Development Plan comprises of the East Midlands Regional Plan, the saved policies of the Northampton Local Plan 1997.

5.2 National Policies

National Planning Policy Framework (NPPF)

5.3 Northampton Local Plan

Policy E20 – New Development

6. CONSULTATIONS / REPRESENTATIONS

- 6.1 **English Heritage** - Delapre Abbey is Grade II* listed in recognition of its more than special architectural and historic interest. Delapre Abbey has been on English Heritage's Heritage at Risk Register for several years, the proposals are for urgently needed repairs to the roofs of the Abbey. English Heritage is providing grant aid for these urgently necessary works. The works have been designed to be on a like-for-like replacement basis wherever possible, and to minimise harm to the significance of the building. The works will ensure that the building is weather-proof and water tight in advance of the larger redevelopment works which are being proposed. The demolition of the bathroom will be an enhancement to the significance of the building as it is a 20th century addition in poor condition, which detracts from the significance of the building. We recommend the Secretary of State should approve the Listed Building Consent for these works, in order to safeguard the survival of this important historic building and to put it on a path that ensures its ultimate removal from the Heritage at Risk Register. We recommend that a condition should be attached to the demolition of the bathroom regarding details and methodology of repair works.
- 6.2 **Conservation** - no objection subject to condition regarding treatment of scars following demolition of the bathroom extension.

6.3 **Resident from Wavendon** - support the proposals.

7. APPRAISAL

7.1 The issues to consider are the impact of the proposals on the character, appearance and historic significance of the listed building.

7.2 The proposed works are largely like-for-like repairs, and if this was all that was proposed, Listed Building Consent would not have been required.

7.3 However, additional works are also proposed, as detailed in Paragraph 2.1 above. These include the replacement of modern, poor quality windows with more historically appropriate replacements and the replacement of plastic rainwater goods with cast iron alternatives. It is considered that this would be beneficial as it would result in the removal of recent, inappropriate alterations.

7.4 In addition, alterations are proposed to the rainwater system, including additional drainage, to prevent excessive run-off from the roofs. Whilst this will introduce new features to the building it is considered that this will be visually acceptable and the benefit of improved drainage outweighs any potential visual impact.

7.5 A fall restraint system is proposed. This entails the provision of harness points, safety wires, roof access hatches and a permanently fixed ladder. A previously proposed safety barrier is not now proposed as this would be too visible. The remaining elements would not generally be visible and it is considered that the benefit of providing easier maintenance access, outweighs any impact of these proposals on the integrity of the listed building.

7.6 The most significant alteration proposed, in terms of its scale, is the removal of a 20th century extension at second floor level, which is suspended at this level on a brick pillar. This alteration is very unsympathetic to the character of the building and it is considered that the building would be enhanced by its removal.

8. CONCLUSION

8.1 It is considered that the proposed repairs and alterations would assist in securing the long term future of this Grade II* listed building and would not result in any adverse impact on its character or architectural and historic interest in line with the advice contained in the National Planning Policy Framework.

8.2 As the Borough Council is the applicant, according to planning legislation, the application would need to be referred to the Secretary of State for works to a Grade II* listed building.

9. CONDITIONS

1. The works hereby permitted shall be begun before the expiration of three years from the date of this consent.

Reason: To comply with Section 18 of the Planning (Listed Building and Conservation Areas) Act 1990.

2. Following the demolition of the first floor bathroom extension, a survey of the building scarring resulting and a strategy for its remediation shall be submitted to and approved in writing by the Local Planning Authority. The repair works to the scarring to the building shall then be carried out in full accordance with the approved remediation strategy.

Reason: To ensure the protection of the character of the Listed Building in accordance with the National Planning Policy Framework.

3. The works shall be carried out in full accordance with the recommendations as set out in the document "234573 Delapre EH Roofing – NBS Specification" dated 2nd August 2013, produced by Purcell, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the protection of the character of the Listed Building in accordance with the National Planning Policy Framework.

10. BACKGROUND PAPERS

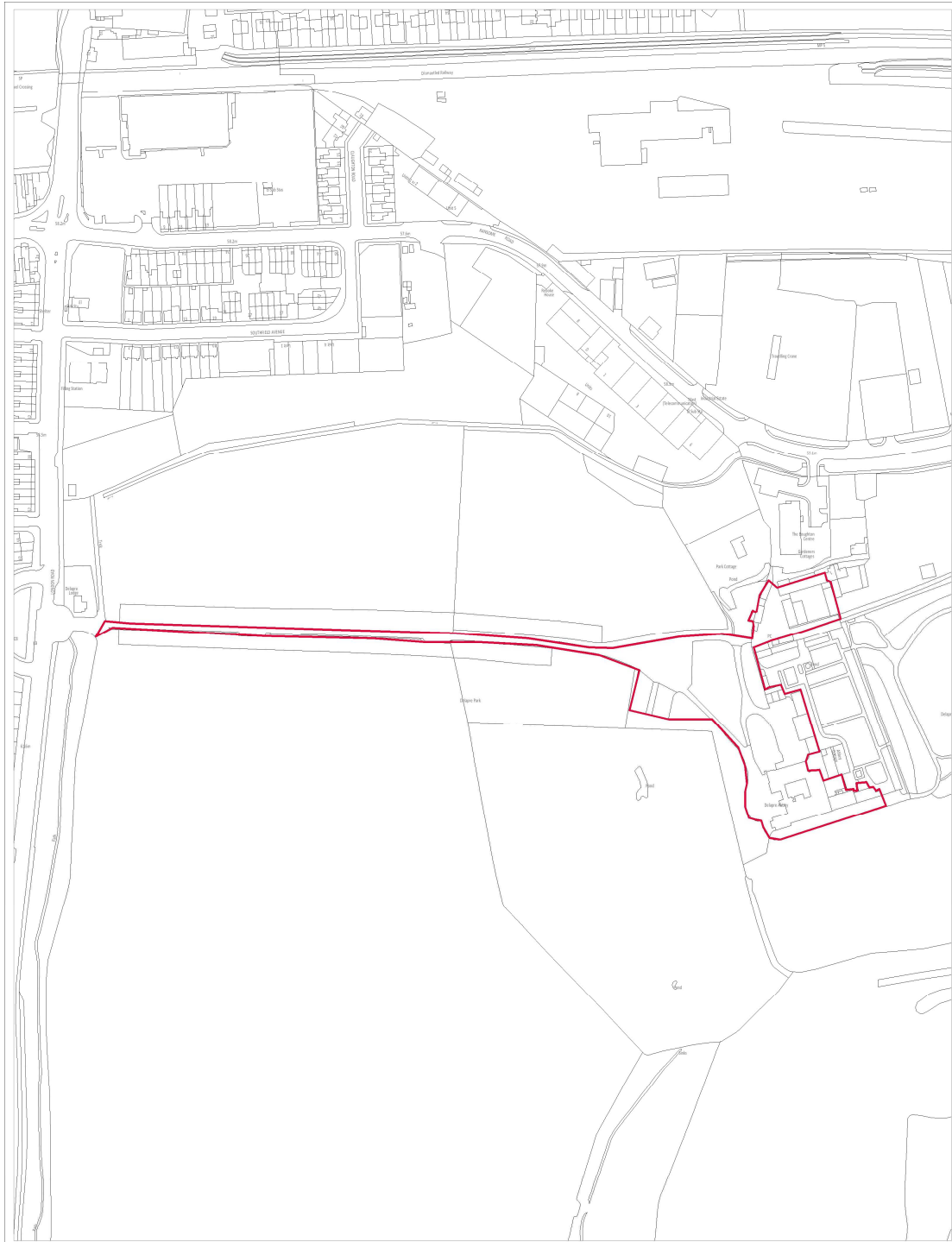
- 10.1 N/2013/0832

11. LEGAL IMPLICATIONS

- 11.1 None.

12. SUMMARY AND LINKS TO CORPORATE PLAN

- 12.1 In reaching the attached recommendations regard has been given to securing the objectives, visions and priorities outlined in the Corporate Plan together with those of associated Frameworks and Strategies.



Area: Planning
Date: 16th September 2013
Scale: NTS
Type: Planning
Project: Committee

Title

Delapre Abbey

Produced from the 2011 Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office. © Crown Copyright
Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Licence number: 100019655



PLANNING COMMITTEE: 1st October 2013
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Susan Bridge

N/2013/0835 **Application for a change of use to increase the residential moorings at Marina by 12 plus erection of garage unit at Northampton Marina, Victoria Promenade**

WARD: **Castle**

APPLICANT: **Environment Agency**

REFERRED BY: **Head of Planning**
REASON: **Land owned by the Borough Council**

DEPARTURE: **NO**

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 APPROVAL for the following reason:

The impact of the proposed development upon the character of the wider area, residential amenity, visual amenity and flood risk is considered to be acceptable and in compliance with the guidance contained within the National Planning Policy Framework.

2. THE PROPOSAL

2.1 The proposals involve change of use at the marina to provide an additional 12no. residential moorings over and above the 6no. residential moorings approved under the original permission 09/0120/FULWNN. A total of 18no. residential moorings would therefore be provided on site. In addition, the application includes the construction of an additional single garage unit to be used as a storage unit – this would be positioned adjacent to where the marina's Facilities Building and an existing garage unit is already located to the eastern side of the site.

3. SITE DESCRIPTION

- 3.1 The site constitutes Northampton Marina and is located to the southern side of Beckett's Park off the River Nene. It consists of a total of 82no. individual moorings (6no. of which can be occupied for residential purposes and 76no. for recreational purposes). The marina is served by a newly constructed Facilities Building, which houses toilets, showers, laundry and office accommodation. Detached from the Facilities Building and located to its immediate south is a single garage unit. The Facilities Building and garage have been constructed in a complimentary style and from an identical palette of materials. Both buildings exhibit low-level brickwork to their elevations with high-level timber cladding immediately above, both are also afforded steel-constructed mono-pitched roofs.

4. PLANNING HISTORY

- 4.1 *N/2013/0114* Variation of Condition 11 of Planning Permission 10/0077/FULWNN (Construction of Facilities Building) to allow amendment of Finished Floor Levels (Approved March 2013).
- 4.2 *10/0077/FULWNN* Construction of a facilities building housing toilets, showers, laundry and office accommodation (Approved July 2010).
- 4.3 *09/0120/FULWNN* Construction of 82 berth marina (sui generis) for mixed leisure use (76 berths) and residential use (6 berths) and associated works (Approved February 2010).

5. PLANNING POLICY

5.1 Development Plan

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The current Development Plan comprises the saved policies of the Northampton Local Plan (1997).

5.2 National Policies

National Planning Policy Framework (NPPF)

5.3 Northampton Local Plan

E1 – Landscape & Open Space
E9 – Locally Important Landscape Areas
E18 – Site of Acknowledged Nature Conservation Value
E20 – New Development
L16 & L17 – Countryside and Water Recreation
L29 – Tourism

5.4 **Central Area Action Plan (February 2013)**

Policy 29 – The Waterside: Beckett’s Park.

6. **CONSULTATIONS/ REPRESENTATIONS**

6.1 **NBC Public Protection:** No observations.

6.2 **Environment Agency:** The Flood Risk Assessment has been reviewed and the Agency has no objections.

6.3 **Northants Police:** No objection to the application.

6.4 The application was advertised in the local press and a site notice was erected adjacent to the site – no responses were received.

7. **APPRAISAL**

Principle of Increase in number of Residential Berths

7.1 The additional residential presence that the proposed change of use would bring would support the recreational role of Beckett’s Park and its marina in compliance with the visions of the newly adopted Central Area Action Plan (2013). The marina would continue to be predominated by leisure / recreational berths (totalling 64no.). It is considered that the principle of allowing an additional 12no. residential berths at the marina is acceptable.

Residential Amenity and Crime Prevention

7.2 It has already been demonstrated through the on-going operation of the marina that residential occupancy can be successfully accommodated within the site. The Council’s Public Protection Department has responded with no observations upon this application. The site is afforded a Facilities Building in addition to refuse storage facilities so as to suitably support additional residential occupancy at the marina.

7.3 The applicant has stated within their submission that the activities generated by permanent residential occupancy at the marina has encouraged a marked decrease in occurrences of anti-social behaviour at the site. Northants Police have backed this stance by offering no objections to the proposals.

Design and Visual Impact

7.4 The only physical works that are proposed relate to the construction of a standalone single garage unit. This would be sensitively designed, scaled and located within the site so as to have an acceptable visual impact. It would be positioned to the immediate south of an existing single garage unit on site and would be constructed from a

complimentary palette of materials (i.e. high-level timber cladding and low-level brickwork). It would be afforded a mono-pitched roof design and would be of a single-storey in height.

Flood Risk

- 7.5 A Flood Risk Assessment has been submitted in support of the application, this confirms that there will be no effect upon surface water discharge rates or flood risk. The Environment Agency (as statutory consultee) has offered no objections to the proposals. A planning condition should be attached to ensure consistency with permission N/2013/0114, which secures appropriate finished floor levels in the interests of reducing flood risk.

Highways

8. The proposals will have no impact upon access and car parking arrangements at the site. The site is not afforded car parking opportunities for residential occupiers. It is considered that - given the site's sustainable central location - it is not essential for car parking opportunities to be provided in this instance. A Travel Plan for the marina has already been produced in the interests of encouraging the use of sustainable forms of transportation to and from the site. Secure cycle storage is provided on-site, the final details of which will be submitted by the applicant.

9. CONCLUSION

- 8.1 The impact of the proposed development upon the character of the wider area, residential amenity, visual amenity and flood risk is considered to be acceptable and in compliance with the guidance contained within the National Planning Policy Framework.

9. CONDITIONS

- (1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

- (2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan (IMAN001753/100 Rev A); Site Layout Plan (IMAN001753/900); Proposed Garage Elevations (IMAN001753-902).

Reason: For the avoidance of doubt and to accord with the terms of the planning application.

- (3) The development hereby permitted shall only be carried out in accordance with the approved Northampton Marina Flood Risk

Assessment IMAN0017533 External Final Version 4 October 2009 and addendums (Version 1 June 2010 & Version 2 January 2013) and the following mitigation measures detailed within the FRA; finished floor levels of habitable buildings are set no lower than 58.6m above Ordnance Datum (AOD) and finished floor levels of non-habitable structures are set no lower than 58.3m above Ordnance Datum (AOD).

Reason: To reduce the risk of flooding to the proposed development in accordance with National Planning Policy Framework.

- (4) A maximum of 18no. berths at the marina shall be used to accommodate residential occupiers.

Reason: For the avoidance of doubt and in the interests of safeguarding residential amenity.

10. BACKGROUND PAPERS

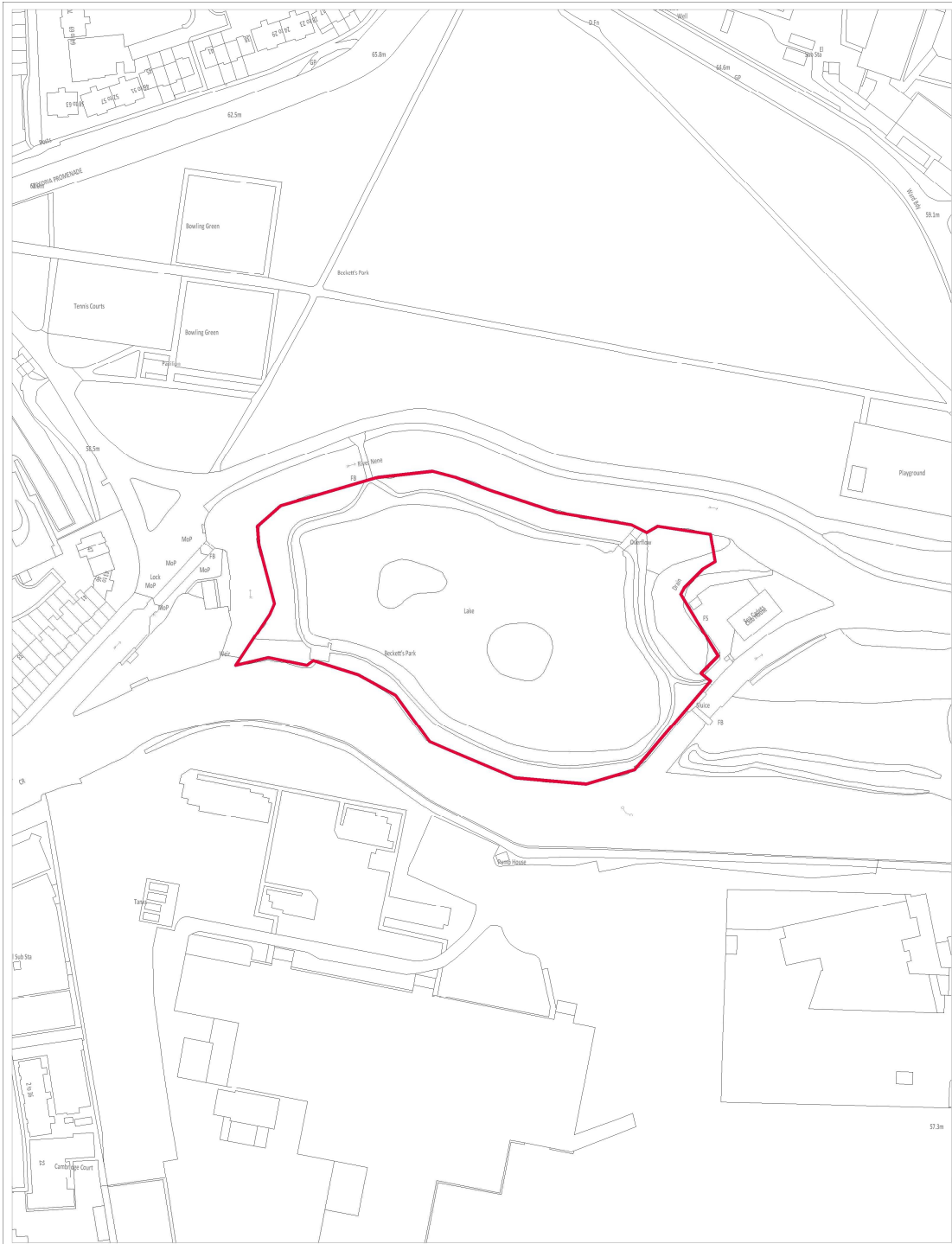
- 10.1 09/0120/FULWNN, 10/0077/FULWNN, N/2013/0114 and N/2013/0835

11. LEGAL IMPLICATIONS

- 11.1 None for the Council as Local Planning Authority.

12. SUMMARY AND LINKS TO CORPORATE PLAN

- 12.1 In reaching the attached recommendations regard has been given to securing the objectives, visions and priorities outlined in the Corporate Plan together with those of associated Frameworks and Strategies.



Name: **Planning**
 Date: **16th September 2013**
 Scale: **1:2000**
 Dept: **Planning**
 Project: **Committee**

Title
Northampton Marina

Produced from the 2011 Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office. © Crown Copyright
 Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Licence number: 100019655