

# **NORTHAMPTON BOROUGH COUNCIL**

## **PLANNING COMMITTEE**

**Tuesday, 26 November 2013**

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

**OFFICERS:** Sue Bridge, Head of Planning; Rita Bovey, Development  
Management Team Leader; Andy Holden, Principal Planning Officer;  
Reddy Nallamilli, Principal Planning Officer; Rosemary Lansdowne,  
Solicitor; Nathan Birch, Democratic Services Officer.

### **1. APOLOGIES**

None received

### **2. MINUTES**

On page 5, Item 10b: The description should read 7 no. occupants, not 8 as shown.

With this amendment the minutes of the meeting held on 29<sup>th</sup> October 2013 were agreed and signed by the Chair.

### **3. DEPUTATIONS / PUBLIC ADDRESSES**

**RESOLVED:** That the under the following items the members of the public listed be granted leave to address the committee.

- 10a; N/2013/0925 - 88 Churchill Avenue –  
Michael Ellis MP, Mrs Liz Whitlock, Mrs Irene Campbell and Mr Osa Eguavoen
- 10b; N/2013/0970 - 14 Trinity Avenue  
Mr Barry Waine and Mr Raj Miah
- 10d; N/2013/1048 - Sixfields Stadium –  
Mr Graham Croucher, Mr Simon Patnick and Mr Andy Clarke

### **4. DECLARATIONS OF INTEREST/PREDETERMINATION**

Councillor Palethorpe declared an interest in Item 10d, N/2013/1048 Sixfields Stadium, in that previously as Leader of the Conservative Group he had written a letter in support of developing Northampton Town Football Club facilities. This was however an expression of general support and he had in no way predetermined the application before the Committee.

Councillor Mason declared an interest in Item 10d, N/2013/1048 Sixfields Stadium, in that previously as Leader of the Labour Group she had written a letter in support of

developing Northampton Town Football Club facilities. This was however an expression of general support and she had in no way predetermined the application before the Committee.

Councillor Aziz declared a personal, non-prejudicial interest in Item 10b, namely that his wife, Councillor Begum was the local ward member and had called in the application for the Committee to consider. Councillor Aziz felt able to consider the application on its own merits.

**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.

The Development Management Team Leader explained the issues around the allowed appeals. Regarding application N/2013/0184 this had since been allowed, but the granting of a licence for the property would rest with Private Sector Housing.

**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/2013/0925 - 88 CHURCHILL AVENUE, NORTHAMPTON: CHANGE OF USE FROM C2 (RESIDENTIAL CARE HOME) TO C3 (28 RESIDENTIAL FLATS)**

The Principal Planning Officer presented the report of the Head of Planning, as set out in the agenda, with a recommendation for approval in principle of the application. The circulated addendum explained that Fire and Rescue had no objection. There had also been a petition from the Lakeview Residents Association with 280 signatures and one further letter of objection to the proposal received.

The Chair explained that under the Constitution the MP for the area is entitled to address the Committee. Michael Ellis MP had registered to speak, but was unable to attend due to urgent parliamentary business. Due to the exceptional circumstances, Councillor Mike Hallam would be allowed to read a statement on Mr Ellis's behalf. In this case the Committee would not be able to question the speaker.

Councillor Hallam read a statement on behalf of Michael Ellis MP against the application.

Ms Whitlock, representing the residents association, spoke against the application.

Ms Campbell, representing the residents association, spoke against the application.

In response to questions from the Committee Ms Campbell stated that;

- the local residents association had not been consulted by the applicant
- the property was derelict
- the residents would prefer to see other options for development including a care home, sheltered accommodation or a reduced number of properties.

Mr Eguavoen, the agent for the applicant, spoke in favour of the application.

In response to questions from the Committee Mr Eguavoen stated that;

- consultations had taken place with individual residents, but not the residents association. This was because the developer believed the association had been hostile to the site's development.
- the proposal had been amended 15 times to meet concerns raised and the previous application for a hostel had been withdrawn due to residents' concern.
- the local infrastructure was adequate, as confirmed by the Highways Authority
- the developer would be likely meet their S106 requirement for 35% affordable housing as an off-site contribution. This was because it had proved difficult to engage with a housing association for part of this particular project
- there was a designated area for refuse storage within the development.
- concerns raised over potential noise would be dealt with by Building Regulations.
- while awaiting development the building had been vandalised and the developer had spent £60k to maintain the property.

In response to the points raised by speakers the Principal Planning Officer reiterated that it was his view that the application was acceptable in principle. He drew the Committee's attention to the Highways and Fire and Rescue observations. The use

of the site was within policy and that any potential alternative use of the site was not a material planning consideration.

In response to questions from the Committee the Principal Planning Officer stated that he believed Policy H6 had been met. He stated that other uses may be possible, but that current application needed to be considered on its own merits.

The Committee discussed the application.

Upon a proposal by Councillor Oldham and seconded by Councillor Lane the Committee voted by 6 for to 3 against, with 2 abstentions and therefore:

**RESOLVED:** The application be **REFUSED** on the following grounds:

The proposed development would be at a scale and density which would be detrimental to the character of the surrounding area and would result in an over intensive development of the site. The proposed development would also result in the loss of trees and land of significant amenity value. The proposal is therefore contrary to Policy H6 (A&D) of the Northampton Local Plan 1997.

**(B) N/2013/0970 - 14 TRINITY AVENUE, NORTHAMPTON: REMOVAL OF EXISTING FRONT WALL AND FENCE AND REPLACE WITH RAILINGS AND SLIDING GATES**

The Development Management Team Leader presented the report of the Head of Planning, as set out in the agenda. The Committee were directed to the addendum with additional information from the applicant and the Officer's response. In addition paragraph 2.1 line 3 of the report should read; "The plan also shows the provision", rather than "The scheme also shows the provision."

Mr Waine, agent for the applicant, spoke in favour of the application.

Mr Miah, the applicant, spoke in favour of the application.

The Committee discussed the application.

Upon a proposal by Councillor Meredith and seconded by Councillor Oldham the Committee voted by 7 for to 4 against and therefore:

**RESOLVED:** The application be **REFUSED** on the grounds contained in the recommendation.

In the absence of public speakers on Item 10c, the Chair moved that 10d be discussed next.

**(D) N/2013/1048 - SIXFIELDS STADIUM, WALTER TULL WAY,  
NORTHAMPTON: PART DEMOLITION OF THE EAST STAND AND  
ASSOCIATED WORKS**

The Principal Planning Officer presented the report of the Head of Planning, as set out in the agenda, with a recommendation for approval subject to conditions in the report and the addendum. The circulated addendum contained various new information. The withdrawal of the Sport England holding objection, subject to conditions and the Highways Authority proposal for an additional condition were highlighted. An additional condition regarding access for people with disabilities was also recommended.

Mr Croucher, St James Residents Association, spoke in support of the condition for a full transportation/traffic survey and report prior to work commencing.

Mr Patnick, agent for the applicant, spoke in favour of the application.

Mr Clarke, NTFC Supporters Club Representative, spoke in favour of the application.

In response the Principal Planning Officer agreed to liaise with the residents association regarding the transport assessment.

The Committee discussed the application, with unanimous support expressed for the proposal.

Upon a proposal from the Chair, the Committee agreed unanimously:

**RESOLVED:** That the application be **APPROVED** subject to the conditions, as set out in the report and addendum; delegated authority be granted to the Head of Planning to refine the Highways Authority condition.

**(C) N/2013/0972 - 9 ROYAL TERRACE, NORTHAMPTON: CHANGE OF USE  
C3 (DWELLING) TO C4 (HOUSE IN MULTIPLE OCCUPATION)**

The Principal Planning Officer presented the report of the Head of Planning, as set out in the agenda, with a recommendation for approval of the application, subject to the conditions set out.

In response to a question from Councillor Oldham, the Development Management Team Leader confirmed that the owner of the building was fully entitled to have workmen onsite to carry out maintenance to the property.

The Committee discussed the report.

**RESOLVED:** That the application be approved subject to conditions

**11. ENFORCEMENT MATTERS**

None

**12. ITEMS FOR CONSULTATION**

None

The meeting concluded at 8:15 pm