

NORTHAMPTON BOROUGH COUNCIL

PLANNING COMMITTEE

Tuesday, 17 December 2013

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

1. APOLOGIES

There were none.

2. MINUTES

The minutes of the meeting held on 26th November 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.

- **N/2013/0214 82** Tresham Green – Mr R Kilsby, Agent
- **N/2013/0912** Nunn Mills Road,
Professor Nick Petford, Vice Chancellor, University of Northampton
Neil Rowley, Agent
- **N/2013/1047** Building plot adjacent to 15 Whitehill Crescent
Cllr John Yates, Mr S Rockall and Mr R Cole.

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, Transportation and Regeneration submitted a List of Current Appeals and Inquiries.

The Development Management Team Leader explained the issues around the appeal for application N/2013/0479, it was noted this had since been dismissed by the Inspector.

RESOLVED: That the report be noted.

7. OTHER REPORTS

None

8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS

None

9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

(A) N/2013/0214 - 82 TRESHAM GREEN: EXTENSIONS TO EXISTING RETAIL PREMISES (A1) TO FORM SELF-CONTAINED HOT FOOD TAKEAWAY (A5), WITH INSTALLATION OF EXTRACTION FUME SYSTEM

The Head of Planning submitted a report and noted that although the application site fell within NBC ownership, it was not an NBC application. The addendum that had been circulated contained information relating to corrected measurements.

Mr Kilsby withdrew his request to address the Committee.

The Committee discussed the application.

RESOLVED:

That the application be **APPROVED** subject to the conditions set out in the report.

10. ITEMS FOR DETERMINATION

(A) N/2013/0912 - NUNN MILLS ROAD: OUTLINE PLANNING PERMISSION NEW CAMPUS FOR THE UNIVERSITY OF NORTHAMPTON

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 subject to the prior finalisation of a legal agreement with provisions for contributions to sustainable transport improvements, the details of which being delegated to the Head of Planning and conditions in the report and the addendum. The circulated addendum contained new information relating to the application. The Principal Planning Officer submitted a presentation on behalf of the University of Northampton.

The Principal Planning Officer also pointed out that there was a minor wording change to additional Condition 37 as contained in the addendum.

Professor Petford (Vice Chancellor, University of Northampton) addressed the Committee and spoke in favour of the application.

Mr Rowley (applicant's Agent) addressed the Committee and spoke in favour of the application.

The committee discussed the report.

The Committee thanked all the organisations involved and congratulated the Planning Officers on their work.

RESOLVED:

That the application be **APPROVED IN PRINCIPLE** subject to the following:

(1) Completion of a suitable legal agreement to secure:

- A financial contribution towards sustainable transport improvements to the value of £175,000, the details of which to be delegated to the Head of Planning;
- A financial contribution towards Monitoring – this is used to pay the costs of the monitoring compliance of the legal agreement.

(2) Subject to conditions as set out in the report and the following amended and additional conditions, and the issue being raised by the Highway Agency being addressed and for the following reason:

The proposal demonstrates that the scheme could be designed to respect the character of its locality and would not adversely impact upon residential amenity, visual amenity, heritage, transportation, biodiversity and flood risk and drainage related matters and is considered to be acceptable on its planning merits. For these reasons, the proposal would comply with Policies 1, 4, 3, 5, 6, 8, 9, 10, 15, 25, 28, 29, 30 and 36 of the Central Area Action Plan 2013, the West Northamptonshire Joint Core Strategy Submission and the National Planning Policy Framework.

It was also recommended that in the event that an appropriate legal agreement is not signed and completed within six calendar months of the date of this Committee meeting, delegated authority be given to the Head of Planning to refuse or dispose of the application at her discretion on account of the necessary financial contribution not being secured in order to make the proposed development acceptable in line with the Policies in the Central Area Action Plan and National Planning Policy Framework.

Amended Condition 1:

Approval of the details of the appearance, layout, scale and landscaping of the site (hereinafter called the reserved matters) shall be obtained from the Local Planning Authority before any development begins (other than site preparation, clearance or remediation) and the development shall be carried as approved.

Reason: This permission is in outline form only granted under Article 4 (1) of the Town and Country Planning Development Management Procedure) Order 2010.

Amended Condition 15:

Within six months of the commencement of development hereby permitted, a scheme for Hardingstone Dyke improvements shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include channel improvements for Water Framework Directive (WFD) enhancements. Provision for maintenance access shall be factored into the design. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme.

Reason: As per original report.

Additional Conditions:

- 34.**At the earliest possible seasonal survey window, a Great Crested Newt survey shall be carried out by a suitably experienced ecological consultancy in accordance with the advice set out within their ecological submissions and a report of their findings shall be submitted to and approved in writing by the Local Planning Authority. The report will include, where the presence of Great Crested Newts are established, appropriate measures (including mitigation measures) to safeguard the protected species. Such measures shall be carried out in accordance with a programme to be incorporated in the report and agreed in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved scheme and thereafter maintained.

Reason: In the interests of biodiversity to accord with the National Planning Policy Framework.

- 35.**At the earliest possible seasonal survey window, an additional ecological invertebrate survey shall be carried out by a suitably experienced ecological consultancy and a report of the findings be prepared and submitted to and approved in writing by the Local Planning Authority. The extent, site area and scope of the invertebrate survey shall be agreed in advance with the Local Planning Authority. The survey report shall be accompanied by a strategy, which shall provide full details of timing, measures for mitigation and enhancement and the development shall be implemented in accordance with the approved details.

Reason: In the interests of biodiversity to accord with the National Planning Policy Framework.

- 36.**A habitat/nature conservation management plan (or similar) prepared by a suitably experienced ecologist which shall have the primary aim of ensuring that development complements and enhances the development site to ensure that there will be no adverse effect upon species and habitats listed under Section 41 of the Natural Environment and Rural Communities Act (2006) shall be submitted to and approved in writing by the Local Planning Authority

within four months of the commencement of the development hereby permitted. The plan shall include:

- Description and evaluation of the features to be managed;
- Ecological trends and constraints on site that may influence management;
- Aims and objectives of management;
- Appropriate management options for achieving aims and objectives;
- Prescriptions for management actions;
- Preparation of a work schedule (including a 5 yr project register, an annual work plan and the means by which the plan will be rolled forward annually);
- Monitoring and remedial / contingencies measures triggered by monitoring.

Reason: In the interests of biodiversity to accord with the National Planning Policy Framework.

37. Before the development hereby permitted is commenced a written scheme of investigation for archaeological observation and brief for the recording (including photographs) of the remnants of the former power station shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details.

Reason: The site is of architectural and historical significance and it is important that remains are observed and recorded during the development and to accord with Policy 1 of the central Area Action Plan and accord with the aims of the National Planning Policy Framework.

(B) N/2013/1047 - BUILDING PLOT ADJACENT TO 15 WHITEHILL CRESCENT: ERECTION OF DETACHED BUNGALOW

The Development Management Team Leader presented the report of the Head of Planning, as set out in the agenda, with a recommendation for refusal. Further information relating to the application was contained within the circulated addendum. It was explained that Planning Permission for a previous proposal had been approved in 2009 but since construction had been undertaken it had become apparent that the building works had not been completed in accordance with the approved details.

Mr Rockall addressed the Committee and spoke against the application.

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

The Committee discussed the application.

RESOLVED:

That the application be **REFUSED** for the reasons set out in the report.

(C) N/2013/1142 - 49-53 ABINGTON STREET: CHANGE OF USE OFFICES (C2) TO RESIDENTIAL (C3) 4 ONE BEDROOM FLATS AND 2 TWO BEDROOM FLATS & ASSOCIATED WORKS

The Senior Planning Officer presented the report of the Head of Planning, as set out in the agenda, with a recommendation for approval, subject to the conditions set out in the report. Further information was contained within the addendum that had been circulated at the meeting. It was noted that the Central Area Action Plan encouraged mixed use developments.

The Committee discussed the reports.

RESOLVED:

That the application be **APPROVED** subject to the conditions set out in the report.

11. ENFORCEMENT MATTERS

None

12. ITEMS FOR CONSULTATION

None

The meeting concluded at 7.13pm