

NORTHAMPTON BOROUGH COUNCIL

PLANNING COMMITTEE

Tuesday, 11 February 2014

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

Sue Bridge, Head of Planning; Rita Bovey, Development Manager
Team Leader; Ben Clarke, Senior Planning Officer; Theresa Boyd,
Solicitor; Nathan Birch, Democratic Services Officer.

1. APOLOGIES

Apologies for absence were received from Councillor Lane.

2. MINUTES

The minutes of the meeting held on 14th January 2014 were agreed and signed by the Chair.

3. DEPUTATIONS / PUBLIC ADDRESSES

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

- **N/2013/1206** 15 Brook Lane
Jeanne O'Dell; Anita Martin; Councillor Eales; Deborah McDonnell (Applicant)
- **N/2013/1304** NBC Surface Car Park, Commercial Street
Benn Lleshi (Applicant)

4. DECLARATIONS OF INTEREST/PREDETERMINATION

The Democratic Services Officer announced that Councillors Flavell, Golby, Caswell, Palethorpe and Nazim Choudary had agreed not to participate in either the discussion or decision of Item 7b, with regard to N/2013/1243. This was to maintain the integrity of the decision, as they did not participate in the original debate of the application at the previous meeting of the committee.

RESOLVED: That to avoid undue disruption to the meeting, the Committee hear item 7 at the end of the agenda.

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

With the Chair's permission the Development Manager Team Leader advised Councillors that there had been an appeal submitted with regard to N/2013/0925, Lakeview House, Churchill Avenue. As this was a Planning Committee decision contrary to officer advice, members had been invited to attend a meeting on 12th February to help formulate the Planning Authorities response to the appeal. In particular those members who had voted for refusal were urged to attend.

6. LIST OF CURRENT APPEALS AND INQUIRIES

The Head of Planning submitted a List of Current Appeals and Inquiries.

The Development Manager Team Leader explained that one delegated decision for refusal had been upheld by the Planning inspectorate. The full details of all appeal decisions were available online.

RESOLVED: That the report be noted.

8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS

None

9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

None

10. ITEMS FOR DETERMINATION

At the Chair's suggestion and in view that there were public speakers present it was **RESOLVED:** That the committee hear items 10c and 10e before the other applications.

(C) N/2013/1206 - 15 BROOK LANE: TWO STOREY SIDE EXTENSION WITH NEW WINDOW IN SIDE ELEVATION

The Development Manager Team Leader outlined the report of the Head of Planning, as set out in the agenda. The Committee's attention was also drawn to the circulated addendum. A previous application had been approved and this new application was to regularise the current development as construction works have not been carried out in accordance with the original approved plans.. The recommendation was for approval of the application.

Ms O'Dell, resident of a neighbouring property, addressed the Committee and spoke against the application.

In response to questions from the Committee Ms O'Dell supplied the following information:

- She believed the wall that had been removed was a shared boundary.
- The pathway to the side of the applicant's property was a pathway used solely by 120 and 122 Dallington Road.
- Neither the wall nor pathway was shown as under the ownership of the Dallington Road properties by the Land Registry.

Ms Martin, Chair of the Friends of Dallington, addressed the Committee and spoke against the application.

Councillor Eales, Ward Councillor, addressed the Committee and explained why he had called the application in for the Committee to consider. He suggested that the Committee defer the matter for further investigation regarding the status of the conservation area and the land ownership.

Mrs McDonnell, the applicant, addressed the Committee and spoke in favour of the application.

In response to questions from the Committee Mrs McDonnell supplied the following information:

- She believed that under Riparian Rights the boundary of her property went to the centre of the watercourse.
- The wall that had been part removed to allow building work had not been built over and would be reinstated to maintain the appearance of the boundary.

In response to the points raised by the speakers the Development Manager Team Leader advised the Committee that:

- The demolition of the wall within the Conservation Area was permitted under legislation as it was less than 1m in height and was not next to the highway.
- The Conservation Officer was of the view that the wall related to the brook and not the listed vicarage.
- The Committee was being asked to determine the application for the extension and nothing else.

The Committee discussed the report.

RESOLVED: That the application be **APPROVED**.

**(E) N/2013/1304 - NBC SURFACE CAR PARK, COMMERCIAL STREET:
CHANGE OF USE OF PART OF CAR PARK TO HAND CAR WASH**

The Development Manager Team Leader outlined the report of the Head of Planning, as set out in the agenda. The recommendation was for approval of the application, with the conditions outlined including it being on a temporary basis for 12 months.

Mr Lleshi, the applicant, addressed the Committee and spoke in favour of the application.

The Committee discussed the report.

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

(A) N/2008/1036 - FORMER UNITED TRADES CLUB BALMORAL HOUSE, BALMORAL ROAD: DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF 23 FLATS

The Senior Planning Officer outlined the report of the Head of Planning, as set out in the agenda.

The Committee discussed the report.

RESOLVED: That the application be **APPROVED IN PRINCIPLE**, subject to the conditions set out in the report.

(B) N/2010/0785 - 174 ST ANDREWS ROAD: DEMOLITION OF EXISTING CLASS B8 BUSINESS UNITS AND ERECTION OF 14, TWO BED AND 8, ONE BED APARTMENTS

The Senior Planning Officer outlined the report of the Head of Planning, as set out in the agenda.

The Committee discussed the report.

RESOLVED: That the application be **APPROVED IN PRINCIPLE**, subject to the conditions set out in the report.

(D) N/2013/1215 - 2A BROOKFIELD ROAD: DEMOLITION OF EXISTING WAREHOUSE AND THE ERECTION OF 13 TWO STOREY HOUSES AND 6 FLATS

The Development Manager Team Leader outlined the report of the Head of Planning, as set out in the agenda.

The Committee discussed the report.

RESOLVED: That the application be **APPROVED IN PRINCIPLE**, subject to the conditions set out in the report.

(F) N/2014/0021 - LAND ADJACENT TO 5A LIMEHURST CLOSE: CHANGE OF USE FROM WASTE LAND INTO RESIDENTIAL GARDEN

The Senior Planning Officer outlined the report of the Head of Planning, as set out in the agenda. The Committee's attention was also drawn to the circulated addendum.

The Committee discussed the report.

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

11. ENFORCEMENT MATTERS

None

12. ITEMS FOR CONSULTATION

None

7. OTHER REPORTS

(A) NEW UNIVERSITY CAMPUS & COMMERCIAL DEVELOPMENTS AT NUNN MILLS ROAD; UPDATE ON MATTERS PERTAINING TO OUTLINE PLANNING APPLICATION N/2013/0912

The Senior Planning Officer outlined the report of the Head of Planning, as set out in the agenda. The Committee's attention was also drawn to the circulated addendum and the wording for the condition contained therein.

RESOLVED: That the report be **NOTED** and the additional condition requiring the foul water management strategy is **APPROVED**.

(B) LAND TO REAR OF 7A MILLWAY; UPDATE ON MATTERS PERTAINING TO OUTLINE PLANNING APPLICATION N/2013/1243

Councillors Flavell, Golby, Caswell, Palethorpe and Nazim Choudary left the meeting during consideration of item 7b.

Councillor Oldham proposed and Councillor Aziz seconded that Councillor Mason take the Chair for consideration of item 7b. It was **AGREED** that Councillor Mason take the Chair.

The Development Manager Team Leader outlined the report of the Head of Planning, as set out in the agenda.

RESOLVED: That the report be **NOTED** and the Reason for Refusal in application N/2013/1243 be amended accordingly.

The meeting concluded at 7:14 pm