

# **NORTHAMPTON BOROUGH COUNCIL**

## **PLANNING COMMITTEE**

**Tuesday, 10 June 2014**

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

Steven Boyes, Director Regeneration & Planning; Rita Bovey, Development Management Team Leader; Paul Lewin, Planning Policy and Heritage Manager; Andrew Holden, Principal Planning Officer; Ben Clarke, Senior Planning Officer; Theresa Boyd, Lawyer and Nathan Birch, Democratic Services Officer

### **1. APOLOGIES**

Apologies for absence were received from Councillors Flavell, Lane and Palethorpe.

### **2. MINUTES**

The minutes of the meeting held on 6 May 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/2013/1143** - Former Gas Holder Site, Towcester Road  
Paul Rouse (Agent) and Scott Lewis (National Grid)
- **N/2013/1263** - Development land between Talavera Way and Booth Rise  
Councillor Hallam, Matthew Moore (Agent) and Jim Patman (East Midlands Housing)
- **N/2014/0214** - 37 Semilong Road  
Councillor Marriott
- **N/2014/0262** - 25 Stanley Street  
Councillor Marriott
- **N/2014/0263** - 47 Stanley Street  
Councillor Marriott

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

Councillor Ford declared a personal, pecuniary and prejudicial interest in items 9a and 9b. He advised the Committee that he would leave the meeting during the presentation and deliberation of these items.

Councillor Ford declared a personal, non-prejudicial interest in item 10d. As the ward member he had represented residents views in a previous application for the site. He could however approach the matter with an open mind and without any predetermination.

Councillor Meredith declared a personal, non-prejudicial interest in item 10b as member he had been contacted by residents in his ward regarding the matter. He could however approach the matter with an open mind and without any predetermination.

The Director of Regeneration and Planning declared a pecuniary and prejudicial interest in items 10a. He advised the Committee that he would leave the meeting during the presentation and deliberation of this item.

#### **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.

The Development Management Team Leader introduced the written report and elaborated thereon.

**RESOLVED:** That the report be noted.

#### **7. OTHER REPORTS**

##### **(A) ASSESSING THE WEIGHT OF SAVED POLICIES**

The Director of Regeneration and Planning introduced the written report the Planning Policy and Heritage Manager elaborated thereon.

In response to questions from members the Planning Policy and Heritage Manager explained that those relevant policies shown could be used in the decision making process.

**RESOLVED:** That the report be noted

## **8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS**

None

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

Councillor Ford left the meeting for the duration of items 9a and 9b.

### **(A) N/2014/0470 AND N/2014-0538- TWO SIDED HOARDING ENTRANCE TO DELAPRE PARK FROM LONDON ROAD AND HOARDING SIGN WITHIN CAR PARK AREA AT DELAPRE ABBEY, OFF LONDON ROAD**

The Principal Planning Officer outlined the report of the Head of Planning, as set out in the agenda. Members were advised that at 1.1 of the report the words “and 8.2” should be deleted. The recommendation was for approval of both applications subject to the conditions as set out in the report.

In response to questions from the Committee the Principal Planning Officer advised the Committee that:

- The sign inside the grounds was for the duration of the works and should not set a precedent for future applications.

The Committee discussed the report.

**RESOLVED:** That the application N/2014/0470 be **APPROVED** subject to the conditions set out in the report.

**RESOLVED:** That the application N/2014/0538 be **APPROVED** subject to the conditions set out in the report.

### **(B) N/2015/0539 AND N/2014/0573 - SINGLE SIDED NON-ILLUMINATED SIGN AT LONDON ROAD (ADJACENT TO JUNCTION WITH GLOUCESTER AVENUE) AND SINGLE SIDED NON ILLUMINATED SIGN AT LONDON ROAD (OPPOSITE JUNCTION WITH SOUTHAMPTON ROAD**

The Principal Planning Officer outlined the report of the Head of Planning, as set out in the agenda. The recommendation was for approval of both applications subject to the conditions as set out in the report.

In response to questions from the Committee the Principal Planning Officer advised the Committee that:

- The signs would have metal uprights.
- Highways advice is taken in the form of their standing advice on signage. The sign on Gloucester Avenue was on Highways owned land and met with their approval for installation.

The Committee discussed the report.

**RESOLVED:** That the application N/2014/0539 be **APPROVED** subject to the conditions set out in the report.

**RESOLVED:** That the application N/2014/0573 be **APPROVED** subject to the conditions set out in the report.

## **10. ITEMS FOR DETERMINATION**

The Chair advised that given there were public speakers registered for and against item 10b that matter would be heard before 10a.

### **(B) N/2013/1263 - DEVELOPMENT LAND BETWEEN TALAVERA WAY AND BOOTH RISE: 38 NEW DWELLINGS, WITH ASSOCIATED PARKING AND INSTALLATION OF NEW ACCESS ROAD**

The Senior Planning Officer outlined the report of the Head of Planning, as set out in the agenda. The recommendation was for approval in principle, subject to the prior completion of a S106 agreement and subject to the conditions set out in the report.

Councillor Hallam addressed the committee. He explained he was the County Councillor for the area and that only two months ago the Committee had rejected a very similar application. In his opinion the changes that had been made, including the removal of the retail element, were minor. The arguments regarding the area as a green buffer and traffic had all been made regarding the previous application. He urged the committee to again reject the application.

In response to a question from the committee Councillor Hallam supplied the following information:

- While the Council had agreed to dispose of the land and he was a Cabinet member, he had not been involved in the original decision by the Council to sell the land for development.

Mr Moore, for the applicant, addressed the committee. He explained that since the last application there had been a significant reduction in scale with the retail element being removed. The application remained in keeping with planning policy. The developer had made other changes following the previous application and the proposal would help address the shortage of starter homes and meet Northampton's housing need. This was vacant land, identified by the authority as being suitable for housing. He highlighted that the Highways Authority and Environmental Health had not raised any objections.

In response to question from the committee Mr Moore supplied the following information:

- The Highways Authority had not objected to the proposed development

- It was the bus operators who looked to stop on the highway rather than in a layby. The developer would be supplying shelters to existing stops.
- Westleigh Developments Ltd are not connected to William Davis Homes who had developed the Booth Park site.
- A wildlife survey had taken place in consultation with the County Ecologist.
- This was seen as a family development and as such the highways issues had been addressed with this in mind.
- The developer had advised Councillor Hallam directly of the revised scheme proposals.
- The provision of parking was in line with the Highways Authority requirement, but the development was also easily accessible by public transport.
- The major change to the retail development had been made because of concerns over potential anti-social behaviour raised by residents. There were also changes to the proposed elevations in the scheme.

Mr Patman, Group Director East Midlands Housing, addressed the Committee. He advised the Committee that EMH had a long track record of working with the Council and with over 1000 units were in fact the second largest landlord in the town. With 2250 people on the housing waiting list, and 300 looking for shared ownership, this scheme will help to address some of that need. The scheme would be funded by EMH, with a significant contribution from the Homes and Communities Agency. The Council would receive a significant receipt, but the issue was time sensitive.

In response to question from the committee Mr Patman supplied the following information:

- Asked to comment on the design he advised he was not an architect, but the experts in the matters of design, namely the planning officers, had recommended the scheme for approval.

In response to the points raised by the speakers the Senior Planning Officer advised the Committee that:

- The development at Booth Park was now built, so should therefore be taken into consideration when looking at the areas character and mix of property design.
- Traffic flows would be less in the area without the retail element. The Highways Authority is the expert in such matters and again appropriate weight should be given to their observations.
- The site may be seen as a “green buffer,” but was not – unlike the former Booth Park and Thorpeville sites which the committee had voted against - allocated as open space.
- There were no issues raised by the ecological survey.
- As part of the consultation process the Planning Authority had written to all residents who had made representations on the previous application.

- In the officers opinion this was a deliverable and sustainable scheme that would address housing need.

In response to questions from the Committee the Senior Planning Officer advised the Committee that:

- The two bus stops shown in the plans were already in place, so laybys had not been considered as part of the application.
- Traffic flow may increase by a limited number as this was a development for only 38 properties. The Highways Authority had no objections, subject to the mitigation proposals.
- Booth Park would have formed part of the Highways Authority consideration.
- He believed the design was in keeping and the Council Urban Design Officer had raised no objections.
- All previous objectors had been written to and he could not explain the lack of resident numbers attending the Committee.

The Committee discussed the report.

Upon a proposal from Councillor Mason, seconded by Councillor N Choudary the Committee voted whether to accept the recommendation.

The vote on the resolution being - For: 4 Against: 4 Abstained: 1

On the casting vote of the Chairman the vote being - For: 4 Against: 5

The Committee discussed reasons for refusal.

Upon a proposal from Councillor I Choudary, seconded by Councillor Lynch the committee **RESOLVED**:

That the application be **REFUSED** on the grounds that:

The application site is an isolated site surrounded by roads, including those frequented by a high volume of traffic, which prevent effective direct pedestrian links to the surrounding area from being formed. As a consequence, the development would not be integrated with the surrounding area. Furthermore, the site can be characterised as forming a transitional green area between the urban areas to the south and the less built up setting to the north, as a consequence the development would form an incongruous feature, detrimental to the character and appearance of the locality and visual amenity. The proposal therefore fails to comply with the requirements of the National Planning Policy Framework and Policy H7 of the Northampton Local Plan.

The vote on the resolution being - For: 5 Against: 4

**(A) N/2013/1143 - FORMER GAS HOLDER SITE, TOWCESTER ROAD:  
OUTLINE APPLICATION FOR THE DEMOLITION OF EXISTING  
STRUCTURES AND REDEVELOPMENT FOR FLEXIBLE MIXED USES  
AND ASSOCIATED WORKS**

The Director of Regeneration and Planning left the meeting for consideration of the item.

The Principal 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 was asked to note that Condition 19 of the Addendum should read, "2,500 lines".

The recommendation was for approval in principle, subject to the prior completion of a S106 agreement and subject to the conditions set out in the report and addendum.

Mr Lewis, National Grid, addressed the Committee. He explained that National Grid had a large portfolio of land, including some 400 former gas works sites. They had a proud record of developing brownfield sites. Following discussions with West Northants Development Corporation and the Council this site had been brought forward in their development timetable from 2019. This 8 acre site would be cleared and ready to market by the year end.

Mr Rouse, agent for the applicant, highlighted that this was an outline application to determine access. He believed this proposal would help enable further development in line with the Council's long term plans. No objections had been received and the proposal had been vigorously reviewed by the Local Authority.

In response to questions from the Committee the Principal Planning Officer supplied the following information:

- The largest unit shown on the indicative plan was 1700m<sup>2</sup>. Primark in the town centre was 980m<sup>2</sup>.

The Committee discussed the report.

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

**(C) N/2014/0137 - SITES F AND G UPTON, HIGH STREET, UPTON: ERECTION  
OF A MIXED USE DEVELOPMENT COMPRISING OF CONVENIENCE  
STORE, RETAIL UNITS, NURSERY, CAFE RESTAURANT, 77  
APARTMENT EXTRA CARE FACILITY AND 32 GENERAL NEEDS  
APARTMENTS WITH ACCESS AND PARKING SPACES**

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

The recommendation was for approval in principle, subject to the prior completion of a S106 agreement and subject to the conditions set out in the report.

The Committee discussed the report.

**RESOLVED:** That the application be **APPROVED IN PRINCIPLE** subject to the prior completion of a S106 agreement and subject to the conditions set out in the report.

**(D) N/2014/0155 - DEVELOPMENT LAND, OLD TOWCESTER ROAD:  
RESIDENTIAL DEVELOPMENT COMPRISING 45 APARTMENTS,  
ASSOCIATED ACCESS, PARKING, DRAINAGE, LANDSCAPING AND  
PUBLIC OPEN SPACE**

The Development Management Team Leader outlined the report of the Head of Planning, as set out in the agenda. The Committee was asked to note that 1.2 i) should read "5 affordable housing rented units on site or".

The recommendation was for approval in principle, subject to the conditions set out in the report.

The Committee discussed the report.

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

**(E) N/2014/0171 - 113 ABINGTON AVENUE: CHANGE OF USE FROM  
DWELLING (C3) TO HOUSE OF MULTIPLE OCCUPATION FOR 5  
OCCUPANTS (C4)**

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

The recommendation was for approval subject to the conditions set out in the report.

In response to questions from the Committee the Senior Planning Officer supplied the following information:

- He believed five was a comparable number of residents to those that may live in the property as a single dwelling.
- The Highways Authority had requested 2 off road parking spaces, but these could not be supplied.

The Committee discussed the report.



Upon a proposal from Councillor I Choudary, seconded by Councillor Golby the committee **RESOLVED**:

That the application be **REFUSED** on the grounds that:

1. The proposed development would, by reason of its scale and nature of use, would exacerbate the existing parking problems within the vicinity of the site to the detriment of highway safety. The proposal therefore fails to accord with the requirements of the National Planning Policy Framework.
2. The proposed development would create an undue concentration of such uses within the area to the detriment of the character and amenities of the surrounding. The proposal fails to comply with the National Planning Policy Framework, Policy H30 of the Northampton Local Plan and Policy H6 of the submitted West Northamptonshire Joint Core Strategy.

The vote on the resolution being - For: 4 Against: 0 Abstained: 5

**(F) N/2014/0214 - 37 SEMILONG ROAD: CHANGE OF USE FROM DWELLING (C3) TO 7 BED HIMO (SUI GENERIS)**

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

The recommendation was for approval subject to the conditions set out in the report.

Councillor Marriott addressed the Committee as ward member. He believed that the proliferation of HIMO's in the Semilong area was changing the nature of the community. This particular property was lacking in facilities for those living there. The Highway Authority had raised the matter of off road parking, which was not provided, and this property sat on a very busy corner.

In response to a question from the Committee Councillor Marriott supplied the following information:

- He did not know the exact percentage of properties that are a HIMO, but he believed the number was growing as more were found that did not have the requisite planning permissions.

In response to the points raised by Councillor Marriott the Senior Planning Officer supplied the following information:

- In Semilong Road 31 of 183 properties had been so far identified as HIMOs.

In response to questions from the Committee the Senior Planning Officer supplied the following information:

- Most of those properties found to be a HIMO without planning permission simply applied for retrospective permission.
- The Highways Authority had requested 2 off road parking spaces, but with public transport nearby this could be seen as a sustainable development.

The Committee discussed the report.

Upon a proposal from Councillor Golby, seconded by Councillor Mason the committee **RESOLVED**:

That the application be **REFUSED** on the grounds that:

1. The development has resulted in the loss of a single dwelling house within a primarily residential area. The development therefore prevents the provision of a wide choice of homes being provided in this location contrary to the requirements of the National Planning Policy Framework and adversely affects the character of the area contrary to the requirements of Policy H6 of the submitted West Northamptonshire Joint Core Strategy.
2. The proposal forms an overly intensive form of development that prevents a satisfactory level of amenity afforded to occupiers of the property contrary to the National Planning Policy Framework.

The vote on the resolution being - For: 8 Against: 0 Abstained: 1

**(G) N/2014/0262 - 25 STANLEY STREET: CHANGE OF USE FROM DWELLING (C3) INTO HOUSE IN MULTIPLE OCCUPATION (C4) FOR 4 TENANTS (RETROSPECTIVE APPLICATION)**

The Senior Planning Officer advised that he would make a single presentation for items 10g and 10h. Both were from a single applicant and were similar properties owned by the same landlord.

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 recommendation was for approval subject to the conditions set out in the report and addendum.

Councillor Marriott addressed the Committee as ward member. He suggested there are some excellent landlords in Semilong and not all HIMO's were unwelcomed. He considered these properties though were not of a good standard. They were former family homes, a good distance from transport links, again requiring designated parking according to the Highway Authority. He asked that the Committee consider

what they saw on the site visit, including the condition of the properties, and that neither the landlord nor applicant had attended that visit.

In response to a question from the Committee Councillor Marriott supplied the following information:

- Residents had made their concerns on HIMO's known to the Semilong Forum and Planning Department direct.
- Residents also brought any "illegal" HIMO to the attention of the Semilong Forum.

In response to the points raised by Councillor Marriott the Senior Planning Officer supplied the following information:

- Planning Officers had previously visited both properties to confirm the layout.

In response to questions from the Committee the Senior Planning Officer supplied the following information:

- The applicant is the prospective purchaser of the properties.

The Committee discussed the report.

Upon a proposal from Councillor I Choudary, seconded by Councillor Ford the committee **RESOLVED**:

That the application be **REFUSED** on the grounds that:

The use of this property for multiple occupation would create an undue concentration of such premises in this locality to the detriment of the general amenities and character of the area contrary to Policy H30 of the Northampton Local Plan, Policy H6 of the submitted West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

The vote on the resolution being - For: 8 Against: 0 Abstained: 1

**(H) N/2014/0263 - 47 STANLEY STREET: CHANGE OF USE FROM DWELLING (C3) INTO HOUSE OF MULTIPLE OCCUPATION (C4) FOR 4 TENANTS (RETROSPECTIVE)**

The Committee discussed the report.

Upon a proposal from Councillor N Choudary, seconded by Councillor Mason the committee **RESOLVED**:

That the application be **REFUSED** on the grounds that:

The use of this property for multiple occupation would create an undue concentration of such premises in this locality to the detriment of the general amenities and character of the area contrary to Policy H30 of the Northampton Local Plan, Policy

H6 of the submitted West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

The vote on the resolution being - For: 8 Against: 0 Abstained: 1

**(I) N/2014/0462 - FORMER ST CRISPIN HOSPITAL, BERRYWOOD ROAD:  
APPLICATION TO VARY SECTION 106 AGREEMENT IN RESPECT OF  
APPLICATION N/1997/0566 TO REMOVE THE OBLIGATION TO PROVIDE  
A LINK ROAD BETWEEN BERRYWOOD ROAD AND ST CRISPIN DRIVE**

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

The recommendation was to agree to the variation of the S106 agreement as set out in the report.

The Committee discussed the report.

**RESOLVED:** That the variation to the S106 agreement be **APPROVED** as set out in the report.

The vote on the resolution being - For: 8 Against: 0 Abstained: 1

**(J) N/2014/0473 - EXTENSION TO EXISTING BOWLING CLUB BUILDING TO  
PROVIDE CHANGING AND LOCKER ROOM AT INDOORS BOWLS  
CENTRE KINGSTHORPE RECREATION GROUND HARBOROUGH ROAD**

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

The recommendation was for approval subject to the conditions set out in the report.

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

The meeting concluded at 9:02 pm