

NORTHAMPTON BOROUGH COUNCIL

PLANNING COMMITTEE

Tuesday, 30 September 2014

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

Steven Boyes, Director of Regeneration, Enterprise and Planning;
Rita Bovey, Development Manager; Richard Palmer, Planning Policy
Team Leader; Andrew Holden, Principal Planning Officer; Ben Clarke,
Senior Planning Officer; Theresa Boyd, Lawyer; Nathan Birch,
Democratic Services Officer

1. APOLOGIES

Apologies for absence were received from Councillor Lane.

2. MINUTES

The minutes of the meeting held on 2nd September 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.

- Houses in Multiple Occupation Interim Planning Policy Statement
Councillor Marriott
- N/2014/0315 Former Green Oaks Primary School, Bective Road
Arthur Newbury (Resident)
Sarah Smith (Resident)
Thomas Bode (Agent)
- N/2014/0532 Shoemakers Tavern, 52 Bath Street
Councillor Stone (Ward Member)
Joe Joyce (Spring Boroughs Residents Association)
Craig Ryan (Spring Boroughs Forum)
John Mitchell (Applicant)
- N/2014/0629 Former W Grose, Kingsthorpe Road
Councillor Marriott (Ward Member)
Councillor Beardsworth

Julie Shaw (Resident)
Brian Burnett (Queens Park Res Association)
Rob Riding (Agent)

- N/2014/0891 The Mounts Surface Car Park
Councillor Stone (Ward Member)

4. DECLARATIONS OF INTEREST/PREDETERMINATION

Councillor Ford declared a personal, non-prejudicial interest in Item 9b; in that his wife works at Delapre Abbey tea rooms. He could however approach the matter with an open mind, without any predetermination or prejudice.

Councillor Golby declared a pecuniary interest in Item 10a; as a member of Northamptonshire County Council and the Cabinet Member responsible for Education. He would leave the room for the duration of the item.

Councillor Golby also declared a personal, non-prejudicial interest in Item 10c; as a member of Northamptonshire County Council and the Cabinet Member responsible for Education. The school neighbouring the site had made representations regarding the application, but he had not been involved in the formation or making of those representations. He could therefore approach the matter with an open mind, without any predetermination or prejudice.

Steven Boyes, Director of Regeneration, Enterprise and Planning, declared a pecuniary prejudicial interest in item 9b; as the responsible officer for negotiations regarding development at Delapre Abbey. He would leave the room for the duration of the item.

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

RESOLVED: To determine the following item, that was considered by the Chair to be a Matter of Urgency, because of the undue delay if consideration of it was not made: Section 106 Agreement: N/2013/1325 – Planning Appeal in relation to Residential development comprising 69 dwellings with associated access (via Harcourt Way), public open space and local equipped area of play and balancing pond, land off Danes Camp Way.

The Development Manager outlined the report of the Director of Regeneration, Enterprise and Planning.

The committee discussed the report.

RESOLVED: To delegate authority to the Borough Secretary to negotiate and agree terms for a Section 106 Agreement including terms for the transfer to the Council of open space land in consultation with the Director of Regeneration, Enterprise and Planning

6. LIST OF CURRENT APPEALS AND INQUIRIES

The Director of Regeneration, Enterprise and Planning submitted a List of Current Appeals and Inquiries.

The Development Manager introduced the written report and elaborated thereon.

RESOLVED: That the report be noted

7. OTHER REPORTS

(A) HOUSES IN MULTIPLE OCCUPATION: INTERIM PLANNING POLICY STATEMENT

The Planning Policy Team Leader introduced the written report and elaborated thereon. He explained the report was for information and the consultation period was ongoing.

The Chair invited Councillor Marriott to address the Committee. He welcomed the report and hoped that the final policy would lead to more consistent decision making with regard to House in Multiple Occupation (HIMO's) applications. He also asked that the officers consider if the 15%:50m radius guidance was appropriate in densely populated areas.

In response the Planning Policy Team Leader explained that the officers believed 15% was reasonable, other issues such as the change in character could still be considered and each application would be considered on its own merits.

RESOLVED: That the report be noted

(B) LA/2000/0009 - VARIATION OF S106 OBLIGATIONS, LAND AT UPTON

The Development Manager introduced the written report and elaborated thereon.

The Committee discussed the report.

RESOLVED: To vary the obligations contained within the section 106 agreement dated 25 May 2000 as set out in this report.

8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS

None

9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

- (A) N/2014/0870: 42 - 48 BRIDGE STREET - INSTALLATION OF SLIMLITE DOUBLE GLAZING TO THE FIRST AND SECOND FLOOR WINDOWS LOCATED ON THE FRONT ELEVATION OF 42 - 48 BRIDGE STREET. INCLUDING THE REPAIR AND REDECORATION OF ALL WINDOWS TO THE PROPERTY EXCLUDING THE SHOP FRONT WINDOWS**

The Development Manager outlined the report of the Director of Regeneration, Enterprise and Planning, as set out in the agenda and addendum. The recommendation was for approval in principle with the conditions set out in the report.

The Committee discussed the report.

RESOLVED: That the application be **APPROVED IN PRINCIPLE**, subject to prior referral to the Secretary of State and with the conditions set out in the report

- (B) N/2014/0927: ABBEY COTTAGE, DELAPRE ABBEY - TEMPORARY CHANGE OF USE OF ABBEY COTTAGE FROM RESIDENTIAL (C3) TO OFFICE AND EXHIBITION SPACE**

The Director of Regeneration, Enterprise and Planning left the meeting for the duration of the item.

The Principal Planning Officer outlined the report of the Director of Regeneration, Enterprise and Planning, as set out in the agenda and addendum. The consultation period was due to end on 2nd October 2014 so the recommendation was amended accordingly to delegate authority to the Director of Regeneration, Enterprise and Planning, subject to there not being any additional objections raising new issues. The recommendation was for approval with the conditions set out in the report and addendum.

In response to questions from the Committee the Principal Planning Officer confirmed that the property had been empty for some time and the main entrance to the building would be from the car park side of the building.

RESOLVED: That the Committee delegate authority to **APPROVE** to the Director of Regeneration, Enterprise and Planning, subject to the conditions set out in the report.

10. ITEMS FOR DETERMINATION

- (A) N/2014/0315: FORMER GREEN OAKS PRIMARY SCHOOL, BECTIVE ROAD - OUTLINE PLANNING APPLICATION WITH ALL MATTERS RESERVED EXCEPT ACCESS (FROM BECTIVE ROAD AND WHISTON ROAD) FOR A RESIDENTIAL DEVELOPMENT COMPRISING 170 DWELLINGS AND PUBLIC OPEN SPACE**

Councillor Golby left the meeting for the duration of the item.

The Senior Planning Officer outlined the report of the Director of Regeneration, Enterprise and Planning, as set out in the agenda and addendum. He drew the Committee's attention to the addendum and the need to finalise the S106 Agreement with regards to securing suitable highways mitigation. To facilitate this, the recommendation had been amended to delegate the final determination to the Director of Regeneration, Enterprise and Planning.

The Chair invited Mr Newbury to address the Committee. He believed that traffic congestion was already a major concern in the surrounding area. The S106 Agreement should address this and other infrastructure issues.

The Chair invited Ms Smith to address the Committee. She too had concerns about congestion and that amenities needed to expand to meet future demand. She also added that the vacant plot had added to the ecology in the area.

The Chair invited Mr Bode to address the Committee. He explained that the site had been vacant for 10 years and was a suitable for brownfield development. There would be 60 affordable homes in the 170 properties built. He believed that the S106 Agreement would be in place shortly and the applicant was happy to work with all parties to secure an acceptable agreement.

In response to questions from the Committee Mr Bode supplied the following information:

- The timescale for work commencing was not yet known.
- The Highways Authority is in discussions about the works that will be required and will form part of any S106 Agreement.
- A Construction Environmental Management Plan would be put in place to mitigate the effects to the surrounding area.
- The Highways Authority has not requested any works to the nearby junction with Kingsthorpe Road.

The Senior Planning Officer clarified the following points:

- The S106 Agreement would address future need for education places.
- The ecology of the site has been assessed. Further surveys would take place prior to construction works taking place in order to take into account any changes. Additional mitigation would also be secured through suitable landscaping and the presence of other facilities, such as bat boxes.
- That a Construction Environment Management Plan would be submitted to the Council prior to the commencement of development. This would include details over the routing of construction traffic and the hours in which building works would take place.

The Committee discussed the report.

RESOLVED: That the Committee delegate authority to **APPROVE** the application to the Director of Regeneration, Enterprise and Planning, subject to the conditions set out in the report and agreement being reached on the S106 Agreement

(B) N/2014/0532: 52 BATH STREET - CHANGE OF USE FROM PUBLIC HOUSE (A4) INTO 10 BED HOUSE OF MULTIPLE OCCUPATION (SUI GENERIS), TOGETHER WITH EXTENSION AT SHOEMAKERS TAVERN

The Principal Planning Officer outlined the report of the Director of Regeneration, Enterprise and Planning, as set out in the agenda and addendum. The recommendation was for approval subject to the conditions as set out in the report. He advised the Committee the applicant had agreed to fund the relocation of a lamppost currently blocking one access to the site.

The Chair invited Councillor Stone to address the Committee. She explained how the local community was working hard to enhance the area, but that this application was against their specific wish to see the building retained for community use.

In response to questions from the Committee Councillor Stone supplied the following information:

- She did have concerns that the property could become an unmanaged hostel for vulnerable people.
- She did believe that all the alternative uses for the site had been fully explored.
- The Neighbourhood Forum had applied to have the building retained as an Asset of Community Value. They also wished to include the building as part of the neighbourhood local plan.

The Chair invited Mr Joyce to address the Committee. He explained that the Spring Boroughs Residents Association had considered the plans carefully, but did not believe that they would help maintain a cohesive community. He also raised the issue of shared facilities and a minimal number of parking spaces allocated to the property.

In response to questions from the Committee Mr Joyce supplied the following information:

- The building had been empty for 3 years.
- The developer had not approached the Residents Association until after the application was submitted.

The Chair invited Mr Ryan to address the Committee. He believed that the proposal was contrary to Central Area Action Plan (CAAP) Policy 24, due to loss of amenity or commercial site. He also believed the 10 residents condition contained in the report would be unenforceable.

In response to questions from the Committee Mr Ryan supplied the following information:

- Local residents had had difficulty in contacting the owners during recent years.
- As a public house the business had been successful at times, but had finally closed 3 years ago.

The Chair invited Mr Mitchell to address the Committee. He explained that his company had a policy of closely managing their buildings and this would not be a hostel type property, instead they looked to attract long term tenants. With regard to room size, bathroom numbers and kitchen facilities the plans either met or exceeded the standards required.

In response to questions from the Committee Mr Mitchell supplied the following information:

- His firm did not manage any other properties in Northampton.
- Other development on the site was not financially viable.
- There are no plans to use the cellar space.
- There will be two site entrances, with one entrance to the building itself.

The Principal Planning Officer clarified the following points:

- The application was for a HIMO and not a hostel. The proposed residents are not specified as students or otherwise.
- With regard to the CAAP, Policy 24, officers believe this development did add to the mix of housing in the area.
- Aspiration for an alternative use is not a material planning consideration.
- Emergency exits from the property will be dealt with by Building Regulations.

The Committee discussed the report.

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

(C) N/2014/0629: FORMER W GROSE SITE, KINGSTHORPE ROAD - ERECTION OF 54 DWELLINGS; A NEW FOODSTORE OF 1,534 SQM GROSS INTERNAL AREA AND 1,140 SQM NET SALES FLOORSPACE WITH ANCILLARY OFFICE ACCOMMODATION; 90 CUSTOMER CAR PARKING SPACES INCLUDING 7 DISABLED SPACES ASSOCIATED WITH THE NEW FOODSTORE; A NEW SIGNALLED HIGHWAYS ACCESS JUNCTION ON KINGSTHORPE ROAD AND FULL LANDSCAPING SCHEME (AS AMENDED BY REVISED AND ADDITIONAL INFORMATION RECEIVED 13/08/2014)

The Senior Planning Officer outlined the report of the Director of Regeneration, Enterprise and Planning, as set out in the agenda and addendum.

The Chair invited Councillor Marriott to address the Committee. He welcomed the revised scheme, with a smaller retail outlet and much needed housing provision. He added that while the neighbouring school had been identified, it was good that the school and developer were working address the issues. He hoped that the S106 funds would go towards local public need and not lost into the County Council funding pool.

The Chair invited Councillor Beardsworth to address the Committee. She welcomed the smaller supermarket and the removal of the petrol station which would alleviate traffic movement in the area. She believed that the proposed gardens would be too close to the school and details of the proposed fence needed to be finalised. Concerns over the on street parking in Queens Park Parade had also been raised with her.

In response to questions from the Committee Councillor Beardsworth supplied the following information:

- There is other green space at the school, but they had identified the one in question for specific use as a quiet area.
- She was not aware of the detail of the fence to be constructed.

The Chair invited Ms Shaw to address the Committee. She explained she lived in Thornton Road, to the west of the site. Residents had concerns about the future opening of access to this road from the development.

The Chair invited Mr Burnett to address the Committee. He expressed support for the reduced scale of the retail development, but asked that there be clarity on access and parking issues in the area. He asked that S106 funds be identified for work on parks in the local area.

The Chair invited Mr Riding to address the Committee. He believed the reduced retail development, with a small scale housing development, would have a lesser impact on the surrounding area than the already agreed larger retail proposal. In response to a request from the school the developer had agreed to lower the level of the properties bounding the school and install a 3m fence as agreed. It was anticipated that work would start in January 2015 and last for approximately 20 months. He believed this was a suitable use for a prominent site.

In response to questions from the Committee Mr Riding supplied the following information:

- The changes to the development nearest to the school boundary would mean there would no overlooking.
- Any contamination would be cleared and remediation made prior to building work commencing.
- The developer was willing to agree final details of the proposed school fence with the Planning Department.

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

- The developer had agreed a 3m high, closed board fence with the school.
- That officers would ensure that the requirements of the school are fully considered when finalising the type and design of the boundary treatments and that they are consulted before the height and design are agreed.
- That the proposed Section 106 Agreement Heads of Terms had been drafted to give the Council some flexibility as to what any payments would be used for as the money may not be received for some time; however, any received funds would need to be spent in accordance with the legal tests as described in paragraph 7.37 of the Committee report.

The Committee discussed the report.

RESOLVED: The application be **APPROVED IN PRINCIPLE** subject to the prior completion of a Section 106 Legal Agreement and the conditions as set out in the report.

(D) N/2014/0891: THE MOUNTS SURFACE CAR PARK - INSTALLATION OF A FREESTANDING, SELF CONTAINED AUTOMATIC PUBLIC CONVENIENCE INSTALLED WITHIN CAR PARK

The Principal Planning Officer outlined the report of the Director of Regeneration, Enterprise and Planning, as set out in the agenda. The recommendation was for approval subject to the conditions set out.

The Chair invited Councillor Stone to address the Committee. She did not believe that the proposal met the wishes of Full Council. She hoped this was a temporary arrangement until permanent facilities are built.

The Committee discussed the report.

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

(E) N/2014/0907: INDOOR BOWLS CENTRE KINGSTHORPE RECREATION GROUND, HARBOROUGH ROAD - EXTENSION TO EXISTING BOWLING CLUB BUILDING TO PROVIDE CHANGING AND LOCKER ROOM (RE-SUBMISSION OF PLANNING APPROVAL N/2014/0473)

The Senior Planning Officer outlined the report of the Director of Regeneration, Enterprise and Planning, as set out in the agenda. The recommendation was for approval subject to the conditions set out.

The Committee discussed the report.

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

(F) N/2014/0994: FORMER PRINCESS MARINA HOSPITAL SITE, WEEDON ROAD - APPLICATION TO VARY SECTION 106 AGREEMENT IN RESPECT OF APPLICATION 07/0004/OUTWNN TO AMEND THE MORTGAGEE CLAUSE

The Principal Planning Officer outlined the report of the Director of Regeneration, Enterprise and Planning, as set out in the agenda. The recommendation was that the variation be agreed.

The Committee discussed the report.

RESOLVED: That the variations to the S106 agreement be **AGREED** as set out in the report

11. ENFORCEMENT MATTERS

None

12. ITEMS FOR CONSULTATION

None

The meeting concluded at 9:07 pm