

NORTHAMPTON BOROUGH COUNCIL

PLANNING COMMITTEE

Tuesday, 27 October 2015

PRESENT: Councillor Oldham (Chair); Councillor Lynch (Deputy Chair);
Councillors Birch, Davenport, Golby, Haque, Hill, Lane, Larratt,
McCutcheon and Meredith

OFFICERS: David Hackforth (Interim Head of Planning), Rita Bovey
(Development Manager), Nicky Toon (Principal Planning Officer)
Claire Berry (Planning Policy & Heritage Manager) Jonathan Moore
(Planning Officer), Andrew Holden (Principal Planning Officer) and
Theresa Boyd (Solicitor)

1. APOLOGIES

Apologies for absence were received from Councillor Aziz.

2. MINUTES

The Chair noted that the minutes attached to the agenda were from the 2nd November 2015 and should have been from the 29th September 2015, which had been circulated to members. The minutes of the meeting held on 29th September 2015 were agreed and signed by the Chair.

3. DEPUTATIONS / PUBLIC ADDRESSES

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

N/2015/0987

Ms Heather Green
Mr Kelvin Acford
Councillor Alan Bottwood
Mr Mark Croxon
Mr Keith Mitchell

N/2015/0421

Mr Tony Ansell
Mr Jamie Seamark
Mr Alex Stevenson

N/2015/0756

Mr Gallop
Councillor Smith
Councillor Stone
Mr Tristan Hay

N/2015/0757

Mr Gallop

Councillor Smith
Councillor Stone
Mr Tristan Hay

N/2015/0791

Ms Mavis Wilmhurst
Mr Colin Ingle

N/2015/0991

Mr David Croissant
Councillor Marriott

4. DECLARATIONS OF INTEREST/PREDETERMINATION

Councillor Oldham declared a personal non pecuniary interest in Item 10e as the Ward Councillor.

Councillor Birch declared a personal non pecuniary interest in Item 9a, as a Trustee of Community Spaces Northampton.

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

RESOLVED: That the determination of the following item, which was considered by the Chair to be a Matter of Urgency because of the undue delay if consideration of it was delayed, be as follows:

Members were reminded that the planning applications to the proposed Northampton South SUE development in Collingtree (outline 1,000 dwellings and a full application for 378 dwellings) were refused by the Planning Committee in January 2015. Following the refusal, the applicant Bovis Homes submitted an appeal to the Planning Inspectorate and a public inquiry is due to be heard from 1st of December 2015.

The Council has appointed a consultant team to deal with the appeal which includes a leading barrister and consultants to deal with traffic, air quality, planning, heritage and noise matters.

Both of the applications were originally refused on the same reasons including the principle in relation to the JCS, impact on the highway network due to increased traffic, impact on existing residents from increased traffic, noise and air quality, and heritage.

Following advice from the appeal team – The reason for refusal on the principle of the development was withdrawn, and the reference to air quality was removed from the noise and air quality reason.

The appeal team have since then been working on the Council's case and received a significant amount of technical information from the appellant's appeal team.

Following the process of scrutinising all the technical information, the Council had been informed very recently from the highway consultant that the proposed development would have impact but the impact is less than substantial and with the proposed mitigations, the development was considered to be acceptable in highway terms. The noise consultant also advised that he would not be able to defend the reason for refusal on noise impact due to increased traffic.

Following advice from the barrister, the Council had no choice but to withdraw the **two** traffic reasons for refusal. The appeal team would continue with the two other reasons for refusal in relation to noise and heritage matters and will present the Council's case in December 2015.

It was noted that the Council had to adhere to a very strict time table set down in the appeal process. As the matter had only just come to a head there was a need to confirm to the Planning Inspectorate and revise the Council's Statement of Case last week. Any delay would result in cost awarded against the Council for unreasonable delay.

The Committee noted the matter of urgency.

The Chair proposed that a special Planning Committee meeting be held to discuss the Collingtree application.

RESOLVED: That a special Planning Committee meeting be held on the 10th November 2015.

6. LIST OF CURRENT APPEALS AND INQUIRIES

The Development Manager submitted a List of Current Appeals and Inquiries and elaborated thereon.

RESOLVED: That the report be noted.

7. OTHER REPORTS

(A) NORTHAMPTON RELATED DEVELOPMENT AREA 5 YEAR HOUSING SUPPLY ASSESSMENT

The Planning Policy & Heritage Manager elaborated on a report submitted by the Director of Regeneration, Enterprise and Planning and asked members to note the contents of the 2015 Five Year Housing land Supply report, and the implications that this would have on determining planning applications for housing.

Members discussed the report.

RESOLVED: That the report be noted.

8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS

There were none.

9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

(A) N/2015/0987 - NEW COMMUNITY CENTRE INCORPORATING CHANGING ROOM FACILITIES AND NURSERY SCHOOL. NEW ACCESS ROAD WITH PARKING FACILITIES. RELOCATION OF PLAY AREA. LAND OFF ST CRISPIN DRIVE

Having declared an interest Councillor Birch left the room.

The Principal Planning Officer submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. Members' attention was drawn to the additional information contained within the addendum. It was explained that the recommendation in the report was for approval, in principle.

Ms Heather Green spoke against the application as a local resident.

Mr Kelvin Acford addressed the Committee on behalf of St Crispin & Ryelands Cricket Club (SCRCC) and spoke against the application.

Councillor Bottwood spoke as the Ward Councillor and stated he was not representing the views of the Parish Council; He spoke in favour of the application.

Mr Mark Croxon, the architect, spoke in favour of the application

Mr Keith Mitchell, the project manager at NBC, spoke in favour of the application.

Members discussed the report and expressed concerns that there was a need for extra fencing to be placed around the play area to ensure the safety of children using the play area.

RESOLVED:

That the application be **APPROVED IN PRINCIPLE** subject to the conditions set out in the report and the addendum and matters in paragraphs 1.1 and 1.2 of the report with delegated authority being given to the Interim Head of Planning in consultation with the Chair of Planning Committee to resolve any additional issues raised not dealt with in the report and issue planning permission after the consultation period has expired including an additional condition requiring fencing around the relocated play area.

(B) N/2015/1172 - ERECTION OF TWO NON-ILLUMINATED FREE STANDING SIGNS. FORMER GREYFRIARS BUS STATION SITE, LADYS LANE

The Planning Officer elaborated on a report submitted by the Director of Regeneration, Enterprise and Planning. It was noted that it was for approval subject to the conditions within the set out in the report.

The Committee discussed the report.

RESOLVED:

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

10. ITEMS FOR DETERMINATION

(A) N/2015/0421 - SINGLE STOREY EXTENSION TO CAFÉ. PARK CAFÉ, ABINGTON PARK, WELLINGBOROUGH ROAD

The Development Manager submitted a report on behalf of the Director of Regeneration, Enterprise and Planning. It was explained that the report was for the refusal of the application. It was noted that the application was substantially a resubmission of a previously approved scheme but on a larger scale.

Mr Tony Ansell addressed the Committee and stated he was doing so as the applicant and not in his capacity of a Councillor. He stated that he had a disclosable pecuniary interest in the item as he had a financial interest in the leasehold property. He spoke in favour of the application.

Mr Ansell left the room after having addressed the Committee.

Mr Jamie Seamark addressed the Committee and spoke against the application.

Mr Alex Stevenson spoke in favour of the application.

Members discussed the report.

That the application be **APPROVED** as the proposal was essential to secure the substantial public benefit of the improvements to an existing café which serves people visiting Abington Park. The benefit of this would outweigh any adverse impact on the conservation area and the substantial harm to the setting of the Grade 1 listed building, thereby complying with paragraphs 131, 133 and 134 of the National Planning Policy Framework, Policy BN5 of the West Northamptonshire Joint Core Strategy and Policy E26 of the Northampton Local Plan 1997 (saved policies).

(B) N/2015/0756 - CHANGE OF USE FROM SINGLE DWELLING (USE CLASS C3) TO A HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 5 RESIDENTS. 45 ALLEN ROAD

The Principal Planning Officer submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. It was noted that the recommendation was for the approval of the application.

Mr Gallop, a local resident addressed the Committee and spoke against the application.

Councillor Smith, as the Ward Councillor, spoke against the application.

Councillor Stone, also the Ward Councillor, spoke against the application.

Mr Tristan Hay, the property owner addressed the Committee and spoke in favour of the application.

Members discussed the report.

RESOLVED:

That the application be **DEFERRED** to allow for further investigation be carried out to clarify the number of existing HIMOs in the area.

(C) N/2015/0757 - CHANGE OF USE FROM SINGLE DWELLING (USE CLASS C3) TO A HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 4 RESIDENTS. 35 ALLEN ROAD

The Principal Planning Officer submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. It was noted that the recommendation was for the approval of the application.

Mr Gallop, a local resident addressed the Committee and spoke against the application.

Councillor Smith, as the Ward Councillor, spoke against the application.

Councillor Stone, also the Ward Councillor, spoke against the application.

Mr Tristan Hay, the property owner addressed the Committee and spoke in favour of the application.

Members discussed the report.

RESOLVED:

That the application be **DEFERRED** to allow for further investigation be carried out to clarify the number of existing HIMOs in the area.

(D) N/2015/0780 - ERECTION OF CINEMA AND CREATION OF EXTERNAL TERRACE. LAND AT THE CORNER OF ALBION PLACE AND DERNGATE

The Principal Planning Officer submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. It was noted that the recommendation was for approval in principle.

Members discussed the report.

RESOLVED:

That the application be **APPROVED IN PRINCIPLE** subject to the conditions set out in the report. It was also noted that delegated authority be given to the Interim Head of Planning in consultation with the Chair of Planning Committee to resolve any additional issues raised in comments received not dealt with

(E) N/2015/0791 - NEW CONSERVATORY/GARDEN ROOM TO FRONT OF CAFÉ. DROVERS RETURN CAFÉ, HUNSBURY HILL COUNTRY PARK, HUNSBURY HILL ROAD

The Planning Officer submitted a report on behalf of the Director of Regeneration, Enterprise and Planning. It was noted that the recommendation was for refusal.

Ms Mavis Wilmhurst addressed the Committee and spoke in favour of the application.

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

The Committee discussed the report.

RESOLVED:

That the item be deferred for negotiations to take place between officers and the applicant regarding design and materials.

(F) N/2015/0933 - TWO-STOREY REAR EXTENSION AND CHANGE OF USE TO TWO SELF-CONTAINED FLATS. RETROSPECTIVE APPLICATION. 58 GRAY STREET

The Principal Planning Officer submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. It was noted that the recommendation was for approval.

RESOLVED:

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

(G) N/2015/0991 - CHANGE OF USE FROM DWELLING (USE CLASS C3) TO A HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 3 RESIDENTS (RETROSPECTIVE). 72 SALISBURY STREET

The Senior Planning Officer submitted a report on behalf of the Director of Regeneration Enterprise and Planning and elaborated thereon. It was noted that the application was retrospective and the recommendation was for approval.

Councillor Marriot, as Ward Councillor, addressed the Committee and spoke against the application.

Mr David Croissant, the owner and landlord spoke in favour of the application.

The Committee discussed the report.

RESOLVED:

That the application be **APPROVED** subject to the conditions as set out in the report and for the following reason:

The development proposed would not lead to an unacceptable concentration of HMOs within the locality and would not adversely impact upon the character and appearance of the property, the street scene, nor would it have any significant impacts on neighbouring amenity or parking provision. The property is of sufficient size to accommodate the level of accommodation as proposed and is in accordance with the requirements of Policies H1, H5, and S10 of the West Northamptonshire Joint Core Strategy, Policies E20 and H30 of the Northampton Local Plan, the Council's Houses in Multiple Occupation Interim Planning Policy Statement and the aims and objectives of the National Planning Policy Framework.

11. ENFORCEMENT MATTERS

None

12. ITEMS FOR CONSULTATION

None

The meeting concluded at Time Not Specified