

NORTHAMPTON BOROUGH COUNCIL

PLANNING COMMITTEE

Thursday, 17 December 2015

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

OFFICERS: David Hackforth (interim Head of Planning), Rita Bovey (Development Manager), David Rowen (Development Management Team Leader), Ben Clarke (Senior Planning Officer), Debbie Carter-Hughes (Solicitor), Michael Flynn (Democratic Services Officer)

1. APOLOGIES

Apologies were received from Councillors Aziz, Larratt, Lynch and Davenport.

2. MINUTES

The minutes of the meetings held on 27th October, 10th November and 24th November were agreed and signed by the Chair.

3. DEPUTATIONS / PUBLIC ADDRESSES

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

N/2015/0333

Scott Bryden

Mrs Cecily Richardson

4. DECLARATIONS OF INTEREST/PREDETERMINATION

The Chair declared a personal non pecuniary interest in item 10c as the Ward Councillor for West Hunsbury

Councillor Hill declared a personal non pecuniary interest in item 10k as the Ward Councillor for Rectory Farm

Councillor Meredith declared a personal non pecuniary interest in item 10i as the Ward Councillor for Talavera

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

RESOLVED: That the report be noted.

7. OTHER REPORTS

(A) N/2004/0930 - VARIATION OF S106 AGREEMENT ON LAND WEST OF HARVEY REEVES ROAD

The Senior Planning Officer elaborated on a report submitted by the Director for Regeneration, Planning and Enterprise. It was reported that as the Environment Agency has confirmed that satisfactory remediation has been carried out on the site the easement strip is no longer required. It is considered appropriate that the relevant obligation can be removed from the S106. All other obligations of the original agreement would remain applicable and in force.

The Committee discussed the report.

RESOLVED

The Committee **AGREED** to vary the Section 106 agreement to remove Clause 6.4 of Schedule 2 of the agreement relating to the retention of an easement strip originally required as a potential contingency remediation corridor in relation to ground water remediation measures associated with the development of the former landfill site.

(B) N/2015/1388 - VARIATION OF S106 AGREEMENT FOR GROSE GARAGE SITE, KINGSTHORPE ROAD

The Senior Planning Officer elaborated on a report submitted by the Director of Regeneration, Enterprise and Planning. It was reported that due to potential changes in housing legislation, the developer has not been successful in securing a Registered Provider (RP) to operate the affordable housing provision of the mix stated in the current legal agreement. It was advised that it would not be desirable to potentially disrupt the redevelopment of the site, which would contribute to meeting the demand for housing in Northampton particularly as the proposal represents the reuse of previously developed land and is in a sustainable location and therefore it is recommended that the legal agreement be amended so that all of the affordable housing is occupied on shared ownership tenures, for which there is interest. In the event that the affordable housing is not deliverable on site, a mechanism has been agreed that would ensure the payment of a reasonable contribution to the Council for off-site provision.

The Committee discussed the report

RESOLVED

The Committee **AGREED** to vary the Section 106 agreement to accept the variation in tenure mixture for the provision of on-site affordable housing and in the event that the developer is unable to dispose of the properties as affordable housing to accept a contribution towards the provision of off-site affordable housing.

8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS

None.

9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

None.

10. ITEMS FOR DETERMINATION

- (A) N/2015/0333 - HYBRID PLANNING APPLICATION COMPRISING: (A) FULL PLANNING APPLICATION FOR THE ERECTION OF A 1,810M2 NEW RETAIL FOOD STORE WITH ASSOCIATED ACCESS FROM EARL STREET, LANDSCAPING AND CAR PARKING; AND (B) OUTLINE PLANNING APPLICATION WITH ALL MATTERS RESERVED EXCEPT ACCESS (FROM GREAT RUSSELL STREET) OF UP TO 19 RESIDENTIAL DWELLINGS. FORMER NORTHAMPTON CHRONICLE AND ECHO SITE, UPPER MOUNTS, CASTLE**

The Senior Planning Officer elaborated on a report submitted by the Director of Regeneration, Enterprise and Planning. It was reported that the applicant had submitted a hybrid planning application which sought full permission for a single element of the scheme (in this case the retail unit, its car parking, landscaping and access), whilst also seeking outline approval for the remainder (the residential accommodation), with the exception of access. In the event that the application is approved, a further application would be submitted to the Council to agree the outstanding details for the residential scheme, including scale, layout, landscaping and appearance.

Mr Scott Bryden as the client's Architect addressed the Committee and spoke in favour of the application.

Mrs Cecily Richardson addressed the Committee and spoke in favour of the application.

The Committee discussed the report

RESOLVED

That the application be **APPROVED IN PRINCIPLE** subject to S106 agreement and the conditions as set out in the report and for the following

reason:

1.1 The proposed development would result in the satisfactory reuse of this previously developed site on account of the proposal representing a sustainable commercial and residential development that would have a neutral impact upon the viability and vitality of the allocated hierarchy of centres in addition to contributing to the established need for housing within Northampton. Furthermore, the proposal has established a number of acceptable design parameters that would ensure that the proposed development would be of a satisfactory scale and design whilst ensuring a neutral impact upon neighbour amenity and the highway system. The proposal is therefore in accordance with the requirements of the National Planning Policy Framework; Policies H1, H2, S1, S2 and INF1 of the West Northamptonshire Joint Core Strategy; and Policies 1, 12, 16 and 23 of the Northampton Central Area Action Plan.

1.2 That delegated authority is given to the Director of Regeneration, Enterprise and Planning to negotiate and secure the necessary mitigation in the form of financial and non-financial planning obligations through the completion of a Section 106 Legal Agreement. The Legal Agreement will secure the following heads of terms:

- i) 35% on site affordable housing;
- ii) A payment towards primary education provision;
- iii) A payment towards the provision of health care facilities;
- iv) A payment towards improving the public realm and links between the application site and the town centre;
- v) The funding of a Traffic Regulation Order to enable amendments to the existing parking restrictions within Earl Street to be carried out;
- vi) That the applicant submit details of the marketing strategy for the residential portion of the site prior to building works commencing; and
- vii) The Council's monitoring fee subject to the Director of Regeneration, Enterprise and Planning being satisfied the monitoring fee is necessary and of an appropriate scale.

1.3 It is also recommended that in the event of the Section 106 Legal Agreement not being completed within three calendar months of this Committee meeting, in addition to being able to grant planning permission as recommended above, the Director of Regeneration, Enterprise and Planning be given delegated authority to either refuse or finally dispose of the application (at his discretion) on account that the necessary mitigation measures have not been secured in order to make the proposal acceptable in line with the requirements of Policies INF1 and INF2 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

1.4 The Council has advertised the application by press notice, multiple site notices and letters to the occupiers of neighbouring properties. The publicity

described the proposal as a departure from the Development Plan and identified the proposal as a major application. Consultation responses are summarised in Section 6 of this report. Unfortunately, this publicity did not identify the site as being adjacent to a Conservation Area. The Council has taken steps to rectify this, which means that the consultation period has yet to fully conclude. As a consequence, it is requested that delegated authority be given to the Director of Regeneration, Enterprise and Planning to resolve any forthcoming representations on this subject.

(B) N/2015/0738 - DEMOLITION OF PART, CONVERSION OF THE EXISTING BUILDING AND ERECTION OF TWO NEW FLOORS TO FORM 64NO. APARTMENTS. NEWSPAPER HOUSE, DERNGATE, CASTLE

The Development Management Team Leader elaborated on a report submitted by the Director of Regeneration, Enterprise and Planning. The application sought planning permission to convert a vacant office building and gym in the town centre into a residential development of 64 apartments. The development proposed to erect an extension to the building to form an additional two floors (with a mezzanine). A further mezzanine would be installed on the ground floor giving the building, overall, seven floors. An 'off-shot' two storey wing to the rear of the building would form part of the conversion.

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 benefits of the development in terms of its contribution to the five year housing land supply and the visual improvement to the Derngate Conservation Area and wider townscape, coupled with the contribution to the aspirations for the repopulation and reinvigoration of the town centre would outweigh the less than substantial harm arising to heritage assets and the relative under provision of car parking. This would therefore accord with Policies H1, S3 and S10 of the West Northamptonshire Joint Core Strategy, Policies SO7, 1, 2, 10 and 16 of the Central Area Action Plan, Policies E20 and E26 of the Northampton Local Plan and the aims and objectives of the National Planning Policy Framework

(C) N/2015/0791 - SINGLE STOREY EXTENSION TO FRONT OF CAFÉ. DROVERS RETURN CAFÉ, HUNSBURY HILL COUNTRY PARK, HUNSBURY HILL, WEST HUNSBURY

The Development Management Team Leader elaborated on a report submitted by the Director of Regeneration, Enterprise and Planning. It was reported that permission was sought for a front single storey extension to the existing café to be used as an information/visitor room and as a shelter for dog walkers using the park. The proposed extension would be a maximum height of 2.5 metres high and project 3 metres off the front wall of the existing building. Associated with the development is a small extension to the existing patio. The proposed extension would be constructed in wood with polycarbonate roof.

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 proposed development would due to its siting, scale and design not have an undue detrimental impact on the appearance and character of the host building, area, neighbouring amenity or adjacent trees and complies with Policies E20 of the Northampton Local Plan, S10 and BN5 of the West Northamptonshire Joint Core Strategy, and aims of the National Planning Policy Framework.

(D) N/2015/0999 & N/2015/1000 - CHANGE OF USE FROM OFFICE (CLASS B1) TO CHILDRENS DAY NURSERY (CLASS D1) AND ASSOCIATED WORKS AND LISTED BUILDING CONSENT APPLICATION FOR INTERNAL ALTERATIONS TO BUILDING AND ERECTION OF PALISADE FENCING,HOME FARM WORKS, ORCHARD HILL,BILLING

This item was withdrawn from the agenda.

(E) N/2015/1108 - CONVERSION OF DWELLING INTO 2 SELF-CONTAINED FLATS. 15 LESLIE ROAD, SEMILONG

The Senior Planning Officer elaborated on a report submitted by the Director of Regeneration, Enterprise and Planning. It was reported that the applicant sought planning permission to convert the existing property consisting of an existing end of terrace two storey house into two one-bedroom flats. The first floor flat would be accessed from Leslie Road whilst the ground floor flat would be accessed from a yard located to the rear (north west) of the site.

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 proposed development represents an acceptable land use, would secure an acceptable level of amenity for the future occupiers and would have a neutral impact upon the occupiers of neighbouring properties and the highway system. The proposal is therefore in accordance with the requirements of the National Planning Policy Framework; Policies H1 and S10 of the West Northamptonshire Joint Core Strategy; and Policy E20 of the Northampton Local Plan.

(F) N/2015/1110 - DEMOLISH EXISTING CONSERVATORY, ERECT SINGLE-STOREY REAR EXTENSION AND SINGLE-STOREY FRONT EXTENSION. ELEANORE HOUSE, 3 BUTTERMERE CLOSE, EASTFIELD

The Senior Planning Officer presented a report submitted by the Director of Regeneration, Enterprise and Planning. It was reported that Permission was sought for single storey front and rear extensions, with the demolition of the rear conservatory, together with some alterations to windows and doors.

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 proposal will have no adverse impact upon visual or residential amenity and is in accordance with Policy E20 of the Northampton Local Plan, Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

(G) N/2015/1140 - PROPOSED SINGLE SPAN POLYTHENE COVERED CANOPY TO COVER AN EXISTING GROWING AREA MEASURING 12.5M X 10M. CRAMDEN NURSERIES, HARBOROUGH ROAD NORTH, SPRING PARK

The Senior Planning Manager presented the report submitted by the Director of Regeneration, Enterprise and Planning. It was reported that planning permission was sought for the erection of a single span polythene covered canopy at the Cramden Nursery to cover an existing growing area.

It was advised the proposed canopy would be constructed of galvanised framework, with an ultra- violet inhibited white polythene roof covering. The proposed structure measures 10m x 12.5m, 4m high.

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 proposed structure is considered to be in keeping with the character of the site as a nursery, without undue impact on the function of the green space or the amenity of nearby residents, in accordance with Policy E20 of the Northampton Local Plan, Policies S10 and of the West Northamptonshire Joint Core Strategy and the National Planning Policy

Framework

(H) N/2015/1219 - LISTED BUILDING APPLICATION FOR PROPOSED RE-RENDERING OF GROUND FLOOR INTERNAL WALLS. 33 ST GILES STREET, CASTLE

The Senior Planning Officer presented the report on behalf of the Director of Regeneration, Enterprise and Planning. It was reported that the applicant sought Listed Building Consent to replace the existing gypsum plaster with a lime plaster.

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 proposed works would have a neutral impact upon the historic environment and as a consequence, the works are in conformity with the requirements of the National Planning Policy Framework; Policy S10 of the West Northamptonshire Joint Core Strategy; and Policy 1 of the Central Area Action Plan.

(I) N/2015/1224 - ERECTION OF 6NO WHEELED BIN ENCLOSURES. LAND AT KIRTON CLOSE, TALAVERA

The Development Management Team Leader presented the report and the content of the addendum on behalf of the Director of Regeneration, Enterprise and Planning. It was reported that Planning permission was sought for the installation of a steel mesh structure to house six wheelie bins serving the adjacent flats.

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 proposed bin store will not adversely affect visual amenity of the area nor impact on residential amenity and highway safety, and would be in accordance with Policy E20 of the Northampton Local Plan, Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

(J) N/2015/1225 - ERECTION OF 7NO BIN ENCLOSURES. LAND AT CRESTLINE COURT, TALAVERA

This item was withdrawn from the agenda.

(K) N/2015/1238 - CHANGE OF USE OF PUBLIC AREA INTO DOMESTIC GARDEN. 69 MAIDENCASTLE, RECTORY FARM

The Development Management Team Leader presented the report on submitted by the Director for Regeneration, Enterprise and Planning. It was reported that the application proposed the change of use of a small area of grassed amenity land to the side of No. 69 Maidencastle to incorporate as part of the domestic garden. A close-board fence approximately 1.8m high would be erected to enclose the area of land concerned. The application was amended to bring part of the proposed fence line 0.5m nearer to the house towards the front of the property to avoid a visual 'pinch-point' with the adjacent footpath.

The Committee discussed the report.

RESOLVED

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

The proposal would have a neutral impact on the character of the surrounding area and would not adversely impact on residential amenity. The proposal is considered in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy and the aims and objectives of the National Planning Policy Framework.

As consultation period will not finish until 21st of December, that delegated authority is given to the Head of Planning in consultation with the Chair of Planning Committee to determine the application taking into consideration any further consultation responses received.

11. ENFORCEMENT MATTERS

None

12. ITEMS FOR CONSULTATION

None

13. EXCLUSION OF PUBLIC AND PRESS

The Chair moved that the Public and Press be excluded from the remainder of the meeting on the grounds that there was likely to be disclosure to them of such categories of exempt information as defined by Section 100(1) of the Local Government Act 1972 as listed against such items of business by reference to the appropriate paragraph of Schedule 12A to such Act.

The Motion was Carried.

The meeting concluded at 19:12