

NORTHAMPTON BOROUGH COUNCIL

PLANNING COMMITTEE

Tuesday, 25 October 2016

PRESENT: Councillor Oldham (Chair); Councillor Golby (Deputy Chair);
Councillors Birch, Davenport, Gowen, Haque, J Hill, Kilbride, Lane,
Markham, McCutcheon, Shaw and Walker

OFFICERS: Peter Baguley (Head of Planning), Rita Bovey (Development
Manager), Nicky Toon (Senior Planning Officer), Ben Clarke
(Principal Planning Officer), Theresa Boyd (Planning Solicitor), Dan
Kalley (Democratic Services Officer)

1. APOLOGIES

There were no apologies received.

2. MINUTES

The minutes of the meeting held on 6th September were agreed and signed by the
Chair.

Councillor Kilbride commented that under item three of the minutes from 27th
September it should state that the councillors declared a personal and disclosable
pecuniary interest on the agenda items listed.

The minutes of the meeting held on 27th September 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/2016/1123

David Ballentine
Cllr Ian Simons

N/2016/1151

Chris Parr

N/2016/1152

Chris Parr

N/2016/1260

Ann Timson
Jonathan Petty

4. DECLARATIONS OF INTEREST/PREDETERMINATION

Councillor Oldham declared a personal and disclosable pecuniary interest in items 10f, 10g and 10i as a Director on the Northamptonshire Partnerships Homes Board.

Councillor Kilbride declared a personal and disclosable pecuniary interest in items 10f, 10g and 10i as a Director on the Northamptonshire Partnerships Homes Board.

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

There were none.

6. LIST OF CURRENT APPEALS AND INQUIRIES

The Development Manager submitted a List of Current Appeals and Inquiries and elaborated thereon. The applications relating to 2 Cardinal Close and 101 Martins Lane were both dismissed by the Inspector, in agreement with the delegated decision by the Development Manager. With regards to 30 Whitworth Road and 133 Colwyn Road the Inspector had taken a different view to the Local Planning Authority in respect of impacts on parking and highway conditions. In his report he noted that, although concerns had been raised by the Highways Authority, he was of the view that the locations were sustainable, including close links to local buses.

RESOLVED: That the report be noted.

7. OTHER REPORTS

There were none.

8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS

There were none.

9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

There were none.

10. ITEMS FOR DETERMINATION

- (A) N/2016/0654 - VARIATION OF PLANNING CONDITIONS 7, 9 AND 10 OF PLANNING PERMISSION N/2015/0333 (HYBRID APPLICATION FOR NEW RETAIL FOOD STORE AND UP TO 19 RESIDENTIAL DWELLINGS) TO ALLOW IN-STORE BAKERIES, EXTENSION OF OPENING HOURS AT BANK HOLIDAY BETWEEN 8AM TO 10PM AND CHANGE OF**

DELIVERIES HOURS TO STATE NO DELIVERIES TO BE PERMITTED BEFORE 6.30AM AND AFTER 9.00PM ON MONDAYS TO SATURDAYS; BANK HOLIDAYS NO DELIVERIES TO BE PERMITTED BEFORE 6.30AM AND AFTER 9.00PM; SUNDAYS AND PUBLIC HOLIDAYS NO DELIVERIES TO BE PERMITTED BEFORE 8.30AM AND AFTER 5.00PM, FORMER NORTHAMPTON CHRONICLE AND ECHO SITE, UPPER MOUNTS

The Principal Planning Officer submitted a report on behalf of the Director of the Director of Regeneration, Enterprise and Planning and elaborated thereon. It was advised that planning permission for the site was granted a year ago for an Aldi store and residential dwellings, subject to a number of conditions.

This application sought the Committees approval to vary three of the conditions associated with the original permission, namely varying the following:

- Condition 7 – to include the creation of an instore bakery
- Condition 9 – allow extension to opening hours at bank holidays between 8am to 10pm
- Condition 10 – allow extension of delivery hours between 6.30am to 9.00pm Mondays to Saturdays; between 6.30am to 9.00pm on bank holidays; between 8.30am to 5.00pm on Sundays and public holidays.

It was stated that these approvals were needed in order to satisfy the s.106 agreements.

In response to questions from the committee the Principal Planning Officer confirmed that the impact on residents of relaxing the delivery times was minimal. This was due to the fact that the store was relatively small in size, deliveries for stores such as Aldi were generally made from a small number of commercial vehicles and if disruption were to become an issue the Council could potentially intervene under Environmental Health legislation.

RESOLVED:

That the application be **APPROVED IN PRINCIPLE** subject to the completion of a Section 106 agreement and the conditions as set out in the report and for the following reason:

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 which 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.

(B) N/2016/0970 - CHANGE OF USE FROM DWELLING (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 4 RESIDENTS - RETROSPECTIVE, 162 ST ANDREWS ROAD

The Principal Planning Officer submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. It was advised that given the size of the property the application to turn the residential dwelling into a house in multiple occupation for 4 people was not overly intensive. The additional condition as set out in the addendum was also referred to.

A number of Members of the Committee commented that it was a shame to lose a family home, which were needed.

RESOLVED:

That the application be **APPROVED** subject to the conditions as set out in the report and an additional condition as stated by the addendum and for the following reason:

The proposed change of use to a house in multiple occupation (HIMO) would not lead to an over concentration of HIMOs within the locality or lead to any significant impact on the character and amenity of the surrounding area or existing parking conditions. The property is of sufficient size to accommodate the level of accommodation 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 Houses in Multiple Occupation Interim Planning Policy Statement and the aims and objectives of the National Planning Policy Framework.

(C) N/2016/1055 - CHANGE OF USE FROM DWELLING (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 3 RESIDENTS, 3 UPPINGHAM STREET

The Principal Planning Officer submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. It was advised that this application, according to Council records would not significantly impact on the character of the surrounding area. The revised conditions as set out on the addendum were also referred to.

Members of Committee commented that it was essential to ensure that the number of residents at this residence did not, at any stage, exceed three people.

RESOLVED:

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

The development would not lead to an unacceptable concentration of HIMOs within the locality that would adversely impact upon the character of the street, nor would the development have significant adverse 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 Houses in Multiple Occupation Interim Planning Policy Statement and the aims and objectives of the National Planning Policy Framework.

(D) N/2016/1102 - PART CONVERSION OF GARAGE TO KITCHEN, 59 MESHAW CRESCENT

The Development Manager submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. The Committee were informed that this application was in front of the Committee by virtue of the application being brought by an employee of the Council. The application was for a partial garage conversion and would not have any adverse impact on the appearance of the property from the front.

RESOLVED:

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

The proposed development for a partial garage conversion would not have any adverse impact on the appearance and character of the original dwelling, surrounding area and amenity of adjoining occupiers. The proposed development would comply with saved Policies E20 and H18 of the Northampton Local Plan, Policy S10 of the West Northamptonshire Joint Core Strategy, Residential Extensions and Alterations Design Guide SPD and advice contained in National Planning Policy Framework.

(E) N/2016/1123 - CHANGE OF USE OF DWELLING (USE CLASS C3) TO DWELLING AND CHIROPRACTIC STUDIO AND ERECT SINGLE STOREY SIDE EXTENSION, 1 MARJORAM CLOSE

The Development Management Team Leader submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. The application was for a single storey extension with a chiropractic studio. It was advised that although there were no planning objections to the single storey extension, officers were of the view that the potential number of customers would result in the significant and unacceptable increase in comings and goings to and from the property.

Mr D Ballentine, owner of 1 Marjoram Close addressed the Committee in support of the application. He stated that there would be a maximum number of four clients at the address during a one hour period. To start with it was proposed that there would be a split shift of work, with one person working in the morning and another in the afternoon. In reality this would only mean 2 customers an hour.

The hours of business were to be between 9.00am and 6.00pm Monday to Friday with every second Saturday operating from 9.00am to 12.00pm. In addition the Committee were advised that each patient would be allotted 20 minutes of time with a further ten minute crossover period between patients. In addition he stated that there were a lack of chiropractic services in the local area and members of the public would have to travel into the centre of Northampton to receive treatment.

In response to questions from the Committee, Mr D Ballentine clarified a number of issues. He confirmed that most of the residents within Marjoram Close were retired and had indicated that they would support the application. He confirmed that the garage would be used to park one of the cars at the premises, therefore allowing for one customer to be able to park on the driveway.

Parish Councillor Ian Simons addressed the Committee raising concerns by members of the parish community. This included concerns that extra cars would hamper access to the street and, in particular, rubbish bin lorries, who needed to get down the street. In addition, at weekends and school holidays there would be a number of children potentially playing in the street.

Members of the Committee made a number of comments in relation to the application including:

- Following the site visit, there was no evidence that the street was busy or would potentially be overcrowded.
- There was little evidence that there would be an increase of anti-social behaviour and increased footfall could improve security.

However, some Members did raise concerns that although it didn't seem overcrowded, it might be preferential for the applicant to find premises near a doctor's surgery.

RESOLVED:

A proposal was made to refuse the application in line with the officer recommendation. Upon taking a vote, this motion failed.

A further proposal was made to approve the application, with the drafting of conditions being delegated to the Head of Planning in consultation with the Chair.

Upon taking a vote this motion was passed and the application **APPROVED** for the following reason:

The proposed use and extension would not have an undue detrimental impact on the residential amenity, highway safety, appearance and character of the host building and street scene and complies with Policies E20, H18 and B20 of the Northampton Local Plan, S10 and BN9 of the West Northamptonshire Joint Core Strategy, the Council's Residential Extensions Design Document and aims of the National Planning Policy Framework.

(H) N/2016/1216 - CHANGE OF USE IN PART FROM ESTATE AGENT (USE CLASS A2) TO COFFEE SHOP/RESTAURANT (USE CLASS A3), NORTHAMPTON & COUNTY CLUB , 8B GEORGE ROW

The Development Management Team Leader submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. It was advised that the application was for a change in use from Estate Agents to a Coffee Shop/Restaurant. In addition there were no alterations to the external structure proposed.

In response to questions from the Committee the Development Management Team Leader confirmed that refuse would be stored to the rear of the property. In addition, no external alterations in relation to air conditioning and extractor units were proposed under this application. Any such alterations would require planning and listed building consent under a separate application.

RESOLVED:

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

The proposal would bring a currently vacant unit in a prominent location in the town centre back into sustainable use. The proposal would preserve the character and appearance of the listed building and the All Saints Conservation Area and would improve the vitality of the immediate area, in accordance with the requirements of Policy 13 of the Central Area Action Plan, Policies S9, S10, and BN5 of the West Northamptonshire Joint Core Strategy and the aims of the National Planning Policy Framework.

7.05pm Councillors Oldham and Kilbride left the room. Councillor Golby took over as Chair.

(F) N/2016/1151 - DEMOLITION OF AN EXISTING SINGLE STOREY OUT-HOUSE AND THE CONSTRUCTION OF A TWO STOREY EXTENSION TO THE REAR OF THE EXISTING PROPERTY; CHANGE EXTERNAL FINISH OF HOUSE TO BRICK, 10 TOMS CLOSE

The Development Manager submitted the report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. It was advised that this application was for a two storey extension to the rear of the property and for the cladding of the building to be a brick finish. It was stated that this application had only come before the Committee as they owned the land.

Mr C Parr from Northamptonshire Partnerships Homes (NPH) addressed the Committee and stated that both this application and N/2016/1152 focused on the upgrading of outdated construction methods. It was essential to make the property structurally sound. In addition, he stated that the long term goal was to demolish houses on the close and build more homes.

In response to questions from the Committee, Mr C Parr stated that NPH owned three of the properties, however the adjoining properties were privately owned and therefore, NPH were not in a position to upgrade those houses.

RESOLVED:

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

The proposed development would have no undue detrimental impact on the amenities of neighbouring occupiers and would not be out of keeping with the character and appearance of the area. The proposed development would therefore comply with Policy S10 of the West Northamptonshire Joint Core Strategy, Policies E20 and H18 of the Northampton Local Plan and the National Planning Policy Framework.

(G) N/2016/1152 - CONSTRUCTION OF TWO STOREY SIDE EXTENSION, NEW PORCH TO THE FRONT AND A CONSERVATORY TO THE REAR. EXISTING GARAGE IS TO BE DEMOLISHED AND REPLACED BY A DOUBLE GARAGE. EXTERNAL FINISH OF HOUSE IN BRICK, 11 TOMS CLOSE

The Development Manager submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. It was advised that this application was to be read in conjunction with N/2016/1151. In addition to updating the property there was also a proposed rear conservatory and front porch.

RESOLVED:

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

The proposed development would have no undue detrimental impact on the amenities of neighbouring occupiers and would not be out of keeping with the character and appearance of the area. The proposed development would therefore comply with Policy S10 of the West Northamptonshire Joint Core Strategy, Policies E20 and H18 of the Northampton Local Plan and the National Planning Policy Framework.

(I) N/2016/1260 - PRIOR NOTIFICATION OF DEMOLITION OF EXISTING THREE LEVEL WALKWAYS PROVIDING PEDESTRIAN ACCESS BETWEEN ST JOHNS HOUSE AND ST MARK'S HOUSE, ST JOHNS HOUSE , ST ANDREWS STREET

The Development Manager submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. Members were advised that this was not a planning application, rather looking at the method of demolition and whether in principle this was acceptable. The three walkways between St Johns House and St Mark's House were to be demolished using an

elevated platform. There had been no objections raised and all parties had been consulted on this project.

Ms A Timson addressed the Committee and asked a number of questions including why the bridges needed to be demolished and whether tenants had been consulted on the matter. In addition it was stated that the removal of the bridges would not make a difference to anti-social behaviour.

Mr J Petty, from Northamptonshire Partnerships Homes addressed the Committee in support of the method of demolition and responded to points raised by the objector. A consultation had been carried out, in which a large number of tenants supported the proposal to demolish the bridges. In terms of fire escape, the risk of lifts not being repaired within adequate times had not been resolved, due to spares now being readily available on site. In addition, both the Police and Fire Service had written to support the application.

In response to questions from the Committee, Mr J Petty stated that he did not have the exact number of people who had responded to the consultation as this information was highly confidential. In his opinion, the removal of the bridges would prevent anti-social crime in the area.

RESOLVED:

That the recommendation that the Authority's **PRIOR APPROVAL WILL NOT BE REQUIRED** be approved for the following reason:

The means of demolition and the proposed restoration of the site are considered to be acceptable and would be consistent with the aims and objectives of policies of the West Northamptonshire Joint Core Strategy and National Planning Policy Framework.

7.30pm Councillors Oldham and Kilbride returned to the room. Councillor Oldham resumed as Chair.

11. ENFORCEMENT MATTERS

There were none.

12. ITEMS FOR CONSULTATION

- (A) N/2016/1208 - ERECTION OF A LEISURE BUILDING TO INCLUDE A CINEMA, OTHER LEISURE USES AND RESTAURANT UNITS AND ERECTION OF RETAIL UNITS, CYCLE HIRE FACILITIES TOGETHER WITH PROPOSALS FOR ACCESS, PARKING AND SERVICING SPACE, HARD AND SOFT LANDSCAPING AND OTHER ASSOCIATED WORKS. (16/01662/FUL), RUSHDEN LAKES, RUSHDEN**

The Development Management Team Leader submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. Members were advised that the original development for proposals for the site, approved at Public Inquiry, had been subject to a number of amendments, to which Northampton

Borough Council had not objected. The current proposal seeks to increase the level of retail in excess of 5 000m², as such it is considered that this has the potential to lead to an adverse effect on Northampton Town Centre.

Members of the Committee commented on aspects of the report. Following discussion amongst the Committee, it was agreed that although it was acknowledged that the principle of developing the site has previously been established at appeal, it was still important to relay the Council's concerns regarding the development and these further amendments, and that Northampton Borough Council would be objecting to the proposal.

RESOLVED:

That Northampton Borough Council **OBJECT** to the development as proposed;

- Northampton Borough Council objected to the original application for the development proposals for Rushden Lakes, allowed on appeal by the Secretary of State in 2014 following a public inquiry, regarding the potential impacts of the development on the viability and vitality of Northampton.
- It is acknowledged that the principle of development has been established through the grant of planning permission by the Secretary of State, and subsequent approval of amendments to the original scheme.
- However, the site has been subject to several amendments since the original permission in 2014, and the current proposal represents a further increase in the level of retail (Use Class A1) development, in excess of 5,000 sq. m.
- As such, the Council consider the development as proposed has the potential to lead to significant adverse impacts on the vitality and viability of Northampton Town Centre.

(B) N/2016/1219 - CONSTRUCTION OF 53 DWELLINGS INCLUDING PUBLIC OPEN SPACE, BALANCING POND AND ASSOCIATED INFRASTRUCTURE (RESUBMISSION), LAND OFF WHITES LANE, LOWER HARLESTONE

The Development Management Team Leader submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. It was advised that the consultation related to the erection of 53 dwellings, including open space, balancing pond and associated infrastructure. It was stated that this application had previously been refused by Daventry District Council due to concerns with the design; Northampton Borough Council has not raised any objection to the previous application.

Members raised concern regarding ensuring appropriate infrastructure is in place prior to development and that the S106 should be in place prior to the grant of permission.

In response to questions from the Committee, the Development Management Team Leader agreed to include in the Council's response comments from local residents

who bordered the development, from within Northampton Borough Council, and that appropriate consideration be given to the provision of vehicle charging points.

RESOLVED:

That Northampton Borough Council has **NO OBJECTIONS** to the principle of development subject to the issues outlined below being addressed by Daventry District Council:

- No adverse comments being received from the Highway Authority regarding the impact on the local road network;
- An appropriate contribution reflecting the level of development and infrastructure costs should be provided towards necessary highway works to mitigate the impact of the development including a financial contribution towards the North West Bypass and the Kingsthorpe corridor, in accordance with Joint Core Strategy Policy N4;
- No adverse comments being received from the Environment Agency, Lead Local Flood Authority or other statutory body regarding flooding or drainage matters;
- An appropriate contribution should be provided towards the range of infrastructure requirements identified in Joint Core Strategy Policy N4 including a primary school (and, if advised by the County Council, a secondary school), healthcare services and community facilities;
- The requirements of Joint Core Strategy Policy N4 should be satisfied in terms of how the development would contribute towards an integrated transport network;
- An appropriate contribution should be provided towards infrastructure items set out in Joint Core Strategy Appendix 4 and the more up-to-date Infrastructure Delivery Plan produced by the West Northamptonshire Joint Planning Unit;
- Securing 35% of the proposed dwellings as affordable housing in accordance with Policy H2 of the Joint Core Strategy with a housing mix in accordance with the Northampton Affordable Housing Interim Statement 2013;
- The private housing mix including more 2 bed dwellings in accordance with the Northampton Affordable Housing Interim Statement 2013.

13. EXCLUSION OF PUBLIC AND PRESS

None required.

The meeting concluded at 7:45 pm