

# **NORTHAMPTON BOROUGH COUNCIL**

## **PLANNING COMMITTEE**

**Tuesday, 22 November 2016**

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

**OFFICERS** Peter Baguley (Head of Planning), Rita Bovey (Development  
Manager), Nicky Toon (Developmental Management Team Leader),  
Wendy Rousell (Senior Planning Officer), Theresa Boyd (Planning  
Solicitor), Dan Kalley (Democratic Services Officer)

### **1. APOLOGIES**

There were no apologies.

### **2. MINUTES**

The minutes of the meeting held on 25 October 2016 were agreed and signed by the Chair.

### **3. DEPUTATIONS / PUBLIC ADDRESSES**

**RESOLVED:** That under the following items, the members of the public and ward councillors listed below were granted leave to address the Committee:

#### **N/2012/0909**

Cllr Graham Walker  
John Beswick  
Cllr Brendan Glynane  
William Main

#### **N/2016/0283**

Phill Rodgers  
Ian Taylor  
Barry Waine

#### **N/2016/1093**

Cllr Zoe Smith  
Jonathan Curtis

#### **N/2016/1145**

Cllr Matt Golby  
John Woolacott  
Anthony Watts  
Sinead Turnbull  
Tim Hadland

**N/2016/1292**  
Cllr Zoe Smith  
Lisa Bradshaw

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

Councillor Mary Markham declared a personal and disclosable pecuniary interest in item 10a and also in items 10g, 10k and 10l as a Director on the Northamptonshire Partnership Homes Board.

Councillor Kilbride declared a personal and disclosable pecuniary interest in item 10a and also in items 10g, 10k and 10l as a Director on the Northamptonshire Partnership Homes Board.

Councillor Davenport declared a personal interest in item 10a by virtue of being a Ward Councillor.

Councillor Golby declared a personal non-pecuniary interest in item 10f.

Councillor Walker declared a personal non-pecuniary interest in item 10a by virtue of being a Ward Councillor.

Councillor B Markham declared a personal non-pecuniary interest in item 10i as he knew Councillor Choudary who is related to the applicant.

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

The Chair confirmed that item 10g on the agenda would be heard before item 10k and 10l, as these all related to Northampton Partnerships Homes applications.

The Development Management Team Leader submitted a report on behalf of the Head of Planning and elaborated thereon. The consultation by South Northamptonshire Council sought to vary a number of planning conditions relating to the development for the extension of Pineham Business Park. The variations allowed for two smaller units on the southern part of the site, minor adjustments to the red line site boundary to the south extending into the Borough and into land currently used in association with adjoining Sainsbury's external parking. In addition the application sought to revise access arrangements from Style Way to allow access to both plots on the southern part of the site and a minor increase in building height.

#### **RESOLVED:**

That Northampton Borough Council **RAISE NO OBJECTIONS** to the proposed variation of conditions, subject to no objections from the Highway Authority and that the parking provision for the existing Sainsbury's unit remains adequate.

## **6. LIST OF CURRENT APPEALS AND INQUIRIES**

The Development Manager submitted a List of Current Appeals and Inquiries and elaborated thereon. The application relating to 26 Burns Street was dismissed by the Inspector, in agreement with the delegated decision by the Development Manager. However, the committee were informed that the Inspector only dismissed this application by virtue of the fact that the area was above the 15% concentration of HIMO's and raised no concern regarding parking issue as the site is in a sustainable location. With regards to the application of 343 Wellingborough 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 Agency, he was of the view that the location was sustainable, including close links to local buses.

The Committee were informed that there was to be a Public Inquiry into the development of Land at Milton Ham, Towcester Road. The Inquiry will commence on 29 November in the Jeffery Room, Guildhall, St Giles Street. It was anticipated that this would last three days.

**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**

**(A) N/2016/1193 - VARIATION OF CONDITIONS 3, 9, 10, 11, 12 AND 14 OF PLANNING PERMISSION N/2014/1328 - CHANGE OF USE TO PROVIDE A COMMUNITY ARTS HUB INCLUDING 57 WORKSHOPS, MEETING SPACES AND ASSOCIATED AMENITIES INCLUDING ALTERATIONS AND REFURBISHMENT OF EXISTING BUILDINGS, ERECTION OF THREE STOREY BUILDING AND DEMOLITION OF EXISTING STRUCTURES AND ASSOCIATED EXTERNAL WORKS TO CHANGE CONDITIONS FROM 'PRE-COMMENCEMENT' TO 'PRE-COMMENCEMENT' ON THAT PART OF WORKS.**

**N/2016/1196 - VARIATION OF CONDITIONS 3, 6 AND 7 - LISTED BUILDING APPLICATION FOR CHANGE OF USE TO PROVIDE A COMMUNITY ARTS HUB INCLUDING 57 WORKSHOPS, MEETING SPACES AND ASSOCIATED AMENITIES INCLUDING ALTERATIONS AND REFURBISHMENT OF EXISTING BUILDINGS, ERECTION OF THREE**

## **STOREY BUILDING AND DEMOLITION OF EXISTING STRUCTURES AND ASSOCIATED EXTERNAL WORKS TO CHANGE CONDITIONS FROM 'PRE-COMMENCEMENT' TO 'PRE-COMMENCEMENT' ON THAT PART OF WORKS.**

The Development Management Team Leader submitted a report on behalf of the Head of Planning and elaborated thereon. The Committee were advised that the application sought to vary pre-commencement conditions attached to existing planning permission and listed building consent, granted in 2013. The conditions sought to be varied related to details with regards to materials, window and door details, methodology for the treatment of a wall, roof repairs, glazed courtyard roof, surface water drainage and external lighting. The variation of conditions were necessary to allow certain enabling works to commence on site.

### **RESOLVED:**

#### **N/2016/1193 – Planning Application**

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

The proposed variations of conditions are acceptable and would not result in any adverse impacts on the historic interest or character of the Grade II listed building, the Conservation Area or flood risk. The development would provide significant regeneration opportunities within the town centre and would result in under used listed buildings being brought back into a long term viable use with no significant harm to heritage assets having been demonstrated. There would be no adverse highway or flooding implications and acceptable relationships with surrounding properties. This would accord with the aims and objectives of the National Planning Policy Framework, Policies S7, S10, E7, BN5, BN7, N1 and N2 of the West Northamptonshire Joint Core Strategy, and Strategic Objectives 1 and 2 and Policies 1, 5 and 21 of the Northampton Central Area Action Plan.

#### **N/2016/1196 Listed Building Consent Application**

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

The proposed variations of conditions are acceptable and would not result in any adverse impacts on the historic interest or character of the Grade II listed building or the Conservation Area. The development would provide significant regeneration opportunities within the town centre and would result in under used listed buildings being brought back into a long term viable use with no significant harm to heritage assets having been demonstrated. This would accord with the aims and objectives of the National Planning Policy Framework, Policies S10 and BN5 of the West Northamptonshire Joint Core Strategy and Policy 1 of the Northampton Central Area Action Plan.

## **10. ITEMS FOR DETERMINATION**

### **(A) N/2012/0909 - PROPOSED RESIDENTIAL DEVELOPMENT OF 139 RESIDENTIAL DWELLINGS, GARAGES AND ASSOCIATED WORKS INCLUDING NEW ACCESS ROUNDABOUT, LAND OFF LANCASTER WAY, TOWCESTER ROAD**

6.15pm Councillors Kilbride and Mary Markham left the meeting.

The Development Management Team Leader submitted a report on behalf of the Head of Planning and elaborated thereon. The Committee were informed that the application had originally been approved in principle for 142 dwellings by Committee in 2013, subject to the prior completion of a S106 Agreement. However, at that time the applicant was unable to demonstrate good title for large parts of the land and, therefore, the S106 Agreement could not be completed.

The Development Management Team Leader stated that the site had historically been used for keeping animals and as allotments, however this site had been in decline over the years and was largely unused. The revised proposal was for the construction of 139 dwellings, comprising of 42 two bedroom dwellings, 56 three bedroom dwellings and 41 four bedroom dwellings. In addition there was provision for 341 parking spaces.

The development included a number of public open spaces and a central play area. Access to the development was to be via Lancaster Way, to the south of the site, via a new roundabout. It was stated that a number of trees would be removed for the application, however a Tree Preservation Order (TPO) was in place to protect a mature tree adjacent to Lancaster Way.

Members were informed that this application made provision for 35% affordable housing, a payment for primary school education and would improve the Council's five year housing scheme. In addition there would be payments made towards highway improvements and increased public transport provision.

Councillor Walker addressed the Committee and spoke against the application. He outlined a number of issues including concerns around highway safety, namely that the application had made provision for only one entrance and exit, which in his opinion would increase traffic levels, especially with Aldi and ASDA nearby. In addition he commented that flooding would, in his view, be an issue for residents, and would affect residents as far away as Far Cotton.

Councillor Walker then left the meeting at 18:25 following his address to the Committee.

John Beswick addressed the Committee on behalf of the Delapre Allotment Association and stated that the allotment owners had made several approaches to the applicant with regard to providing land to for a pedestrian link to Leah Bank, however the developer had ignored their proposals. In addition if no access were granted it would make a more hazardous place for residents.

In response to from questions from Members, it was stated that the allotment owners had not been consulted on the development recently.

Cllr Brendan Glynane addressed the Committee and commented that the Police did not want to open up the boundary by Leah Bank, as currently this area was virtually crime free. The track running through the middle of the site was still unregistered land. There was no S106 Agreement in place to ensure that the roads being constructed within the development would be adopted. In regards to flooding, there were no flooding attenuation schemes in place, particularly for the north-east corner of the site. In addition he commented that the developers were given twelve weeks to respond to concerns, however it had taken three years for the application to come back to the Committee. In response to questions from Members he confirmed that he had not been consulted recently on the development.

William Main, on behalf of the applicants, addressed the Committee and stated that recent appraisals of the development had been deemed acceptable to the Planning Department. With regards to the delays due to site being in multi ownership, this was in part down to the fact that it was time consuming to get all the title deeds in relation to a number of allotments on site. In terms of the adoption of the roads, The access road follows the line of the unregistered track and could be adopted under section 228 of the Highways Act 1980 or be subject to a management agreement. Applicant had recently submitted additional title information and nearly reached agreement on the Section 106 Agreement.

In response to questions from members William Main made a number of comments including:

- The developers were aware of access to the north of the site, however due to the cost involved had instead provided a footpath to the site boundary
- With regards to the adoption of roads, the developer explained the adoption process as he understood it
- There had been no objections from the Highways Authority and any previous objections had been resolved.
- There had been a number of consultations taken over the past three years, in order to ascertain the views of local residents.

The Development Management Team Leader stated that a number of objections had been addressed in the Addendum to the report. In terms of flooding, Conditions 8 and 9 within the report sought to clarify that no development would take place until a Surface Water Drainage Scheme and maintenance scheme had been submitted and approved by the Local Planning Authority.

With regards to the consultations, the Development Management Team Leader confirmed that a number of consultations had taken place including September 2012, January 2013, May 2013, February 2016 and a smaller consultation on minor aspects in November 2016.

In terms of the public transport provision, this was a matter that would need finalising with the Highways Authority.

Members of the Committee were informed that the developers would give a commitment to maintain the open spaces and allotments on the unregistered land in so far as they are able.

Members of the Committee welcomed the report and the comments made by members of the public and from planning officers. They stated that they were happy with amendments made, as outlined in the Addendum, however there were still concerns around the impact this development would have on traffic.

## **RESOLVED:**

That the application is **APPROVED IN PRINCIPLE** subject to the S106 Agreement to secure:

- i) 35% on-site affordable housing;
- ii) Primary School Education payment;
- iii) A payment towards the increase in capacity of Queen Eleanor interchange in accordance with the A45/M1 Growth Management Scheme;
- iv) A payment towards improvements in highway capacity;
- v) A payment towards increasing public transport provision;
- vi) That the on-site Public Open Space is maintained and made available for public access in perpetuity;
- vii) That the on-site Public Open Space and allotments are maintained in accordance with a management strategy that is agreed in advance with the Council;
- viii) Training opportunities for construction workers and associated administration costs;
- ix) A payment towards Community Development (which can include the provision and/or enhancement of off-site open space, such as Delapre Parkland);
- x) Place Making payment (which can include public realm improvements, public art and town/local centre improvements);
- xi) The Council's monitoring fee subject to the Head of Planning being satisfied the monitoring fee is necessary and of an appropriate scale.

and the conditions as set out in the report, along with the conditions set out in the Addendum and for the following reasons:

The proposed development, subject to conditions, represents an acceptable land use which would contribute towards the Council's 5-year housing supply and would have a neutral impact upon the character and appearance of the surrounding area, visual and neighbour amenity and the highway system. The development is therefore in conformity with the requirements of the National Planning Policy Framework, Policies S1, S3, S10, H1, H2 and BN7 of the West Northamptonshire Joint Core Strategy and Policy E20 of the Northampton Local Plan.

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.

7.02pm Councillors Kilbride, Walker and Mary Markham returned to the meeting.

Councillor Davenport left the meeting at this point due to illness.

**(B) N/2016/0283 - HYBRID APPLICATION INCLUDING FULL PLANNING APPLICATION FOR THE ERECTION OF THREE DORMER BUNGALOWS (PLOTS 4, 5, 6) AND OUTLINE PLANNING APPLICATION FOR THE ERECTION OF THREE DWELLINGS (PLOTS 1,2,3) WITH ACCESS, LAYOUT AND APPEARANCE TO BE CONSIDERED. DEMOLITION OF OUT BUILDING, THE LEYS CLOSE , 39 MILL LANE**

The Senior Planning Officer submitted a report on behalf of the Head of Planning and elaborated thereon. Committee members were informed that the application was a hybrid including full application for the erection of three dormer bungalows and outline planning application for the erection of three dwellings. It was explained that the land fronting Mill Lane was partly within the Kingsthorpe Conservation Area. Vehicular access was proposed from Mill Lane, including an existing access for one of the dwellings, and a new access round a TPO tree for the other 5 dwellings. The current proposals indicated a reduction in the height of the proposed dwellings, thereby reducing the impact on the setting of the Conservation Area. A recent Bat Survey had indicated that there was a presence of bats in the summer house, however this had fallen into disrepair and was due to be demolished. Public consultations had been carried out with regards to the boundary of the Conservation Area.

Phill Rodgers addressed the Committee and stated that in his opinion six large dwellings did not address the Council's five year housing strategy. Residents of the village had come together to lobby the developer, as in their opinion, this development was not a wise use of space. A number of residents would lose their right to privacy, due to the dwellings overlooking their properties. In addition the air quality rating in Kingsthorpe was dangerously low and bringing in more vehicles would damage the air quality further. He commented that there had also been a number of accidents on that stretch of road and more development would increase this.

Ian Taylor on behalf of the Kingsthorpe Amenity Preservation Group addressed the Committee and stated that this development was harming the environment. The demolition of the swimming pool and summer house went against the principles of the Conservation Area policies. Visibility onto Mill Lane from the development would be limited, increasing the risk of injury to pedestrians. In addition the residents had not been consulted on the development.

Barry Waine on behalf of the developer stated that this was not a large scale development. The dormer bungalows were more suited to the area and in keeping with houses nearby. No objections had been raised by the Highways Authority and conditions set out by the Local Planning Authority would be adhered to.

Members welcomed the report and comments made by members of the public. In response to questions from the Committee the Senior Planning Officer confirmed:



- That the back of the properties were 40m from the boundary of neighbouring properties, this was in excess of standard practice.
- In terms of the summer house the Local Planning Authority were persuaded that the building had fallen into disrepair and could not be saved.
- Neighbours to the proposed development had been adequately consulted.
- Northamptonshire County Council was satisfied with the access points as outlined on the plan.

Members made a number of comments, including concerns around the privacy of neighbours and the access points of the site. However, it was felt that the development was in keeping with the local area.

The Development Manager stated that a condition could be added, ensuring no dormer windows or extensions were to be added to any dwellings at the rear, should they expand.

**RESOLVED:**

That the application be **APPROVED** subject to the conditions as set out in the report and additional condition outlined below, along with further conditions as set out in the addendum.

19. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extensions or other form of enlargement including dormers to Plots 4, 5 and 6 hereby permitted (as shown on the approved plans) shall take place.

Reason: In the interests of residential amenity in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy and E20 of the Northampton Local Plan

and for the following reason:

The proposed development would contribute towards the Council's 5-year housing supply and would have a minimal impact upon the setting, character and appearance of the Kingsthorpe Conservation Area, listed buildings within the locality, neighbour amenity, flood issues, biodiversity and highway safety. The development is therefore in conformity with the requirements of the National Planning Policy Framework, Policies H1, BN2, BN3, BN5 & S10 of the West Northamptonshire Joint Core Strategy and Saved Policy E20 and E26 of the Northampton Local Plan 1997.

**(C) N/2016/0985 - CHANGE OF USE FROM RETAIL (USE CLASS A1) TO PUB (USE CLASS A4), 45 ST GILES STREET**

The Senior Planning Officer submitted a report on behalf of the Head of Planning and elaborated thereon. It was stated that this application was for a change in use from a vacant retail unit to a micro pub. Members of the Committee were informed that the pub aimed at an adult market, selling cask conditioned ales, wine and local cider and would be in keeping with the niche market on St Giles Street.

## **RESOLVED:**

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

The proposed change of use would not have any adverse impact on the listed building or the conservation area and would improve the vitality of the area through the introduction of an appropriate independent use in the Secondary Shopping Area. The application is therefore in accordance with the National Planning Policy Framework and Policies S9, S10 and BN5 of the West Northamptonshire Joint Core Strategy and Policies 1 and 13 of the Northampton Central Area Action Plan.

**(D) N/2016/1091 - ERECTION OF THREE RESIDENTIAL BUILDINGS COMPRISING A TOTAL OF 80 SPECIALISED SUPPORTED LIVING APARTMENTS (USE CLASS C3), TOGETHER WITH ASSOCIATED ACCESS, PARKING, OPEN SPACE, BINS AND SCOOTER STORES, UNITED TRADES CLUB, BALMORAL ROAD**

This item was withdrawn from the Agenda.

**(E) N/2016/1093 - CHANGE OF USE FROM DWELLING (USE CLASS C3) TO A HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 6 RESIDENTS - RETROSPECTIVE, 6 STIMPSON AVENUE, NORTHAMPTON, NN1 4LP**

The Development Manager submitted a report on behalf of the Head of Planning and elaborated thereon. Members of the Committee were informed that the application sought to change the use from a residential dwelling to a house in multiple occupation (HIMO) for six people. The property comprised six bedrooms with a bedroom in the basement and a converted loft.

The Development Manager confirmed that this property would equate to less than 2% concentration of HIMO's in the area. In addition Members were directed to paragraph 7.7 to 7.9 of the report which stated that the Inspector had overturned decisions made by the Local Planning Authority on similarly located properties due to the fact that those properties were located in a sustainable area.

Councillor Zoe Smith addressed the Committee and stated that she had a number of concerns with this application. It was her opinion that having six people in the property was too many. In addition she commented that the Highways Authority had picked up that there was a lack of parking in the locality and that this would lead to increased parking on double yellow lines.

In response to questions from the Committee, Councillor Zoe Smith commented that having four people in the house was better than six. In addition it was more likely that residents from the area would receive parking fines for parking illegally.

Jonathan Curtis, owner of the property, addressed the Committee and stated that there were a number of people working in close proximity to the property and needed somewhere to live. Of the current tenants living in the property only one had a

driver's licence. The building had historically contained a cellar and loft, which had been converted for dwelling use.

Members welcomed the report and made a number of comments including:

- The basement conversion had been carried out well and there was a lot of natural light flooding into the room.
- The development was one of the best HIMO applications that had come to the Committee.
- It was a shame to lose a family home, which were needed.

The Development Manager commented that within one month of the approval being granted, full details for the provision for storage of refuse must be submitted to and approved by the Local Planning Authority.

### **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 change of use from a C3 dwelling to a house in multiple occupation (HIMO) would not lead to an unacceptable concentration of HIMOs within the locality that would adversely impact upon the character of the street scene, 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, saved 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.

### **(F) N/2016/1145 - DEMOLITION OF GARAGE AND DWELLING AND ERECTION OF THREE HOUSES AND THREE BUNGALOWS WITH ASSOCIATED WORKS INCLUDING ACCESS DRIVE (OUTLINE APPLICATION WITH ALL MATTERS RESERVED EXCEPT ACCESS AND LAYOUT), GARAGE PREMISES, 531 HARLESTONE ROAD**

The Development Manager submitted a report on behalf of the Head of Planning and elaborated thereon. Outline planning permission was sought for the demolition of the existing garage and bungalow at the rear of the property. The site was adjoined by residential dwellings on either side. The detailed design proposals would be considered at a later date. Members of the Committee were informed that the access road would be on the southern side of the development and there was provision for 13 parking spaces.

The Development Manager commented that Policy H4 of the Duston Neighbourhood Plan stated that development would be supported on sites of up to five dwellings, however as this was a large site there was no planning reason to not allow six dwellings. In addition, Members were made aware that the garage could be brought back into use on the site and operate 24 hours a day.

Councillor Matt Golby (Ward Councillor) addressed the Committee and stated that this was an over development of the land and contravened Policy H4 of the Duston Neighbourhood Plan, which had been adopted by the Council. It was his view that going against the Neighbourhood Plan was sending out the wrong message to Parish Councils working on behalf of their residents.

8.12pm Councillor Golby left the meeting.

John Woolacott, resident at 533 Harlestone Road, addressed Members and commented that this application was not in keeping with the local area. He stated that the construction of the bungalow dwellings would lead to his property being overlooked, in addition the creation of the two storey dwellings to the front of the property would lead to him only being able to see a house from his windows to the side of the property. With the construction of the nursing home adjacent to the site, there would be an unacceptable build-up of traffic on the main road. In addition he commented that all previous applications for this site had been refused.

In response to a question from the Committee, John Woolacott confirmed that he had resided in 533 Harlestone Road for 35 years and that the garage had always been there.

Anthony Watts addressed the Committee and stated that planning officers had ignored all local and national policies and that the Local Planning Authority had no right to disregard these policies. The proposal formed a cramped development. He advised, that if Members were minded to permit, it should be for 5 dwellings with the driveway adjacent to No. 533. He urged the Committee to re-study the plans and ask that plans be re-submitted to the Committee.

Parish Councillor Mike Ingram stated that the Committee should support the Duston Neighbourhood Plan. He commented that the electorate with Duston had voted for the plan. 6 dwellings was overdevelopment with insufficient parking and the development should be reduced to 5. As a further point he informed Members that this development went against policy H1 of the Duston Neighbourhood Plan, as this development would require the removal and cleaning of old petrol tanks from the site.

In response to a question from the Committee, Parish Councillor Mike Ingram confirmed that the maximum of five dwellings on a site had been taken from advice of a Town Planning Consultant.

Sinead Turnbull on behalf of the applicant stated that the application had been deemed acceptable by planning officers. Parking spaces had been created over and above what was required for the site. The construction of these dwellings would remove a non-conforming use and prevent a garage opening on the site and causing a noise disturbance to local residents. The applicants had relocated and expanded their business contributing to employment levels within the local area.

In response to questions from the Committee Sinead Turnbull commented that it was possible to move the entrance to the development, however this might have caused a further nuisance to the residents at 533 Harlestone Road. In addition there was no evidence to suggest that the site could not support six dwellings.

Mr Tim Hadland addressed the Committee and commented that he had known the applicants for 30 years and had admired the contribution they had made to the local community by creating jobs. The application was not overly intrusive and was not, in his opinion, an overdevelopment on the site. In addition this development supported the Council's five year housing supply programme.

In response to questions from the Committee, the Development Manager stated:

- There was sufficient space at the entrance of the development to support two passing vehicles.
- The front three dwellings were not able to change the front garden into parking space, as this was a classified road.
- There would be less intrusion into neighbouring properties, as the three bungalows at the back were to be built further down the site from the existing bungalow.
- The properties would be 1.5m nearer to 533 Harlestone Road as compared with the existing garage buildings once complete.

Members made a number of comments with regards to the development and stated that the application would essentially improve the street scene of the area.

#### **RESOLVED:**

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

The proposed development, on balance, would have no significant detrimental impact on the amenities of neighbouring occupiers and would not be out of keeping with the character of the area. It would represent an appropriate use of the site and would provide for the housing needs of the area. The proposed development would therefore comply with Policies S1, S3, S10 and H1 of the West Northamptonshire Joint Core Strategy, Policies E20, H10 and H11 of the Northampton Local Plan, Policies OP1, H1, H3 and BE1 of the Duston Neighbourhood Plan and the National Planning Policy Framework.

9.01pm Councillor Golby returned to the meeting.

#### **(H) N/2016/1292 - CHANGE OF USE OF EXISTING DWELLING TO 3NO. FLATS AND DEMOLITION OF EXISTING REAR OUTBUILDING AND ERECTION OF REAR STORE - PART RETROSPECTIVE, 2 ELIZABETH WALK**

The Development Management Team Leader submitted a report on behalf of the Head of Planning and elaborated thereon. Members of the Committee were informed that this was a part-retrospective application, for the conversion of a former dwelling house into three self-contained flats. In addition the proposal sought to demolish the existing rear outbuilding and replaced with an ancillary store.

Lisa Bradshaw addressed the Committee and stated that the property was originally built for a large family. She commented that there was an excess of fly-tipping and rubbish by the out-building, along with an increase in anti-social behaviour. It was her opinion that the property was no longer in good order, putting the lives of tenants and local residents at risk. In addition there was increased pressure on parking spaces, due to the hospital and number of schools in the area.

Councillor Zoe Smith, Ward Councillor, addressed the Committee and commented that there was a lack of social housing for those in need. In addition the out-building needed to be demolished as a matter of urgency. She echoed previous statements with regards to issues around parking in the area.

Members of the Committee were informed that the Highways Authority had made no objections to the application in regards to parking.

The Development Management Team Leader confirmed that the application was retrospective in relation to all three self-contained units. There were some internal changes to the property, namely making the ground floor flat open plan and making minor amendments to the top floor unit.

Members of the Committee raised concerns in relation to the size of the units and to the hazardous out-building.

The recommendation was not proposed by any Member of the Committee.

The Head of Planning commented that the Committee might be minded to defer the application to the next meeting, in order to allow officers to ascertain if there were any grounds for refusal in the national guidelines.

**RESOLVED:**

That the application be **DEFERRED** to allow officers to review national policy guidelines and any other material considerations.

**(I) N/2016/1344 - CHANGE OF USE OF PART FIRST FLOOR TO DAY CENTRE (USE CLASS D1) TO BE USED INCONJUNCTION WITH THE PROPOSED DAY CENTRE ON THE SECOND FLOOR, 24 MARKET SQUARE**

The Development Manager submitted a report on behalf of the Head of Planning and elaborated thereon. Members of the Committee were informed that the application sought to change the use of part of the first floor to a day centre, operating as part of the previously approved day centre on the upper floor.

It was confirmed that there were no restrictions on the opening hours of the day centre.

**RESOLVED:**

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

The proposed development would have a neutral impact upon visual amenity, the character and setting of the All Saints Conservation and the adjoining Grade II Listed Building and neighbour amenity. In addition, the development would contribute to the ongoing viability and vitality of the Market Square. As a consequence, the development is in conformity with the requirements of the National Planning Policy Framework; Policies BN5 and S10 of the West Northamptonshire Joint Core Strategy; and Policies 1 and 31 of the Northampton Central Area Action Plan.

**(J) N/2016/1372 - CHANGE OF USE FROM SHOP (USE CLASS A1) TO A DROP IN CENTRE, KINGS HEATH POST OFFICE, 2 PARK SQUARE**

The Development Management Team Leader submitted a report on behalf of the Head of Planning and elaborated thereon. The application sought a change in use from a shop to a drop-in centre for the local community.

**RESOLVED:**

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

The proposed change of use, subject to conditions, would not lead to any significant impacts on the character and appearance of the area or the amenities of nearby residents, and would introduce a use of community benefit. The proposal is considered to be in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy, Policies E20 and R9 of the Northampton Local Plan and the National Planning Policy Framework.

9.28pm Councillor Kilbride and Mary Markham left the meeting.

**(G) N/2016/1212 - PROPOSED RE-ROOFING OF A FAILED FLAT ROOF INTO A PITCHED GABLE ROOF, GIFFORD COURT, LIMEHURST ROAD**

The Senior Planning Officer submitted a report on behalf of the Head of Planning and elaborated thereon. Members of the Committee were informed that the existing flat roof was to be replaced with a new pitched roof.

**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 have a neutral impact upon the character and appearance of the surrounding area and neighbour amenity. It is therefore in conformity with the requirements of the National Planning Policy Framework, Policy S10 of the West Northamptonshire Joint Core Strategy, Policy E20 of the Northampton Local Plan and Policy OP1 of the Duston Neighbourhood Plan.

**(K) N/2016/1385 - CHANGE OF USE OF TWO EXISTING COMMUNAL ROOMS WITHIN A BLOCK OF FLATS INTO TWO ONE BEDROOM SELF-CONTAINED DWELLINGS, DOVER COURT, ST JAMES ROAD**

The Senior Planning Officer submitted a report on behalf of the Head of Planning and elaborated thereon. Members of the Committee were informed that the number of parking spaces had been increased, following a concern raised by NCC Highways.

**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 use of accommodation and is complementary to the surrounding land uses. It is considered that a satisfactory standard of development would be created with a neutral impact on the amenities of surrounding properties. The development is therefore in conformity with the requirements of the National Planning Policy Framework; Policies S10 and H1 of the West Northamptonshire Joint Core Strategy and Policy E20 of the Northampton Local Plan.

**(L) N/2016/1424 - INSTALLATION OF 1 NO. TEMPORARY REFRIGERATED STORAGE CONTAINER FOR A PERIOD OF 2 YEARS, COMMUNITY CENTRE, BRUNSWICK PLACE**

The Development Manager submitted a report on behalf of the Head of Planning and elaborated thereon. The application sought to install a refrigerated storage container for a temporary period of two years, located to the side of the community centre.

In response to a question from the Committee, the Development Manager confirmed that the electricity connection would be via a power source located within the community centre.

**RESOLVED:**

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

The proposed development, as a temporary storage unit, would not have an adverse impact upon the character and appearance of the local area or neighbouring amenity. The proposed development would accord with the saved Policy E20 of the Northampton Local Plan, Policies S10 and RC1 of the West Northamptonshire Joint Core Strategy and advice contained within the National Planning Policy Framework.

**11. ENFORCEMENT MATTERS**

There were none.

**12. ITEMS FOR CONSULTATION**



There were none.

**13. EXCLUSION OF PUBLIC AND PRESS**

Not required.

The meeting concluded at 9:40 pm