

NORTHAMPTON BOROUGH COUNCIL

PLANNING COMMITTEE

Tuesday, 9 May 2017

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

OFFICERS: Peter Baguely (Head of Planning) Rita Bovey (Development
Manager) Ben Clarke (Principal Planning Officer) Theresa Boyd
(Planning Solicitor) Emma Powley (Democratic Services)

1. APOLOGIES

Apologies for absence were received from Councillor Walker

2. MINUTES

The minutes of the meeting held on the 11th April 2017 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/2016/1022

Mr Toby Birch
Ms Theresa Bell

N/2017/0081

Mrs Hazel Veitch

4. DECLARATIONS OF INTEREST/PREDETERMINATION

Councillor Oldham declared a personal non-pecuniary interest in Item 10d as the person to Call-in the application.

Councillor Kilbride declared a personal and pecuniary interest in Item 10e as a Director of Northampton Partnership Homes (NPH)

Councillor M Markham declared a personal and pecuniary interest in Item 10e as a Director of Northampton Partnership Homes (NPH)

Councillor Birch declared a personal non-pecuniary interest in Item 10b as a Trustee of Community Spaces Northampton and as a relative of one of the registered speakers.

Councillor Kilby- Shaw declared a personal interest due to a predetermination in Item 10b.

Councillor Haque declared a personal non-pecuniary interest in Item 10c as the applicant was known to him.

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. It was noted that 6 appeals had been dismissed including application no N/2016/1292. Four had been allowed and they included applications N/2016/0380 and N/2016/0817.

RESOLVED: That the report be noted.

7. OTHER REPORTS

- (A) N/2017/0102 - AMENDMENT TO S106 HEADS OF TERM IN RELATION TO PLANNING APPLICATION N/2017/0102 TO VARY CONDITIONS 2, 6, 15, 22, 23 AND 27 OF PLANNING PERMISSION N/2016/0412 (DEMOLITION OF FARMHOUSE, ASSOCIATED BUILDING AND RESIDENTIAL PROPERTY OF 'LITTLE NORWAY'. CONSTRUCTION OF TWO WAREHOUSE AND DISTRIBUTION UNITS (USE CLASS B8) WITH ANCILLARY OFFICE ACCOMMODATION, TOGETHER WITH EARTHWORKS, ACCESS, SERVICES YARDS, PARKING ARRANGEMENT, LANDSCAPING AND OTHER ASSOCIATED INFRASTRUCTURE INCLUDING CREATION OF FOOTPATH) TO AMEND LAYOUTS OF THE WAREHOUSE UNITS IN RESPONSE TO SPECIFIC REQUIREMENTS FROM DECATHLON DEVELOPMENT LAND SOUTH OF BEDFORD ROAD OFF, LILIPUT ROAD**

The Principal Planning Officer submitted a report and elaborated thereon. Members' attention was drawn to the additional information contained within the Addendum. It was noted that the report sought approval for the inclusion of a financial contribution towards the Northampton Growth Management Strategy and the securing of a Travel Plan monitoring fee in addition to the other previously agreed Heads of Terms.

Members discussed the report.

RESOLVED:

That it be **AGREED** the inclusion of a financial contribution towards the Northampton Growth Management Strategy (NGMS) and Travel Plan monitoring fee in addition to the other previously agreed Heads of Terms and conditions and the S106 Legal Agreement will be amendment as such.

- (B) N/2017/0401 - VARIATION OF SECTION 106 LEGAL AGREEMENT IN RELATION TO OUTLINE PLANNING PERMISSION N/2015/0647 FOR**

RESIDENTIAL DEVELOPMENT OF UP TO 195 DWELLINGS FORMER KINGSTHORPE MIDDLE SCHOOL, NORTHFIELD WAY

The Principal Planning Officer submitted a report and elaborated thereon. It was explained that the applicant had applied to vary the existing Section 106 Agreement in order to change the composition of the affordable housing provision.

In response to questions asked, the Principal Planning Officer explained that the existing Section 106 Agreement secured 35% of the development for occupation on affordable tenures which was calculated as being 69 dwellings. It was noted that the developer had approached a significant number of Register Providers to take on the management of the affordable homes, but that they had been declined for a number of reasons. He further confirmed that the overall composition of affordable housing was proportionate to the overall composition of the development. As a consequence, the number of one bedroom apartments within the affordable housing provision (for which there is a need) was representative of the total provided within the development.

Members discussed the report.

RESOLVED:

That it be **AGREED** to vary the Section 106 Legal Agreement so that 70% of the development is occupied on the Rentplus model and 30% is occupied utilising the Discounted Market Sales Housing model.

8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS

There were none.

9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

There were none.

10. ITEMS FOR DETERMINATION

(A) N/2016/1050 - DEMOLITION OF EXISTING BUILDING AND CONSTRUCTION OF A LIDL FOOD STORE WITH ASSOCIATED LANDSCAPING, CAR PARKING AND FORMATION OF NEW ACCESS. 9-15 GAMBREL ROAD

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 additional information contained within the addendum. It was explained that the applicant had applied for planning permission to completely redevelop the site in order to construct a new supermarket to replace the existing store in Gambrel Road and that customer access and deliveries would be from Weedon Road.

In response to questions asked, it was noted that following discussion with the Highway Authority, the Weedon Road access had been redesigned to mitigate risks and congestion. The applicant also agreed to undertake improvements to Weedon Road to include the creation of an additional lane between the site entrance and the eastern roundabout on Weedon Road. It was also confirmed that the traffic and retail

impact issues associated with the redevelopment of the existing site would need to be assessed with a separate planning application.

The Committee discussed the report.

RESOLVED:

That the application be **APPROVED IN PRINCIPLE** subject to:

- i) The prior completion of a S106 Agreement to secure the cessation of the use of the existing store as a Limited Assortment Discounter at 25-29 Gambrel Road, permitted under Planning Permission N/2013/1016; and
- ii) The Conditions set out in the report and addendum and for the following reason:

The proposed development would, subject to conditions and the legal agreement, have a neutral impact upon the viability and vitality of the hierarchy of allocated centres, visual amenity and the occupiers of neighbouring properties, whilst supporting additional employment opportunities. The development is therefore in conformity with the requirements of the National Planning Policy Framework, Policies S2, S8, S9 and S10 of the West Northamptonshire Joint Core Strategy and Policies B14 and E20 of the Northampton Local Plan.

It was also agreed 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 Head of 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 the National Planning Policy Framework and Policy S9 of the West Northamptonshire Joint Core Strategy.

(B) N/2016/1022 - PROPOSED ERECTION OF 5 DWELLINGHOUSES ON LAND OFF CRESTWOOD ROAD SOUTH OF EASTERN DISTRICT SOCIAL CLUB. EASTERN DISTRICT SOCIAL CLUB, CRESTWOOD ROAD

At this juncture of the meeting, Councillors Kilby-Shaw and Birch, having declared an interest in Item 10b, left the room.

The Development Manager submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. Members' attention was drawn to additional information contained within the addendum. It was noted that the report sought the approval of the erection of 5 dwellinghouses on land off Crestwood Road.

Mr Birch, Chair of Community Spaces Northampton, spoke against the application and commented that whilst he was not objecting to the building of dwellings, he had concerns about the access road. Construction access may block access to the community centre and the access road should be improved right up to the community centre and for access by emergency vehicles.

Ms Theresa Bell, the applicant, spoke in favour of the application and commented that the land was currently blighted by fly-tipping and that a development of dwellings would improve the area.

In response to questioned asked by the Committee, the Development Manager explained that the road was not currently adopted nor was there a provision for street lights, but that conditions could be imposed that would require the submission and agreement of a strategy for the ongoing maintenance of the access road and the provision and retention of lighting to the access road.

The Committee discussed the report.

RESOLVED:

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

The principle of residential development of the site for 5 dwellings is considered acceptable and would contribute towards the Council's 5-year housing supply. Subject to the conditions below, the development would not lead to undue impacts on the character of the area, adjacent residential amenity, trees and highway conditions in accordance with the aims and objectives of the National Planning Policy Framework, Policies SA, S1, S3, S10, H1, BN3 and BN9 of the West Northamptonshire Joint Core Strategy, Policy E20 of the Northampton Local Plan and Policies DES1, H2, OS1 and OS2 of the Growing Together Neighbourhood Plan.

2 further conditions were added which were for:

- i) The provision of lighting to the access road and its retention
- ii) The submission and agreement of a maintenance strategy for the access road.

Councillors Kilby-Shaw and Birch re-entered the room.

(C) N/2017/0008 - CHANGE OF USE FROM DWELLING (USE CLASS C3) TO A HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 5 PERSONS (RETROSPECTIVE). 38 CLARE STREET

At this juncture of the meeting, Councillor Haque left the room, having declared an interest in Item 10c.

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 additional information contained within the addendum, noting the additional and amended conditions.

It was noted that a ground floor room was currently used as an office, which may be part of a house offering supported living. In response to questions, it was confirmed that a house being occupied by six unrelated people receiving an element of care would not require planning permission as it fell within Use Class C3. This was

materially different to a House in Multiple Occupation, which was a different use class and required planning permission. In considering the application, it was important to ensure that occupiers of a House in Multiple Occupation had sufficient access to recreation space.

The Head of Planning suggested he writes to the applicant in order to seek clarification as to whether they wished to use the property as a House in Multiple Occupation or revert the use back to a single dwelling house.

Members discussed the report.

RESOLVED:

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

The proposed development for a change of use from a dwelling to a house in multiple occupation (HIMO) would not lead to an unacceptable concentration of HIMOs within the locality that would adversely affect upon the character of the area, 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, in accordance with the requirements of Policies H1, H5, BN5 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.

Councillor Haque re-entered the room.

(D) N/2017/0081 - PROPOSED SINGLE STOREY SIDE AND REAR EXTENSION INCLUDING GARAGE CONVERSION. 20 REEDHILL

At this juncture of the meeting, Councillor Oldham, having declared an interest in Item 10d, left the room.

Councillor Golby, as the Deputy Chair, assumed the role of the Chair following Councillor Oldham's departure from the room.

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 report sought approval, subject to conditions, for a proposed single storey side and rear extension including garage conversion.

Mrs Veitch, owner of the neighbouring property, spoke against the application and stated that she considered it to be overbearing and that it would have a detrimental effect on the environment and also considered that the extension would lead to a loss of privacy of her property. Furthermore, Mrs Veitch highlighted the presence of a balcony at her property and suggested that views into the proposed extension would be possible. This would unduly impact upon the occupiers of the proposed development.

Members of the Committee discussed the proposal and in doing so noted the size of the plot, but considered that the extension would project significantly beyond the rear wall of the existing house. This would result in an extension that would not be subordinate towards the original building and would therefore be of a disproportionate size.

In addition, the Committee concluded that a significant element of the proposed extension would be visible from the adjoining property at 21 Reedhill irrespective of the difference in ground levels and existing boundary treatments. By reason of the height and projection of the development, the proposed extension would create an overbearing effect that would be detrimental to the outlook and amenities of the occupiers of the adjoining property, including its garden.

Furthermore, the committee recognised that currently the outlook from the adjoining property was one that featured a mixture of developed sites and elements of the natural environment. This contributes significantly to the amenity of the property and also its character. The proposed development, by reason of its proportions, would erode these characteristics and would lead to a detrimental impact upon the outlook of the neighbouring property.

The committee also noted that the neighbouring property featured a balcony that contributed to the amenity of the dwelling and the proposed extension would have an overbearing effect on this.

As a result, it was concluded that the development failed to comply with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy and Policy E20 of the Northampton Local Plan due to the inappropriate design and significant adverse impact on neighbour amenity. Furthermore, the development failed to comply with the Residential Extensions Design Guide Supplementary Planning Document owing to the poor design, lack of subordinate design and the adverse impact on the adjoining property at 21 Reedhill.

Members discussed the report.

RESOLVED:

That the application be **REFUSED** for the following reasons:

That the proposed development, by reason of its height and projection and proximity to 21 Reedhill, would form an incongruous and overbearing feature that would adversely affect the amenity and outlook of the adjoining property. The proposal fails to comply with the National Planning Policy Framework, Policy S10 of the West Northamptonshire Joint Core Strategy, Policies E20 and H18 of the Northampton Local Plan and the Residential Extensions Design Guide Supplementary Planning Document.

Councillor Oldham re-entered the room, and resumed Chairmanship.

(F) N/2017/0253 - CHANGE OF USE FROM DWELLING (USE CLASS C3) TO A HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 4 PERSONS. 27 ETHEL STREET

The Principal Planning Officer submitted a report and elaborated thereon. Additional information contained within the addendum was noted by Members. It was further noted that application sought the approval for a change of use from a dwelling to a house in Multiple Occupation for 4 persons

Members discussed the report.

RESOLVED:

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

The proposed development is considered acceptable in principle as it would not result in an overconcentration of similar uses within the vicinity of the site, would provide adequate facilities for future occupants and would not be at risk from flooding. Notwithstanding existing parking conditions in the local area, the site is in a sustainable location close to a Local Centre, bus services and amenities and would provide adequate facilities for cycle storage and refuse storage. The proposal thereby complies with 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 (IPPS) and the aims and objectives of the National Planning Policy Framework.

(G) N/2017-0254 - PRIOR NOTIFICATION OF CHANGE OF USE FROM OFFICES (USE CLASS B1A) TO RESIDENTIAL (USE CLASS C3) FOR 20 STUDIO FLATS. CASTILLIAN CHAMBERS, 2A CASTILIAN STREET

The Development Manager submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. It was noted that the report sought prior approval for a Change of use from Office to residential.

Members discussed the report.

RESOLVED:

That **PRIOR APPROVAL BE GRANTED** subject to the conditions set out below and for the following reason:

The proposal is permitted development in accordance with the provisions of Class O of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and subject to conditions, would have no undue detrimental impact with regards to transport and highway impacts, contamination, flood risk and noise.

(E) N/2017/0232, N/2017/0233, N/2017/0234, N/2017/0235, N/2017/0236, N/2017/0237 - REFURBISHMENT OF EXISTING BLOCKS INCLUDING ALTERATIONS TO BALCONIES; INSTALLATION OF SECURITY GATES AND FENCE; BIN STORAGE AND SHEDS; ALTERATIONS TO PATHS AND LANDSCAPING AND ALTERATIONS TO PARKING AREAS. SIX SITES IN PARK DRIVE, PARK WALK, NORTH OVAL, SOUTH OVAL, PARK CRESCENT EAST AND SEVERN DRIVE, KINGS HEATH

At this juncture of the meeting, Councillors Kilbride and M Markham, having declared Interest in Item 10e, left the room and the meeting as there were no others item on the agenda to be discussed.

The Planning Manager submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. Members' attention was drawn to additional information contained within the addendum.

Members discussed the report.

RESOLVED:

That the application be **APPROVED** for all six planning applications, subject to the conditions as set out in the report and for the following reason:

The proposed development would enhance the appearance of the buildings and the area, and would provide enhanced facilities and security for residents of the blocks, whilst not having any detrimental impact on the amenity of neighbouring occupiers and would be consistent with the aims and objectives of the policies of the West Northamptonshire Joint Core Strategy, the Northampton Local Plan, the National Planning Policy Framework and the Planning Out Crime in Northamptonshire SPG.

11. ENFORCEMENT MATTERS

There were none.

12. ITEMS FOR CONSULTATION

There were none.

The meeting concluded at 8.27pm