

# **NORTHAMPTON BOROUGH COUNCIL**

## **PLANNING COMMITTEE**

**Tuesday, 4 September 2018**

**PRESENT:** Councillor Oldham (Chair); Councillor Lane (Deputy Chair);  
Councillors Birch, Bottwood, Choudary, Golby, Kilby-Shaw, M  
Markham, McCutcheon, Russell and Smith

**OFFICERS:** Peter Baguley (Head of Planning), Rita Bovey (Development  
Manager), Ben Clarke (Principal Planning Officer), Kanchan Sharma  
(Planning Officer), Theresa Boyd (Planning Solicitor), Ed Bostock  
(Democratic Services Officer)

### **1. APOLOGIES**

Apologies for absence were received from Councillor B Markham. It was noted that Councillors Lane and Golby would be arriving late and that Councillors Birch and Choudary would be leaving early due to conflicting engagements.

### **2. MINUTES**

The minutes of the meeting held on 31<sup>st</sup> July 2018 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 were granted leave to address the Committee:

#### **N/2018/0683**

William Jacobs

#### **N/2018/1024**

Councillor Smith

Councillor Stone

#### **N/2018/1060**

Councillor Smith

Councillor Stone

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

Councillor M Markham declared a disclosable and pecuniary interest in respect of items 10c and 10f as a board member for Northampton Partnership Homes (NPH).

Councillor Bottwood declared a disclosable and pecuniary interest in respect of items 10c and 10f as a board member for NPH.

Councillor Kilby-Shaw declared a personal interest in respect of item 10f but advised of no predetermination.

Councillor Smith declared a predetermination in respect of items 10g and 10h. She advised that she would address the Committee on the items then leave the room whilst they were discussed.

**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 on behalf of the Head of Planning. She reported that all appeals were still awaited and there were no further updates to give at the time.

**(C) N/2018/0683 - DEMOLITION OF 16NO. DOMESTIC GARAGES AND CONSTRUCTION OF 2NO. NEW BUILD DWELLINGS. LOCKUP GARAGES, LONGLAND ROAD**

At this juncture Councillors M Markham and Bottwood left the room.

The Planning Officer submitted a report and elaborated thereon. Members' attention was drawn to the addendum which contained amended Conditions 5, 7 and 12. The Committee were informed that following noise concerns raised by Environmental Health, a condition had been added to ensure a revised noise assessment be carried out, to protect the dwellings from external noise. It was noted that the application complied with both local and national policies.

Responding to a question, William Jacobs, Project Manager for NPH explained that the car park had been identified as underused, however any residents losing out would be provided with alternate parking facilities. He further explained that due to surface drainage on the north of the site, the applicant was limited to the number of properties that could be built.

Members discussed the report.

**RESOLVED:**

That the application be **APPROVED** subject to the conditions and reasons as set out in the report and the addendum.

**(F) N/2018/0969 - INSTALLATION OF PLAYGROUND FOR CHILDREN AND YOUNG PEOPLE PLUS 5NO. ITEMS OF OUTDOOR GYM EQUIPMENT. SPORTS COURT, CRESTWOOD ROAD**

The Development Manager submitted a report and elaborated thereon. The Committee heard that play equipment would be provided for children to the north of the site and outdoor gym equipment to the south. It was noted that since the site was

an existing open space site with the location of an existing MUGA, it was unlikely that the provision and use of the equipment would generate excessive noise.

In response to questions, it was reported that contractors employed by NPH would be responsible for maintaining the site. Regarding potential traffic issues, it was noted that the situation had not changed in terms of the site's use.

Members discussed the report.

**RESOLVED:**

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

- (A) **N/2017/1653 - DEMOLITION OF EXISTING BUILDINGS WITHIN THE SITE BOUNDARY (TANNERS PUBLIC HOUSE, TAKEAWAY UNITS & POST OFFICE) AND PROPOSED DEVELOPMENT OF 17NO. NEW DWELLINGS TO INCLUDE 11NO. INDIVIDUAL RESIDENTIAL UNITS AND 6NO. PROPOSED FLATS WITH 400 SQM OF RETAIL UNITS ON GROUND FLOOR AND PROVISION OF PARKING. DEMOLITION OF 12NO. EXISTING GARAGES AND CAR PARKING SPACES TO BE REPLACED WITH 10NO. NEW GARAGES AND NEW CAR PARKING SPACES FOR EXISTING RESIDENTS' USE ONLY. THE TANNERS PH, 32 FARMFIELD COURT**

This item was withdrawn from the agenda.

**7. OTHER REPORTS**

- (A) **N/2018/0436 - MODIFICATION OF SECTION 106 AGREEMENT IN RELATION TO SUBMISSION OF SINGLE RESERVED MATTERS APPLICATION, EDUCATION CONTRIBUTIONS, TRIGGER FOR OTHER FINANCIAL CONTRIBUTIONS AND AFFORDABLE HOUSING DELIVERY AND VIABILITY REVIEWS. UPTON PARK DEVELOPMENT, UPTON VALLEY WAY NORTH**

Councillors M Markham and Bottwood re-joined the meeting.

Councillor Golby joined the meeting at this juncture.

The Development Manager submitted a report and elaborated thereon. The Committee heard that outline planning permission was granted in March 2015 for 1,000 dwellings including a primary school, local centre and public open space. However, due to constraints on the site and changes in flood mitigation measures, the quantum of developable land within the site boundaries had been reduced. Subsequently, a reserved matters application received by the Council related to 860 dwellings. The applicant had requested that their financial contribution be prorated and that they provide additional provision for burial grounds instead of allotments. They further sought to spread contributions more evenly throughout the development, however priority would still be given to primary education.

In response to questions, the Committee heard that the proposed dwellings shown in the reserved matters application were family homes of a generous size. It was

explained that entry to the development would be on West Street and that improvements to the road were proposed and that a clause in the S106 Agreement stipulated open spaces would not be maintained by NBC but by either Upton Parish Council or a management company.

It was noted that the site was not CIL liable due to the original application being submitted before CIL came into effect in the borough.

Members discussed the report.

#### **RESOLVED:**

1. That the Committee **AGREED** to vary the Section 106 legal Agreement dated 27<sup>th</sup> March 2015 (the original Agreement) to include the following:
  - Amend the financial contributions on a pro-rata basis and the relevant timing of the payments of those obligations.
  - Remove the obligation to provide allotments and instead to include a financial contribution for the provision, maintenance and/or enhancement of burial grounds.
  - Reflect the fact that the planning permission will now be implemented by one developer.
2. That delegated authority be given to the Head of Planning in consultation with the Chair of the Planning Committee to agree any such further amendments to the planning obligations contained in the original Agreement as is reasonably necessary.

#### **8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS**

#### **9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS**

#### **10. ITEMS FOR DETERMINATION**

#### **(B) N/2018/0476 - ERECTION OF 14NO. 3-BEDROOM DWELLINGS WITH PARKING. THE SILVER CORNET PUBLIC HOUSE, 21 WELLAND WAY**

At this juncture Councillor Lane joined the meeting.

The Development Manager submitted a report and elaborated thereon. The Committee heard that the site was currently overgrown, frequently fly tipped and a haven for antisocial behaviour. It was reported that whilst terms of transfer had not yet been agreed, a prospective application was not considered inappropriate. NCC Highways had objected to the application due to insufficient parking provision, however it was noted that the parking standard had changed since the pre-app application was submitted and that the number of spaces provided was offset by the absence of parking restrictions in the area. The application was considered a good use of a brown site.

In response to a question regarding the electric gate that would serve the car park, it was explained that Condition 12 in the report required that full details be submitted and approved by the Council prior to installation.

**RESOLVED:**

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

**(D) N/2018/0787 - ERECTION OF SINGLE STOREY EXTENSION TO SIDE OF PROPERTY. 16 RAISINS FIELD CLOSE**

Councillor Choudary left the meeting at this juncture.

The Development Manager submitted a report and elaborated thereon. The Committee heard that the application sought to extend the previous garage which had been converted to a living room. 1 parking space would be lost to create the extension, however there was space for 3 vehicles at the opposite side of the property. The extension would extend 1.5m past the neighbouring property but set back from the host dwelling and a window panel facing the neighbouring property would be glazed and non-opening so to ensure privacy. It was noted that the Parish Council had objected to the application, however, no further objections had been received on the revised plans.

Members discussed the report.

**RESOLVED:**

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

**(E) N/2018/0913 - PROPOSED SINGLE STOREY ANNEX TO REAR. 59 LANGDALE ROAD**

The Planning Officer submitted a report and elaborated thereon. The Committee heard that the proposed development would be partially visible from the street and a side-facing window would be glazed to ensure privacy for neighbours and a condition included to increase a boundary fence for the same reason. Whilst the size of the proposed annex was substantial, in relation to the size of the garden it was not considered an overdevelopment and it was noted that there were similar garden buildings nearby.

Members discussed the report.

**RESOLVED:**

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

**(G) N/2018/1024 - CONVERSION AND EXTENSION OF COACH HOUSE INTO 1NO. SELF-CONTAINED DWELLING. 2 BOSTOCK MEWS**

Councillor Smith moved to public seating.

The Principal Planning Officer submitted a report and elaborated thereon. The Committee heard that the proposed physical alterations would be relatively minor, that the window facing 3 Bostock Avenue at first floor level would be non-opening

and obscure glazed. Therefore it was considered that the impact on nearby amenity would be neutral. It was noted that NCC Highways had objected to the application, however the property was located in a sustainable area, close to shops and public transport links.

Councillor Smith, as the Ward Councillor, spoke against the application and commented that capacity had been exceeded in the area. She voiced concerns regarding parking and stated that based on the evidence provided by NCC Highways, the application should be refused.

Having addressed the Committee, Councillor Smith left the room for the remainder of the discussion.

Councillor Stone addressed the Committee in her capacity as the County Councillor for Abington & Phippsville and stated that the application represented an overdevelopment in an already highly populated area. She stated that dangerous parking habits were always prevalent on Bostock Avenue.

The Principal Planning Officer explained that there was no added impact on existing residents in terms of matters such as light and outlook since the structure was pre-existing.

Members discussed the report.

#### **RESOLVED:**

That the application be **APPROVED** subject to the conditions and reasons as set out in the report and the addendum.

#### **(H) N/2018/1060 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 4 OCCUPANTS. 20 ROE ROAD**

Councillor Birch left the meeting at this juncture.

Councillor Smith re-entered the room and sat in the public gallery.

The Principal Planning Officer submitted a report and elaborated thereon. The Committee heard that internal changes would consist of converting the upstairs bathroom to a further bedroom. It was noted that the application met required Private Sector Housing standards and complied with the NPPF and that should it be approved, there would be a 10% concentration of HIMO properties in a 50m radius. NCC Highways had objected to the application, however it was explained that the number of occupiers would not be dissimilar to that of a family home and the site was sustainably located.

Councillor Smith, as the Ward Councillor for Abington, spoke against the application and commented that this was an area that had reached maximum capacity, stating that the Committee had the opportunity to prevent further highway problems by refusing the application.

Having addressed the Committee, Councillor Smith left the room for the remainder of the discussion.

Councillor Stone, in her capacity as the County Councillor for Abington & Phippsville, spoke against the application and commented on the pressures put onto communities and local amenities and stated that the Council would be breaking its own regulations if the application was approved.

Members discussed the report.

**RESOLVED:**

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

**11. ENFORCEMENT MATTERS**

There were none.

**12. ITEMS FOR CONSULTATION**

There were none.

The meeting concluded at 6:40 pm