

**NORTHAMPTON BOROUGH COUNCIL**

**PLANNING COMMITTEE**

**Tuesday, 20 November 2018**

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

**OFFICERS:** Peter Baguley (Head of Planning), Rita Bovey (Development  
Manager), Nicky Scaife (Development Management Team Leader),  
Ben Clarke (Principal Planning Officer), Theresa Boyd (Planning  
Solicitor), Ed Bostock (Democratic Services Officer)

**1. APOLOGIES**

Apologies for absence were received from Councillor M Markham. It was noted that Councillor Lane would be arriving late.

**2. MINUTES**

The minutes of the meeting held on 23<sup>rd</sup> October 2018 were agreed and signed by the Chair.

**3. DEPUTATIONS / PUBLIC ADDRESSES**

**RESOLVED:**

That with the agreement of the Chair, the members of the public and Ward Councillors were granted leave to address the Committee:

**N/2018/0277**

Brian Hoare  
Richard Matthews  
Jonathan Best  
Martin Meech

**N/2018/0322**

Tricia Yates  
John Dingle  
Matt Golby

**N/2018/1141**

Barry Waine

**N/2018/1380**

Matthew Berry

**N/2018/1381**

Matthew Berry

**N/2018/1386**

Anita Holt  
Enam Haque

**N/2018/1393**

Councillor Stone  
Sam Rummens  
Nick Warne

**4. DECLARATIONS OF INTEREST/PREDETERMINATION**

Councillor Oldham declared a personal interest in respect of item 10a as the Ward Councillor but advised of no predetermination.

Councillor Golby declared a predetermination in respect of item 10b and advised that he would leave the room after addressing the Committee.

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

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

Councillor Smith declared a predetermination in respect of items 10c and 10e and advise that she would leave the room after addressing the Committee.

**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 and elaborated thereon. The Committee heard that the 4 decisions reached were all refused under delegated authority. An appeal relating to 94 St Leonards Road was dismissed, the Inspector agreed with the Council that flood mitigation was insufficient and that the bedrooms were too small. An appeal relating to Westone Manor had been allowed, with the Inspector finding that as a stand-alone building, the visual impact could not be considered harmful.

**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

### (F) N/2018/1380 - DEMOLITION OF 10NO DOMESTIC GARAGES AND CONSTRUCTION OF TWO ONE-BED FLATS AND PARKING. LOCK UP GARAGES, CAMBORNE CLOSE

At this juncture Councillors Bottwood and Kilbride left the meeting.

The Development Manager submitted a report and elaborated thereon. The Committee heard that the garages, having been built in the 70s, were no longer fit for purpose and mainly unused. The proposed development would comprise a 2 storey building containing 2 flats, 4 parking spaces for occupants and 6 for local residents. Neighbour concerns regarding parking were noted, however the Highway Authority had no comments to make.

Matthew Berry, Project Manager for NPH, spoke in favour of the application and commented that the sole user of a garage on the site would be relocated.

In response to a question, Mr Berry stated that waste storage would be located in a gated area to the side of the property.

Members discussed the report.

#### **RESOLVED:**

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

### (G) N/2018/1381- DEMOLITION OF 10NO DOMESTIC GARAGES AND CONSTRUCTION OF 2NO NEW-BUILD BUNGALOWS WITH PARKING. LAND AND GARAGES ADJACENT TO ELEANOR LODGE, 25 CAMBORNE CLOSE

The Development Manager submitted a report and elaborated thereon and advised of an error within the report at paragraph 2.1, which should have read 22 spaces. Members' attention was drawn to the addendum which contained further comments from a local resident. The Committee heard that the proposed dwellings would be in-keeping with the area. The properties would be specialised homes for disabled people. 4 parking spaces would serve the properties, with 22 spaces provided for local residents.

In response to a question, the Committee heard that the size of the site had reduced following the discovery of a gas main nearby. It was reported that there was a need for 1 bedroom disabled access homes.

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.

**(A) N/2018/0277 - DISTRIBUTION CENTRE (USE CLASS B8) INCLUDING RELATED SERVICE ROADS, ACCESS AND SERVICING ARRANGEMENTS, CAR PARKING, LANDSCAPING BUND AND ASSOCIATED WORKS. MILTON HAM**

Councillors Bottwood and Kilbride re-joined the meeting at this juncture.

Councillor Lane joined the meeting and confirmed that he had no interests to declare

The Principal Planning Officer submitted a report and elaborated thereon. Members' attention was drawn to the addendum which contained further representations from local residents and several revised conditions. It was highlighted that the site had a long planning history, the most recent application having been refused by the Planning Committee in 2015. An appeal in respect of the refusal of planning permission was dismissed in 2016, with the Inspector finding that whilst warehousing was an appropriate use, the height and footprint of the proposal would cause an unacceptable level of harm. It was explained that the new proposal saw a reduction of 2m in roof height, and that landscaping and 7-8m high bunding would screen the development. The bund would project out to a non-allocated piece of land but this too would be landscaped. Details of maintenance would form part of the S106 Agreement and the Committee heard that NCC Highways and Highways England did not raise objections to the application, subject to conditions, and the mitigation secured through the Legal Agreement.

Brian Hoare spoke against the application and commented that the application was a breach of Policy B9 of the Northampton Local Plan as it extended Swan Valley into West Hunsbury. He further referenced the Local Plan by stating that any development should not be hidden but blend in, which the proposed development would not do.

Responding to a question, Mr Hoare stated that he and local residents were not opposing development on the site, and that the current application was virtually the same as one in 2002 which was considered unacceptable at the time.

Richard Matthews, a local resident, spoke against the application and commented that the application was the same as one presented in 2002. He stated that whilst the guidance was different, the application was still not suitable for the area.

In response to a question, Mr Matthews stated that the application considered in 2009 was on a smaller scale and more suitable.

Jonathan Best, consultant on behalf of the applicant, spoke in favour of the application and commented that the proposed development was a reduction of 40% in floor space compared to the previous application, and that the development would create more than 300 jobs. He further commented that no statutory objections had been received in response to the application.

In response to a question, Mr Best stated that there was no proposed greywater facility. He further stated that the Wootton Brook was sufficient to cope with the run off of water, even in cases of extreme weather.

Martin Meech, Property Director of Travis Perkins, spoke in favour of the application and stated that the company would seek occupiers for the development, or sell it on, should the application be approved. Monies raised would then be reinvested in their existing facilities in the town.

In response to a question regarding reinvestment of facilities, Mr Meech explained that the Travis Perkins Head Office was in need of renovation.

The Principal Planning Officer advised, for clarity, of a number of differences between the current and previous applications, including the bunding and that whilst the buildings would be likely to operate on a 24 hour basis; noise levels would be controlled by conditions.

Responding to questions, the Principal Planning Officer explained that the overall height of the development was 2m lower than the previous application, although there would also be a reduction in the site levels and that the distance between the proposal and the closest residence was approximately 184m. The Committee heard that the site would benefit from bunding in terms of screening the development and acting as an acoustic fence. In terms of archaeology, Members heard that a programme of archaeological investigation would take place before the development was implemented. The response to any discovery would depend upon what was found, the quantity and condition.

Members discussed the report.

**RESOLVED:**

That the application be **APPROVED IN PRINCIPLE** subject to the prior completion of a S106 Agreement and the conditions and reasons as set out in the report and addendum.

**(B) N/2018/0322 - DEMOLITION OF EXISTING RESIDENTIAL UNIT, CONSTRUCTION OF TWO RESIDENTIAL UNITS WITH ASSOCIATED GARAGES, CONSTRUCTION OF EXTENSION TO EXISTING SELF-STORAGE (CLASS B8) FACILITY TO PROVIDE ADDITIONAL SELF-STORAGE (CLASS B8) ACCOMMODATION OVER BASEMENT, GROUND AND TWO UPPER FLOORS, PROVISION OF ASSOCIATED PLANT AND LANDSCAPING. ACCESS STORAGE SOLUTIONS, TOLLGATE WAY**

Councillor Golby moved to public seating at this juncture.

The Principal Planning Officer submitted a report and elaborated thereon. Members' attention was drawn to the addendum which contained further representations from the Lead Local Flood Authority and 2 additional conditions. The Committee heard that several trees on the site would be removed, although these were not considered to be significant. With the street scene being varied, the proposed bungalows were not considered unacceptable. It was explained that a condition had been included to remove permitted development rights for matters such as extensions and windows

on the rear elevation of the bungalows, to maintain sufficient levels of light, outlook and privacy. Members heard that there would be no adverse impact on parking and that NCC Highways had not objected to the application. It was also explained that the proposed self-storage facility was of an acceptable design, and would not lead a significant adverse impact upon amenity.

Mr Golby, as a relation of the applicants, spoke in favour of the application and commented that access to the site would be improved, the extension would act as a noise buffer and that the applicants would be happy to plant more trees to mitigate any visual impacts.

In response to a question, Mr Golby confirmed that access would remain the same, off of Mill Lane.

After addressing the Committee, Mr Golby left the room for the remainder of the discussion.

Tricia Yates, a local resident, spoke against the application and voiced concerns around the size and scale of the proposed development, commenting that it would dwarf nearby properties. She stated that the NPPF made reference to “good design” and that the proposal did not meet the requirement. She suggested that retention of trees should be considered.

In response to a question, Ms Yates stated that she was concerned about what the trees would be replaced with.

John Dingle, the agent on behalf of the applicant, spoke in favour of the application and explained that the height of the proposed extension was lower than the existing building and that it would block most of the noise coming from the site. He further explained that the bungalows had been designed so that outlook would be away from the self-storage facility, and that replacement landscaping would take place.

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.

#### **(C) N/2018/1141- CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (SUI GENERIS) FOR 7 OCCUPANTS (RETROSPECTIVE). 11 ABINGTON GROVE**

Councillor Golby re-joined the meeting and Councillor Smith moved to the public seating.

The Development Management Team Leader submitted a report and elaborated thereon. The Committee heard that should the Committee approve the application, the concentration of HIMO properties in a 50m radius would be 13.3%. Notwithstanding an objection received from NCC Highways, the location was considered sustainable due to the proximity of shops and public transport links.

Councillor Smith, as the Ward Councillor, spoke against the application and stated that additional high-concentration accommodation would further exacerbate parking problems in the area.

Barry Waine, the agent on behalf of the applicant, spoke in favour of the application and stated that the property had been operating as a HIMO for 9 years and commented that there was no evidence to suggest that this use had caused a danger to the area's parking situation in that time. Mr Waine noted that a similar application nearby had been previously approved by the Planning Committee.

In response to a question, Mr Waine advised that there were currently 2 vehicles used by occupiers of the property.

The Head of Planning explained that the Planning Act allowed for retrospective applications and that every application should be considered on its own merits.

Members discussed the report.

**RESOLVED:**

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

**(D) N/2018/1280 - ENGINEERING OPERATIONS TO RAISE FRONT GARDEN LEVELS TO ACCOMMODATE ADDITIONAL OFF ROAD PARKING AND SITTING AREA. 18 TANFIELD LANE**

Councillor Smith re-joined the meeting.

The Development Manager submitted a report and elaborated thereon, advising of an additional condition to agree details of surface treatment. The Committee heard that such a minor application would normally be dealt with under delegated powers. It was explained that a condition had been included to ensure the method of treatment of the boundaries would be approved by the Council before implementation.

In response to a question, the Committee heard that should neighbours decide to do the same, there would be no risk of obstruction to the driveway.

Members discussed the report.

**RESOLVED:**

That the application be **APPROVED** subject to the conditions and reasons as set out in the report, with an additional condition requiring details of surface treatment to be submitted to the Council.

**(E) N/2018/1333 - CONVERSION OF 59 ABINGTON AVENUE TO A SINGLE DWELLING (CLASS C3) AND CONVERSION OF 61 ABINGTON AVENUE TO HOUSE IN MULTIPLE OCCUPATION (CLASS C4) FOR 5 OCCUPANTS. 59 - 61 ABINGTON AVENUE**

At this juncture Councillor Smith left the meeting room.

The Development Management Team Leader submitted a report and elaborated thereon. The Committee heard that should the application be successful, the concentration of HIMO properties in a 50m radius would be 16.3%. It was noted that the dwelling currently had planning permission for a 6 bed HIMO. It was further noted that due to the proposal not increasing the number of bedrooms to that previously consented, NCC Highways had not raised an objection.

In response to a question, Members were informed that should the application be successful, the applicant would be able to choose between the 2 approved plans.

Members discussed the report.

**RESOLVED:**

That the application be **REFUSED** against the officer recommendation on the grounds of over concentration.

**(H) N/2018/1386 - TWO STOREY SIDE EXTENSION, SINGLE STOREY SIDE AND REAR EXTENSION WITH FRONT PORCH AND CAR PORT. 27 THRUXTON DRIVE**

Councillor Smith re-joined the meeting.

The Development Management Team Leader submitted a report and elaborated thereon. Members' attention was drawn to the addendum which corrected an error within Condition 2. The Committee heard that the proposed development complied with the Council's policies and the "45 degree rule". It was explained that parking provision was sufficient for the development.

Anita Holt, of a neighbouring property, spoke against the application and commented that the proposed development would bring about loss of privacy issues and block light to her property, and that when finished, the property would not be in-keeping with the rest of the street. She voiced further concerns around the number of occupants living at the property as she believed it was being used as a HIMO.

Responding to a question, Ms Holt confirmed that a neighbouring property had similar extensions, however she pointed out that the property in question was set farther back than the applicant property.

Councillor Haque, the applicant and owner, spoke in favour of the application and confirmed that a single family was living in the property currently and that it was not being used as a HIMO. He stated that his application complied with all of the Council's policies.

Members discussed the report.

**RESOLVED:**

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

**(I) N/2018/1393- RETENTION OF NEW WINDOW SHUTTERS TO REAR AND SIDE OF BUILDING. 1 BILLING ROAD**

The Development Management Team Leader submitted a report and elaborated thereon. The Committee heard that the application was for the retention of new window shutters. It was explained that it was considered the appearance of the shutters adversely impacted on the character of the building and Conservation Area the recommendation was for refusal.

Councillor Stone, as the Ward Councillor, spoke in favour of the application and stated that the building stood out and already attracted unwanted attention. She commended the owners for their positive and proactive response to being broken into.

Sam Rumens, an employee of Cottons Accountants, spoke in favour of the application and commented that it represented a good compromise that did not adversely affect the building. He stated that it would be detrimental to add cumbersome internal shutters.

In response to a question, Mr Rumens confirmed that the shutters were up between 9am and 5pm. He further confirmed that the company had received guidance from the Police as to the types of shutters available.

Nick Warne, an employee of Cottons Accountants, spoke in favour of the application and stated that the shutters could not be seen from the front of the building. He further stated that the shutters could be removed without damaging the building.

In response to a question, Mr Warne explained that internal shutters would damage the building whereas the current external shutters did not.

The Development Management Team Leader explained that arch details above the windows with shutters installed, were hidden by the shutters' casing. She further explained that officers had met with the applicant to discuss alternative options, such as internal shutters, recognising that security was an issue.

The Head of Planning advised that any development within a conservation area should "preserve and enhance". He asked Members to bear in mind other means of security and stated that the Police would not give advice or make suggestions on the design of security shutters.

Members discussed the report.

**RESOLVED:**

That the application be **APPROVED** against the officer recommendation.

**11. ENFORCEMENT MATTERS**

There were none.

**12. ITEMS FOR CONSULTATION**

There were none.

The meeting concluded at 8:42 pm