

# NORTHAMPTON BOROUGH COUNCIL

## PLANNING COMMITTEE

Tuesday, 9 March 2010

**PRESENT:** Councillor Collins (Chair); Councillor Meredith (Deputy Chair);  
Councillors Church, Conroy, Golby, Hoare, Lane, Mason and  
Matthews

### 1. APOLOGIES

Apologies were received from Councillors Malpas and Woods.

### 2. MINUTES

The minutes of the meeting of the Committee held on 9 February 2010 were signed by the Chair.

### 3. DEPUTATIONS / PUBLIC ADDRESSES

- (1) That Messrs Giddings and Grethe and Councillor Mason be granted leave to address the Committee in respect of Application No N/2009/0894 – Change of Use From Public House to Community Centre With Ancillary Restaurant, Hairdressers and Taxi Office at The Mill Wheel Public House, Billing Brook Road.
- (2) That Messrs White and Kilsby be granted leave to address the Committee in respect of Application No N/2009/0924 – Single Storey and First Floor Rear Extensions at Kingsley Nursing Home, 18-20 Kingsley Road.
- (3) That K Wright, M Bryce and Councillor Crake be granted leave to address the Committee in respect of Application No N/2009/0955 – Variation of Condition 7 of Planning Application 94/0442 Requesting 4 Yearly Social Events Until 24:00 (Midnight) at Collingtree Primary School, Lodge Avenue (as amended by revised plan received on 2 December 2009).
- (4) That Councillor P M Varnsberry and D Howard be granted leave to address the Committee in respect of Application Nos N/2009/0956, N/2009/0957 and N/2009/0958 – Erection of 1no Three Bed End Terrace Dwelling on Land to Rear of 8, 10 and 12 Peverels Way (as amended by revised plans received on 18 January 2010).
- (5) That H Fruish, S Webster, L Carpenter and Councillor B Hoare be granted leave to address the Committee in respect of Application No N/2009/0968 – Conversion into 2no One Bed Flats, 4no New One Bed Flats and 2no New Two Bed Semi Detached Dwellings at 54 Adams Avenue (resubmission of N/2007/1461).
- (6) That Messrs Kilsby, Scarfe and Clarke and Councillor Simpson be granted leave to address the Committee in respect of Application No N/2010/0067 – Part

Retrospective Three Storey Side Extension, Single Storey Extensions, Dormer Window and Velux Windows to Existing Building and Front Boundary Fence Including Rain Water Harvesting Tank to Front of Site at 2 The Drive/3 The Crescent (revision of N/2009/0765).

- (7) That P O'Connell, Mrs Conway and Messrs Nelson and Dooley be granted leave to address the Committee in respect of Application No N/2010/0068 – Erection of 2no Detached Dwellings With Associated Parking and Garages Including the Demolition and Replacement of Garage Serving 31 Greenfield Avenue at Hillcrest Rising 31a Greenfield Avenue (as amended by revised plans received on 5 February 2010).

#### **4. DECLARATIONS OF INTEREST**

Councillor Mason declared a personal and prejudicial interest in Application 10B, N/2009/0894 – Change of Use From Public House to Community Centre With Ancillary Restaurant, Hairdressers and Taxi Office at The Mill Wheel Public House in Billing Brook Road, as having publicly expressed an opinion on this application.

Councillors Church and Simpson declared personal interests in Application 10I, N/2010/0067 – Part Retrospective Three Storey Side Extension, Single Storey Extensions, Dormer Window and Velux Windows to Existing Building and Front Boundary Fence Including Rain Water Harvesting Tank to Front of Site at 2 The Drive/3 The Crescent (revision of N/2009/0765), as knowing one of the objectors.

Councillor Church declared a personal interest in Application 10C, N/2009/0924 – Single Storey and First Floor Rear Extensions at Kingsley Nursing Home, 18-20 Kingsley Road, as knowing the applicant.

#### **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 Head of Planning submitted a report and noted that in respect of N/2009/0359 an Inspector had dismissed the appeal.

**RESOLVED:** That the report be noted.

#### **7. OTHER REPORTS**

None.

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

None.

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

None.

## **10. ITEMS FOR DETERMINATION**

### **(A) N/2009/0028- PROPOSED DEMOLITION OF INFIRMARY BUILDING AND PROPOSED ALTERATIONS AND EXTENSION TO REMAINING BUILDINGS AT FORMER ST EDMUNDS HOSPITAL SITE, WELLINGBOROUGH ROAD**

The Head of Planning submitted a report in respect of Application No N/2009/0028 and referred to the Addendum, which set out an additional Condition 12 to mirror the phasing arrangements as required under the Section 106 Agreement with WNDC; reworded Conditions 3, 8, 9 and 11 to provide more clarity and better protection for the listed buildings; and minor changes to Conditions 4, 5, 6, 7 and 10 to provide more clarity and better protection to the listed buildings.

The Committee discussed the application.

**RESOLVED:** That the application be approved subject to the conditions set out in the report and as amended by the Addendum as the proposal would ensure the redevelopment of this prominent semi-derelict site, which would enhance the character of the area and assist in the regeneration of the town overall. The proposal would also ensure the retention of the majority of the listed buildings on the site that are an important part of the town's heritage in accordance with Policy 26 of the Regional Plan and the aims and objectives of PPG15.

### **(B) N/2009/0894- CHANGE OF USE FROM PUBLIC HOUSE TO COMMUNITY CENTRE WITH ANCILLARY RESTAURANT, HAIRDRESSER AND TAXI OFFICE AT THE MILL WHEEL PUBLIC HOUSE, BILLING BROOK ROAD**

The Head of Planning submitted a report in respect of Application No N/2009/0894 and elaborated thereon.

Councillor Mason commented that as the local Councillor, she was happy to support the application and referred to the loss of the previous community centre, which had been missed by the local community. She noted that there was nowhere else to hold socials and meetings, the local school being too expensive to hire. She also referred to problems associated with the former public house such as noise, litter and anti-social behaviour. She believed that a restaurant would be a much more family friendly facility and that the proposed hairdressers and taxi office would also provide useful facilities for the community.

(Councillor Mason left the meeting in accordance with her declaration of interest.)

C Grethe, the Chair of Brookside Residents' Council, endorsed the proposal and noted that residents had not had the benefits of a community centre for some five years. The Residents' Council and other groups did not currently have money available to hire alternative facilities. He believed that the proposal would provide a welcome facility for a variety of meetings and events and also believed that the other facilities, such as the restaurant, hairdressers and taxi office, would benefit the community. He expressed

the hope that the application would be approved.

Mr Giddings commented that he was pleased that the application had been brought forward and concurred with the views of the previous speakers. He noted that there would also be a new play area on the former community centre site and that the two projects taken together would help to rejuvenate the area.

The Committee discussed the application.

**RESOLVED:** That the application be approved subject to the conditions set out in the report as the proposed use would support the vitality and viability of the local centre and provide a community facility without harm to the interests of acknowledged importance. The proposal therefore complied with PPS4 (Planning for Sustainable Economic Growth) and Policy E20 of the Northampton Local Plan.

(Councillor Mason rejoined the meeting.)

**(C) N/2009/0924- SINGLE STOREY AND FIRST FLOOR REAR EXTENSIONS AT KINGSLEY NURSING HOME, 18-20 KINGSLEY ROAD**

The Head of Planning submitted a report in respect of Application No N/2009/0924 and reminded the Committee that previous consideration of this application had been deferred pending inclusion within the presentation of information on the effect of the extant planning permission combined with the current proposal.

Mr White, the next door neighbour, commented that he was pleased that the Committee could now see the effect of the extant planning permission, together with the current proposal. He noted that the separation distance from the proposed extension to his property was some twelve feet and believed that this proposal constituted serial over-development of the site; the proposal would obliterate any sign of the original Victorian building. He noted the requirement for the garage at the bottom of the garden of 18 Kingsley Road had to be retained because of its Victorian origin. He asked the Committee to be consistent in its consideration of the application and noted that the information supplied by the applicant from the County Council did not make 12m<sup>2</sup> per room a future requirement.

Mr Kilsby, the agent, commented that the application constituted minor ground floor and first floor extensions to provide en-suite facilities and that the proposal was to improve existing facilities to meet the new requirements as referred to at the previous meeting. He also noted that there will be no extra residents coming to the nursing home and hoped that the Committee would endorse the report.

The Head of Planning noted that there was no legal or policy definition of "overdevelopment".

The Committee discussed the application.

**RESOLVED:** That the application be approved subject to the conditions set out in the report, as the siting and design of the extensions were acceptable and would not be detrimental to residential amenity or the setting of a

conservation area in accordance with Policies E20 and E26 of the Northampton Local Plan.

**(D) N/2009/0955- VARIATION OF CONDITION 7 OF PLANNING APPLICATION 94/0442 REQUESTING 4 YEARLY SOCIAL EVENTS UNTIL 24.00 (MIDNIGHT) AT COLLINGTREE PRIMARY SCHOOL, LODGE AVENUE (AS AMENDED BY REVISED PLAN RECEIVED ON 2 DECEMBER 2009)**

The Head of Planning submitted a report in respect of Application No N/2009/0955 and referred to the Addendum, which set out comments from the Highways Authority and a copy of correspondence from Collingtree Parish Council to the Bishop of Peterborough. The Head of Planning confirmed that since the last meeting of the Committee, the school had been invited to discuss the situation but had declined to do so, requesting that the application be determined as submitted.

K Wright, a local resident, commented that she understood the needs of the school and the PTA to raise funds and she also accepted the dropping off and picking up of children during the school day and the need to hold Governors' meetings etc. However, she observed that the original planning permission constrained the time to which events could be held to benefit residents and nothing had changed over time to alter this situation. She commented that if midnight was granted then, in reality, this would become much later. She noted that the village hall and the community centre already catered for later events.

Mr Bryce, the Chairman of Collingtree Parish Council, commented that he had been a teacher for many years and that the Parish Council supported residents in objecting to the relaxation of Condition 7. The Parish Council believed that if the condition was needed in 1994, it was certainly applicable now. He believed that seven events had already been held after 10:00 pm and noted that most parents came from out of the village. He believed that there would be an increased danger of drink driving if the application were granted. He noted that the Parish Council had written to the Bishop of Peterborough but had received no reply and he also believed that the application should have been submitted by the governors and not by the Head Teacher. He requested that in the light of a lack of response from the Bishop of Peterborough, and the technicality over the submission of the application, that the Committee should refuse it.

Councillor Crane, speaking as a resident, noted that the original condition had been imposed for a reason; the school had been built on land already surrounded by houses. The condition was intended to preserve the amenity to residents. She expressed concerns that the school were not willing to discuss the situation with the planning officers. She noted that alcohol was served at these events, which had caused difficulties to residents. She believed that the school should not be allowed to ride roughshod over local residents.

The Head of Planning noted that the question of alcohol being served at the events held by the school was not a planning matter. Any disturbance caused by picking up and dropping off children was also not material to the determination of the application.

The Head of Planning noted that the question of alcohol being served at the events held by the school was not a planning matter and that noise issues could be controlled

through Environmental Health. Any disturbance caused by picking up and dropping off children was also not a planning matter.

The Committee discussed the application.

Councillor Mason proposed and Councillor Church seconded "That the application be approved subject to the four social events ending at 23:00 hours, that the permission be temporary for one year and that seven days prior notice of such events to be made to the planning authority plus the condition recommended by the Highway Authority regarding to the provision of on-site parking".

Upon a vote the motion was carried.

**RESOLVED:** That the application be approved subject to the conditions set out in the report and the Addendum and as amended by the Committee so that the finishing time be curtailed to 23:00 hours, the consent be for one year and that the applicant be required to give the Planning Authority seven days prior notice of the events hereby approved by reason of the restricted level of activity, the proposal to operate four social events in any year until 23:00 hours was unlikely to generate a significant undue impact upon the residential amenity of the surrounding properties. The proposal therefore complied with PPG24 (Planning and Noise).

**(E) N/2009/0956- ERECTION OF 1NO THREE BED END TERRACE DWELLING ON LAND TO REAR OF 8 PEVERELS WAY (AS AMENDED BY REVISED PLANS RECEIVED ON 18 JANUARY 2010)**

The Head of Planning submitted a report in respect of Application No N/2009/0956 and referred to the Addendum, which set out further comments from the Highways Authority in respect of the turning head in Ross Road.

Mr Howard, a resident, commented on the separation distance and referred to a previous application for a bungalow, which had been refused. He believed that the proposal taken with the proposals for the adjacent properties would provide a more incongruous development than the bungalow had done. He also noted the Highways requirement for a proper turning circle to be provided for emergency vehicles and refuse vehicles, etc. He noted a problem with the barrier across Ross Road, which was currently broken and was generating more traffic, which could now gain access to further down Ross Road and towards Edgar Mobbs Way. He believed that there was no foul sewer along Ross Road and that this ran through the gardens of the properties in Peveril's Way. He also noted existing parking problems. He believed the proposal would open the door to further garden development of other properties in Peveril's Way. In answer to a question he noted that Ross Road currently had double yellow lines along it. In answer to another question, Mr Howard commented that he believed that the barrier in Ross Road should now be removed.

Councillor P M Varnsberry commented that there had been many objections to the proposal. She noted that the barrier in Ross Road had created a cul-de-sac but in reality it was a route for use on match days by Saints' fans to get to and from Franklins Gardens. Originally the Police had had the key to the gate but she believed that the Saints now had it and was concerned that if the barrier was removed, it would become

a through route for HGVs accessing businesses in Ross Road. Whilst noting that the proposal included off street car parking, she queried where visitors would park. She also commented on further pressure on car parking in Peveril's Way if the existing garages at the rear were removed for this development. In answer to a question, she noted that sat navs directed lorries along Ross Road.

The Head of Planning noted that the proposal comfortably exceeded standards for separation distances and that the refusal of the bungalow proposal had been because it would have been an isolated development of a design that paid no regard to its context. He also noted that there was sufficient space for the turning head to be enlarged.

The Committee discussed the application.

- RESOLVED:** (1) That the application be approved subject to the conditions set out in the report and in respect of enlargement of the existing turning head (up to 2m on each side) as the siting, size and design of the development would not adversely affect the character of the area nor adversely affect the amenity of the neighbouring properties in accordance with Policies E19, E20 and H6 of the Northampton Local Plan and Policy 2 of the East Midlands Regional Plan and Planning Policy Statement 3 (Housing).
- (2) That the Head of Planning discuss the situation in respect of the barrier in Ross Road with the Highways Authority.

**(F) N/2009/0957- ERECTION OF 1NO THREE BED END TERRACE DWELLING ON LAND TO REAR OF 10 PEVERELS WAY (AS AMENDED BY REVISED PLANS RECEIVED ON 18 JANUARY 2010)**

The Head of Planning submitted a report in respect of Application No N/2009/0957 and referred to the Addendum, which set out further comments from the Highways Authority in respect of the turning head in Ross Road.

Mr Howard, a resident, commented on the separation distance and referred to a previous application for a bungalow, which had been refused. He believed that the proposal taken with the proposals for the adjacent properties would provide a more incongruous development than the bungalow had done. He also noted the Highways requirement for a proper turning circle to be provided for emergency vehicles and refuse vehicles, etc. He noted a problem with the barrier across Ross Road, which was currently broken and was generating more traffic, which could now gain access to further down Ross Road and towards Edgar Mobbs Way. He believed that there was no foul sewer along Ross Road and that this ran through the gardens of the properties in Peveril's Way. He also noted existing parking problems. He believed the proposal would open the door to further garden development of other properties in Peveril's Way. In answer to a question he noted that Ross Road currently had double yellow lines along it. In answer to another question, Mr Howard commented that he believed that the barrier in Ross Road should now be removed.

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The Head of Planning noted that the proposal comfortably exceeded standards for separation distances and that the refusal of the bungalow proposal had been because it would have been an isolated development of a design that paid no regard to its context. He also noted that there was sufficient space for the turning head to be enlarged.

The Committee discussed the application.

- RESOLVED:** (1) That the application be approved subject to the conditions set out in the report and in respect of enlargement of the existing turning head (up to 2m on each side) as the siting, size and design of the development would not adversely affect the character of the area nor adversely affect the amenity of the neighbouring properties in accordance with Policies E19, E20 and H6 of the Northampton Local Plan and Policy 2 of the East Midlands Regional Plan and Planning Policy Statement 3 (Housing).
- (2) That the Head of Planning discuss the situation in respect of the barrier in Ross Road with the Highways Authority.

**(G) N/2009/0958- ERECTION OF 1NO THREE BED END TERRACE DWELLING ON LAND AT REAR OF 12 PEVERELS WAY AS AMENDED BY REVISED PLANS RECEIVED ON 18 JANUARY 2010**

The Head of Planning submitted a report in respect of Application No N/2009/0958 and referred to the Addendum, which set out further comments from the Highways Authority in respect of the turning head in Ross Road.

Mr Howard, a resident, commented on the separation distance and referred to a previous application for a bungalow, which had been refused. He believed that the proposal taken with the proposals for the adjacent properties would provide a more incongruous development than the bungalow had done. He also noted the Highways requirement for a proper turning circle to be provided for emergency vehicles and refuse vehicles, etc. He noted a problem with the barrier across Ross Road, which was currently broken and was generating more traffic, which could now gain access to further down Ross Road and towards Edgar Mobbs Way. He believed that there was no foul sewer along Ross Road and that this ran through the gardens of the properties in Peveril's Way. He also noted existing parking problems. He believed the proposal would open the door to further garden development of other properties in Peveril's Way. In answer to a question he noted that Ross Road currently had double yellow lines along it. In answer to another question, Mr Howard commented that he believed that the barrier in Ross Road should now be removed.

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The Head of Planning noted that the proposal comfortably exceeded standards for separation distances and that the refusal of the bungalow proposal had been because it would have been an isolated development of a design that paid no regard to its context. He also noted that there was sufficient space for the turning head to be enlarged.

The Committee discussed the application.

- RESOLVED:** (1) That the application be approved subject to the conditions set out in the report and in respect of enlargement of the existing turning head (up to 2m on each side) as the siting, size and design of the development would not adversely affect the character of the area nor adversely affect the amenity of the neighbouring properties in accordance with Policies E19, E20 and H6 of the Northampton Local Plan and Policy 2 of the East Midlands Regional Plan and Planning Policy Statement 3 (Housing).
- (2) That the Head of Planning discuss the situation in respect of the barrier in Ross Road with the Highways Authority.

**(H) N/2009/0968- CONVERSION INTO 2NO ONE BED FLATS, 4NO NEW ONE BED FLATS AND 2NO NEW TWO BED SEMI DETACHED DWELLINGS AT 54 ADAMS AVENUE (RESUBMISSION OF N/2007/1461)**

The Head of Planning submitted a report and commented that the Highways Authority had now indicated how the funding agreed in the Section 106 Agreement would be applied and referred to the Addendum, which set out a representation from Councillor B Hoare.

Mr Fruish, a local resident, commented that he still objected to the proposal and referred to the Inspector's appeal decision and, in particular, the paragraphs referring to the fact that highways safety would be compromised and that the letter did not appear to refer to a sum of money to mitigate the highway's effects of the proposal.

Councillor B Hoare commented that he supported the objections raised by the residents on parking and highway safety issues, which had been recognised by the Planning Inspector. He believed that the Committee could only approve the application if it was satisfied that the highways issues could be satisfactorily mitigated. He commented that on-street parking was a major issue throughout Abington, which was

only likely to get worse. This issue was a top priority for the local Joint Action Group. He noted that the report provided no evidence that the Section 106 Agreement would prove to be satisfactory.

S Webster, a local resident, concurred with the views expressed by other speakers and commented that the lack of car parking had led to creative parking solutions. She believed that this proposal would lead to a further eight to sixteen cars using the area. She noted existing problems of double parking and its consequences for emergency vehicles. She also noted several recent collisions in the area. She commented that the report did not specify what measures would be put in place and believed that solutions, such as residents' parking scheme, would not provide an answer.

L Carpenter, on behalf of the applicant, commented on the long history of the application and noted paragraph 16 of the Inspector's decision that if the developer made an appropriate contribution to mitigate the highways issues, then the proposal would be acceptable. This had now been done and the proposed £10,000 contribution was designed to kick start a series of highways solutions. The grounds for refusal had now been met.

The Head of Planning noted that the objection to the scheme could be overcome by agreement and this had now been satisfied.

The Committee discussed the application.

**RESOLVED:** That the application be approved subject to the conditions set out in the report, as the proposed development would have no adverse impact on the street scene or the amenities of existing neighbouring residents and would provide a suitable standard of accommodation for future residents. The proposal would thereby comply with Policies H6 and E20 of the Northampton Local Plan and PPS3.

**(I) N/2010/0067- PART RETROSPECTIVE THREE STOREY SIDE EXTENSION, SINGLE STOREY EXTENSIONS, DORMER WINDOW AND VELUX WINDOWS TO EXISTING BUILDING AND FRONT BOUNDARY FENCE INCLUDING RAINWATER HARVESTING TANK TO FRONT OF SITE AT 2 THE DRIVE/ 3 THE CRESCENT (REVISION OF N/2009/0765)**

The Head of Planning submitted a report in respect of Application No N/2010/0067 and referred to the Addendum, which set out additional letters of objection from 6 The Drive and 34 The Crescent and Councillor Larratt. In answer to a question, the Head of Planning noted that the current proposal represented a marginally larger footprint than the original. The Head of Planning also noted that the revisions for the previously refused scheme were satisfactory and reported two further changes; an alteration to use railings for part of the fencing instead of a closed boarded fence and the inclusion of a rainwater harvesting tank.

Mr Scarthe, a resident of The Crescent, commented that this application should be treated as a new application and that it represented a total disregard of the previous planning permission. He noted that car parking was an issue and that The Crescent and The Drive were used as a cut through by drivers, who would otherwise use the Kettering Road. He noted the vets, doctors and bridge club that were all in the same

street. He commented that the applicant had removed two parking spaces and would not be providing any off-street parking. He believed that the Committee needed to assert its authority, as there was land available for car parking. He also believed that the wall should not be rendered but should be brick and he also noted that the planters, in reality, had been positioned differently to what had been shown in the plans. He believed that the extension would provide more bed spaces and requested that the Committee reject the application.

Mr Kilsby commented that he had been instructed by local residents to object to the application and that 5 The Crescent, which was in the ownership of the applicant, had not been included within the site plan. He noted that on-street parking was an issue in the area and that by removing spaces, this constituted an insult to residents. He believed that if the application was allowed, it would set a precedent for on-site car parking in future.

Councillor Simpson noted that this site was subject to a constant flow of planning applications and that the applicant was constantly pushing the boundaries; applications were often retrospective as in this case. He believed that the application represented a new proposal and therefore it should be looked at afresh. He noted that the drawings did not show how the proposal related to neighbouring properties and that if the additional rooms were to be used as offices, this would most likely lead to an increase in car movements. He commented that the proposed rendering would be out of keeping with other parts of the building. He referred to a previous car parking condition in 1984, which he believed was still appropriate today. He requested that the Committee reject the application.

Mr Clarke, the agent, commented that the applicant had listened to the Committee's previous comments and discussions had taken place with the Planners. The grounds of refusal had now been met and new proposals showed a reduction in roof height to marginally higher than the original approval. He noted that there would be no increase in the number of residents at the care home as a result of this proposal. He requested that the Committee concentrate on the reasons for the previous refusal. In answer to a question, Mr Clarke commented that render had been included in the scheme as it was part of the original building, as displayed to the Committee.

The Head of Planning noted that the current proposal before Committee did constitute a new application but the October decision of the Committee was a material consideration; there had been only one reason for refusal, which this application now addressed. The other issues raised had been considered by the Committee in October and no objection had been raised. The Head of Planning noted that 5 The Crescent was not part of the application site but was in the applicant's ownership and displayed a revised drawing, which showed this.

The Committee discussed the application.

**RESOLVED:** That the application be approved subject to the conditions set out in the report, as the proposed development would not have an undue detrimental impact on the appearance and character of the host building, wider street scene and would not have an adverse effect on the amenity or living conditions of neighbours to comply with Policy E20 of the Northampton Local Plan, Policy 2 of the East Midlands Regional

Plan and advice in PPS1 and PPG13.

**(J) N/2010/0068- ERECTION OF 2NO DETACHED DWELLINGS WITH ASSOCIATED PARKING AND GARAGES INCLUDING THE DEMOLITION AND REPLACEMENT OF GARAGE SERVING 31 GREENFIELD AVENUE AT HILLCREST RISING, 31A GREENFIELD AVENUE (AS AMENDED BY REVISED PLANS RECEIVED ON 5 FEBRUARY 2010)**

The Head of Planning submitted a report in respect of Application No N/2010/0067 and referred to the Addendum, which set out amendments to paragraphs 7.15 and 7.25 of the report and additional representations from the occupiers of 27 and 29 Greenfield Avenue. The Head of Planning also referred to a Planning Inspector's appeal decision letter dated 24 August 2009, which had been circulated. He noted that there was no objection from the Highways Authority to the proposal. In answer to a question, he commented that the drive would be of a permeable construction and water run off would be a condition for the preservation of the existing trees on the site.

Mrs O'Connell, a neighbour to the proposal, commented that the proposed adjustments to 31 Greenfield Avenue in respect of car parking could lead to light intrusion from headlights into their front room. She believed that the garage for plot 1 of the proposal seemed bizarre and that the garden at 31 Greenfield Avenue would be greatly reduced. She also expressed concern over the use of the access road, which she believed would become a nuisance. She believed that the application represented an over intensive use of the site and that the proposal did not fit in with the area. She urged the Committee to reject the application.

Mr Nelson, a local resident, commented on the access and highways issues believing that the access was unacceptably close to a fast junction. He noted that the Highways Authority had originally objected to the proposal but following representation from the applicant that traffic would be moving slowly at this point, withdrawn their objection. A resident had carried out their own survey, which showed that traffic often came through this junction in excess of 25mph and he noted that visibility from the access would not be good. He believed that the application should be refused on these grounds.

Mrs Conway, the applicant, commented that her family had lived in the property for some thirty years and the large grounds of approximately an acre were difficult for her family to manage. She commented that she was not trying to exploit any development potential but wanted a sympathetic development, which would reduce their gardening responsibilities. She said that there had been numerous instances of people wandering up their drive and that other properties in the area had been burgled with access being gained from their drive and grounds. She noted that since the previous refusal, she and her architect had taken the Planner's advice and had taken the inspector's decision into account.

Mr Dooley, the agent, commented that the Planning Inspector had previously refused a proposal for three dwellings and the current proposal now reflected discussions with the Planning Officers and the concerns raised by the Inspector previously. Discussions had also taken place with the Council's Tree Officer in respect of the trees on the site. He noted that the Highways Authority had no objections to the proposal and the Inspector had not previously raised concerns about the highways. He noted

that in respect of the comment made about 31 Greenfield Avenue, that these works could be carried out under Permitted Development Rights in any case.

The Head of Planning commented that the planning proposals in respect of 31 Greenfield Avenue were well within current standards and that the garden to 31 Greenfield Avenue would remain a generous size. He noted that the Inspector had not raised any issues over the concept of development but just in relation to its density. The proposed design types were sympathetic to the local vernacular.

The Committee discussed the application.

**RESOLVED:** That the application be approved subject to the conditions set out in the report, as the proposed development would have a neutral impact upon the character of the site and its surroundings would not adversely impact upon residential amenity or highways safety. The proposal therefore complied with PPS1, PPS3 and Policies H6, H13 and E20 of the Northampton Local Plan.

## **11. ENFORCEMENT MATTERS**

### **(A) E/2010/28- UNTIDY LAND AT 32 HAMMERSTONE LANE**

The Head of Planning submitted a report and elaborated thereon.

The Committee discussed the report.

**RESOLVED:** That the Borough Solicitor be authorised to issue a notice pursuant to Section 215 of the Town and Country Planning Act 1990 (as amended) requiring steps to be taken to remedy the condition of the land with a compliance period of 28 days and in the event of non-compliance to take any other necessary appropriate proportionate enforcement action pursuant to this provision within the Act in order to bring about the proper planning control of the land.

## **12. APPLICATIONS FOR CONSULTATION**

None.

The meeting concluded at 21.20 hours.