

# **NORTHAMPTON BOROUGH COUNCIL**

## **PLANNING COMMITTEE**

**Tuesday, 1 June 2010**

**PRESENT:** Councillor Collins (Chair); Councillor Meredith (Deputy Chair);  
Councillors Church, J. Conroy, Davies, Golby, Lane, Malpas,  
Matthews and Woods

### **1. APOLOGIES**

Apologies were received from Councillors Hawkins and Hill.

### **2. MINUTES**

Subject to Minute 7a being amended to reflect the fact that future reports would include both percentages and actual figures, the minutes of the meeting held on 13 May 2010 were signed by the Chair.

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

**RESOLVED:** (1) That Messrs Kavakez and Alti be granted leave to address the Committee in respect of Item 10a, N/2010/0375 – Change of Use of Post Office (Class A1) to Educational, Cultural and Community Centre (Class D1) at 26-28 Newnham Road.

(2) That Messrs Kingston and Bottwood and Councillor P D Varnsberry be granted leave to address the Committee in respect of Item 12a – N/2010/0301 – 80 Residential Units With Associated Garages, Roads and Sewers at Land off South Meadow Road.

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

Councillor Meredith declared a personal and prejudicial interest in Item 12a – N/2010/0301, as being a member of the WNDC's Northampton Planning Committee.

Councillors Church and Woods declared a personal interest in Item 12a – N/2010/0301, as Board members of WNDC.

Councillor Matthews declared a personal interest in Item 12a – N/2010/0301, being referred to by his Co-Ward Councillors in their objection to the application.

Councillor Golby declared a personal interest in Item 12a – N/2010/0301, as being known to one of the speakers.

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

The Chair was of the opinion that the following item be discussed as a matter of urgency due to the undue delay if consideration of it were deferred:

Planning Summer School at York – September 2010

**RESOLVED:** That subject to there being sufficient budget, Councillors Collins and Woods attend the Planning Summer School at York in September 2010.

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

The Head of Planning submitted a report and elaborated thereon.

**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/2010/0375- CHANGE OF USE OF POST OFFICE (CLASS A1) TO EDUCATIONAL, CULTURAL, AND COMMUNITY CENTRE (CLASSD1) AT 26-28 NEWNHAM ROAD**

The Head of Planning submitted a report in respect of Application N/2010/0375 and referred to the Addendum, which set out the response from the Police Crime Prevention Design Advisor.

Mr Kavakez commented that the UK Turkish Islamic Cultural Centre Trust provided similar facilities to those proposed in this application in other cities such as Leicester and Manchester. The primary purpose of the centre would be to look after the children of their community and to provide a bridge between the schools and themselves. The Trust had sought the help of the Council, who had suggested this property. The Centre would also provide a meeting place for the ladies of the Turkish Islamic Community, where they could share experiences and attend classes to help them integrate into the British way of life. Mr Kavakez noted that the Centre would cater for approximately twenty children from all over the Borough and it was hoped that it would build upon the good work with local schools and help their children with schooling, English and their ethnic identity. In answer to a question, Mr Kavakez commented that he would normally expect people to travel to the Community Centre by car but, in the longer term, they would hope to supply a minibus to pick up and drop off people as they had done in other places. He anticipated that parking would be on the local roads

where there were no current restrictions. In answer to another question, Mr Kavakez commented that the Centre would be open to anyone to use but was mainly for the Turkish community.

Mr Alti stated that there were few opportunities for the Turkish community to socialise and this Centre would allow them to do so whenever they wanted to. He commented that the Centre would be open to community use. In answer to a question, Mr Alti commented that they would prefer a closing time of 10:00 pm, however would work with 9:00 pm if that was the Committee's decision. He also commented that there would be no objection to a condition in respect of no amplified music. In answer to another question, Mr Alti commented that the basement would be used for storage and that the premises would be adequate for current anticipated use.

The Head of Planning noted that the Highways Authority had not raised any concerns and that the building regulation process would determine what works would be necessary to make the premises safe for community use and the numbers that could be accommodated there at any one time. He also noted that the proposed condition to limit opening to 21:00 hours arose out of concerns of a large number of people leaving the premises at the same time.

The Committee discussed the application.

**RESOLVED:** That the application be approved subject to the conditions set out in the report and as amended in respect of Condition 3 to amend the opening hours to 08 30 to 22:00 Mondays to Saturdays, as the proposal would bring a vacant building back into use supporting the vitality and viability of the local centre and provide a community facility without harm to the amenity of nearby residents in accordance with Policies E20 and R9 of the Northampton Local Plan and the aims and objectives of PPS4 and PPG24.

## **11. ENFORCEMENT MATTERS**

### **(A) E/2010/207- BREACH OF PLANNING CONTROL AT GROOVE NIGHT CLUB, 8-10 GOLD STREET**

The Head of Planning submitted a report in respect of E/2010/207 and elaborated thereon.

The Committee discussed the report.

**RESOLVED:** (1) That the Borough Solicitor be authorised to issue an Enforcement Notice requiring the removal of the timber enclosure to the front of the site with a compliance period of twenty eight days pursuant to Section 181A(1)(a) of the Town and Country Planning Act 1990 (as amended).

(2) That the Borough Solicitor be authorised to issue a Listed Building Enforcement Notice requiring removal of the timber enclosure to the front of the site and the unauthorised banner advertisement attached to the front of the listed building with a compliance period of twenty eight days pursuant to Section 9(1) of the Conservation

and Listed Building Act 1990

- (3) That in the event of non-compliance with either Notice, to take any other necessary appropriate and proportionate enforcement action pursuant to the provisions within the Town and Country Planning Act 1990 (as amended) and/or the Conservation and Listed Building Act 1990 in order to bring about compliance with the Notice(s).

## **12. APPLICATIONS FOR CONSULTATION**

### **(A) N/2010/0301- 80 RESIDENTIAL UNITS WITH ASSOCIATED GARAGES, ROADS AND SEWERS AT LAND OFF SOUTH MEADOW ROAD**

Councillor Meredith left the meeting in accordance with his earlier Declaration of Interest.

The Head of Planning submitted a report in respect of Application N/2010/0301 and elaborated thereon and referred to the Addendum, which set out an objection from Councillor P D Varnsberry and a suggested amendment to the recommendation so that the Council submit a holding objection to WNDK pending resolution of a series of issues. The Head of Planning noted that development of this site had previously been agreed in principle by WNDK. The proposed access to the site would be across public open space and would potentially also serve other sites. He also noted that as the Highways Authority's comments were not yet available, this had given rise to amending the recommendation. He commented that there were also concerns over the layout of part of the development and also its effect on the nature of the existing bridleway. The Head of Planning also noted that although not relevant to this application, several of the objectors had referred to the Hospital building, which it was understood was to be sold to another developer. The Head of Planning also referred to the map of the previously approved master plan, which had been circulated, and the printed version of the application site layout, which had also been circulated.

Mr Kingston commented that he believed Taylor-Wimpey had blighted the area by its failure to complete the existing Section 106 Agreements and had left the Hospital site derelict and had also not surfaced roads or maintained sewers. He commented that the roads were narrow and congested and referred to the congestion outside St Lukes School twice a day and the blind bend close to it. He believed that the site would generate an extra 480 vehicle movements each day; and he believed that the developer's comments about a modal shift in terms of transport use had not been implemented anywhere else in the country and were unlikely to be here. Mr Kingston was pleased that the Council was taking the issue of landslip seriously. He commented that the St Crispin development should be a showpiece but it was rapidly becoming a slum. He noted that whilst the Committee was being directed to make its decision within planning policy, he felt the Council needed to accept a moral responsibility for what was going on and should work with residents to restore it.

Mr Bottwood, a local resident and Vice Chair of Upton Parish Council, commented that WNDK had not notified the Parish Council of this application. He commented upon the congestion at St Lukes School and caused by residents and noted that though he understood roads were classed as "C" roads, it was also a bus route. He noted that prior to 300 houses being built, a second link road should have been completed and

that there were now 1,000 on site. He believed that this proposal would generate a further 160 vehicle movements on South Meadow View, which in his view would be ludicrous. He understood the issues of offset in terms of public open space but commented that people had bought their homes in the knowledge of the amenity land in its current location and form. He stated that he believed that the County Council had a verbal agreement with the Environment Agency that the water run-off figures that the developer was using were inaccurate.

Councillor P D Varnsvery commented that the consultations were difficult and that the Committee was only seeing part of the picture. He hoped that the Committee would register a strong objection. He concurred with earlier speakers in respect of traffic flows through the day and believed that this application was piggybacking on an existing access to an intolerable degree. The application, he believed, would worsen the situation and there was no proposed infrastructure offset. He commented that the situation with the former hospital building was symbolic of what was wrong with the whole of the St Crispin development and queried why the developer would want to acquire permission on a new site when the hospital building was already available to it. He commented that there was information missing from the Committee report and that he had little confidence in the Highways Authority. In answer to a question, Councillor Varnsvery commented that he believed that under the master plan, the point of access to this site would be from Sandy Lane.

The Committee discussed the application.

**RESOLVED:** That the Council submit a holding objection with strong reservations as set out below:

- The access to the site is proposed across an area of public open space to be transferred to this Council under the terms of the Section 106 Agreement for the greater St Crispin development dated 2<sup>nd</sup> November 2002 as varied by Deed dated 7<sup>th</sup> October 2005. Suitable compensatory arrangements should be agreed prior to consent being granted.
- The loss of mature trees/hedgerow adjacent to the established bridleway in the South East corner of the site would adversely affect the setting of this bridleway to the detriment of its users. Retention of this area may represent an opportunity to offset the loss of open space referred to above.
- The proposed layout would result in a poor residential environment in part of the development; specifically, the view at the end of one of the main access points to the site is dominated by boundary treatment to the detriment of the street scene. The design of the housing layout in relation to the existing bridleways is also poor, resulting in these becoming back alleys with the potential to encourage crime and anti-social behaviour as well as diminishing the quality of their setting for legitimate users.
- It is not acceptable for the flat proposed within the development to form part of the provision of affordable housing, as this is not

representative of the overall mix of housing.

- WNDC must be confident of the stability of the land before granting planning permission.
- WNDC must be satisfied in consultation with the Highways Authority that the road network of the existing St Crispin estate is sufficient to cope with the increased demand from the proposed development.
- The additional information requested by the Council's Arboricultural officer to be obtained and submitted for his further comments, which must be taken into account, prior to any decision.
- Any permission must be subject to a Section 106 Agreement to secure 35% affordable housing.
- A condition regarding dealing with unexpected contamination must be attached to any permission in line with the advice of the Council's Public Protection Service.
- The Committee expressed grave concerns about the access arrangements to the proposed development through the greater St Crispins development and have strong reservations about this site coming forward for development outwith the Upton Lodge / Norwood Farm development which is subject to a comprehensive masterplan.
- The Committee therefore formally requests that it has the opportunity to re-consider the application on receipt of the above information, especially the views of the County Council as Highway Authority prior to the application being considered by your Northampton Planning Committee.

The meeting concluded at 19.44 hours.