

NORTHAMPTON BOROUGH COUNCIL

PLANNING COMMITTEE

Tuesday, 18 October 2011

PRESENT: Councillor Flavell (Chair); Councillor Golby (Deputy Chair);
Councillors Aziz, N. Choudary, Davies, Hibbert, Lynch, Markham,
Mason, Meredith, and Oldham

1. APOLOGIES

Apologies for absence were received from Councillor Hallam.

2. MINUTES

The minutes of the meeting held on 13 September 2011 were agreed and signed by the Chair.

The Head of Planning noted that in respect of item 10b, N/2011/0403, the applicant had subsequently withdrawn the application.

3. DEPUTATIONS / PUBLIC ADDRESSES

RESOLVED: That Messrs Gonzalez de Savage, Nunn and Robeson, Mrs Field, Mrs Gosling and Councillors Larratt, and Eldred be granted leave to address the Committee in respect of item 10a, N/2011/0323.

That Councillor Subbarayan and Mr Skinner be granted leave to address the Committee in respect of item 10b, N/2011/0481.

That Councillor Golby be granted leave to address the Committee in respect of item 10e, N/2011/0635.

That Mr Hasuji be granted leave to address the Committee in respect of item no 10h, N/2011/0683.

That Messrs Clarke, Stead and Cross and Councillors Yates and Beardsworth be granted leave to address the Committee in respect of Item 12a, N/2011/0882.

That Messrs Clarke and Stead, Mrs Bartlett and Councillors Yates and Beardsworth be granted leave to address the Committee in respect of Item 12b, N/2011/0883.

4. DECLARATIONS OF INTEREST

Councillor Oldham declared a Personal and Prejudicial interest in item 10a-N/2011/0323 as having publicly expressed an opinion on this application.

Councillor Markham declared a Personal interest in item 10a- N/2011/0323 as her husband was an employee of the applicant.

Councillor Golby declared a Personal and Prejudicial interest in item 12a- N/2011/0882 being the seconder of a motion at the Council meeting held on 17 January 2011 which in part called for the reallocation of housing from Buckton Fields to Daventry Town Centre and the removal of Buckton Fields from any development plans.

Councillor Golby declared a Personal and Prejudicial interest in item 12b- N/2011/0883 being the seconder of a motion at the Council meeting held on 17 January 2011 which in part called for the reallocation of housing from Buckton Fields to Daventry Town Centre and the removal of Buckton Fields from any development plans.

Councillor Golby declared a Personal and Prejudicial interest in item 10e- N/2011/0635 as representing residents views on the application.

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 List of Current Appeals and Inquiries, elaborated thereon and commented that the appeals in respect of N/2009/0566 and N/2011/0493 had been dismissed by the Planning Inspectorate.

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

10.

(A) N/2011/0323- EXTENSION TO THE EXISTING FOOD STORE, ERECTION OF A NEW NON FOOD RETAIL UNIT (AS REPLACEMENT FOR THE LOSS OF AN EXISTING UNIT), NEW BUS WAITING FACILITY, PROVISION OF NEW PEDESTRIAN FOOTPATHS, LANDSCAPE WORKS, LIGHTING WORKS AND REVISIONS TO THE CAR PARK LAYOUT AT TESCO, MEREWAY

Councillor Oldham left the meeting in accordance with his declaration of interest recorded above.

The Head of Planning submitted a report in respect of application no N/2011/0323 and reminded the Committee of the reasons for the deferral of consideration of the application at the previous meeting. He commented that Wootton and East Hunsbury Parish Council had met with Tesco's but that there remained a difference of opinion between them. The Committee's previous concerns had been in respect of highways issues and he reminded the Committee that the application needed to be determined on the basis of what was presented to them. The Head of Planning referred to the Addendum that set out a resume of what had happened since the last meeting, Wootton and East Hunsbury Parish Council's response to the meeting held with Tesco's, and representations made by Legal and General Investment Management and residents since the meeting of the Committee on 13 September.

Mr Gonzalez de Savage, on behalf of residents, stated that it had been evident at the Wootton and East Hunsbury Parish Council meeting that Tesco's had not been willing to act on the wishes of the local community. The Parish Council and residents were against the application because of the access arrangements to the site off Clannell Road. He acknowledged that Tesco's were a successful company and there had been a three year dialogue with them over their proposals. The Parish Council's and the residents preferred option was for the Dot Com business vehicles to exit the site via the Mereway roundabout as at present. They were concerned at commercial traffic exiting the site into residential streets and using those streets as a means of access to other parts of the Town and outlying villages to the south. Tesco's as a major employer and priding itself as a good neighbour could have redrawn its plans but had chosen not to do so. There were concerns about obstruction to neighbours opposite the site. Mr Gonzalez de Savage commented that Highways Agency representatives had indicated to him that commercial traffic could enter and leave the site via the Mereway roundabout. In answer to a question, Mr Gonzalez de Savage confirmed his statement that Highways Agency representatives had indicated to him that commercial traffic could enter and leave the site via the Mereway roundabout and that Dot Com vehicle drivers had stated to him that they had been advised to use the residential streets instead.

Mr Nunn, the Chairman of Wootton and East Hunsbury Parish Council, noted that the public meeting of the Parish Council with Tesco's had taken place on 12 October. This meeting had also confirmed that a large number of residents supported the Parish Council's position. The Clannell Road access to the site remained the main public concern together with safety issues in respect of Sandhurst Close. The Parish Council believed that the proposals represented an over development of the site and suggested that the Committee would not be able to approve the application as it currently stood.

Mrs Field, on behalf of residents in the surrounding area, commented that they were not against Tesco's per se but were against the consequential effects of their expansion plans on residents. Tesco's had indicated that other access options were either not viable or too costly. There were already problems with congestion and parking caused by the Leisure Centre. Residents believed that the ideas for yellow lines in Sandhurst Close would make things worse. Tesco's own figures suggested that the expansion of the store would create 2,000 extra car journeys to and from the site. There was a conflict between parked cars, pedestrians and commercial traffic. In answer to a question Mrs Field commented that the Leisure Centre was already an existing situation and that if the yellow lines were not enforced they were pointless.

Councillor Larratt, as Ward Councillor, commented that he had e-mailed members of the Committee the previous evening about the application. He had attended two meetings with Tesco's representatives since the last meeting of the Committee. Tesco's appeared to remain intransigent. He believed that the issue was all about the amenity of local residents. He believed that the current application detracted from the use of the site to date. At present all commercial vehicle movements were via Mereway roundabout. This application would change this to move the Dot Com business traffic to access via residential streets, whilst the articulated lorry movements would remain via Mereway. He queried who would want traffic lights at the bottom of their gardens and the associated engine noise and fumes. The whole area would be affected, not just Sandhurst Close and Falconers Rise: it would become a back route to other parts of the area. He asked the Committee to consider the amenity of residents and refuse the application. In answer to a question Councillor Larratt commented that the proposal for a yellow box in Clannell Road had been put forward before the last meeting of the Committee and that residents of Sandhurst Close and Falconers Rise were against the current access proposals and that the Highways engineers had suggested other more acceptable solutions.

Councillor Eldred, as Ward Councillor, commented that the Committee had heard many valid arguments against the application and displayed a map showing the surrounding villages whose residents were likely to use this store. Tesco's proposals would increase floor space by 38%, car parking by 20% but only increase footfall by 10%. It could be anticipated that at least half of the increase in vehicle movements would be via Clannell Road. The Dot Com vehicle movements would add over 26,000 to the annual traffic count in Sandhurst Close and Clannell Road alone. He asked that the Committee take all of this into account. In answer to a question he confirmed that the Dot Com vehicle movements equated to one per twenty minutes.

Mr Robeson, the Agent on behalf of Tesco's, commented that their plans were to improve community relationships for example by moving the service area away from neighbouring residents. He noted that Sandhurst Close also serviced the Leisure Centre and the proposed new access point was positioned so that no commercial vehicles would pass residential property. He also noted that the suggestion for a pedestrian crossing on Clannell Road had come from the Parish Council but would be paid for by Tesco's. A three hour parking limit would be applied to the new car park. The new signalled junction benefited both pedestrians and residents of Falconers Rise who had current problems turning in and out of their road. Relocating the entrance would not improve the situation for residents as the pedestrian crossing would not be where people would want it to be as there were footpaths from Falconers Rise leading to other streets. He was confident that the application

represented the best compromise between the views of the Parish Council, residents and Tesco's. In answer to questions Mr Robeson commented that Tesco's had considered road improvements to Clannell Road and Falconers Rise three years previously and the Highways Agency had first suggested a controlled crossing at that time: a solution that benefited the most people had been sought; Falconers Rise linked to other areas to the south; moving the access further west gave less access to pedestrians; modifications to the crossing had been considered and the main concern was for public safety; there were nine Dot Com vehicles each making three outbound journeys and three inbound; there were no current plans to extend the Dot Com vehicle fleet; the junction plans had been submitted to transport modelling; there would be 50 full time equivalent jobs created; the concerns of the public had been listened to even if all the points raised could not be met; the proposed Mereway Forum would be for all the commercial businesses to meet to discuss improvements to the site and the wider vicinity; and at present the Dot Com business was serviced from the south east part of the site, it was not part of the back house distribution area and the expansion plans would not significantly alter the internal layout of the store to move the Dot Com business would not be viable.

Mrs Gosling on behalf of Tescos, commented that the store was very busy and people had expressed frustration that products were not always available. She gave an example of a nearby resident who drove to the Weston Favell store to be sure of getting what she wanted. The expansion would improve this and the scheme included £2m of highway improvements plus public transport improvements. Tesco's wanted to build on a sense of community in the area and she noted a petition from customers and residents in support of their plans. The Parish, County and Borough Councils, residents and shoppers had been consulted. The current service area had been moved in order to meet residents concerns. Solutions had been agreed with officers and further changes made. She believed that the proposals were positive for the wider community and had been worked on for several years to get to this point. She urged the Committee to accept the report. In answer to questions Mrs Gosling commented that further improvements included the provision of a yellow box, the pedestrian crossing and extended scope of litter picking; the running of the Mereway Forum would be funded by Tesco's for five years and was seen to be a small scale chamber of commerce made up of the businesses and organisations on the wider site that would look at how the area could be improved and work with the Parish and Borough Councils; this could be written into a Section 106 agreement and the Forum could choose to include Parish Council and resident representatives.

The Head of Planning commented that speakers had referred to various highways related options but that the Committee had to make a decision on the basis of the application before it. The application had been through a rigorous assessment and the Highway Authority was clear that there were no highways objections to the proposals and Environmental Health were also clear that there were no objections on the basis of loss of residential amenity or noise or fumes. There were no planning reasons on which to refuse the application. The Dot Com business was already on the site and in a similar configuration to that currently proposed but at present exited via a service road onto Mereway. The proposal for an access via Sandhurst Close would benefit some residents but concerns about other residential areas had been raised. The Dot Com business might in future expand or contract and the vehicle movements discussed were, in planning and highway terms, low volume. In answer to questions the Head of Planning commented that any possible condition on the Dot

Com business had to be considered in terms of its necessity and whether it could be enforced. Bearing in mind that the Highway Authority had raised no objection and the difficulty in enforcement such a condition would not be appropriate. There would be some thinning out of trees on the boundary of the site to help create a better integration with the wider area. The Head of Planning commented that if the Committee were minded to refuse the application this could only be done on valid grounds and justified by reference to planning policies. The Borough Solicitor concurred with this advice.

The Committee discussed the application.

Councillor Meredith proposed and Councillor N. Choudary seconded "That the recommendation in the report be approved."

Upon a vote the motion was lost.

Councillor Davies proposed and Councillor Markham seconded "That the application be refused on the grounds of inadequate mitigation of the highways effects of the proposals on the Sandhurst Close / Clannell Road junction and the impact on the amenity of residents in the wider area in terms of the general access arrangements to the site from Clannell Road"

Upon a vote the motion was carried.

RESOLVED: That the application be refused on the grounds of inadequate mitigation of the highways effects of the proposals on the Sandhurst Close / Clannell Road junction and the impact on the amenity of residents in the wider area in terms of the general access arrangements to the site from Clannell Road

(NB: Councillors N. Choudary and Meredith asked that their votes against the decision to refuse the application be recorded)

Following the resolution the Chair indicated that she would welcome the applicant's continued dialogue with a view to resolving these outstanding matters.

Councillor Oldham rejoined the meeting.

12. APPLICATIONS FOR CONSULTATION

12.

(A) N/2011/0882- RESIDENTIAL DEVELOPMENT CONSISTING OF APPROXIMATELY 1050 DWELLINGS WITH EMPLOYMENT AREA (B1 USE), LOCAL CENTRE, PRIMARY SCHOOL, CARE HOME, OPEN SPACE AND STRUCTURAL LANDSCAPING, HIGHWAYS AND DRAINAGE INFRASTRUCTURE WORKS AND A PARK AND RIDE SCHEME (RETENTION OF FARM SHOP) (ALL MATTERS RESERVED EXCEPT FOR MEANS OF ACCESS) (IN PART) (RESUBMISSION) (DAVENTRY DISTRICT COUNCIL CONSULTATION) AT BUCKTON FIELD

Councillor Golby left the meeting in accordance with his earlier declaration of interest.

The Head of Planning submitted a report in respect of application no. N/2011/0882 elaborated thereon and noted that Daventry District Council would determine the application on 20 October 2011. He referred to the Addendum that set out five further objections to the scheme and a copy of a letter sent by the Nene Flood Prevention Alliance to the Environment Agency. The Head of Planning noted that when the application had been considered on 21 June 2011 the Committee had expressed concerns relating to highways matters and education. Daventry District Council in refusing the application in July had sought a review of the Highways Agency advice and had commissioned independent advice that the highways mitigations were adequate. That advice was that the mitigations agreed with the Highways Agency were adequate. He also that the advice from the Education Authority was also clear that a secondary school was not needed on the site.

Mr Clarke, Chair of Boughton Parish Council, commented that the proposal represented a tripling of the size of the parish. The existing Boughton village was designated as for "limited infill". The Parish Council had been surprised that an application had come forward so quickly after the refusal in July and had written to Daventry District Council on 30 September 2011. This application was the same as that rejected previously except for the information in respect of the traffic impact assessment. This site was greenfield and the cumulative effect of developing it and Dallington Grange would be bad for both Northampton and the surrounding villages. Mr Clarke noted that there was no current route for a North West Bypass. He believed that there was nothing about the current application that changed the original view that it should be objected to.

Councillor Yates, as Councillor of an adjoining Borough Ward, stated that this application was 98% the same as the application made in June. He commented that some residents adjoining the site had not been notified of the proposals by the applicant. He queried whether there were grounds to object to the application on the basis of lack of consultation with adjoining residents. Councillor Yates noted that the Cock Hotel junction was currently operating at 130% of capacity and the improvements currently under way would only improve the situation to 110% of capacity. A development of this size would only worsen this situation still further. Kingsthorpe already suffered some of the worst air quality in the County.

Mr Stead of FOBA, commented that he was surprised that the current application was substantially the same as the previous one and noted the applicant's comments that the proposed National Planning Policy Framework strengthened the case to allow development unless the disbenefits of so doing clearly outweighed the benefits. The situation concerning the North West By-pass was key. The Secretary of State had saved the By-pass proposal into the Milton Keynes South Midlands study and consequently it had been part of the Regional Spatial Strategy. However this was to be abolished. Mr Stead believed that the traffic situation would only worsen if the application were to be approved; he thought that the assessment of a modal shift in transport usage patterns was dubious.

Councillor Beardsworth, as Councillor of an adjoining Borough Ward, commented that the public had concerns in respect of flooding and highways and reminded the Committee of the consequences of the Easter 1998 floods in Northampton. She had

been advised by the Highways Agency that once the current works had been completed at the Cock Hotel junction there was nothing further that could be done to make additional improvements. She believed that this proposal put Daventry's new build on the Borough boundary; they would get the benefits of the Council Tax raised. Councillor Beardsworth stated that the public and businesses in Kingsthorpe had already suffered from the problems of traffic congestion and the improvement works and this development would only make matters worse. She believed that there had been a lack of consultation with the people most affected.

Mr Cross of WASPRA, commented that residents were concerned by the effect of the proposal on all forms of infrastructure. His own background was in logistics and he had looked at the traffic projections and questioned the use of the word "sustainable" when the A508 Boughton Green Junction was predicted to be over capacity by 2021. Drivers would seek "rat runs" through neighbouring residential streets. Whilst primary and secondary school places had been part of the assessment the needs of the University and the two colleges, each of which were successful and expanding had not been included. He believed that a thousand houses represented up to an extra 7,000 traffic movements each day. He believed that there would be knock on effects on the Kingsthorpe Hollow and Regent Square junctions: none of this was "sustainable".

The Head of Planning noted that this application was the same as that submitted in June. Whilst the Committee could not object to the application on the grounds of lack of public consultation a comment could be made to Daventry District Council. In respect of the National Planning Policy Framework this had been put into context in the report: the existing planning guidance and policies remained in place until they were replaced. In terms of planning status the land had been allocated by Daventry District Council for development and it was included in the pre submission draft of the Joint Core Strategy as land available for residential development. The site also formed part of the Council's housing strategy that included the development of brownfield sites. The strategy also had to identify a future land supply. In respect of the flood risk the Environment Agency's advice was clear. In answer to a question, the Head of Planning commented that the North West By-pass was included in the Joint Core Strategy as part of an Infrastructure Plan that would set out what was needed from each site. The pre submission draft currently stated that the By-pass would be needed within three years of Dallington Heath being developed but it was now clear that other sites were likely to come forward first and therefore that statement was likely to be reviewed before submission to the Secretary of State. This would be resolved by the Spring of 2012. The mitigation asked for by the Highways Agency for a contribution towards the costs of the North West By-pass had been agreed to. The independent advice sought by Daventry District Council had confirmed the proposed highway mitigations put forward by the Highways Agency.

The Committee discussed the application.

Councillor Mason proposed and Councillor Markham seconded "That Daventry District Council be informed that the Council objects to the application in principle on the grounds that, notwithstanding the highways advice, it does not believe the highways mitigations to be adequate and that the North West By-pass should be in place before any development takes place. Furthermore, the Council does not believe that the community engagement on the proposal had been adequate."

Upon a vote the motion was carried.

RESOLVED: That Daventry District Council be informed that the Council objects to the application in principle on the grounds that, notwithstanding the highways advice, it does not believe the highways mitigations to be adequate and that the North West By-pass should be in place before any development takes place. Furthermore, the Council does not believe that the community engagement on the proposal had been adequate.

(B) N/2011/0883- OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT CONSISTING OF UP TO 376 DWELLINGS WITH PRIMARY SCHOOL, OPEN SPACE, STRUCTURAL LANDSCAPING, HIGHWAYS AND DRAINAGE INFRASTRUCTURE WORKS (ALL MATTERS RESERVED EXCEPT MEANS OF ACCESS) (IN PART) (AMENDED SCHEME) (DAVENTRY DISTRICT COUNCIL CONSULTATION) AT BUCKTON FIELD

The Head of Planning submitted a report in respect of application no. N/2011/0883 elaborated thereon and noted that this application was amended form of a similar application submitted in 2008 and that Daventry District Council would determine the application on 20 October 2011. He referred to the Addendum that set out five further objections to the scheme and a copy of a letter sent by the Nene Flood Prevention Alliance to the Environment Agency. He noted that the advice sought by Daventry District Council in respect of the Highways Agency proposals in respect of N/2011/0882 also covered this application and concluded that the highways mitigations were adequate.

Mr Clarke, Chair of Boughton Parish Council, commented that the Parish Council did not believe that this application should be twin tracked with N/2011/0882 It was really a first phase of development. He referred to the masterplan for development of the whole site which had identified the need for 1.5 form entry primary school on the site. This proposal was too small to require such provision in its own right.

Councillor Yates, as Councillor of an adjoining Borough Ward, stated that this application was 98% the same as the application made in June. He commented that some residents adjoining the site had not been notified of the proposals by the applicant. He queried whether there were grounds to object to the application on the basis of lack of consultation with adjoining residents. Councillor Yates noted that the Cock Hotel junction was currently operating at 130% of capacity and the improvements currently under way would only improve the situation to 110% of capacity. A development of this size would only worsen this situation still further. Kingsthorpe already suffered some of the worst air quality in the County.

Mr Stead of FOBA, commented that he did not understand why this application had come forward as a separate entity. He believed that in effect it represented a first phase of development. He concurred that this proposal would not support the provision of a primary school but just moved the pressure to provide it into any subsequent second phase of development. He believed that this was unacceptable

and found the modal shift projections for transportation to be dubious. He urged the Committee to object to the application.

Mrs Barlett on behalf of WASPRA, commented that this Greenfield site was under threat. She noted that Daventry District Council's policy HS2 expected the development of the North West Bypass. HS2 required provision of the By-pass on the completion of the first 150 units. She commented that although the effect of 376 new properties on the Cock Hotel junction might not be as great as N/2011/0882 it would still generate up to 2,000 extra car movements a day. It would still move the traffic bottleneck further into Northampton. She concurred that this application represented a first phase of development, that there was no primary or secondary school within walking distance of the site and that the application should be resisted.

Councillor Beardsworth, as Councillor of an adjoining Borough Ward, commented that the public had concerns in respect of flooding and highways and reminded the Committee of the consequences of the Easter 1998 floods in Northampton. She had been advised by the Highways Agency that once the current works had been completed at the Cock Hotel junction there was nothing further that could be done to make additional improvements. She believed that this proposal put Daventry's new build on the Borough boundary; they would get the benefits of the Council Tax raised. Councillor Beardsworth stated that the public and businesses in Kingsthorpe had already suffered from the problems of traffic congestion and the improvement works and this development would only make matters worse. She believed that there had been a lack of consultation with the people most affected.

The Head of Planning noted that development of the greater site would lead to the provision of a primary school and that a site for it could be reserved through a Section 106 Agreement. Whilst the Committee could not object to the application on the grounds of lack of public consultation a comment could be made to Daventry District Council. In respect of the National Planning Policy Framework this had been put into context in the report: the existing planning guidance and policies remained in place until they were replaced. In terms of planning status the land had been allocated by Daventry District Council for development and it was included in the pre submission draft of the Joint Core Strategy as land available for residential development. The site also formed part of the Council's housing strategy that included the development of brownfield sites. The strategy also had to identify a future land supply. In respect of the flood risk the Environment Agency's advice was clear. In answer to a question, the Head of Planning commented that the North West By-pass was included in the Joint Core Strategy as part of an Infrastructure Plan that would set out what was needed from each site. The pre submission draft currently stated that the By-pass would be needed within three years of Dallington Heath being developed but it was now clear that other sites were likely to come forward first and therefore that statement was likely to be reviewed before submission to the Secretary of State. This would be resolved by the Spring of 2012. The mitigation asked for by the Highways Agency for a contribution towards the costs of the North West By-pass had been agreed to. The independent advice sought by Daventry District Council had confirmed the proposed highway mitigations put forward by the Highways Agency.

The Committee discussed the application.

Councillor Mason proposed and Councillor Markham seconded “That Daventry District Council be informed that the Council objects to the application in principle on the grounds that, notwithstanding the highways advice, it does not believe the highways mitigations to be adequate and that the North West By-pass should be in place before any development takes place. Furthermore, the Council does not believe that the community engagement on the proposal had been adequate.”

Upon a vote the motion was carried.

RESOLVED: That Daventry District Council be informed that the Council objects to the application in principle on the grounds that, notwithstanding the highways advice, it does not believe the highways mitigations to be adequate and that the North West By-pass should be in place before any development takes place. Furthermore, the Council does not believe that the community engagement on the proposal had been adequate.

NB: Councillor Golby rejoined the meeting.

ITEMS FOR DETERMINATION (continued)

(B) N/2011/0481- DEMOLITION OF EXISTING OUTBUILDINGS AND ERECTION OF 11NO. 1 AND 2 BEDROOM FLATS IN 2 AND 3 STOREY BUILDING AND 9NO 2 STOREY HOUSES TOGETHER WITH NEW ACCESS ROAD, PARKING, AND AMENITY SPACE AT LAND AT REAR OF NBC DEPOT, WHEATFIELD ROAD SOUTH

The Head of Planning submitted a report in respect of application no N/2011/0481 and noted that the word “not” should be deleted from the fourth line of paragraph 7.13.

Councillor Subbarayan, as Ward Councillor, commented that he did not object to the application per se. He stated that the site notice had been difficult to find and had been obscured by vegetation. The issue of concern was the status of the existing car park that was believed to belong to the Community Centre. On Sundays in particular the Community Centre was well used and cars parked all along Wheatfield Road South. He asked that reconsideration be given to that part of the application proposing four dwellings that would be built largely over the current car park. He believed that taking away the car park could jeopardise the future of the Community Centre. In answer to questions Councillor Subbarayan stated that at least 12 cars could use the car park and that the proposal would remove all of the off street parking for the Community Centre.

Mr Skinner, on behalf of Abington Community Association, challenged the statement that part of the existing car park was unused. Up to 230 people might attend an event and even with car sharing would mean over 50 vehicles trying to park nearby. The car park in its current form had existed since 1990 for residents, users of the Community Centre and users of the former Dallington Centre. Mr Skinner queried the

sense of the proposal given that, at the request of another part of the Council, the Community Association were considering taking over the management of it which was a Council policy. He noted that the whole area including the Community Centre site had been purchased by the predecessor Council in 1900 and that part of the land given over to the Dallington Centre had transferred to the County Council upon local government reorganisation in 1974, hence the confusing picture of land ownership. In answer to questions Mr Skinner commented that there was no public off street parking in the vicinity with only some private parking available at the Beech Avenue Medical Centre and that the Community Association had previously asked about acquiring the car parking but had been refused.

The Head of Planning commented that no legal agreements or covenants had been found relating to the Community Centre's use or rights in respect of the car parking. He confirmed that all adjoining landowners had been consulted, a site notice displayed and advertised in the press. He reminded the Committee that the Highway Authority had raised no objections. In answer to a question the Head of Planning confirmed that the Council owned the Community Centre.

The Committee discussed the application.

Councillor Meredith proposed and Councillor N. Choudary seconded "That consideration of the application be deferred so as to allow reconsideration of the car parking associated with the Community Centre by the Council and the Head of Planning"

Upon a tied vote the Chair used her casting vote to defeat the motion.

RESOLVED: That the application be approved in principle subject to the prior completion of a S106 legal agreement and the conditions set out in the report as the principle of a residential development in an existing residential area was acceptable and in accordance with Policy H6 of the Local Plan Policies. The siting, design and appearance of the development would enhance the surrounding residential area and would not be detrimental to visual or residential amenity or highway safety in accordance with Policies H6 and E20 of the Local Plan Policies and the guidelines contained within PPS3 and PPG13.

(C) N/2011/0504- DEMOLITION OF EXISTING SCHOOL BUILDINGS AND ERECTION OF 14 DWELLINGHOUSES AND ASSOCIATED ACCESS ROAD AND CAR PARKING(AS AMENDED BY REVISED PLANS RECEIVED 21/9/2010 AT FORMER ST JAMES C OF E LOWER SCHOOL, GREENWOOD ROAD

Item withdrawn.

(H) N/2011/0683- CHANGE OF USE FROM DENTAL SURGERY (USE CLASS D1) TO BETTING OFFICE (USE CLASS A2) TOGETHER WITH SITING OF AIR CONDENSER UNITS AND SATELLITE DISH TO REAR AT 22-26 ST LEONARDS ROAD

The Head of Planning submitted a report in respect of application no. N/2011/0683 and elaborated thereon.

Mr Hasuji, the occupier, commented that no objections had been received to the application. The area was a defined local centre and there would be no loss of retail provision. Ladbrokees had consulted the Police and had taken on board the suggestions that had been made. Environmental Health were also happy with the application. Mr Hasuji queried the necessity of proposed condition 2 as it had already been agreed to. In answer to questions Mr Hasuji commented that it was difficult to estimate footfall but perhaps between 20 to 40 people per hour at peak times; most customers tended to walk to betting shops; and that five jobs would be created.

The Head of Planning reported that Environmental Health had indicated that they were happy with the application and that Highway Authority had raised no objection to the application.

The Committee discussed the application.

RESOLVED: That the application be approved subject to the conditions set out in the report as the proposed use, by reason of the existing range of shop uses in the vicinity of the site and the nature of the use, would have no adverse impact on the vitality and viability of the centre or on the amenities of existing neighbouring residents. The proposal would thereby comply with Local Plan Policy E20 and the aims and objectives of PPS1, PPS4, PPG 24 and PPG13.

(F) N/2011/0668- 1NO. NON- ILLUMINATED FASCIA SIGN AND 1NO. ILLUMINATED HANGING SIGN AT 22-26 ST LEONARDS ROAD

The Head of Planning submitted a report in respect of application no. N/2011/ 0668 and elaborated thereon.

The Committee discussed the application.

RESOLVED: That advertisement consent be given subject to the conditions set out in the report.

(E) N/2011/0635- INSTALLATION OF TWO STORAGE TANKS FOR CONTAMINATED WATER AND PROCESSED OIL AT DUSTON OILS, 70 PORT ROAD, DUSTON

The Head of Planning submitted a report in respect of application no. N/2011/0635 and elaborated thereon.

Councillor Golby commented that residents had expressed concern that they were unaware of the meeting of the Committee. They were concerned at the cumulative effect of continual approvals to applications over time. Residents queried whether it was appropriate to allow a business such as this to grow in a residential area such as this. There were worries about the fire risk and incidents that had happened in other

parts of the country. There had been additional queries about emergency planning and noxious smells. In answer to questions Councillor Golby commented that that Duston Parish Council had not formally submitted any comments and that use of the site would be tolerated if it remained as it currently was.

(Councillor Golby in accordance with his earlier declaration of interest took no further part in the discussion of the application and did not vote thereon.)

The Head of Planning noted that the site had a complicated history and in answer to questions commented that both the advice of the Environment Agency and the Highway Authority had been sought and that he was not aware of any prosecutions resulting from non-compliance with the Environment Agency licence of the site.

The Committee discussed the application.

RESOLVED: That the application be approved subject to the conditions set out in the report as the proposed development, by reason of its nature, scale and siting, would not result in the undue extension or intensification of the existing lawful use of the site and would have no adverse impact on the visual or residential amenity of the area in accordance with Policies E19, E20 and B19 of the Northampton Local Plan and the aims and objectives of PPS1, PPG13 and PPS23.

(D) N/2011/0591- RETENTION OF PARKING AREA (WITH NEW SURFACING) AND CREATION OF LAY-BY AND PEDESTRIAN WALKWAYS AT UPTON HALL, UPTON LANE

The Head of Planning submitted a report in respect of application no. N/2011/0591 and elaborated thereon.

The Committee discussed the application.

RESOLVED: That the application be approved subject to the conditions set out in the report as the proposals would preserve and enhance the special historic character of the site without harm to other interests of acknowledge importance in accordance with Policies E1, E9, E11, E12 and E18 of the Northampton Local Plan and the advice contained in PPS5 (Planning for the Historic Environment).

(I) N/2011/0795- TO TILE TWO EXISTING TIMBER STUDWORK WALLS AT ASK RESTAURANT, ST GILES SQUARE

The Head of Planning submitted a report in respect of application no. N/2011/0795 elaborated thereon and referred to the Addendum that set out the correct listing of the building.

The Head of Planning in answer to a question commented that the proposal was acceptable because there was no impact on the building itself, the works were allowable in the context of the grade of the listing of the building and that the works would be reversible.

The Committee discussed the application.

- RESOLVED:**
1. That the Secretary of State be notified that the Council have resolved to grant Listed Building Consent for the proposed works.
 2. That; subject to no objection being received from the Secretary of State, Listed Building Consent be granted subject to the conditions set out in the report.

(G) N/2011/0674- CHANGE OF USE FROM COMMUNITY CENTRE (USE CLASS D1) INTO 1NO. DWELLING (USE CLASS C3) INCLUDING ERECTION OF FIRST FLOOR EXTENSION AND NEW VEHICULAR ACCESS ROAD. (AS AMENDED BT REVISED PLANS RECEIVED 13/9/2011) AT ISLAMIC PAKISTANI COMMUNITY CENTRE, 98A COLWYN ROAD

Item withdrawn.

11. ENFORCEMENT MATTERS

None.

The meeting concluded at 22.00 hours