

Addendum to Agenda Items Tuesday 7th February 2012

Matters of Urgency

ITEM 5

N/2011/0323

Supplement to the Committee resolution of 15 November 2011, to allow additional time to conclude the negotiation of planning obligations.

Refer to appended report

Items for Determination

ITEM 10A

N/2011/0914

Erection of seasonal weather bubble protection to courts 4 & 5 at Northampton County Lawn Tennis Club, Church Way

Nothing to add

ITEM 10B

N/2011/0241

Erection of 52no. dwelling houses and associated parking and open space at Millway Primary School, Millway

Further consultation responses received -

Highway Authority

We are happy for the following planning conditions to be imposed.

- 1) A Planning Condition is required requiring to provide and agree latest Transport Statement before any construction work is to be carried on the site.
- 2) The latest scheme layout provided last week still does not fit within our adoptable standards. Therefore a planning condition is required requiring a Scheme layout is to be agree before any construction work is to be carried on the site.
- 3) A Section 106 Obligation is required requiring a financial contribution to the sum of £150,000 to be provided towards the Tollgate way improvement scheme in order to mitigate the impacts of this development on the local highway network.

Environment Agency

We have reviewed the Flood Risk Assessment (FRA), reference 11021, Revision 5 dated 26 January 2012 and consider the FRA is appropriate to the scale, nature and location of the development. Accordingly we are prepared to withdraw our previous objection subject to the imposition of the following conditions on any planning permission granted [conditions

listed below as 16, 17 and 18].

Please note that our comments regarding the Section 106 remain the unchanged [These state a requirement for maintenance of the drainage system to be secured under the S106 agreement].

Housing Strategy

After evaluating the financial appraisal supplied and discussing the issue with asset management and Westleigh themselves I am happy that the assumed costs and values are reasonable and as such provide evidence that it would not be feasible to provide the entire allocation of affordable housing on this site at the 35% requirements.

I am satisfied that this scheme can only provide 24% affordable housing. However it will be in the form of family accommodation plus 2 bungalows that will help meet the housing needs that we have in the town. Given that the likely event of opposing this level of affordable housing provision, and therefore the application itself will mean this scheme is delayed or mothballed altogether, given the current housing pressures it is my decision to support this application for approval subject to your recommendation.

Amended Recommendation:

Therefore the recommendation is amended as follows –

Approval in Principle subject to the following –

(1) Prior finalisation of a S106 agreement to secure (in addition to those items listed in the agenda report) –

- The provision of an appropriate level of affordable housing within the site, given the question over viability. The level to be required to be delegated to the Head of Planning to negotiate.
- 10% of the total units on the site to be mobility units.
- The provision, retention and maintenance of the open space
- A financial contribution towards the Tollgate way improvement scheme in order to mitigate the impacts of this development on the local highway network.
- The adoption, maintenance, operation and management in perpetuity for all elements of the surface water drainage scheme, with contingency arrangements.

(2) Additional Planning Conditions –

14) Prior to the commencement of the development hereby permitted capacity assessments to assess the impact of the development on the local highway network, together with any identified mitigation measures, shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

Reason: To ensure a satisfactory relationship with the highway network in accordance with PPG13 "Transport"

15) Notwithstanding the submitted plans, an amended layout plan to comply with the adoptable standards of the County Council shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

Reason: To ensure a satisfactory relationship with the highway network in accordance with PPG13 "Transport"

16) The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) Banners Gate Reference 11021 Revision 5 dated 26 January 2012 and the following mitigation

measures detailed within the FRA:

1. Remove blockage from the 375mm diameter surface water drain.

Reason: To reduce the risk of flooding to the proposed development and future occupants.

17) Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

1. Assessment of groundwater levels.
2. Surface water drainage discharge to sewer should be limited to Anglian Water restriction of maximum 10l/s.
3. Onsite surface water drainage should be designed to 0.5% (1 in 200) plus climate change standard.
4. Assessment of overland flood flow.
5. The maintenance and/or adoption proposals for every element of the surface water drainage system proposed on the site for the lifetime of the development.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance.

18) No development shall commence until details of a scheme, including phasing, for the provision of mains foul water drainage on and off site has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the approved scheme.

Reason: To prevent flooding, pollution and detriment to public amenity through provision of suitable water infrastructure.

**ITEM 10C
N/2011/0399**

Outline application for the erection of 5no. 3 storey town houses and 9no. apartments (appearance and landscaping reserved) at Fyna Vehicle Hire, 44 Weedon Road

Amended Plan

Amended plans received which the Highway Authority confirm address their concerns, subject to various points which can be addressed by conditions as follows:

Full details of all roads and drainage including cross-sections, longitudinal sections, highway boundaries and proposed ground and floor levels shall be submitted to and be approved by the local planning authority(LPA) prior to the commencement of construction work on site.

No development shall take place until details in respect of provision of the footway link in Melbourne Road have been submitted to and approved by the LPA and the approved details have been implemented unless otherwise agreed in writing by the LPA.

Reason: In the interests of Highway and Pedestrian Safety, to comply with Policies

E20 and H6 of the Northampton Local Plan.

Letter from Councillor T Wire making the following points –

I called this application in to be heard by the Planning Committee due to the amount of objections from the general public and residents near by.

You will be fully aware St. James is over run with traffic and parking problems, especially on Saints Match Days. The Weedon Road is a major road for vehicles going in and out of the town.

Your note Melbourne Road is very narrow and faces the Rugby Ground. All parking spaces in the area of Melbourne House belong to NBC Housing. These parking bays are used and abused by members of the general public daily.

In my view this proposed development is simply not sustainable. To say the general proposal would have no adverse impact on the street scene or the amenities is nonsense.

The site visit takes place on a Monday afternoon. The Planning Committee should have visited on match days then seen the chaos that local residents have to put up with for yourselves.

The County Council Highways are still unhappy with the traffic management. But can be ignored, as they are only consultees.

I hope you reconsider this application.

ITEM 10D
N/2011/1114

Erection of two and a half storey dwelling for shared residential accommodation purposes at Land at 1 – 3 Hester Street

Additional Letter received from Cllr Marriott

"Due to other council commitments I am unable to attend the Planning Committee tonight. However, on behalf of my local constituents I strongly object to this planning application. This application does not carry local support.

"I have been told the residents of 1-3 from the Jesus Army say they don't actually want this application themselves, and that it is all coming from Jesus Army HQ in Nether Heyford. Residents in Semilong ward object for the following reasons.

1. The idea that this is any different to the last plan, which the Planning Committee rejected, simply because the applicant now states it is a house of multiple occupation is absurd.
2. The applicant even states in their letter that they wouldn't want it next to their own property as it would be detrimental to them!
3. We simply cannot afford to have ANOTHER HMO in this area. In Hester Street of around 30 houses only seven are family homes, the rest are flats, hostels, student digs and bedsits. Pressure is already tight in terms of parking and noise.
4. Jesus Army visitors cause and incredible nuisance for residents as they have worshipers from all their other locations show up at least twice a week for prayer meetings, taking up

the entire street with cars. This will only make things worse, with a potential extra 8 cars (four bedrooms, at least two people per room, a vehicle each).

5. The report before you this evening states: - *"As the site is in a very sustainable location being next to a bus route and close to local shops and the town centre, the proposed occupiers would not need car ownership."* Who is the author of this report trying to kid? Look at the evidence of the now car strewn developments in the town centre itself. This speaks for itself!

"You will also note that, although not a planning consideration in itself, the applicant is intent on going ahead with building the proposed property with a three inch air gap between this and the next door neighbour. This shows a total disregard of the feelings and views of the neighbouring young family, and any chance of a cordial relationship going forward. The Council should be discouraging this form of community relations, not encouraging it by approving this type of planning application.

"I hope the Planning Committee agrees with me, and rejects the application.

ITEM 10E
N/2011/1173

**Application for a lawful development certificate for a proposed rear dormer at 18
Lynmouth Avenue**

Nothing to add

ITEM 10F
N/2011/1276

Two storey side extension at Greenacres, High Street, Weston Favell

Nothing to add



NORTHAMPTON
BOROUGH COUNCIL
Planning Committee

MJU

PLANNING COMMITTEE: 7 February 2012

DIRECTORATE: Planning and Regeneration

HEAD OF PLANNING: Susan Bridge

REPORT TITLE: N/2011/0323 - Enhancement of Mereway Centre including an 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.

Supplement to the Committee resolution of 15 November 2011, to allow additional time to conclude the negotiation of planning obligations.

1. RECOMMENDATION

- 1.1 That the Committee agree to extend the period for prior completion of planning obligations by one calendar month or such longer period as may be determined by the Head of Planning with the agreement of the Chair of Planning Committee.

2. BACKGROUND

- 2.1 On 15 November 2011, the Planning Committee resolved to approve the above application subject to prior completion of planning obligations within three calendar months of the resolution.
- 2.2 The three month period following the Committee resolution expires on 14 February 2012. Although negotiations on the terms of the agreement are well advanced, precise details of how the planning obligations will be delivered and implemented are still under negotiation. In particular, discussions are proceeding with the County Council on the procurement of the improvements to the bus services in the area. The applicant has indicated in an e-mail dated 6th February that these matters are capable of satisfactory resolution in a reasonable period of time.

3. PROPOSED VARIATION

- 3.1 It is considered that the negotiations can be completed in a reasonable period of time and that the period for the prior completion of the planning obligations should be extended, in order to conclude the negotiations on the planning obligations, in accordance with the Committee resolution of 15 November 2011. It is important that the discussions are not unnecessarily protracted and that a further period of one calendar month or as may be otherwise determined by the

Head of planning with the agreement of the Chair of this Committee would be appropriate..

3.2 All other aspects of the decision remain as previously resolved.

4. CONCLUSION

4.1 Officers consider that one additional calendar month will be sufficient to conclude negotiations of the planning obligations. As such Officers request that members agree to the extension.

5. LEGAL IMPLICATIONS

5.1 As set out in the report.

6. SUMMARY AND LINKS TO CORPORATE PLAN

6.1 In reaching the attached recommendations regard has been given to securing the objectives, visions and priorities outlined in the Corporate Plan together with those of associated Frameworks and Strategies.

Position:	Name/Signature:	Date:
Author:	S Tindle	03/02/11
Head of Planning Agreed:	G Jones	06/02/11