

NORTHAMPTON BOROUGH COUNCIL

PLANNING COMMITTEE

Tuesday, 29 May 2012

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

1. APOLOGIES

Apologies for absence were received from Councillors Lane and Oldham.

2. MINUTES

The minutes of the meeting held on 1 May 2012 were agreed and signed by the Chair.

3. DEPUTATIONS / PUBLIC ADDRESSES

RESOLVED: That Miss Manning and Mrs Aggarawal be granted leave to address the Committee in respect of application no. N/2012/0636.

That Mr Douglas and Councillor Hallam be granted leave to address the Committee in respect of application no. N/2012/0232.

That Dr Rawcliffe BSD, Mr Dooley and Councillor Stone be granted leave to address the Committee in respect of application no. N/2012/0328.

4. DECLARATIONS OF INTEREST

Councillor Hallam declared a personal and prejudicial interest in item 10b, application no. N/2012/0232 as Ward Councillor supporting the applicant.

Councillor Meredith declared a personal interest in item 10b, application no. N/2012/0232 as being known to the agent.

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:

Former St Edmund's Hospital Site

The Head of Planning reported that the condition of the old Workhouse building on the former St Edmund's Hospital Site had given rise to concern. Negotiations had been taking place with the owners regarding the repair of the building but these had broken down. On 25 May 2012 the Council had obtained a warrant from the Magistrates Court to enter the site to assess the condition of the workhouse building so as to be able to issue a Notice to the owners as to the works necessary to make the building safe and weather-tight. The Warrant had been executed on 28 May 2012. In answer to a question the Head of Planning commented that phase 1 of the existing planning permission had been completed but that the remaining phases could not be started until the development of the Workhouse had been completed.

RESOLVED: That the report be noted and that an update be submitted to the next meeting of the Committee.

6. LIST OF CURRENT APPEALS AND INQUIRIES

The Head of Planning submitted a list of current Appeals and Inquiries and reported that since the publication of the agenda the appeal in respect of N/2011/1157 had been dismissed.

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/2009/0636 ERECTION OF CULTURAL AND RECREATION CENTRE TO INCLUDE HINDU TEMPLE, MULTI-PURPOSE HALL, SPORTS FACILITIES, VISITOR CENTRE AND EXHIBITION SPACE, TEACHING SPACES INCLUDING LIBRARY, CRÈCHE, PRIEST'S HOUSE AND SIX SHELTERED FLATS FOR OVER 55'S. EXTERNALLY, ACCESS, PARKING, ALL WEATHER SPORTS PITCH AND LANDSCAPING, INCLUDING PERIMETER SECURITY FENCING AT LINGS WAY**

The Head of Planning submitted a report in respect of application no N/2009/0636, elaborated thereon and referred to the Addendum that set out two further representations and the Officer response to them. The Head of Planning clarified that

WNDC had originally approved the scheme subject to a Section 106 Agreement. The negotiations on the Section 106 Agreement had not been concluded before the transfer of planning powers back to the Council and together with the passage of time it had been decided to resubmit the scheme to the Committee. He also noted that the Lease of the land needed to be completed before the Section 106 Agreement could be concluded.

Miss Manning, a nearby resident, commented that she did not object to the scheme per se but had concerns about the highway issues despite the Highway Authority having given approval to it. She was particularly concerned about the traffic between Goldings Road and Crestwood Road; 14 buses an hour ran in each direction and there already had been accidents at the junctions of both roads with Lings Way. Miss Manning was also concerned about construction traffic using Lings Way and adding to congestion. She also had concerns as to whether the onsite parking would be adequate for weddings and big festivals. In answer to a question, Miss Manning commented that Lings Way was a straight road that had a 40mph speed limit and at peak times there were already traffic queues into Crestwood Road; she suggested that perhaps a traffic filter might help the situation.

Mrs Aggarawal, on behalf of the applicants, commented that the IHWO were committed to achieving this project and intended to be inclusive. They had, and would continue to work in partnership with other organisations and the local community. They had also done everything that had been asked of them in terms of numerous studies and surveys. The scheme would bring new facilities to Northampton that would complement existing ones and it would provide a landmark building and opportunities for all. The Temple would be open to everyone. She urged the Committee to support the application. In answer to questions Mrs Aggarawal commented that the onsite parking provision was for six coaches and over 100 cars and noted that 50% of the Hindu community lived within walking distance of the site; that it was hoped that construction would commence towards the end of 2013 or early in 2014; that the IHWO would be open to establishing a liaison group with local residents to aid understanding of the project; and that the allocation of allotments and sheltered housing would be on a first come, first served basis from the wider community (despite the comment to the contrary in the appended WNDC Planning Report in respect of the allocation of the sheltered housing units).

The Head of Planning commented that issues concerning traffic and the junctions referred to by Miss Manning and parking had been discussed with the Highway Authority. There would be some 190 parking spaces within the site: it was about achieving a balance between peaks of usage of the site. The Highway Authority had asked for improvements to the footpath and were content with the scheme. Issues concerning construction traffic would be dealt with by a management plan (proposed condition 9 as set out in the report).

The Committee discussed the application.

RESOLVED: That the application be approved in principle subject to:

- a) Completion of a s.106 agreement in line with the Heads of Terms identified at paragraph 8.32 of the report attached at Annex 1; and

b) The conditions set out in the report

as the proposed development would result in the loss of an existing area of open amenity space and involves the construction of new buildings within the footprint of a non-statutory Local Wildlife Site. However, the scheme would secure significant benefits for the local community through the provision of high quality areas of sport and recreation and is accompanied by a Biodiversity Strategy which would ensure that the impact upon local wildlife habitat and protected species would be acceptable. The design and landscaping of the scheme was considered to be suitable for its location and context. Consequently, the proposal was compliant with saved Policies L1, E1, E11, E17, E18 and H7 of the Northampton Local Plan and the principles outlined within the National Planning Policy Statement (NPPF).

(B) N/2012/0232 VEHICULAR CROSSOVER TO FRONT AT 449 KETTERING ROAD

(Councillor Hallam addressed the Committee and then left the meeting in accordance with his declaration of interest set out at minute 4 above.)

The Head of Planning submitted a report in respect of application no. N/2012/0232, elaborated thereon and referred to the Addendum that set out two further representations. He referred to the Planning Inspector's letter dated 9 November 2004 appended to the report in which the applicant's appeal against refusal of a similar application had been dismissed and observed that the fundamental highways objections still remained.

Mr Douglas, a relative of the applicant, commented that the health of the applicant and his wife had started to deteriorate some 14 years previously. Their use of a vehicle was almost entirely restricted for attending medical or related appointments. The applicant recognised the highways concerns and Mr Douglas commented that in paragraph 5 of the Planning Inspector's letter of 2004, the Inspector appeared to be considering a personal consent but had not followed through with it. In answer to questions, Mr Douglas commented that the applicant had few visits from family members; that it was difficult for the applicant's wife to walk appreciable distances making the use of taxis impracticable; both the applicant and his wife were currently able to drive; and that the applicant and his wife did not currently use the NDDR service and had their grocery shopping delivered to them.

Councillor Hallam, as Ward Councillor, asked that the special circumstances of the applicant and his wife should be taken into account. The application had the support of the local MP. Councillor Hallam commented that there was a rear access to the property that was gated which had been paid for by residents but which the applicant's wife had difficulty in being able to open and close. Councillor Hallam observed that there was a dropped kerb further along Kettering Road close to the traffic light controlled junction with Spinney Hill Road and Cynthia Spencer. He commented that previous planning permissions granted on the property had been enacted by the applicant to a high standard and he stated that the Committee should look to help people to remain in their homes. In answer to questions Councillor Hallam commented that the rear access gates could be moved but that this would

compromise the security that they gave and was the reason for their installation in the first place; and that the highways concerns were recognised but in this instance the usage was very low.

The Head of Planning commented that the officers were sympathetic to the applicant's situation but felt, on balance, that the Highway Authority comments and the Planning Inspector's comments made in 2004 should take precedence. In answer to questions, the Head of Planning commented that there was only the one vehicle crossover in the vicinity, as commented on by Councillor Hallam, and that this was a historic situation; the principle highways concerns were in respect of cars reversing out of the property onto the carriageway and because of the proximity of the property to the junction with Stanton Avenue that drivers might mistake the left hand turn; that a personal consent would not override the highway issues; and explained that there may be alternative options available such as using the NDDR service.

The Committee discussed the application.

RESOLVED: That the application be refused as the property already had adequate access by way of a shared access to the rear and the proposal would introduce further unnecessary access on to Kettering Road, which was a very busy 'A' road, to the detriment of the free flow and safety of other users contrary to the aims of the National Planning Policy Framework.

NB: Councillor Hallam rejoined the meeting.

(C) N/2012/0268 ERECTION OF 2NO. BED SEMI DETACHED BUNGALOWS AT REAR OF 85 WHEATFIELD ROAD

The Head of Planning submitted a report in respect of application no. N/2012/0268 and elaborated thereon. In answer to a question, the Head of Planning noted that although more car parking could be provided within the site this would only balance out the loss of on street parking caused by doing so. There might also be issues caused by the close proximity of the rear access to properties in Beech Avenue and Wheatfield Road.

The Committee discussed the report.

RESOLVED: That the application be approved in principle subject to the conditions set out in the report and the matters set out in paragraph 1.1 of the report as the proposed development would have no adverse impact on the streetscene or on the amenities of existing neighbouring residents and would provide a satisfactory standard of development. The proposal would thereby comply with policies E20 and H6 of the Northampton Local Plan.

(D) N/2012/0328 CHANGE OF USE TO 15 BEDROOM HOUSE IN MULTIPLE OCCUPANCY AT 9-11 HAZELWOOD ROAD

The Head of Planning submitted a report in respect of application no. N/2012/0328, elaborated thereon and referred to the Addendum that noted revised plans from the applicant, an additional representation from Northamptonshire Police and the officers response.

Councillor Stone as Ward Councillor, commented that she believed that the proposal was an over intensification of the use of the premises and that it ultimately would not comply with the CAAP. She noted that there were 50 registered voters already in Hazelwood Road showing that there was already a significant mix of residential and commercial uses in the street. Councillor Stone stated that she agreed with the views of the Town Centre Conservation Committee. She had concerns that although the accommodation was intended to be high end not all the bedrooms had ensuite facilities; she believed that the right balance was needed and understood that there was an existing planning permission for 10 units that seemed more appropriate. She queried how occupation of the property would be managed and asked that the Committee defer consideration of it. In answer to questions, Councillor Stone confirmed that she believed that the existing planning permission for 10 units was acceptable as it encompassed more ensuites and better refuse management; that residents would be able to lease car parking spaces at St John's or elsewhere; and that it seemed odd that ensuites were not to be provided to all the bedrooms.

Dr Rawcliffe, a partner of the applicants, commented that they had been looking for properties where they could make an improvement to an area. They had been impressed by the building from the outside despite it being run down internally. They had spoken to a number of people and had decided that there was a need for quality accommodation for young professionals; the location was close to the General Hospital. As she and her partners lived in Manchester a management company would look after the premises on a day to day basis including cleaning it and dealing with refuse. In answer to questions Dr Rawcliffe commented that they had been able to increase the number of ensuites following the recently discovery of a second soil pipe and receipt of a cost estimate for doing so; the refuse store would be at the rear of the site as required by the previous planning permission or otherwise as the Council wanted it; that their relationship with a particular management company had been developing since September 2011 and they felt comfortable that they would be able to manage the premises properly; rents would be decided by the market; taking the property back into commercial use had been considered but the shortage of accommodation had been identified.

Mr Dooley, the agent, noted that the report recommended approval of the application and that the applicant had consulted with the planners who had given the scheme their support. The property had been empty for some time and repairs had been carried out in conjunction with Building Control. He noted that the existing planning permission could lead up to 20 occupiers as opposed to this scheme; apartments were not viable and there was no commercial demand. Mr Dooley commented that the management company would inspect the premises and maintain standards. In terms of a HMO licence the room sizes complied with the required standards. The bin and cycle stores would be conditioned; there was scope for a cycle store in the basement. He hoped the Committee would approve the application. In answer to questions Mr Dooley commented that the Fire Officer and Building Control were happy with the fire exit arrangements; and that consideration was being given to providing each bedroom with its own ensuite facilities.

The Head of Planning commented that the previous planning permission for 10 apartments had now expired and in answer to questions commented that the existing lawful use of the property was as a HIMO with five residents; confirmed the number of proposed bedrooms with ensuite facilities as 10; that the Committee's consideration should be focussed on the use of the premises for 15 bedsits; internal space standards and layout were matters controlled by Private Sector Housing under non planning legislation; and that the management plan proposed in condition 5 would not guarantee that tenants would be well behaved.

The Committee discussed the application.

Councillor Lynch proposed and Councillor Hibbert seconded "That the recommendation to approve the application as amended by the revised plans referred to in the Addendum be agreed".

Upon the casting vote of the Chair the motion was lost.

Councillor Hallam proposed and Councillor Meredith seconded "That consideration of the application be deferred so as to allow the Head of Planning to negotiate with the applicants to see if they could overcome the concerns raised by the Committee in respect of density, an increase in the number of ensuites to be provided and detailed proposals for bin and cycle storage."

Upon a vote the motion was carried.

RESOLVED: That consideration of the application be deferred so as to allow the Head of Planning to negotiate with the applicants to see if they could overcome the concerns raised by the Committee in respect of density, an increase in the number of ensuites to be provided and detailed proposals for bin and cycle storage.

(E) N/2012/0335 DEMOLITION OF EXISTING COMMERCIAL UNITS AND ERECTION OF 8 NO. 3 BED TERRACED DWELLINGS AT 57-71 LEA ROAD

The Head of Planning submitted a report in respect of application no. N/2012/0335, elaborated thereon and referred to the Addendum that set out an additional representation from a neighbour, comments from Northamptonshire Police and the officers response. In answer to a question the Head of Planning commented that in this instance it was thought that a parking survey would not reveal any information that was not already known.

The Committee discussed the application.

RESOLVED: That the application be approved in principle subject to:

- (1) Prior finalisation of a S106 agreement to secure a contribution towards education provision; and

(2) The planning conditions set out in the report;

as the proposal would represent the effective reuse of previously developed land and would not unduly impact on the character of the area or on amenity of surrounding properties. As a result, it complied the requirements of the NPPF and local plan policies E20, E40, H6 and H11.

That in the event that the S106 legal agreement was not secured within three calendar months of the date of the Committee meeting, delegated authority be given to the Head of Planning (at their discretion) to refuse or finally dispose of the application on account of the necessary mitigation measures not being secured in order to make the proposed development acceptable.

11. ENFORCEMENT MATTERS

None.

12. ITEMS FOR CONSULTATION

None.

The meeting concluded at 20.35 hours.