

## **NORTHAMPTON BOROUGH COUNCIL**

### **PLANNING COMMITTEE**

**Tuesday, 11 June 2013**

**PRESENT:** Councillor Flavell (Chair); Councillors Aziz, Caswell, I. Choudary, N Choudary, Lane, Mason, Meredith, Oldham and Palethorpe

#### **1. APOLOGIES**

Apologies for absence were received from Councillor Golby.

#### **2. MINUTES**

The minutes of the meeting held on the 7<sup>th</sup> May 2013 were agreed and signed by the Chair.

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

**RESOLVED:** That Mr Seamark be granted leave to address the Committee in respect of Item 7(a) - Review of the Local Requirements for the Validation of Planning Applications

That Councillor Stone and Mrs Lindsey-Bell be granted to leave to address the Committee in respect of application no, N/2012/0184.

That County Councillor Hope, Mr Barclay and Ms Dearsley be granted leave to address the Committee in respect of application no, N/2013/0194

That Mr Beale, Billing Parish Councillor Mr Marlow, Mr Holeman and Councillor Palethorpe, be granted leave to address the Committee in respect of application no, N/2013/0297

That Councillor Stone be granted leave to address the Committee in respect of application no, N/2013/0365

That Councillor Stone be granted leave to address the Committee in respect of application no, N/2013/0444

#### **4. DECLARATIONS OF INTEREST/PREDETERMINATION**

Councillor Palethorpe declared "predetermination" of application no. N/2013/0297 as intending to speak against the application.

Councillor I Choudary declared a personal non-prejudicial Interest in application N/2013/0455 Item 12(a) as the former Ward Councillor having previously been in dialogue with the owners.

**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 and elaborated thereon.

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

**7. OTHER REPORTS**

**(A) REVIEW OF THE LOCAL REQUIREMENTS FOR THE VALIDATION OF PLANNING APPLICATIONS**

The Head of Planning submitted a report.

Mr Seamark addressed the Committee and commented that the public had not been consulted on the draft list of Local Validation Requirements and that the legislation requiring that the consultation be undertaken for a period of at least 8 weeks had been incorrectly calculated. He further commented that delegating to officers could lead to potential costly mistakes.

In response, the Head of Planning commented that a press notice would be served to allow for public consultation and that over 160 parties would be written to inviting them to make comments during the consultation period. He stated that he would re-examine the calculation of the consultation period.

**RESOLVED:**

- 1) That the draft Local Validation List appended at Annex A of the report be approved
- 2) Approve the proposed consultation procedure be approved.
- 3) That authority be delegated to the Head of Planning to incorporate consultation responses into the list.
- 4) That an amended final version be adopted by July 31<sup>st</sup> 2013, subject to reviewing of the length of required consultation period.

**8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS**

None.

**9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS**

None.

## **10. ITEMS FOR DETERMINATION**

- (A) N/2012/0909 - PROPOSED RESIDENTIAL DEVELOPMENT OF 142 DWELLINGS, GARAGES AND ASSOCIATED WORKS, INCLUDING NEW ACCESS ROUNDABOUT, LAND OFF LANCASTER WAY, TOWCESTER ROAD, NORTHAMPTON**

It was noted that this item had been withdrawn from the agenda.

- (B) N/2013/0076 S73 APPLICATION TO VARY CONDITIONS 2 AND 35 OF PLANNING PERMISSION 10/0188/FULWNN (ERECTION OF 176 DWELLINGS,ROADS, SEWERS AND ASSOCIATED OPEN SPACE) TO ALLOW THE AMENDMENT OF HOUSE TYPE DESIGN AND STANDARDS, LAND OFF BANBURY LANE**

The Head of Planning submitted a report in respect of application no. N/2013/0076 and elaborated thereon.

The committee discussed the application.

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

(a) the prior completion of a S106 Agreement to re-secure the planning obligations in the existing S106 Agreement in respect of permission ref:10/0188/FULWNN and

(b) the planning conditions set out in the report

- (C) N/2013/0184 CHANGE OF USE OF DWELLING TO 6 HIMO (RE-SUBMISSION OF PLANNING PERMISSION N/2012/0762), 26 CLOUTSHAM STREET**

The Head of Planning submitted a report in respect of application no. N/2013/0184, elaborated thereon and referred to the Addendum that contained a statement made by the applicant, who was unable to attend.

Councillor Stone, as the Ward Councillor, commented that when examining HIMOs it was important to consider the client group and the effect on local services. She stated that she considered there to have been an existing over-development of the site and that it was not fit for purpose.

Ms Lindsey Bell addressed the Committee, as the property manager, and commented that there was a high demand of such accommodation, particularly from students. She noted that such good quality housing was in short supply.

The committee discussed the report.

**RESOLVED:** That the application be refused.

By reason that that the proposed use of the basement as a bedroom represents overdevelopment of the property creating an unacceptable standard of residential accommodation for future occupants due to its constrained size and limited light, outlook and ventilation contrary to Policy H30 of the Northampton Local Plan.

**(D) N/2013/0194 CONTINUED ADDITIONAL USE OF LIFT TOWER FOR ABSEILING, NATIONAL LIFT TOWER, TOWER SQUARE**

The Head of Planning submitted a report in respect of application N/2013/0194 and elaborated thereon. He referred to the Addendum that set out comments from Councillor Hope.

Councillor Hope addressed the Committee and noted that whilst she was not against the application per se, but would like to see a number of conditions added to the proposed application.

Following notification that someone was recording the meeting, the Chair moved that a short adjournment of the Committee was necessary whilst the Director of Regeneration, Enterprise and Planning and the Borough Solicitor advised the individual that the Council's Constitution prevents the recording of such meetings and he deleted the recording made as witnessed by the Borough Solicitor and Development Manager.

The Committee then resumed at 7.01pm.

Mr Barclay addressed the Committee and commented that he had a number of concerns with regards to the continued additional use of the lift tower, principally road safety concerns.

Ms Dearsley addressed the Committee and commented that she had undertaken an abseil herself as part of a charity fundraising event, which she stated had been well run and had proved to be a good fundraising event.

The Committee discussed the application.

**RESOLVED:** That a further temporary period be approved subject to conditions set out in the report.

**(E) N/2013/0232 ERECTION/RETENTION OF BALL STOP NETTING (10M HIGH) FOR 100M ALONG WEST BOUNDARY OF SAINTS CRICKET AND HOCKEY CLUB, BIRCHFIELD ROAD EAST, NORTHAMPTON**

The Head of Planning submitted a report in respect of application N/2013/0232 and elaborated thereon and recommended an additional condition regarding maintenance of the netting.

The Committee discussed the application.

**RESOLVED:** That the application be approved subject to conditions set out in the report and the following additional condition:

The proposed netting shall be kept maintained to a satisfactory condition at all times when the netting is erected.

Reason: In the interests of visual amenity in accordance with Policy E20 of the Northampton Local Plan.

**(F) N/2013/0297 ERECTION OF SINGLE-STOREY DWELLING INCLUDING DETACHED GARAGE, R/O 25 PENFOLD LANE, GREAT BILLING**

Councillor Palethorpe moved to the public seating in accordance with his declaration of predetermination set out at minute 4 above.

The Head of Planning submitted a report in respect of application no. N/2013/0297, elaborated thereon and referred to the Addendum where further objections had been received since the application had been withdrawn from the agenda of the Planning Committee on the 7<sup>th</sup> May 2013. It was noted that a revised plan had been submitted by the applicant and consequentially Condition 2 had been amended and an additional Condition attached.

Mr Beale addressed the Committee and spoke against the application. He commented that the impact of neighbouring properties would be immense and that should the application be approved would set precedence for other 'back garden' developments.

Parish Councillor Mr Marlow addressed the Committee and spoke against the application. He commented that residents of Great Billing wanted to keep the area the same and urged the Committee to refuse the application.

Councillor Palethorpe spoke against the application and stated that a number of new developments had been welcome in the village but that under Policy 20, it was an overdevelopment of the area,

Mr Holeman spoke in favour of the application and commented that it was not an overdevelopment of the area, and that pre-application advice had been sought and stated that there was no material planning reasons for the application to be refused.

(Councillor Palethorpe left the meeting in accordance with his earlier stated declaration of predetermination).

The Committee discussed the application.

**RESOLVED:** That the application be refused:

By reason of its siting and scale, the proposed development is considered to be out of character with the surrounding area and would result in an overdevelopment of the site contrary to Policies E20 and H6 of the Northampton Local Plan

(Councillor Palethorpe re-joined the meeting)

**(G) N/2013/0365 CHANGE OF USE FROM SINGLE DWELLING TO HOUSE IN MULTIPLE OCCUPATION FOR FOUR PEOPLE, 6 WHITWORTH ROAD**

The Head of Planning submitted a report in respect of application N/2013/0365 and elaborated thereon.

Councillor Stone spoken against the application and commented that there was a need for 'family' housing and not HIMOs. She noted that the area was already overcrowded and that parking concerns were also apparent.

The Committee discussed the application.

**RESOLVED:** That the application be approved subject to conditions set out in the report.

**(H) N/2013/0379 VARIATION OF CONDITION 2 OF PLANNING PERMISSION 95/0468 TO INCREASE NUMBER OF LETTING UNITS FROM SEVEN TO NINE, 20 ST MICHAELS AVENUE**

The Head of Planning submitted a report in respect of application no. N/2013/0379, elaborated thereon and referred the Committee to the amended condition in the Addendum.

The Committee discussed the application.

**RESOLVED:** That the application be approved in principle subject to the conditions set out in the report and Addendum and that the final decision on this application be delegated to the Head of Planning providing that no material considerations additional to those presented to the Committee are raised by the end of the consultation period on 13 June 2013.

**(I) N/2013/0444 RETENTION OF USE OF PROPERTY AS HOUSE IN MULTIPLE OCCUPATION FOR 4 TENANTS, 71 HERVEY STREET**

The Head of Planning submitted a report in respect of application no. N/2013/044 and elaborated thereon.

Councillor Stone spoke against the application on behalf of the Residents Association and expressed concern about the developments of HIMOs and commented that there was a lack of 'family' housing and considered it to be an overdevelopment of the area.

The Committee discussed the application.

**RESOLVED:** That the application be approved subject to conditions set out in the report.

**11. ENFORCEMENT MATTERS**

None

**12. ITEMS FOR CONSULTATION**

**(A) CONSULTATION RESPONSE TO PROPOSED DELISTING OF FORMER ST EDMUND'S HOSPITAL**

The Head of Planning submitted a report and elaborated thereon. He explained that English Heritage had received an application to de-list St Edmunds Hospital and that

the Borough Council had been consulted as the relevant authority. It was felt that as the building was of wider public interest members of the public and interested groups should be given the opportunity to make representations about the historic and architectural interest of the building.

The Committee discussed the consultation response.

**RESOLVED:**

1. That the Council advised English Heritage that it considers St Edmunds Hospital should retain its listed building status based on the architectural and historic merit of the building.
2. That the Council forwards all relevant submissions from the consultation on St Edmunds Hospital to English Heritage for consideration.

The Chair made the following statement: "As Chair of the Planning Committee, regardless of the outcome of the application to de-list the property, I would thoroughly encourage the owners of the property to engage in constructive dialogue with the Borough Council on the future use and development of the site."

The meeting concluded at 9pm