

## **NORTHAMPTON BOROUGH COUNCIL**

### **PLANNING COMMITTEE**

**Wednesday, 8 December 2004**

**PRESENT:** Councillor Robinson (Chair); Councillor Flavell (Deputy Chair);  
Councillors Crake, Edwards, B Hoare, Malpas, Mason, McCutcheon  
and Yates

#### **1. APOLOGIES**

Apologies for absence were received from Councillor Evans.

#### **2. MINUTES**

The minutes of the meeting held on 10 November 2004 were agreed and signed by the Chair.

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

- RESOLVED:**
- (1) That Mr P Smith and Mr Longhurst be permitted to address the Committee regarding application N/2004/1006 – 35 Holly Road.
  - (2) That Mr C Adkinson and Mr Hillery be permitted to address the Committee regarding application N/2004/0682 – 22 Macon Close.
  - (3) That Martin O'Reilly, David Miller, Councillor Palethorpe and Mr Dobraszcyk be permitted to address the Committee regarding application N/2004/1422 – Land at 18 Lady Winefrides Walk.
  - (4) That Councillor Beardsworth be permitted to address the Committee regarding application N/2004/1443 – 62 High Street, Kingsthorpe.
  - (5) That Rod Kilsby be permitted to address the Committee regarding application N/2004/1484 – 201 Broadway East.
  - (6) That Mrs W Morris, P Swallow and Councillor Palethorpe be permitted to address the Committee regarding application N/2004/1489 – 15 Woodford Street.
  - (7) That Rod Kilsby and Mr A Jukes be permitted to address the Committee regarding application N/2004/1545 – 30 Kingsley Road.

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

**RESOLVED:**

##### **(A) BEACON BINGO**

The Head of Planning, Transportation and Regeneration reported on the receipt of a letter sent on behalf of Beacon Bingo, addressing comments made at a previous meeting of Committee regarding the appearance of the building. Members were

invited to visit the facility with a view to discussing how it could be improved.  
**RESOLVED:** That the invitation to Members of the Committee be accepted.

#### **(B) IMMINENT CONSIDERATION OF A PLANNING APPLICATION – GLADSTONE ROAD**

The Head of Planning, Transportation and Regeneration reported that an application for development had recently been submitted and that the applicants had proposed a number of options for Members to consider prior to the Committee's consideration of the application:-

- a site visit in advance of the consideration
- a presentation to be given by the applicants
- a visit to a similar facility in Southampton

**RESOLVED:** That the Full Council be invited to the presentation and that the Committee attend a site visit prior to the determination of the application.

#### **(C) OAK TREE BRIDGEWATER DRIVE**

**RESOLVED:** That discussion of this issue take place in the private part of the meeting.

#### **(D) APPEAL – 173 BRIDGE STREET**

**RESOLVED:** That discussion on this issue be held in the private part of the meeting.

### **5. LIST OF CURRENT APPEALS AND INQUIRIES**

The Head of Planning, Transportation and Regeneration submitted a List of Current Appeals and Inquiries and elaborated thereon.

Members were informed of the decisions of Inspectors appointed by the Secretary of State regarding three appeals, namely:-

- N/2003/1516 – Northampton Footwear Distributors Limited, Summerhouse Road, which was allowed
- N/2003/1563 – 51 Kettering Road, which was dismissed
- E/2004/78 and 07/2004 – 27 Watering Lane, Collingtree, which was dismissed

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

### **6. FRINGE AREA APPLICATIONS**

There were none.

### **7. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS**

#### **(A) N/2004/1531 - CHANGE OF USE FROM OFFICES TO TRAINING CENTRE - NCC APPLICATION AT BRITANNIA HOUSE RUSHMILLS**

The Head of Planning, Transportation and Regeneration submitted a report outlining the application for the change of use from offices to training centre at Britannia House, Rushmills, off Bedford Road, and elaborated thereon.

**RESOLVED:** That Northampton Borough Council has no objections in principle to the application but expressed concerns regarding the level of parking provision.

(Councillor Edwards declared a personal interest, as a member of Northamptonshire County Council's Development Control Committee, which he considered to be prejudicial and so left the room for the duration of the item.)

**(B) N/2004/1540 - PROPOSED NEW SCHOOL EXTERNAL WORKS NEW PARKING AND OUTDOOR SPORTS FACILITIES AT BRIDGEWATER PRIMARY SCHOOL BRIDGEWATER DRIVE**

The Head of Planning, Transportation and Regeneration submitted a report outlining the proposed new school and external works, new parking and outdoor sports facilities at Bridgewater Primary School, Bridgewater Drive, and elaborated thereon.

**RESOLVED:** That Northampton Borough Council objects to the application due to inadequate pedestrian and cycle links.

(Councillor Edwards declared a personal interest, as a member of Northamptonshire County Council's Development Control Committee, which he considered to be prejudicial and so left the room for the duration of the item.)

**(C) N/2004/1595 - PROPOSED NEW SCHOOL, EXTERNAL WORKS, NEW PARKING AND OUTDOOR SPORTS FACILITIES AT GREEN OAKS PRIMARY SCHOOL, WHISTON ROAD**

The Head of Planning, Transportation and Regeneration submitted a report outlining the proposed new school, external works, new parking and outdoor sports facilities at Green Oaks Primary School, Whiston Road, and elaborated thereon.

**RESOLVED:** That Northampton Borough Council objects to the application due to inadequate pedestrian and cycle links.

(Councillor Edwards declared a personal interest, as a member of Northamptonshire County Council's Development Control Committee, which he considered to be prejudicial and so left the room for the duration of the item.)

**8. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS**

There were no items.

**9. PRINCIPAL ITEMS**

**(A) N/2004/956 - CHANGE OF USE TO ROYAL MAIL DELIVERY OFFICE (SUI GENERIS USE) (RETROSPECTIVE) AT UNIT 45 - 47 ST. JAMES MILL ROAD**

The Head of Planning, Transportation and Regeneration submitted a report outlining the application for the change of use to a Royal Mail Delivery Office (Sui Generis Use) (Retrospective) at Units 45-47 St James Mill Road, and elaborated thereon.

**RESOLVED:** That the application be approved, as shown in the Decision List

attached.

**(B) N/2004/1006 - CONVERSION OF EXISTING BUSINESS PREMISES TO 3 APARTMENTS AT 35 HOLLY ROAD (PREVIOUSLY DEFERRED FOR SITE VISIT)**

The Head of Planning, Transportation and Regeneration submitted a report outlining the application for the conversion of existing business premises to three apartments at 35 Holly Road, and elaborated thereon.

Mr P Smith addressed the Committee, stating that he objected to the application because Holly Road was already heavily developed and that these proposals would make matters worse, especially regarding parking. He referred to several Northampton Borough Council policies that he felt that this application contravened.

Mr Longhurst also addressed the Committee, objecting because of the proximity of the site to his property and the prospect of him being overlooked. He expressed his concern regarding light pollution from the proposed development and commented that the current access would prove inadequate once the proposed properties were occupied. He asserted that the proposed garages were less than the required standard and that the foot access was too narrow.

Members were informed that the proposed garages were greater than the recommended size and that the doors were wider. They were also informed that all windows that could possibly overlook existing properties would need to be obscure glazed.

**RESOLVED:** That the application be approved as shown in the Decision List attached.

**(C) N/2004/1071 & N/2004/1072 - REFURBISHMENT OF LISTED BUILDING INCLUDING ADDITIONAL FLOORS WITH NEW BUILDING ADJACENT PROVIDING 130 NO RESIDENTIAL FLATS AND ASSOCIATED PARKING AND DEMOLITION OF ROOF, INTERNAL WALLS AND SECONDARY STAIR/LIFT CORE, INTERNAL ALTERATIONS, MAKING GOOD EXISTING WINDOWS AND EXTENSION OF TWO ADDITIONAL FLOORS TO PROVIDE FLATS AS PART OF A NEW RESIDENTIAL DEVELOPMENT AT 27/29 GUILDHALL ROAD (PREVIOUSLY DEFERRED FOR SITE VISIT)**

The Head of Planning, Transportation and Regeneration submitted a report outlining the application for the refurbishment of a listed building, including additional floors with new building adjacent providing 130 residential flats, 2 flexible units, exhibition space and associated parking, and a listed building consent application for the demolition of the roof, internal walls and secondary stair/lift core, internal alterations, making good existing windows and extension of two additional floors to provide flats as part of a new residential development at 27-29 Guildhall Road, and elaborated thereon.

At the Members' request, the Head of Planning, Transportation and Regeneration undertook to check the access for disabled people to the building.

**RESOLVED:** (A) That the planning application N/2004/1071 be approved in

principle subject to:-

- (i) the prior finalisation of a Section 106 Agreement to secure
    - 58 affordable units on site (44% of the total number units to be provided);
    - the provision of 2 ground floor units to be provided as flexible space to be marketed for an agreed period for commercial use; and
  - (ii) conditions as shown in the Decision List attached.
- (B) That listed building application N/2004/1072 be approved in principle subject to:-
- (i) The referral of the application to the Secretary of State under the provisions of Section 13 of the Planning Listed Buildings and Conservation Areas Act 1990 and
  - (ii) The conditions as shown in the decision list attached.

**(D) N/2004/1375 - CONVERSION AND EXTENSIONS OF PART GROUND FLOOR, PART BASEMENT AND FIRST, SECOND AND THIRD FLOORS TO FORM 10 NO APARTMENTS. PART BASEMENT AND PART GROUND FLOOR TO REMAIN AS OFFICE USE AT 32-36 HAZELWOOD ROAD**

The Head of Planning, Transportation and Regeneration submitted a report outlining the application for the conversion and extensions of part of the ground floor, part basement and first, second and third floors to form 10 apartments at 32-36 Hazelwood Road, and elaborated thereon.

**RESOLVED:** That the application be approved as shown in the Decision List attached.

**(E) N/2004/1408 - ERECTION OF A RETAIL DEVELOPMENT WITH ASSOCIATED CUSTOMER PARKING AND SERVICE AREAS AT FORMER NDES SITE GAMBREL ROAD**

The Head of Planning, Transportation and Regeneration reported that this application had been withdrawn by the applicant.

**RESOLVED:** That the withdrawal of this application be noted.

**(F) N/2004/1465 - CONVERSION AND EXTENSION OF EXISTING BUILDING INTO 16 NO FLATS AT PLAZA SOCIAL (FORMER ZAPATAX BUILDING) GROVE ROAD AND LAND AT 100 CLOUTSHAM STREET**

The Head of Planning, Transportation and Regeneration submitted a report outlining the proposals for the conversion and extension of the existing building into 16 flats at Plaza Social (former Zapatax Building) Grove Road and land at 100 Cloutsham Street, and elaborated thereon.

**RESOLVED:** That the application be approved as shown in the Decision List attached.

**(G) N/2004/1510 - RENEWAL OF TEMPORARY PLANNING PERMISSION  
N/2004/1206 - CHANGE OF USE FROM CAR SALES TO CAR PARKING AT  
LAND AT CHAPEL PLACE**

The Head of Planning, Transportation and Regeneration submitted a report outlining the proposals for the renewal of the temporary planning permission N/2004/1206 for change of use from car sales to car parking at a land at Chapel Place, and elaborated thereon.

**RESOLVED:** That the application be approved as shown in the Decision List attached.

**10. SCHEDULE OF PLANNING APPLICATIONS FOR CONSIDERATION**

Colin Adkinson addressed the Committee regarding application N/2004/0682 – 22 Macon Close. He informed Members that the proposals submitted would block natural light from his house and that of number 16 Macon Close. He requested that the application be refused.

Mr Hillery also addressed the Committee regarding application N/2004/0682, stating that he had listened to the concerns of the neighbours and had adapted the plans several times to reflect this. He added that one neighbour had already built a similar extension with no difficulties. He also commented that the direction in which the sun sets over Macon Close meant that the neighbours' light would not be affected by his extension.

Martin O'Reilly addressed the Committee regarding application N/2004/1422 – land at 18 Lady Winefrides Walk. He commented that this was not a reclaimed brown field site, it was a mature garden that had been ripped up last winter. The proposals were out of character with the locality and would constitute over-development. He added that the proposed properties would overlook several existing properties and add to the noise and disturbance at the back of them. He informed Members that Tree Preservation Orders were currently in place on several trees in the area to which damage had already been done. He concluded that this application would set a precedent and there was a danger that more of this kind of development would occur.

David Miller also addressed the Committee regarding application N/2004/1422, commenting that he had had an extension built for his seventy-six year old mother and the consent given had resulted in additional cost to him. He asserted that the conditions imposed on him were inconsistent with the proposals being considered at this meeting.

Councillor Palethorpe addressed the Committee regarding application N/2004/1422, commenting that proposals received in October 2003 were similar to this and had been refused. He maintained that an existing covenant still stood.

Mr Dobraszcyk addressed the Committee regarding application N/2004/1422, commenting that the character of the area included the close proximity of each of the existing properties to the next. This development would not be much different to what

was already there, except they would have smaller gardens. The proposed properties would be set 2–2.5 metres below number 20, so only the tops of the roof would be seen. The density of the proposal was similar to that of the development across the road, so precedent had already been set.

Councillor Beardsworth addressed the Committee regarding application N/2004/1443, commenting that this property had previously been a fish and chip shop and had then become an Indian takeaway but now the owners wanted it to be a restaurant. She commented that there were no parking facilities and there would be additional comings and goings until late at night. She requested, if the Committee could not refuse the application that Members place some restrictions on the consent.

Rod Kilsby addressed the Committee regarding application N/2004/1585 – 201 Broadway East, commenting that other premises were worse for wear and run down. His client was prepared to spend £45,000 to improve the premises which would only benefit the local area.

Mrs W Morris addressed the Committee regarding application N/2004/1489 – 15 Woodford Street, commenting that parking would be worse than it is now if these proposals were approved. She informed Members that she currently paid £25 per month for a parking permit and would like the hours of the permit extended if these proposals were approved. She asked if any provision had been made for additional parking to accommodate the needs of the additional residents.

Mr Swallow also addressed the Committee regarding application N/2004/1489, commenting that, before he bought the property, the area had experienced problems with drug misuse. He asserted that his proposals would result in lower noise levels and that the layout would add to security, which would improve things generally in the area.

Councillor Palethorpe addressed the Committee regarding application N/2004/1489, commenting that the proposal submitted would be of benefit to the area and the community. He requested that the developer be required to put right any damage caused by the building work to the adjoining property. He also requested that builders inform neighbours when the work would be carried out to ensure that any noise was being made by people who should be inside the property in question.

Tony Jukes addressed the Committee regarding application N/2004/1545 – 30 Kingsley Road, commenting that he was sure that the standard of accommodation would be good. He added that he had a broad experience of medicine and the issue of the availability of beds, and it was very important that there were a reasonable number of beds available in the area. He commented that he understood that the proposals would result in the loss of two beds from the existing care home resulting in an overall net gain of three, which, he admitted did not appear much but he did feel that it was an unfortunate loss.

Rod Kilsby addressed the Committee regarding application N/2004/1545 – 30 Kingsley Road. He commented that the application was to extend the current building to cater for five elderly residents. There would be no alteration to the outside of the building. He added that, in recent years, six care homes had been closed in the local area, resulting in a loss of ninety beds. There was therefore a need for this facility. He

requested that if Members did not feel able to approve the application they defer their decision pending a site visit.

- RESOLVED:** (1) That applications N/2004/0682, N/2004/1271, N/2004/1443, N/2004/1469, N/2004/1484, N/2004/1500, N/2004/1516, N/2004/1547 and N/2004/1564 be approved as shown in the Decision List attached.
- (2) That application N/2004/1545 be approved, contrary to officers' recommendations due to the need for this facility in the area.
- (3) That applications N/2004/1150, N/2004/1422 and N/2004/1507 be refused as shown in the Decision List attached.
- (4) That the Borough Solicitor be authorised to issue an enforcement notice in respect of N/2004/1507.

(The Chair declared an interest regarding application N/2004/1545, as the applicant and owner of the property. He therefore left the room for the duration of the item. The Deputy Chair assumed the Chair for the duration of the item.)

(All of the members of the Conservative group declared a personal interest in application N/2004/1545 as colleagues of the Chair. None considered their interest to be prejudicial so remained to consider and vote on the application.)

## **11. ENFORCEMENT MATTERS**

### **12. OTHER REPORTS**

#### **(A) PROPOSED FOOTPATH DIVERSION ORDER LAND AT UPTON**

The Head of Planning, Transportation and Regeneration submitted a report outlining the proposed Footpath Diversion Order regarding land at Upton and elaborated thereon.

**RESOLVED:** That an Order be made pursuant to Section 257 of the Town & County Planning Act 1990 in respect of the proposed diversion of the Nene Way Public Footpath LB5 within the parish of Upton.

#### **(B) STREET NAMING**

The Head of Planning, Transportation and Regeneration submitted a report outlining the proposed names of the new road off New Southbridge Road and the new road off Henry Bird Way for Members' information.

Members were informed that the new road off New Southbridge Road would be named "Malthouse Close" and that the new road off Henry Bird Way would be named "Lion Court". The names reflected the history of the local area, both having been taken from the Lion Brewery once sited south-east of Southbridge on the River Nene.

**RESOLVED:** That the names outlined be approved.

## **13. LISTS OF DELEGATED APPLICATIONS**

### **(A) LIST OF DELEGATED APPLICATIONS APPROVED**



The Head of Planning, Transportation and Regeneration submitted the List of Delegated Applications Approved during the period 14 October to 10 November 2004, for Members' information.

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

#### **(B) LIST OF DELEGATED APPLICATIONS REFUSED**

The Head of Planning, Transportation and Regeneration submitted a List of Delegated Applications Refused during the period 14 October to 10 November 2004, for Members' information.

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

#### **14. LIST OF DEFERRED APPLICATIONS**

The Head of Planning, Transportation and Regeneration submitted a List of Deferred Applications for Members' information. Members were informed that the application N/2004/0354 – St John's Church had not been called in by the Government Officer for the East Midlands subject to extra conditions being imposed.

**RESOLVED:** That subject to the extra conditions listed building consent be approved.

#### **15. EXCLUSION OF PUBLIC AND PRESS**

The Chair moved that the Public and Press be excluded from the remainder of the meeting on the grounds that there was likely to be disclosure to them of such categories of exempt information as defined by Section 100(1) of the Local Government Act 1972 as listed against such items of business by reference to the appropriate paragraph of Schedule 12A to such Act.

The Motion was Carried.

#### **16. VARIOUS BREACHES OF PLANNING CONTROL AT EX-SERVICE MEN'S CLUB SHEEP STREET**

The Head of Planning, Transportation and Regeneration submitted a report outlining various breaches of planning control at the Ex-Service Men's Club, Sheep Street, and reported on a letter received from the owner's agents and elaborated thereon.

**RESOLVED:** (1) That the report be noted.  
(2) That the previous resolution of the Planning Committee be reaffirmed.

#### **17. NON COMPLIANCE WITH NOTICE PURSUANT TO SECTION 215 OF THE TOWN AND COUNTRY PLANNING ACT AT 72 HINTON ROAD**

The Head of Planning, Transportation and Regeneration submitted a report outlining the non-compliance with notice pursuant to Section 215 of the Town & Country Planning Act at 72 Hinton Road, and elaborated thereon.

**RESOLVED:** That the Borough Solicitor be authorised to instigate prosecution proceedings in respect of the non compliance with a Notice served on 1

October 2003 requiring the removal of tyres, domestic appliances and rubbish pursuant to Section 215 of the Town and Country Planning Act 1990 (as amended) giving particular regard to the revised site plan.

**18. MATTER OF URGENCY**

**(A) OAK TREE, BRIDGEWATER DRIVE**

The Head of Planning, Transportation and Regeneration gave a verbal report regarding the potential revocation of a decision to allow the felling of an oak tree on Bridgewater Drive, protected by a Tree Preservation Order.

**RESOLVED:** (1) That the consent to fell the tree not be revoked.  
(2) That any replacement tree be as mature as is practicable.

**19. 173 BRIDGE STREET**

The Head of Planning, Transportation and Regeneration submitted a verbal report outlining advice received from Counsel regarding the appeal relating to application N/2004/0547 – 173 Bridge Street.

**RESOLVED:** That consideration of the new application be delegated to the Head of Planning, Transportation and Regeneration (and the Chair if adverse comments are received during consultation).

The meeting concluded at 9.50 pm.

**DRAFT DECISION LIST.NEW**

<TRAILER\_SECTION>

The meeting concluded at Time Not Specified