

NORTHAMPTON BOROUGH COUNCIL

PLANNING COMMITTEE

Tuesday, 17 February 2015

PRESENT: Councillor Oldham (Chair); Councillor Lynch (Deputy Chair);
Councillors Aziz, I. Choudary, N Choudary, Flavell, Ford, Golby, Lane
and Mason
David Hackforth, Interim Head of Planning, Rita Bovey, Development
Manager (Acting), David Rowen, Development Management Team
Leader (Acting) Ben Clarke, Senior Planning Officer, Jason Field,
Solicitor, Emma Powley, Democratic Services Officer.

1. APOLOGIES

Apologies for absence were received from Councillor Palethorpe.

2. MINUTES

The minutes of the meeting held on 28th January 2015 were agreed and signed by the Chair, subject to the inclusion of amendment in relation to the comments made by Mr J Seamark on Abington Park Café for Item 10C.

3. DEPUTATIONS / PUBLIC ADDRESSES

RESOLVED: That under the following items, the members of the public listed, be granted leave to address the Committee.

N/2014/1427

Mr Rowley

N/2014/0316

Mr Pentland
Mr Bode

N/2014/0772

Mr Davidson
Mr Taylor
Councillor Hill

N/2014/0911

Councillor Hallam
Mrs Campbell
Ms Whitlock
Mr Wilbraham

N/2014/1660

Mr Murphy

Mr Shaw
Councillor Marriott
Mr Lapsley

N/2014/1269 & N/2014/1331

Mr Rowley

N/2014/1346

Ms Wenham

N/2015/0001

Mr Lleshi

4. DECLARATIONS OF INTEREST/PREDETERMINATION

Mr Hackforth (Interim Head of Planning) declared a personal, non-pecuniary interest in Items 10a and 10f as his daughter is employed by Atkins (who were the agents for 10a and architects for 10f)

Councillor Golby declared a personal, non-pecuniary interest in Item 10a as the Cabinet Member for Education at Northamptonshire County Council.

Councillor Ford declared a personal, non-pecuniary interest in Items 7b and 10f as the Ward Councillor.

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 Director of Regeneration, Enterprise and Planning submitted a List of Current Appeals and Inquiries. The Development Manager introduced the written report and elaborated thereon. She noted that there was a correction for the awaited decision on N/2014/0642 which should have read: '7 Manor Road. Erection of a 2 storey dwelling (with access from High Street Kingsthorpe)'. It was noted that the public inquiry into application N/2013/0338 would commence on the 16th June 2015 and would be held at Franklins Gardens. It was further noted that the appeal for application N/2013/1263 had been withdrawn.

RESOLVED: That the report be noted.

7. OTHER REPORTS

(A) VIABILITY ASSESSMENT IN RELATION TO THE S106 PLANNING OBLIGATIONS FOR PLANNING APPLICATION N/2014/0629 FOR THE ERECTION OF 54 DWELLINGS AND A NEW FOODSTORE AT THE W GROSE LIMITED SITE, KINGSTHORPE ROAD

The Senior Planning Officer elaborated on the report that had been submitted by the Director of Regeneration, Enterprise and Planning. The recommendation was to agree to vary the Section 106 Heads of Terms to reduce the level of affordable housing provision from 35% to 26% and to agree to the revised schedule of conditions.

The Committee discussed the report.

RESOLVED: That the variation of the Section 106 Heads of Terms and revised schedule of conditions be **AGREED** as set out in the report.

(B) N/2014/1427 - APPLICATION FOR A PERMANENT DIVERSION OF A FOOTPATH - UNIVERSITY SITE, NUNN MILLS ROAD

The Senior Planning Officer elaborated on the report submitted by the Director of Regeneration, Enterprise and Planning. It was noted that the application had been submitted to the Council to permanently divert an existing footpath in order to construct the new university campus, permitted under outline planning permission N/2013/0912.

Mr Rowley, the agent spoke in favour of the application explained that the footpath would be beneficial as it would make the area more pedestrian friendly and beneficial to Northampton.

The committee discussed the report.

RESOLVED: That an Order be made pursuant to Section 257 of the Town and Country Planning Act 1990 in respect of a proposal to permanently divert part of the Public Footpath (HW28) on the site of the new Waterside Campus, Nunn Mills Road.

8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS

None

9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

(A) N/2014/1454 - RELOCATION OF ADVERTISING COLUMN (RETROSPECTIVE) - ABINGTON STREET

The Development Manager outlined the report submitted by the Director of Regeneration, Enterprise and Planning. The recommendation was for approval of the retrospective relocation of the advertising column.

The Committee discussed the report.

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

10. ITEMS FOR DETERMINATION

(A) N/2014/0316 - OUTLINE PLANNING APPLICATION WITH ALL MATTERS RESERVED EXCEPT ACCESS (FROM PENFOLD CLOSE / NORTHFIELD WAY) FOR A RESIDENTIAL DEVELOPMENT COMPRISING 230 DWELLINGS AND PUBLIC OPEN SPACE -FORMER KINGSTHORPE MIDDLE SCHOOL, NORTHFIELD WAY

The Senior Planning Officer elaborated on a report, submitted by the Director of Regeneration, Enterprise and Planning. The Committee's attention was also drawn to the circulated Addendum. The recommendation was for the approval, in principle, of the application subject to the conditions set out in the report and the addendum.

Mr Pentland, addressed the Committee on behalf of the former Kingsthorpe Resident's Association and spoke against the application. He cited an increase in traffic and pollution as concerns and suggested it could be a logistical problem for road users.

Mr Bode, the agent, spoke in favour of the application. He explained that the site had been vacant since 2007, due to the reorganisation of Northampton's school system. He commented that the application would address some needs for new homes in Northampton, provide some affordable housing and would be on brownfield site that would be sustainable.

In response to questions asked by the Committee, Mr Bode explained that there had been an extensive consultation process with the Highways Authority and the resultant amendments to the scheme would, in conjunction with the contributions secured by the Section 106 agreement, address concerns expressed about increased traffic.

The Committee discussed the report.

RESOLVED: That application N/2014/0316 be **REFUSED** for the following reasons:

The proposed highways mitigation does not sufficiently demonstrate that the proposed development would not have a significant detrimental impact upon the flow of traffic within the surrounding highway system and would not significantly impact upon pedestrian and vehicular safety within the vicinity of the site. As a consequence the proposed development is unsustainable and does not conform with the requirements of the National Planning Policy Framework and Policies C2, H1 and S10 of the West Northamptonshire Joint Core Strategy.

(B) N/2014/0772 - ERECTION OF TWO DETACHED HOUSES WITH VEHICULAR CROSSOVERS. LAND ADJ TO 8 QUINTON ROAD

The Development Management Team Leader outlined the report that had been submitted by the Director of Regeneration, Enterprise and Planning. Member's attention was drawn to further information contained within the addendum. The recommendation was for the refusal of the application for reasons laid out in the report.

Mr Davidson, a local resident, spoke against the application and commented that the new properties were out of character and stated that if the erection of the two properties were allowed it would infringe on the privacy of other residents in the area and ultimately an overdevelopment.

Mr Taylor, a local resident, spoke against the application and cited his concerns as being the road width, a potential blind corner and the footprint of the properties as being too large for the development.

Councillor Hill, spoke against the application, as the Ward Councillor, and stated that he favoured the officer's recommendations. He suggested that the properties were too big for the limited area and would be detrimental to the local amenities. He stated that there were not enough parking spaces and asked the Members to refuse the application.

The Committee discussed the report.

RESOLVED: That the application be **REFUSED** for the following reasons :

The development would result in the loss of the open and spacious nature of the site which would be to the detriment of the character and appearance of the area and adversely affect the setting of the Wootton Conservation Area. This would be contrary to Policies H1 and BN5 of the West Northamptonshire Joint Core Strategy, Policy E20 of the Northampton Local Plan and the aims and objectives of the National Planning Policy Framework.

The development by virtue of its scale and proximity to the boundary of the site, exacerbated by the difference in land levels, would have an unduly adverse overbearing impact on the property to the rear (The Willows) to the detriment of residential amenity. This would be contrary to Policy H1 of the West Northamptonshire Joint Core Strategy and Policy E20 of the Northampton Local Plan and would conflict with the aims and objectives of the National Planning Policy Framework.

(C) N/2014/0911 - CHANGE OF USE FROM RESIDENTIAL CARE HOME (USE CLASS C2) TO 20NO. RESIDENTIAL FLATS (USE CLASS C3) LAKEVIEW HOUSE OLD PERSONS HOME - 88 CHURCHILL AVENUE

The Development Management Team Leader outlined the report that had been submitted by the Director of Regeneration, Enterprise and Planning. Members' attention was drawn to further information contained within the addendum. The recommendation was for the approval, in principle subject to the conditions set out in the report. It was noted that a previous application had been submitted in November 2013 and had been dismissed on appeal.

Councillor Hallam explained that he , as the County Councillor, would be making a statement on behalf of Michael Ellis MP. The Chair reminded Members that as he was making a statement on behalf of a MP, he would not be able to be questioned by the Committee. It was explained that Mr Ellis MP, was passionately against the application explaining that the Localism Act had been introduced as a means of

giving residents more voice over issues affecting them and stated that the Planning Inspectorate had been justified in his conclusions and that the development would not fit in with the community and urged Members to vote against the proposal.

Mrs Campbell, a local resident, spoke against the application and commented that the application was not dissimilar to the one that had been previously submitted and commented that the problems that had been identified by the Planning Inspectorate had not been properly addressed.

Ms Whitlock, the Vice Chairperson of Lakeview Residents Association, spoke against the application. She commented that the objections raised largely remained the same as previously and cited over-development as a reason. She suggested that it was unsustainable and that there would be increased dangers caused by residents parking on the road.

In response to a question asked, Ms Whitlock confirmed that since the last application had been refused, there had been no dialogue between the developers and residents, despite the developers having agreed to do so after the last meeting.

Mr Wilbraham, the agent, spoke in favour of the application. He commented that the building was suitable for development and lay in a residential area and noted that the building had been vacant for over a year. He further commented that there had been a reduction in the number of proposed units and that the application should be considered on its own merits and not that of the previous application.

In response to question from the Committee, Mr Wilbraham stated that the lack of dialogue with local residents was a matter for his client and not a question he could answer. He further explained that access had been designed to meet highways authority standards and also explained that not every resident would have their own vehicle and that not every unit would necessarily be occupied by two people.

The Committee discussed the report.

RESOLVED: That the application be **REFUSED** for the following reasons:

The requirement for car parking to serve the development would result in the loss of landscaping and introduction of hard surfacing around the building. This would have an adverse visual impact to the detriment of the character and appearance of the area and if permitted would be contrary to Policies S10 and H1 of the West Northamptonshire Joint Core Strategy, Policy E20 of the Northampton Local Plan and the aims and objectives of the National Planning Policy Framework.

(D) N/2014/1160 - ERECTION OF 51 DWELLINGS WITH ASSOCIATED ACCESS, PARKING AND LANDSCAPING - STUDLAND ROAD

The Development Manager elaborated on a report that had been submitted by the Director of Regeneration, Enterprise and Planning. Members were asked to have due regard to the information contained within the addendum. The Development Manager also made reference to Policy E1 of the West Northamptonshire Joint Core Strategy

which was relevant to the proposal and should be included in the reason for approval. It was noted that the recommendation was for the approval, in principle, subject to the conditions contained within the report and the addendum.

Mr Murphy, local resident, spoke against the application. He commented that in his opinion, it was a poor design and there had been no consultation with local residents. The impact of the creation of the development would create a warren and would have a huge impact on the traffic levels in the area.

Mr Shaw, resident of Branksome Avenue, stated that Branksome Avenue had been purpose built as a cul-de-sac and stated that there was sense of community amongst residents and that if they approved the application, the community spirit would be lost forever. He further expressed concerns of the impact on local amenities.

Councillor Marriott, spoke against the application as the Ward Councillor. He commented that he recognised the need for more homes to be built, especially affordable ones. He expressed his concerns at the lack of involvement with the local residents, and referred to the Northampton Local Plan 1997 stating that the development could not realistically demonstrate the proposed redevelopment would generate significant employment.

Responding to a question asked by the Committee, Councillor Marriott confirmed that the area was an area of mixed developments, both business and residential.

Mr Lapsley, the agent spoke in favour of the application. He noted that the site was a former industrial site and that the application was for 100% affordable housing which would assist young people and families to gain access to the property market. He noted that that residents would be able to access amenities on foot and that the Branksome Avenue alterations would create much needed hammerhead for turning.

In response to questions asked, Mr Lapsley stated that they had attempted to address many of the issues that had been raised by residents and that there was an attempt to create a development that could link up with the existing community

The Committee discussed the report.

RESOLVED: That the application be **APPROVED IN PRINCIPLE**, subject to the conditions set out in the report and addendum.

(E) N/2014/1209 - THE ERECTION OF A PEDESTRIAN FOOTBRIDGE TO CROSS THE BROOK - LAND ADJ TO THE MALTINGS WESTBRIDGE MOTORS, ST JAMES ROAD

The Senior Planning Officer elaborated on the report that had been submitted by the Director of Regeneration, Enterprise and Planning. Members' attention was drawn to the addendum. The recommendation was for the approval subject to the conditions set out in the report.

The Committee discussed the report.

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

(F) N/2014/1269 & N/2014/1331 - RESERVED MATTERS APPLICATION FOR THE APPROVAL OF DETAILS OF THE APPEARANCE, LANDSCAPING, LAYOUT AND SCALE OF FOUR ACADEMIC BUILDINGS INCLUDING TWO MULTI USE GAMES AREAS AND A FLOOD LIT SPORTS PITCH CAFÉ /BAR AND ASSOCIATED LANDSCAPING/PUBLIC REALM WORKS PURSUANT TO OUTLINE PLANNING PERMISSION N/2013/0912 UNIVERSITY SITE, NUNN MILLS ROAD AND RESERVED MATTERS APPLICATION FOLLOWING OUTLINE APPROVAL N/2013/0912 FOR THE APPEARANCE, LANDSCAPING, LAYOUT AND SCALE OF PEDESTRIAN AND CYCLE BRIDGE LINKING BECKETT'S PARK WITH THE NEW UNIVERSITY CAMPUS - UNIVERSITY SITE, NUNN MILLS ROAD

The Senior Planning Officer outlined the report that had been submitted by the Director of Regeneration, Enterprise and Planning. Members' attention was drawn to the addendum. It was explained that whilst there was one agenda item, two applications had been submitted, which needed to be considered together; however, two separate decisions would need to be made. It was noted that the recommendations were for the approval of reserved matters applications.

Mr Rowley, the planning consultant, spoke in favour of the applications. He expressed excitement of the applications and stated that it would be beneficial to many, not just the prospective students but residents of Northampton. In response to questions asked by the Committee, Mr Rowley commented that he had not received any correspondence from the sea cadets but would be happy to work with them to allow for continued access.

The Committee discussed the report.

RESOLVED: That application for the approval of reserved matters application N/2014/1269 be **approved** subject to the conditions contained in the report and for the following reason:

The submitted details demonstrate that the appearance, landscaping, layout and scale of this phase of development are acceptable and in conformity with the requirements of the National Planning Policy Framework; Policies BN1, BN8, E6, N1 and S10 of the West Northamptonshire Joint Core Strategy and Policies 1, 3, 4, 5, 8, 9, 28 and 29 of the Northampton Central Area Action Plan.

RESOLVED: That application for the approval of reserved matters application N/2014/1331 be **approved** subject to the conditions contained in the report and for the following reason:

The submitted details demonstrate that the appearance, landscaping, layout and scale of the proposed footbridge are acceptable and in conformity with the requirements of the National Planning Policy Framework; Policies E6, N1 and S10 of the West Northamptonshire Joint Core Strategy and Policies 1, 3 and 29 of the Northampton Central Area Action Plan.

(G) N/2014/1346 - CHANGE OF USE OF RETAIL UNIT (USE CLASS A1) TO NAIL SALON (SUI GENERIS) 70 ST GILES STREET

The Development Management Team Leader outlined the report, submitted by the Director of Regeneration, Enterprise and Planning and elaborated thereon. It was noted that the Council owned property was currently vacant and that the recommendation was for the approval in principle of the application.

Ms Wenham, a local business owner, commented on the high number of hairdressers in the area and questioned the value of allowing an application of a nail bar. She commented that there was a need for a vibrant mix of shops on St Giles and the need to encourage people to improve the range of shops and retailers and asked that the Council support the needs of those in the St Giles quarter.

The Committee discussed the report.

RESOLVED: That the application be **APPROVED IN PRINCIPLE**, subject to the conditions set out in the report.

(H) N/2014/1423 - REPLACEMENT OF SHOP FRONT - 60 ST GILES STREET

The Development Management Team Leader outlined the report submitted by the Director of Regeneration, Enterprise and Planning. The recommendation was for the approval of the application.

The Committee discussed the report.

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

(I) N/2014/1452 - CHANGE OF USE OF 13/15 GUILDHALL ROAD TO 13-BED HOTEL WITH CAFÉ, RESTAURANT AND RETAIL INCLUDING DEMOLITION AND RECONSTRUCTION OF REAR EXTENSION AND INSTALLATION OF FUME EXTRACTION FLUE AND REAR DORMERS - 13/15 GUILDHALL ROAD

The Development Management Team Leader outlined the report submitted by the Director of Regeneration, Enterprise and Planning. The recommendation was for the approval of the application. Members were asked to familiarise themselves with the information contained within the addendum. In response to a question asked, the Development Management Team Leader confirmed that he would ensure that there would be a condition on refuse collection in an appropriate area.

The Committee discussed the report.

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

(J) N/2015/0001 - VARIATION OF CONDITION 1 OF PLANNING PERMISSION N/2013/1304 TO ALLOW THE CAR WASH TO OPERATE FOR A FURTHER TWO YEARS - COMMERCIAL STREET SURFACE CAR PARK

The Development Management Team Leader elaborated on a report submitted by the Director of Regeneration, Enterprise and Planning. The recommendation was for the approval of the report, subject to the conditions in the report.

Mr Lleshi, owner of the car wash, spoke in favour of the application. He questioned why there was a limited number of years on the lease and explained that he currently had 3 people working for him and therefore spoke favourably of the application.

The Committee discussed the report.

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

11. ENFORCEMENT MATTERS

None

12. ITEMS FOR CONSULTATION

None

The meeting concluded at 9.23pm