

NORTHAMPTON BOROUGH COUNCIL

PLANNING COMMITTEE

Wednesday, 2 September 2015

PRESENT: Councillor Oldham (Chair); Councillors Aziz, Birch, Davenport, Golby, Haque, Hill, Lane, Larratt and McCutcheon

OFFICERS: Steve Boyes (Director of Regeneration, Enterprise and Planning), David Hackforth (Interim Head of Planning), Rita Bovey (Development Manager), David Rowen (Development Management Team Leader) Ben Clarke (Senior Planning Officer) and Jason Field (Solicitor).

1. APOLOGIES

Apologies for absence were received from Councillor Lynch.

2. MINUTES

The minutes of the meeting held on the 28th July 2015 and the reconvened meeting on the 4th August 2015 were agreed and signed by the Chair.

3. DEPUTATIONS / PUBLIC ADDRESSES

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

N/2015/0624

Mrs Neelam Aggarwal-Singh DL

N/2015/0647

Mr Arthur Newbury
Mr John Pentland
Mr Thomas Bode

N/2015/0750 & N/2015/0749 & N/2015/0755

Mr Ifty Choudary

N/2015/0811

Ms Elaine Jones
Mrs Janice Tapp
Mr Tim Hadland
Mr Tad Dobraszcyk

N/2015/0864

Mr Bob Smart

4. DECLARATIONS OF INTEREST/PREDETERMINATION

Councillor Golby declared a personal non pecuniary interest in Item 10e – N/2015/0647, as a County Council Cabinet Member for Learning, Skills and Education.

Councillor Aziz declared a personal non pecuniary interest in Item 10e – N/2015/0647 as the Ward Councillor.

Councillor McCutcheon declared a personal non pecuniary interest in Item 10d – N/2015/0624 as a County Councillor for the Headlands Ward.

Councillor Larratt declared a personal non pecuniary interest in Item 10e – as a County Councillor but not related to Education .

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 Development Manager submitted a List of Current Appeals and Inquiries on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. It was noted that the Planning Inspectorate had agreed with the Council's decision with regards to application N/2014/0772 and the appeal had been dismissed.

RESOLVED: That the report be noted.

7. OTHER REPORTS

(A) LOCAL VALIDATION REQUIREMENTS

The Development Manager submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. It was explained that the revised draft Local Validation List needed to be reviewed every 2 years and since it was adopted in September 2013, it was necessary for a review to be carried out in accordance with Planning Legislation. In response to questions asked, it was explained that travel plan was very detailed and would normally require developers to monitor modal movement.

RESOLVED:

That the revised draft Local Validation List be **APPROVED**.

8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS

None.

9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

None

10. ITEMS FOR DETERMINATION

(A) N/2014/1163 - ERECTION OF 44 APARTMENTS WITH ASSOCIATED PARKING AND LANDSCAPING. VICTORIA BUSINESS PARK, ST JAMES PARK ROAD

The Senior Planning Officer submitted a report on behalf of the Director of Regeneration and elaborated thereon. It was explained that the development was for the erection of 18 one bed units and 26 two beds apartments (not 25 as in the report). It was noted that if the scheme be approved there would be no affordable housing provided on site as it had been demonstrated that this would render the scheme unviable.

In response to a question, it was confirmed that an obligation to fund improvements to Victoria Park could be justified; however, this would need to be the subject of further viability assessments. Accordingly, it was recommended that delegated authority be given to the Director of Regeneration, Enterprise and Planning to continue discussions with the applicant in order to ascertain whether such a contribution is possible.

The Committee discussed the report.

RESOLVED:

That the application be **APPROVED IN PRINCIPLE** subject to conditions and the matters in paragraphs 1.1 and 1.2 of the report. In addition, Delegated authority be given to the Director of Regeneration, Enterprise and Planning to continue discussions with the applicant in order to ascertain whether a contribution towards improvement to Victoria Park is possible.

(B) N/2015/0473 - VARIATION OF CONDITION 17 OF PLANNING APPLICATION N/2013/1143 TO INCREASE THE MAXIMUM AMOUNT OF FLOORSPACE THAT MAY BE OCCUPIED BY LIMITED ASSORTMENT DISCOUNT FOODSTORE TO 2,800 METRES. GAS HOLDER SITE, TOWCESTER ROAD

The Senior Planning Officer submitted a report submitted by the Director of Regeneration, Enterprise and Planning. Member's attention was drawn to the additional information that was provided in the addendum. The recommendation was for the approval in principle of the application with amended recommendation as contained in the addendum.

RESOLVED:

That the application be **APPROVED IN PRINCIPLE** subject to the conditions set out in the report and prior finalisation of a S106 agreement to secure the previously agreed appropriate financial contribution towards improvements of the pedestrian environment in the form of enhanced paving to Horsemarket.

Delegated authority be given to the Director of Regeneration, Enterprise and Planning to resolve any additional issues raise in comments received not dealt with in

the report and issue planning permission after the consultation period has expired, following the completion of the S106 agreement.

(C) N/2015/0611 - CHANGE OF USE OF LAND FOR ERECTION OF DECKING IN ASSOCIATION WITH BAR/RESTAURANT (RETROSPECTIVE APPLICATION MIDSUMMER MEADOW, BEDFORD ROAD

The Development Management Team Leader submitted a report on behalf of the Director of Regeneration, Enterprise and Planning.

The Committee discussed the report.

RESOLVED:

That the application be **APPROVED** subject to conditions and reasons set out in the report.

(D) N/2015/0624 - ERECTION OF 2NO PORTACABINS; ONE TO BE USED AS VISITORS CENTRE AND ONE FOR ADMIN/MEETING SPACE. WESTON FAVELL PARISH HALL, BOOTH LANE SOUTH

The Development Management Team Leader submitted a report on behalf of the Director of Regeneration, Enterprise and Planning. It was explained that the report was for recommendation for approval subject to conditions set out in the report.

Mrs Neelam Aggarwal Singh (DL) addressed the Committee as the Chair of the Indian Hindu Welfare Organisation and spoke in favour of the application. She stated that the temporary portacabins would be beneficial as it would allow a number of activities to be established, which had been put on hold due to the lack of facilities.

The Committee discussed the report.

RESOLVED:

That **APPROVAL** be granted subject to the conditions and reasons set out in the report.

(E) N/2015/0647 - OUTLINE APPLICATION WITH ALL MATTERS RESERVED EXCEPT ACCESS (FROM PENFOLD CLOSE/NORTHFIELD WAY) FOR RESIDENTIAL DEVELOPMENT OF UP TO 195 DWELLINGS, PUBLIC OPEN SPACE AND ASSOCIATED ACCESS. FORMER KINGSTHORPE MIDDLE SCHOOL SITE, NORTHFIELD WAY

The Senior Planning Officer submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. The Members were asked also to refer to further information contained within the addendum. Members were also informed that comments had been received from the Lead Local Flood Authority and that a further condition related to the maintenance of the drainage system was recommended. The heads of terms that would be secured following the Section 106 Legal Agreement was listed.

Mr Arthur Newbury addressed the Committee as a Kingsthorpe resident and spoke against the application. He cited overdevelopment as a reason for his objection and impact on traffic and insufficient infrastructure. In response to questions asked, Mr Newbury stated that he had no issue with development on the land, but the impact on the current infrastructure would be untenable.

Mr John Pentland as a representative of Kingsthorpe Middle School Residents Association spoke against the application stating that minor adjustments to the number of dwellings would not satisfy the needs of local residents. He estimated that there would be an extra 400 road movement per day as a consequence.

Mr Thomas Bode (agent) spoke in favour of the application. He stated that it was a re-submission of a previous application. He confirmed that the site has not been used 2007 and was surplus to educational needs. He commented that there would be no residual problem with traffic as the site would allow residents to use a vast array of transport services such as cycle –paths.

In response to questions asked, the Senior Planning officer explained that the section 106 money would deliver wide ranging services including roundabouts and traffic lights which had been assessed by the Highways Authority. It was noted that a Section 106, could only secure money to mitigate the impacts of the development and therefore funds could not be secured for general community spending. Nonetheless, a financial contribution would be secured in order to fund improvements to the surrounding open space and sports facilities

In response to questions, the Chair confirmed that the Local Highway Authority should be contacted to seek possibility that Highway Officers to attend Planning Committee meetings in the future.

The Committee discussed the report.

RESOLVED:

That the application be **APPROVED IN PRINCIPLE** subject to the conditions set out in the report and the addendum and the matters in paragraphs 1.1 to 1.4 of the report and subject to consultation with the adjacent allotment association. Delegated authority was given to the Director of Regeneration, Enterprise and Planning to resolve any issues arising from this additional consultation.

(F) N/2015/0750 & N/2015/0749 & N/2015/0755 - CHANGE OF USE FROM RETAIL (A1) TO RESTAURANT/CAFÉ (A3) INCLUDING OUTDOOR SEATING AREA AND REDECORATION OF SHOP FRONT. DISPLAY ILLUMINATED FASCIA SIGN AND ILLUMINATED PROJECTING SIGN. DISPLAY ILLUMINATED LETTERING AND ILLUMINATED PROJECTING SIGN - ALL AT 24 MARKET SQUARE

The Senior Planning Officer elaborated on a report submitted by the Director of Regeneration, Enterprise and Planning. Members' attention was drawn to the information provided within the addendum. It was explained that whilst there was one

agenda item, three applications had been submitted, which needed to be considered together; however, three separate decisions would need to be made.

Mr Ifty Choudary, spoke in favour of the application and remarked that the application would improve the area and bring much needed employment, with the creation of 25 to 30 jobs.

The Committee discussed the report.

RESOLVED:

That application N/2015/0750 be **APPROVED** subject to the conditions and reasons set out in the report.

That application N/2015/0749 be **APPROVED** subject to Standard Advertisement Conditions.

That application N/2015/0755 be **APPROVED** subject to Standard Advertisement Conditions.

(G) N/2015/0811 - ERECTION OF DETACHED 3-BED DWELLING AT THE REAR TOGETHER WITH PARKING SPACES AND WIDENING OF EXISTING VEHICULAR ACCESS. RE-SUBMISSION OF PLANNING APPLICATION N/2015/0275. 279 MAIN ROAD, DUSTON

The Development Management Team Leader submitted a report on behalf of the Director of Regeneration, Enterprise and Planning. It was noted that the officer's recommendation was for the refusal of the application. The Development Management Team Leader also pointed out that there was an error in the report paragraph 6.2 in that an objection was submitted by 96 Park Lane and not 279 Main Road.

Mrs Elaine Jones spoke in favour of the officer recommendations and stated that she was concerned about its proximity to other dwellings and the invasion of privacy.

Mrs Tapp spoke in favour of the officer recommendations for refusal and commented that the application was not in keeping with the surrounding area and questioned whether the dwelling could end up with a loft conversion.

Mr Hadland, the applicant, spoke in favour of the application and explained that it was on an area of his garden currently overgrown with vegetation. He explained that he intended to live in his current property for as long as possible and that the property was being built to let. In response to questions asked, Mr Hadland explained that there were other back land developments in the area and along Main Road; there were four houses that had been permitted to build in the gardens, some being two and a half floors high.

Mr Dobraszcyk, as the architect, spoke on behalf of the applicant. He stated that there was no prohibition of back land development and explained that the bungalow would be sustainable and would not have an impact on the local amenities. When asked why they had not appealed the previous refusal for the dormer bungalow, Mr

Dobraszczyk explained that it was unnecessary as they had addressed the issue that had been raised.

The Committee discussed the application.

The Interim Head of Planning advised that the Committee would need to be clear about the reasons for approval, if they were minded to grant planning permission. Given the decision to refuse permission earlier in the year, the Committee would need to specify what is now different and why a previous reason for refusal is no longer considered to be relevant. The Committee might, for example, consider that, with the removal of the dormer windows, one of the previous reasons for refusal had been overcome and that, on balance, any remaining harm from “backland” development would be outweighed by the benefit of securing an additional residential property.

RESOLVED:

That the application be **APPROVED** for the following reason:

With the removal of the dormer windows previously refused the development would have a satisfactory relationship with neighbouring properties in terms of amenity and the harm caused by the backland nature of the development would be outweighed by the benefit of the creation of a dwelling and its contribution to the Borough's five year housing land supply

In addition, delegated authority being granted to the Director of Regeneration, Enterprise and Planning in consultation with the Chair of the Planning Committee to formulate appropriate planning conditions with the planning permission.

(H) N/2015/0816 - ERECTION OF FRONT PORCH. 14 WOODLAND AVENUE

The Development Manager submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. Members noted that the application was for approval.

The Committee discussed the report.

RESOLVED:

That the application be **APPROVED** subject to the conditions and reasons set out in the report.

11. ENFORCEMENT MATTERS

None.

12. ITEMS FOR CONSULTATION

(A) N/2015/0864 - OUTLINE APPLICATION FOR UP TO 41 DWELLINGS, ESTATE ROAD, OPEN SPACE AND ASSOCIATED WORKS. LAND AT WELFORD ROAD, BOUGHTON.(CONSULTATION BY DAVENTRY DISTRICT COUNCIL)

The Development Management Team Leader outlined the report of the Director Regeneration, Enterprise and Planning, as set out in the agenda. He advised the Committee that the determination of the application would be made by Daventry District Council (DDC) and this report would form part of the formal consultation response.

The Committee discussed the report.

RESOLVED:

The Northampton Borough Council **OBJECT** to the principle of the development as it is unacceptable in advance of adequate highway infrastructure being provided to serve the north-west of Northampton

The meeting concluded at 9.13pm