

NORTHAMPTON BOROUGH COUNCIL

PLANNING COMMITTEE

Tuesday, 22 March 2016

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

OFFICERS: Steven Boyes (Director), Peter Baguley (Head of
Planning), David Hackforth (Interim Head of Planning), Rita Bovey
(Development Manager), Nicky Toon (Principal Planning Officer),
Fiona McMillan (Solicitor), Michael Flynn (Democratic Services
Officer)

1. APOLOGIES

Apologies were received from Councillor Haque.

2. DEPUTATIONS / PUBLIC ADDRESSES

RESOLVED: That under the following items, the members of the Public and
Councillors listed below were granted leave to address the Committee:

N/2015/1314

Cllr James Hill (Ward)
Keith Holland – Delamere
Mrs Woodvines
Nick Bowden

3. DECLARATIONS OF INTEREST/PREDETERMINATION

Councillor James Hill declared a personal non pecuniary interest in item 9b as the
Ward Councillor for Rectory Farm.

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

None

5. 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. She drew Members' attention to the fact that the Planning Inspector
considered the imposition of a noise condition to the proposed change of use to a

HIMO at 76 Somerset Street N/2015/0561 was unnecessary and unreasonable. In addition, she reported that the appeal for 119 Whitworth Road N/2015/0928 was allowed by the Inspectorate, notwithstanding the fact that the change of use would add to further concentration of HIMOs for more than 15% within 50m radius. However further legal advice would be sought on the matter.

Councillor Meredith requested that his comments be minuted. Referring to application N/2015/0561 he stated that he knew this decision would be overturned by the Inspector and felt that it would be difficult for the Planning Committee to make a decision on HIMOs.

Councillor Larratt proposed that the Council write to the 3 local MPs requesting that sound insulation of HIMOs should be a requirement and enshrined in planning legislation. This was seconded by Councillor Meredith.

Councillor Golby requested that Members be kept informed following legal advice.

RESOLVED

- 1) The Committee **AGREED** that the Council will write to the three local MPs to request that sound insulation of HIMOs should be a requirement and enshrined in planning legislation.
- 2) That the report be **NOTED**.

6. OTHER REPORTS

(A) N/2013/0338 - INFORMATION REPORT ON SECRETARY OF STATE'S DECISION ON HARDINGSTONE APPEAL

Item 6 was heard last on the agenda

The Interim Head of Planning submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. It was advised that this report advises the Committee of the Secretary of State's decision to allow the appeal by the Homes and Communities Agency (the HCA) against this Council's refusal of planning permission for the development of a sustainable urban extension at land to the east of Hardingstone (the Northampton South of Brackmills SUE). The report also advises the Committee of the costs incurred by the Council in engaging leading Counsel and expert witnesses to present the Council's case at the public inquiry.

The Committee discussed the report.

The Committee suggested a meeting between Councillors Larratt and Oldham with Cabinet Members regarding review of Joint Core Strategy and withdrawal from the Growth Management Strategy.

Councillor Lane left the committee at 20:20.

RESOLVED

1.1 The Committee **NOTED** the Secretary of State's decision to allow the appeal and grant planning permission.

1.2 The Committee **NOTED** the Secretary of State's reasons for allowing the appeal.

1.3 The Committee **NOTED** the financial cost to the Council in defending the decision to refuse planning permission at the public inquiry.

7. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS

None.

8. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

None

9. ITEMS FOR DETERMINATION

(A) N/2015/1021 - PART DEMOLITION OF EXISTING FACTORY BUILDING & CONVERSION OF EXISTING FACTORY BUILDING INTO 45X APARTMENTS & ERECT 2X DWELLINGS. LAND AT THE CORNER OF COUNTESS ROAD & LYTTLETON ROAD

Item 9a was heard before item 6.

The Principal Planning Officer submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. She recommended that Condition 10 be amended to include additional plot numbers.

It was advised that the application proposes the conversion of a former factory into 45 one, two and three bedroom apartments and the erection of 2 dwellings. The existing lift shafts & buildings to rear of the site would be demolished. The majority of existing window openings would be retained and roof lights inserted within the roof to utilise the roof space. The existing vehicular access from Countess Road would be retained and 54 parking spaces provided on site for the apartments together with bin and cycle storage and a further 4 parking spaces for the two dwellings. Access to the two new dwellings proposed would be from Lyttelton Road.

The Committee discussed the report

RESOLVED

- 1) The committee **DEFERRED** the application to investigate further regarding provision of disabled access to flats and possibility of having lift access.

- 2) The committee **AGREED** that Condition 10 be amended to include additional plot numbers

(B) N/2015/1314 - CHANGE OF USE FROM PUBLIC HOUSE (USE CLASS A4) INTO CONVENIENCE STORE (USE CLASS A1) INCLUDING ALTERATION AND EXTENSIONS, REAR STORAGE AND INSTALLATION OF 2NO SATELLITE DISHES ON ROOF. THE BARN OWL, OLDEN ROAD

The Principal Planning Officer submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. It was reported that the application proposes the change of use of the now closed public house (Use Class A4) to a convenience store (Use Class A1), a single storey rear infill extension, external alterations to window and door openings, the formation of a new shopfront and the installation of an ATM and the installation of two satellite dishes on the roof. Fencing would be erected to the rear service yard within which the installation of plant and equipment and refuse storage are proposed. It was advised that the first floor was used as residential accommodation ancillary to the use of the pub and it is proposed the residential use would continue albeit ancillary to the proposed retail use with the provision of a separate means of access.

The application is supported by a Planning Statement, a Transport Statement and an Acoustic Report.

In addition to the above the applicant's agent has submitted further details as follows:

The Barn Owl was acquired by Hawthorn Leisure from Greene King ("GK") in June 2014 alongside 274 other pubs, all designated as non-core and identified by GK for disposal. These pubs had underperformed for a number of years and were selected for disposal as GK did not believe they could successfully transform these units.

Upon acquisition Hawthorn undertook a thorough review of the entire estate including the Barn Owl. The review has concluded that the current levels of trade are simply not able to support a commercial operation and further investment of capital into the unit cannot be justified as the applicant is unlikely to ever see a return on their investment.

Members were advised that the tenant has terminated her tenancy at will and the pub has closed. The premises are now vacant and boarded up.

Councillor James Hill addressed the committee and spoke against the application as Ward Councillor.

Councillor Hill then left the Committee at 19:15.

Mr Keith Holland Delamere addressed the Committee as Chairman of Rectory Farm Residents Association and spoke against the application.

Mrs Woodvine addressed the Committee as a resident of Rectory farm and spoke against the application.

Mr Nick Bowden addressed the Committee as the Planning Consultant and spoke in favour of the application.

The Committee discussed the report.

RESOLVED

The Committee **DEFERRED** the application to allow the applicant to carry out further consultation with local community

(C) N/2015/1435 - CHANGE OF USE FROM A SOCIAL CLUB TO A PLACE OF WORSHIP AND COMMUNITY SPACE (USE CLASS D1) PLAYERS CLUB, 42 SHEEP STREET.

Councillor Meredith left the committee at 19:45. Councillor Hill returned to the committee at 19:45.

The Principal Planning Officer submitted a report on behalf of the Director Regeneration, Enterprise and Planning and elaborated thereon. It was advised that the application is submitted by Central Vineyard, a Christian church and registered charity. The application proposes the conversion of a former social club for use for church worship services and a number of community uses (D1). The lower ground floor of the building would be used principally for the church services with the provision of a kitchen and small café area for use by attendees. On the ground floor, offices and an administrative area are proposed with a storage area for a food bank and three to four meeting rooms which would be used for a number of children's groups that run alongside the main worship service. It was reported that during the week these rooms are intended to facilitate a number of the 'Restore Northampton' projects which include the Food Bank distribution point, the Restore Hub, a twice weekly drop-in for a number of vulnerable groups and service users, the CAP Money course and various community projects and uses.

The Committee discussed the report.

RESOLVED

That the application be **APPROVED** subject to the conditions as set in the report and for the following reason:

The change of use would bring a disused building within the town centre back into use and provide a community facility and services for the

surrounding area. The development would have a neutral impact on the character and appearance of the conservation area and setting of the adjacent listed building and would not lead to any adverse impacts on existing highway conditions or surrounding amenity in accordance with the requirements of Policies RC1 & BN5 of the West Northamptonshire Joint Core Strategy, Policies 1 & 10 of the Northampton Central Area Action Plan and the aims and objectives of the National Planning Policy Framework.

10. ENFORCEMENT MATTERS

None

11. ITEMS FOR CONSULTATION

(A) N/2016/0205 - SURFACE WATER ATTENUATION SCHEME IN RELATION TO PHASE 1A & B OF OVERSTONE LEYS DEVELOPMENT, INCLUDING RE-PROFILING OF EXISTING DITCH AND BALANCING POND, OVERSTONE LEYS, OVERSTONE LANE, OVERSTONE.

The Development Manager submitted a report on behalf of the Director of Regeneration, Enterprise and Planning. It was advised that the application seeks planning permission for a surface water attenuation scheme in relation to the first phases of the Northampton North Sustainable Urban Extension (SUE). This involves re-profiling an existing ditch and creating an attenuation pond. The pond would then discharge to Billing Brook at a rate equivalent to green field run-off.

The Committee discussed the report

RESOLVED

The committee **RAISED NO OBJECTIONS** subject to the following issues being addressed by Daventry District Council:

- No objections being received from the Lead Local Flood Authority or the Environment Agency;
- No objections being received from any other statutory consultee;
- Consideration being given to surface water being discharged from the attenuation pond to the Billing Brook water course at a rate suitable to resolve issues of lack of flow within Billing Brook.
- That the Council will request help from Daventry District Council to provide maintenance of Billing Brook and associated ponds

The meeting concluded at 20:20