

NORTHAMPTON BOROUGH COUNCIL

PLANNING COMMITTEE

Tuesday, 22 December 2020

PRESENT: Councillor Oldham (Chair); Councillor Lane (Deputy Chair);
Councillors Bottwood, Golby, Kilby-Shaw, B Markham, McCutcheon
and Russell

1. APOLOGIES

Apologies for absence were received from Councillors Birch, Cali, King and M Markham.

2. MINUTES

The minutes of the meeting held on 24 November 2020 were agreed and signed by the Chair.

3. DEPUTATIONS / PUBLIC ADDRESSES

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

N/2020/0920

Councillor Davenport
Michael Hambridge
Cheryl Holdsworth
Kain Paley

N/2020/1118

Councillor Stone
Ali Ay

N/2020/1163

Councillor Nunn
Councillor Perry Thomas
Gail Duncan
Ali Ay
Jabeer Miah

N/2020/1321

Jonathan Evans

4. DECLARATIONS OF INTEREST/PREDETERMINATION

Councillor Bottwood declared a disclosable and pecuniary interest in respect of item 12a as a board member of Northampton Partnership Homes (NPH), and he advised that he would leave the meeting while the items were discussed.

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

There were 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 Planning and Sustainability. She advised that there were a few appeals, the first being 32 Belfry Lane for a two-storey extension to the front of the property. The decision was delegated and the application refused due to the impact the extension would have on the character of the area. The appeal was dismissed. Another appeal, 4 Wrekin Close, was in relation to a 2.1m brick wall with 2.4 pillars to replace the boundary hedge. Although the wall was uncharacteristic as the estate is generally open plan, it was agreed the wall should be set back from the footpath with landscaping to soften the appearance of the wall. The appeal was allowed subject to these amendments.

Members discussed the report.

RESOLVED:

That the report be noted.

7. OTHER REPORTS

There were none.

8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS

There were none.

9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

There were none.

10. ITEMS FOR DETERMINATION

(A) N/2020/0920 - SINGLE STOREY REAR EXTENSION AND NEW FRONT PORCH (RETROSPECTIVE). 42 GLOUCESTER CRESCENT

At the Chair's invitation, the Development Manager presented the report and explained the application was for retrospective planning permission for a single storey rear extension and a single storey front porch for 42 Gloucester Crescent. There was no addendum for the application. The Development Manager described the location of the site on a prominent corner within an area of predominantly semi-detached pairs. Previous planning permission was granted in 2017 for the 2-storey side extension, however, there has been slight deviation from the plan as French doors and a Juliette balcony has been added to the extension with another window below. Similarly, French doors and a Juliette balcony have been added to the existing property. The Development Manager explained the front porch is slightly larger than usual porches as the porch is approximately 5m wide and 1.75m deep. However, due to its siting, design and scale, officers were of the opinion that it would not result in any adverse impact on the character of the existing dwelling and wider

area or adjacent residential amenity. Condition 3, as proposed, required materials to match existing render. The single storey rear extension is 3.1m in depth and expands across the entire width of the house, including the newly built two storey side extension. Concerns had been raised regarding the building line of the porch, the use of the games room and the scaffolding left in the rear of the property. The Development Manager explained that a rear extension with a similar impact on the neighbouring property could be constructed without the need for planning permission, the use as a games room was acceptable for domestic use and it had been agreed that the scaffolding in the rear garden would be removed upon completion of the development.

At the Chair's invitation, Michael Hambridge addressed the Planning Committee and expressed his concerns that the 45-degree rule had been breached and permission was required as the rear extension adjoins the side extension blocking sunlight. He also felt that the site had been overdeveloped and that additional vehicle access had not been considered as the front of the property had clearly been developed. Mr Hambridge complained that the rear extension was already overhanging and trapping his removable fencing and had already caused a land grab and damage.

The Chair then invited Councillor Davenport to address the Committee. Councillor Davenport explained that it was mutually agreed between the neighbour's that a flat roof would be used, and this was changed to a higher pitched roof, taking the light away from Mr Hambridge's garden. In addition, the planning application is on the boundary and no site visits have been undertaken to see the impact on the neighbouring property.

Finally, the Chair invited the applicant, Mr Kain Paley, addressed the committee. He explained that he had followed planning regulations. As far as he was aware, he was building it within the measurements required, and did not realise that if an extension meets an extension, planning permission is required. He apologised for not realising this in hindsight and agreed he would render the property as outlined in the conditions if the application was granted.

Members discussed the report.

RESOLVED:

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

(B) N/2020/1118 - CHANGE OF USE OF BASEMENT AND GROUND FLOOR FROM ESTATE AGENTS (USE CLASS E) TO HOT FOOD TAKEAWAY (SUI GENERIS), INCLUDING INSTALLATION OF EXTRACTION FLUE SYSTEM. CHANGE OF USE OF UPPER FLOORS FROM OFFICES (USE CLASS E) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 4 OCCUPANTS. ASSOCIATED INTERNAL AND EXTERNAL ALTERATIONS TO SHOP FRONT AND NEW FLUE. 2 MERCERS ROW

At the Chair's invitation, the Principal Planning Officer presented the application for 2 Mercers Row, which proposed to convert the ground floor of the unit into a hot food takeaway and erect an associated flue, and the upper floors to a house in multiple occupation. The application would be bringing the building back into use, as the unit

has been vacant for an extended period of time and was last used as an estate agent. There would be cycle storage and waste storage provided and there would be separate entrances to the upper floors and the takeaway unit. It was advised that both uses were considered appropriate for a town centre location and there were no objections from private sector housing, public protection, conservation or highways.

The Chair then invited Councillor Stone to address the Planning Committee. Councillor Stone expressed her concerns regarding a HiMO being located above a takeaway, the nuisance and litter that another takeaway would cause, whether HiMOS should be approved during COVID, and that this development is not what we want for town centres – we need a pull factor and less takeaways. In response to questions Cllr Stone advised that there were concerns with traffic, waste and smells from the flue. It was advised that the Council should be ambitious with this site.

At the Chair's invitation the planning agent, Mr Ali Ay addressed the Committee and explained that the property had been empty for a long time and that the roof needed urgent repair. He advised that the site was too small for a coffee shop, that the facilities provided are good, that the flue has been located inside due to the position of the site within the Conservation Area. He hoped that the Planning Committee would approve the planning application.

In response to questions the Principal Planning Officer advised that there was a bathroom on each floor of the HiMO, that there is no planning policy as current restricting the loss of shops or number of takeaways in a town centre as the NPPF does not require this, that the bin and bike stores have been carefully considered and those proposed are considered the best option, and that the flue is positioned by the staircase of the HiMO internally to reduce the impact upon the conservation area and occupiers of the unit.

Members discussed the report.

RESOLVED:

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

(C) N/2020/1163 - CHANGE OF USE FROM HAIRDRESSERS (USE CLASS E) TO HOT FOOD TAKEAWAY (SUI GENERIS), INCLUDING INSTALLATION OF EXTRACTION FLUE SYSTEM. 139 BOUVERIE ROAD

At the Chair's invitation, the Development Manager presented the application for 139 Bouverie Road, which proposed the change of Use from Hairdressers (Use Class E) to Hot Food Takeaway (Sui Generis), including installation of extraction flue system. The Development Manager referred Member to the Addendum with comments received from CPRE Northamptonshire advising that special consideration should be given to the change of use with regards to the impact on the character of the conservation area, and the impact of additional vehicles as there is little parking in the area and this could also have a detrimental impact on the character of the area; and to an additional condition regarding deliveries.

The Development Manager advised that the site formed part of a parade of shops in Hardingstone Conservation Area with a parking area to the front. The use was

considered to contribute to an appropriate mix in this location. No objections had been raised from consultees regarding the flue and refuse storage was proposed to the front. The parking requirements were considered comparable to the existing use and the Highway Authority raised no objection.

At the Chair's invitation, Mrs Duncan addressed the Committee and explained she lives opposite to the site. She expressed concerns that there is inadequate parking and expressed how dangerous the roads are and as a result stagecoach have stated that they may have to stop the bus service. With no rear access deliveries could have an impact. The use of the takeaway may also exacerbate the existing rat problem.

The Chair then called upon Councillor Perry Thomas to address the committee. He reiterated the huge concerns regarding parking and the possibility that stagecoach will cut off the village and raised concerns regarding rubbish.

Next the Chair called upon Councillor Nunn to address the Planning Committee. Councillor Nunn echoed the comments previously made and expressed concerns regarding the bottleneck and the lack of detail in the highways report. He urged that the application should be delayed until highways had properly considered the report.

Finally, the Chair invited Jabeer Miah to address the Committee. Mr Miah introduced himself as the solicitor on behalf of the agent. He explained there were plans for an Indian takeaway aimed at the local market and the applicant was willing to restrict the opening hours to reduce the impact on parking.

Members discussed the report.

RESOLVED:

That the application be **APPROVED** as recommendation and subject to the following:

Amended Condition 3 – refuse storage

Amendment to Condition 4 - opening hours from 5pm-11pm Mon-Sat

5pm-10pm on Sundays/Bank & Public Holidays

Additional Conditions:

Condition 7 – Delivery hours from the premises to accord with revised opening hours

Condition 8 – Delivery hours to the premises – to be agreed in consultation with the Chair and Head of Planning.

(D) N/2020/1272 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (SUI GENERIS) FOR 7 OCCUPANTS. 70 BOOTH MEADOW COURT

At the Chair's invitation, the Senior Planning Officer presented the application for 70 Booth Meadow Court for a change of use from a dwelling-house to a 7 occupant HIMO (Sui Generis). The proposed layout consisted of a large shared kitchen and lounge with double cookers and two sinks for the occupants. There would be one bedroom to the front of the property and a toilet with wash hand basin on the ground floor. On the first floor there would be two bedrooms and a communal shower room with a toilet and basin, and another large bedroom with an en-suite bathroom. On the second floor there would be three bedrooms two of which would share an additional

communal shower room and another larger bedroom with its own en-suite bathroom. In response to questions the Senior Planning Officer clarified that there was a 2.2% concentration.

Members discussed the report.

RESOLVED:

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

11. ITEMS FOR CONSULTATION

12. NORTHAMPTON PARTNERSHIP HOMES APPLICATIONS

(A) N/2020/1321 - SINGLE STOREY REAR EXTENSION TOGETHER WITH INTERNAL ALTERATIONS. 41 HARDY DRIVE

At the Chair's invitation, the Principal Planning Officer presented the application for 41 Hardy Drive which sought planning permission for the erection of a single storey pitched roof rear extension. Members attention was drawn to the addendum which included a correction to the description of development within the report. It was advised that the development would not have an unacceptable impact upon neighbouring amenity and was considered acceptable in design terms and officers recommended the application be approved.

Members discussed the report.

RESOLVED:

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

The meeting concluded at 19:15