

NORTHAMPTON BOROUGH COUNCIL

PLANNING COMMITTEE

Tuesday, 3 July 2018

PRESENT: Councillor Oldham (Chair); Councillor Lane (Deputy Chair);
Councillors Birch, Bottwood, Choudary, Kilbride, Kilby-Shaw, B
Markham, M Markham, McCutcheon, Russell and Smith

OFFICERS: Peter Baguley (Head of Planning), Rita Bovey (Development
Manager), Nicky Toon (Development Management Team Leader),
Adam Smith (Principal Planning Officer), Theresa Boyd (Planning
Solicitor), Ed Bostock (Democratic Services Officer)

1. APOLOGIES

Apologies for absence were received from Councillor Golby.

2. MINUTES

The minutes of the meeting held on 7th June 2018 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/2017/1479

Eli Pine
John Freeman

N/2018/0187

Ron Dean
Councillor Eldred
Councillor Eldred (on behalf of Councillor Larratt)
Dan Rosser
Emily-Jane Hanwell

N/2018/0447

Gary Owens

N/2018/0454

Councillor Davenport
Kathleen Mobbs

N/2018/0602

Gary Owens

N/2018/0616

Andy Oliver
Councillor Davenport
Stephen Casey

N/2018/0665

Amy Proud
Jane Lassiter
Councillor Stone
Paul Lever

N/2018/0743

Councillor Flavell
Keith Edmondson
Silvia Edmondson
Ifty Choudary

4. DECLARATIONS OF INTEREST/PREDETERMINATION

Councillor Bottwood declared a disclosable and pecuniary interest in items 7a, 10c and 10e as a board member of Northampton Partnership Homes (NPH).

Councillor Kilbride declared a disclosable and pecuniary interest in items 7a, 10c and 10e as a board member of NPH.

Councillor M Markham declared a disclosable and pecuniary interest in items 7a, 10c and 10e as a board member of NPH.

Councillor Choudary declared a personal and non-pecuniary interest in item 10h as the applicant was a family member and advised that he would leave the room whilst the item was discussed.

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

There were none.

(B) N/2018/0187 - DEMOLISH EXISTING BUILDINGS TO ENABLE THE DEVELOPMENT OF A THREE STOREY BUILDING TO ACCOMMODATE A 2 FORM ENTRY PRIMARY SCHOOL, 4 FORM ENTRY SECONDARY SCHOOL AND SIXTH FORM (USE CLASS D1) INCLUDING ASSOCIATED WORKS, CAR PARKING, BOUNDARY TREATMENT AND THE REFURBISHMENT OF THE EXISTING SPORTS PAVILION AND PROVISION OF SCHOOL PLAYING FIELDS. WOOTTON HALL POLICE HEADQUARTERS WOOTTON HALL PARK, MEREWAY

The Solicitor advised Members to disregard an email that had been circulated to Planning Committee members prior to the meeting since the standards complaint it referred to was still ongoing and asked that its content have no bearing on their decision.

The Principal Planning Officer submitted a report and elaborated thereon. Members' attention was drawn to the addendum which contained additional comments from local residents as well as Councillor Larratt and Eldred, and the Police Crime Prevention Design Adviser. An additional condition (Condition 25) was recommended to secure a warning system for police deployment. It was highlighted that Councillors Larratt and Eldred had circulated a further representation to Committee Members following the publication of the addendum relating to wildlife concerns. The Committee heard that as part of the development, improvements to the access road would take place to mitigate potential highway impacts, secured by Condition 9 in the report. An independent ecology assessment and bat survey had been undertaken and, whilst several protected trees would be removed, they would be replaced on a two for one basis. It was explained that the application had been updated with an amendment to the south boundary fencing, in order to ensure that the proposal did not prejudice the existing cricket pitch. It was further noted that the applicant planned to continue to allow community use of the sports facilities.

Ron Dean, a local resident, spoke against the application and stated that whilst he was not against a new school, he had concerns around highway safety due to the lack of a footpath on the east/west access road. He further highlighted that police vehicles currently parked along the east/west access road.

Councillor Eldred, speaking on behalf of Councillor Larratt as well as himself, spoke against the application and noted disappointment with the loss of open space. He stated that the situation in the area was dangerous for drivers and questioned whether the land used to house the temporary school would be returned to its former state once planning permission had expired. Councillor Eldred hoped that the cost to hire the sports facilities, should the application be approved, would be in line with NBC prices.

In response to questions, Councillor Eldred explained that a football pitch on the Racecourse could be hired for 90 minutes for approximately £23.

Dan Rosser, the school's principal, spoke in favour of the application and stated that there was a shortage of school places in the county and that the proposed development went some way to alleviate this issue. He stated that several inspections had yielded results of "excellent" and "outstanding" and that the school needed further resources and better accommodation to continue its high achievements. He advised that the sports facilities would continue to be used by locals and the school was committed to matching NBC prices.

In response to questions, Mr Rosser explained that the school would encourage, not prohibit, the use of the facilities by local communities, and reported that the pavilion would be available for lettings on evenings and weekends. He further explained that there would be a traffic management plan for the school and that the local residents would be able to use the footpaths through the car parks to provide a safe walking route. Mr Rosser stated that the school prided itself on communication; as part of the consultation process for the application an open event had taken place, as well as regular newsletters, monthly drop-in surgeries and social media communication with parents already occurring.

Emily-Jane Hanwell, a pupil at the school, spoke in favour of the application and commented that the ever-increasing population meant that the town was in need of more schools and educational facilities and the importance of children having a safe and secure environment in which to learn and grow.

The Principal Planning Officer highlighted comments within the report made by NCC Highways, which stated “pedestrians from the existing housing estate to the east will be able to access the footways through the car parks”. He further confirmed that a dedicated drop-off bay was included as part of the proposals.

In response to questions, the Committee heard that the school playgrounds would be secured and fenced off. There would be shared access to the site, as was the current situation. It was further explained that the provision of parking and a dropping-off bay would be secured by a condition.

Members discussed the report.

RESOLVED:

That the application be **APPROVED IN PRINCIPLE** subject to an S106 Agreement to secure highway contributions, construction worker training and monitoring fee, the conditions as contained within the report and **with additional Condition 25** in relation to a police deployment warning system.

6. LIST OF CURRENT APPEALS AND INQUIRIES

The Development Manager submitted a list of Current Appeals and Inquiries on behalf of the Head of Planning and elaborated thereon. She reported that 6 appeals, including an application for a change of use to HiMO for 7 occupants at 26 St Paul’s Road, had been dismissed. In respect of the aforementioned appeal, the Inspector gave weight to the Interim Planning Policy Statement (IPPS) in regard to the need for a balanced community. The Development Manager further reported that 3 appeals had been allowed; the Inspector had decided that an application for the conversion of a dwelling into 2 flats at 2 Elizabeth Walk would result in a comfortable living environment for future occupants. An appeal pertaining to 8 Loire Close resulted in a split decision with the Inspector determining that the garage extension would result in a dominant effect and dismissed it. However, the single and 2 storey rear extensions had been allowed.

In response to a question regarding national housing standards, the Committee were informed that they were a useful guide, but not adopted policies by the Council. However, as part of the Local Plan Part 2 preparation, consideration would be given to the inclusion of space standard policies.

RESOLVED:

That the report be noted.

7. OTHER REPORTS

(A) PLANNING APPLICATIONS FOR THE INSTALLATION OF NEW CAR PARK BARRIERS TO EXISTING CAR PARK AT SPRING BOROUGHS AND ST JAMES IN 7 DIFFERENT LOCATIONS

At this juncture Councillors Bottwood, Kilbride and M Markham left the room, having declared interests in items 7a, 10c and 10e.

The Development Manager submitted a report and elaborated thereon. For the purpose of expediency, Members were asked to delegate powers to the Head of Planning to determine the 7 current applications relating to the installation of barriers to car parks across St James and Castle wards. It was noted that all representations would be duly considered.

Members discussed the report.

RESOLVED:

The Committee **AGREED** to delegate decision making authority to the Head of Planning to determine the relevant planning applications as referred in the report.

(C) N/2018/0447 - DEVELOPMENT OF 4NO FLATS WITH ASSOCIATED PARKING AND REMOVAL OF EXISTING GARAGES. LOCK UP GARAGES, MEDWAY DRIVE

The Principal Planning Officer submitted a report and elaborated thereon. The Committee heard that cycle and refuse storage was to be secured by a condition and that the roof would be hipped, to be in keeping with the surrounding properties.

In response to questions, Gary Owens from Northampton Partnership Homes explained that part of the local Housing Officer's responsibility would be to monitor and manage parking on the development.

Members discussed the report.

RESOLVED:

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

(E) N/2018/0602 - CREATION OF 10NO PARKING SPACES WITH NEW FOOTPATHS. PARKING AREA, CHAPEL GREEN

The Development Manager submitted a report and elaborated thereon. The Committee heard that all of the trees onsite would be saved, and that the development would create higher quality and safer facilities for those using them.

In response to a question regarding permitted development, it was explained that planning permission was required due to the fact that the applicant was Northampton Partnership Homes, a Council housing management agent, and not the Council itself.

Members discussed the report.

RESOLVED:

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

8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS

There were none.

9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

There were none.

10. ITEMS FOR DETERMINATION

(A) N/2017/1479 - REFURBISHMENT AND EXTENSION OF EXISTING BUILDING (71-77B ABINGTON STREET), INCLUDING ADDITIONAL FLOORS ABOVE GROUND FLOOR RANGING IN HEIGHT FROM TWO TO FIVE STOREYS, 48NO RESIDENTIAL DWELLINGS (USE CLASS C3), CAR PARKING, LANDSCAPING, ASSOCIATED SERVICING, REFUSE STORAGE AND BICYCLE STORAGE. 71 - 77B ABINGTON STREET

Councillors Bottwood, Kilbride and M Markham re-joined the meeting.

The Development Management Team Leader submitted a report and elaborated thereon. Members' attention was drawn to the addendum which contained an amended Officer Recommendation and amended Condition 2. It was explained that the existing 2-storey building would be extended by a further 2 and 3 storeys; those additional levels would be set back from the front of the building with further extensions to the rear and some outdoor amenity space. The parking area would be gated so as to keep it separate from the retail units' service area. The canopy above the existing shops was proposed to be glazed. It was noted that a viability assessment had determined that the development would not be viable for the provision of affordable housing but would be liable for a CIL payment; an S106 Agreement would be completed to secure financial contributions towards CCTV in the town centre and construction worker training opportunities.

Eli Pine, representing the owners, spoke in favour of the application and commented that regeneration and high-density housing was one solution for the problem of declining town centres.

John Freeman, representing the owners, spoke in favour of the application and explained that the retail units would remain open for business whilst development took place. He commented that the proposal was a creative use of the available space and that it would bring people back into the town centre.

In response to questions, Mr Freeman advised that the flats would be put up for sale. He further advised that the retail spaces would remain "untouched and unpenetrated" as the development took place.

Members discussed the report.

RESOLVED:

That the application be **APPROVED IN PRINCIPLE** subject to an S106 Agreement to secure contributions on CCTV and construction training, with the conditions contained within the report and with **amended Condition 2**.

At this juncture, Councillor Kilbride left the meeting.

(D) N/2018/ 0454 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 4 OCCUPANTS. 94 ST LEONARDS ROAD

At this juncture Councillor Choudary left the room.

The Development Management Team Leader submitted a report and elaborated thereon. Members' attention was drawn to the addendum which contained further representations from local residents. It was noted that a previous application to change the use to a 5 bed HIMO was previously refused under delegated powers and that the applicants were in the process of appealing the decision. Members noted that should the application be approved, the concentration of HIMO properties in a 50m radius would be 5.2%. Whilst NCC Highways had objected to the application, officers deemed the location of the property sustainable, due to its close proximity to public transport links and shops.

Councillor Davenport, in her capacity as the Ward Councillor, spoke against the application and stated that the restrictive parking on St Leanords Road caused capacity problems for the surrounding streets, and that these problems would only be exacerbated once the nearby Tivoli development was complete.

Kathleen Mobbs, a local resident, spoke against the application and commented that the proposed development would cause significant overlooking and loss of privacy issues for her property. She further voiced concern over the potential increase in waste on the street and antisocial behaviour.

In response to questions, it was explained that should the application be approved and the appeal allowed, the applicant could choose to move forward with either proposal.

Members discussed the report.

A motion was proposed and seconded to approve the application. Upon a vote, the motion was lost.

RESOLVED:

That the application be **REFUSED** against the officer recommendation on parking and overlooking grounds for the following reasons:

- 1) Due to there being no residual parking capacity for vehicles in the area and the fact that the proposed change of use would generate a greater parking demand than the current lawful use, the proposed development would have a detrimental impact upon parking provision, highway safety and surrounding amenity contrary to Policy H5 of the West Northamptonshire joint Core

Strategy, saved Policy H30 of the Northampton Local Plan and the aims and objectives of the National Planning Policy Framework.

- 2) The proposed development would have a detrimental impact on the amenities of the adjoining occupiers at 96 St Leonard's Road due to overlooking of the house and garden area resulting from the proposed additional side facing window at first floor level. This is contrary to Policy S10 of the West Northamptonshire Joint Core Strategy, Policies E20 and H18 of the Northampton Local Plan, and the National Planning Policy Framework.

(F) N/2018/0616 - CONVERSION OF CURRENT MEMORIAL GARDEN SPACE INTO FULLY ENCLOSED MULTI USE GAMES AREA (MUGA). DELAPRE PRIMARY SCHOOL, ROTHERSTHORPE ROAD

Councillor Choudary re-joined the meeting.

The Development Manager submitted a report and elaborated thereon. The Committee heard that conditions were proposed to ensure that protective netting at the top of the MUGA be provided and limiting its use to weekdays between 8am and 6pm. It was noted that the site was 30m from the nearest property and in response to neighbour concerns regarding noise, the Development Manager confirmed that as the site fell within the school's curtilage, noise levels were not expected to increase significantly. It was explained that the site would be dug down to ensure that only 1m of fencing was visible from neighbouring properties on Briar Hill Road.

Andy Oliver, a local resident, spoke against the application and stated that residents' right to enjoy their gardens would be compromised for decades should the application be granted. He further stated that no consultation with locals had taken place and that several trees in the memorial garden, some of which were memorials themselves, had already been removed. Mr Oliver explained that residents felt like their genuine planning concerns had been ignored.

Councillor Davenport, in her capacity as the Ward Councillor, spoke against the application and commented that despite repeated requests, there had been no feedback from the school. She stated that an alternative location had been unduly disregarded by the school and that parking and traffic were potential dangers for children using a MUGA in the proposed location.

Stephen Casey, Deputy Headteacher at Delapre Primary School, spoke in favour of the application and explained that due to the school expanding in the last 6 years, there was a need to utilize every available space and that the location was easily accessible and close to a toilet block. He further advised that the school had no intention to hold events on the site outside of school times.

In response to a question, Mr Casey confirmed that some consultation had taken place but acknowledged that more could have been done.

The Development Manager advised that a formal consultation was carried out by the Council and that any covenant between the school and residents was a private matter and not a material consideration for the Planning Committee.

Members discussed the report and the possibility of restricting use of the MUGA to school term times to further ease noise concerns for nearby residents.

RESOLVED:

That the application be **APPROVED** subject to the conditions as set out in the report with **additional Condition 5** to request existing and proposed site levels and with **amended Condition 4** to restrict time to “school term times only”.

(G) N/2018/0665 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 5 OCCUPANTS. 17 VICTORIA ROAD

The Development Management Team Leader submitted a report and elaborated thereon. Members’ attention was drawn to the addendum which contained further representations from neighbours. The Committee heard that the bedroom sizes all met Private Sector Housing standards and that NCC Highways raised no objections to the application. It was noted that a condition was included to ensure that the basement would not be used as a bedroom at any time.

Amy Proud, a local resident, spoke against the application and stated that should the application be approved, the number of residents living on the street would increase, exacerbating existing parking and waste issues.

In response to questions, Ms Proud confirmed that she had passed details of suspected unlicensed HIMOs to the Council and to Ward Councillors. She explained that the parking situation was difficult despite a number of properties on the street being vacant.

Jane Lassiter, a local resident, spoke against the application and stated that the area had surpassed saturation and that despite assistance from the Planning Department, a number of her queries regarding unlicensed HIMOs had yet to be answered.

Councillor Stone, in her capacity as the Ward Councillor, spoke against the application and stated that the high number of HIMOs had resulted in an unbalanced community. She asked the Committee to defer the application until more accurate information regarding the number of HIMOs in the area could be ascertained.

Paul Lever, the owner and applicant, spoke in favour of the application and stated that whilst he sympathised with local residents, wished to reassure them and Members that he was a hands-on landlord with over 20 years’ experience. He advised that a cleaner would be hired on a twice-weekly basis and that a managing company would be monitoring the property and occupants.

Members discussed the report.

RESOLVED:

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

At this juncture Councillor Choudary left the meeting.

**(H) N/2018/0743 - TWO STOREY SIDE AND REAR EXTENSIONS. 18
TANFIELD LANE**

The Principal Planning Officer submitted a report and elaborated thereon. Members' attention was drawn to the addendum which contained further comments from neighbours. The Committee were informed that a condition was proposed to require that the first floor bathroom window be glazed, to protect the privacy of a neighbouring property.

Councillor Flavell, in her capacity as the Ward Councillor, spoke against the application and detailed that the extension would be out of character with the area and adversely affect the amenity of the neighbouring property. In addition, concerns were raised that this was the third application on the site and would set a precedent for future applications.

Keith Edmondson, of a neighbouring property, spoke against the application and stated that the proposed extensions would increase light in the property to the detriment of his. He further stated that due care and attention had not been taken by officers whilst processing the application.

Silvia Edmondson, of a neighbouring property, spoke against the application and voiced concerns that the property would be the largest on the road and regarding potential damage to her property with the digging of new foundations. She commented that the applicant could have chosen to extend the property to the rear instead of the front, suggesting that this would show willingness to co-operate with existing residents.

Ifty Choudary, the owner and applicant, spoke in favour of the application and explained that in order to reach a compromise with neighbours, the plans had been amended several times. He stated that the property would not be out of character with others nearby.

Members discussed the report.

RESOLVED:

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

**(I) N/2018/0771 - CONTINUE TEMPORARY USE OF LAND FOR CAR
PARKING TO SERVE 56-60 ST MICHAEL'S ROAD. 23 CHAPEL PLACE**

The Development Manager submitted a report and elaborated thereon. The Committee heard that NCC Highways had not objected to the continued use of the land as a car park and that no further representations had been made. It was noted that there was a typographical error within Condition 1 in the report.

Members discussed the report.

RESOLVED:

That the application be **APPROVED** subject to the conditions and reasons as set out in the report with **amended Condition 1** to refer to “1st July 2021”.

11. ENFORCEMENT MATTERS

There were none.

12. ITEMS FOR CONSULTATION

There were none.

The meeting concluded at 9:05 pm