

NORTHAMPTON BOROUGH COUNCIL

PLANNING COMMITTEE

Tuesday, 4 July 2017

PRESENT: Councillor Oldham (Chair); Councillor Lane (Deputy Chair);
Councillors Birch, Davenport, Golby, J Hill, Kilbride, Kilby-Shaw, B
Markham, M Markham, McCutcheon and Smith

OFFICERS: Peter Bagueley (Head of Planning), Nicky Toon (Development
Management Team Leader), Ben Clarke (Principal Planning Officer),
Theresa Boyd (Planning Solicitor), Ed Bostock (Democratic Services
Officer)

1. APOLOGIES

Apologies for absence were received from Councillor Choudary.

2. MINUTES

The minutes of the meeting held on 13th June 2017 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/2017/0172

Councillor Beardsworth

N/2017/0449

Thomas Laight
Christine Lack

N/2017/0466

John Bright
Jill Harris
Wes Boswell
Jacqueline Abbott

N/2017/0589

Councillor Smith
Councillor Stone

4. DECLARATIONS OF INTEREST/PREDETERMINATION

Councillor Kilbride declared a personal non-pecuniary interest in item 10b by virtue of
being a board member of Northampton Partnership Homes.

Councillor M Markham declared a personal non-pecuniary interest in item 10b by virtue of being a board member of Northampton Partnership Homes

Councillor Davenport declared a personal non-pecuniary interest in item 10c by virtue of being the ward councillor.

Councillor Kilby-Shaw declared a personal non-pecuniary interest in item 10a by virtue of being the ward councillor and advised that he would leave the meeting when this item was being heard.

Councillor Smith declared a personal non-pecuniary interest in item 10e by virtue of being the ward councillor and advised that she would be speaking on the application, then leaving the meeting.

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 Management Team Leader submitted a List of Current Appeals and Inquiries and elaborated thereon. Members were informed that Application number N/2016/0783 had been allowed at appeal. The application was refused under delegated powers on parking grounds but the Inspector considered as the proposal allowed for a provision of 3 on-site parking spaces, the location was well served by public transport and that car ownership is generally low amongst HIMO residents, the application was acceptable.

7. OTHER REPORTS

(A) LOCAL VALIDATION REQUIREMENTS 2017

The Principal Planning Officer submitted a report on behalf of the Head of Planning and elaborated thereon. Members were informed that the Local Validation Requirements stipulated the minimum information that a planning application should contain. Developers benefitted from this as information would be readily available, and therefore they could prepare the required information in advance of submitting a planning application. Local Planning Authorities would also receive the required information up front, meaning that timely decisions could be made. Officers were required to revise the Local Validation Requirements every 2 years. The documents had been reformatted to make them as user-friendly as possible and further amendments had been made to reflect changes in local circumstances and changes to planning policy. The revised validation requirements had been subject to external consultation and some amendments had been made following this process.

RESOLVED:

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

8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS

There were none.

9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

There were none.

10. ITEMS FOR DETERMINATION

(A) N/2017/0172 - SINGLE STOREY FRONT EXTENSION, FIRST FLOOR FRONT EXTENSION, AND REAR DORMER. 44 ST JOHNS AVENUE

At this juncture of the meeting Councillor Kilby-Shaw left the room, having declared a personal non-pecuniary interest in the item.

The Development Management Team Leader submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. Members' attention was drawn to the addendum, which contained a letter of support. Mention was also made of an extension to the adjoining property but officers deemed that the proposed extension would significantly overbear and overshadow no. 42 St Johns Avenue contrary to policy and guidance.

Councillor Beardsworth addressed the Committee. She stated that with the addition of a new child last year, the applicants, now with 5 children, had outgrown their home. They had good relations with their neighbours who wanted the family to stay, hence the letter of support from no. 42. She further commented that regarding the "45 degree rule" the property would only impact the neighbouring property's kitchen. The applicants felt that their house was pushed back in relation to the neighbouring properties and that the proposal was not dissimilar to the adjoining property's extension.

Members discussed the report.

RESOLVED:

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

The development proposed would by virtue of its siting, scale and mass, result in an unacceptable impact on the adjoining neighbouring property (number 42 St. Johns Avenue) in terms of overbearing and overshadowing to the detriment of residential amenity contrary to the aims and objectives of the National Planning Policy Framework, Policies H18 and E20 of the Northampton Local Plan and the Council's Residential Extensions and Alterations Design Guide Supplementary Planning Document.

Councillor Golby joined the meeting at this point.

(B) N/2017/0449 - SINGLE STOREY BUNGALOW EXTENSION. KELMSCOTT CLOSE

At this juncture of the meeting Councillors Kilbride and M Markham left the room, having both declared personal non-pecuniary interests as board members of Northampton Partnership Homes.

Councillor Kilby-Shaw re-entered the room.

The Principal Planning Officer submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. Members heard that the proposed development would not lead to any undue impact on light or privacy and no objections had been raised from the Highways authority; the site being on Northampton Borough Council owned land was the only reason the item was being brought before the Committee.

Thomas Laight, of a neighbouring property, addressed the Committee. He voiced concerns about access; the only path leading to the development site was very narrow and he questioned how construction vehicles would navigate the area. He further noted concerns about security, noise and debris, stating that a number of the residents in the area were elderly or disabled.

Responding to questions, Mr Laight stated that he did not oppose the extension, only the inconvenience that the construction of it would cause himself and his neighbours.

Christine Lack, of a neighbouring property, addressed Members, voicing parking concerns. She stated that there were 2 properties to every parking space in the area. She noted that a number of the residents were blue badge holders, some residents had carers coming and going throughout the day and that there were usually ambulances arriving every 2-4 weeks.

In response to questions to officers, Members heard that the construction process was likely to be short by reason of the scale of the construction process. As a consequence, a condition covering the hours in which construction works could take place would be unduly onerous. Furthermore, matters of access to the site during the build process were for the developer to resolve. The Head of Planning commented that the developer was Northampton Partnership Homes and that they were bound by the Considerate Contractors scheme.

Members discussed the report.

RESOLVED:

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

The proposed development due to its siting, design and scale would not result in any adverse impact on the character of the existing dwelling and wider area or adjacent residential amenity. The proposed development would accord with the Policies H18 and E20 of the Northampton Local Plan, Policy S10 of the West Northamptonshire Joint Core Strategy, the Council's Residential Extensions and Alterations Design Guide and the aims and objectives of National Planning Policy Framework.

(C) N/2017/0466 - CHANGE OF USE FROM THREE BEDROOM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR FOUR OCCUPANTS. 105 SOUTHAMPTON ROAD

Councillors Kilbride and M Markham re-entered the room.

The Principal Planning Officer submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. Members' attention was drawn to the addendum and also highlighted that two further objections had been received. The Committee heard that it was the position of officers that there were no other HIMO properties in the area. This was based upon evidence that the Council holds, which includes records on the granting of planning permissions and licences. However, were it the case that addresses mentioned by objectors were operating as HIMOs, concentration would still be under capacity at 8.9%. It was noted that a number of recent applications that had been refused on parking grounds had been allowed at appeal, showing that the Inspectors gave weight to the location of local amenity and public transport links.

John Bright of Southampton Road addressed the Committee. He stated that in his area on the street, there were 17 HIMO properties out of 50, making the concentration of shared houses more than 30%. He voiced major parking concerns, commenting that people were parking on double-yellow lines, on junctions and double-parking. Foreign residents and students who might not know NBC refuse policies were cited as reasons for the refuse and fly-tipping issues the street suffered with. Mr Bright stated that social cohesion could not happen with the high number of transient residents in the area.

In response to questions, Mr Bright informed the Committee that he had been a resident of Southampton Road for 5 years and the parking and refuse issues had been exacerbated in the last 3. He also stated that he looked at HIMOs in his area of the street, not a 50m radius around the application site.

Jill Harris of Southampton Road addressed the Committee, stating that antisocial behaviour had increased along with the increase in HIMO properties to the point where the Police had been called on numerous occasions. She voiced concerns around refuse, fly tipping and parking, noting that on two occasions, ambulances could not access the street due to the number of cars parked there.

Wes Boswell, the owner of the property, addressed the Committee, stating that he wished to address residents' two main objections: parking and refuse. He informed the Committee that he had carried out his own parking survey which showed that there were numerous spaces available throughout the day. He also quoted statistics that showed that car ownership was generally low amongst students. He would be providing bicycle storage to the rear of the property along with waste storage, and would be advising any tenants to call him if more than 2 green refuse sacks were to be put out on collection day so he or an associate could remove them, eliminating excess street waste.

In response to questions, Mr Boswell said that he would have no issue implementing a rule prohibiting car users from renting rooms in the property. This was his first HIMO application and had not felt he needed to impose such a rule on the other properties he rented out. He also stated that he and his wife, who both ran the business, had personal relationships with all of their tenants and that it was their practice to give neighbours of their properties his phone number, so they were reachable if any issues arose.

Jacqueline Abbott, a local resident and landlord, addressed the Committee. She had lived in Delapre for 15 years, owned 4 properties in Far Cotton and was a regular attendee at local residents' association meetings. She stated that the increase in HIMOs was nothing more than supply and demand and that the objectors would do better spending their time scrutinising the existing unlicensed HIMOs in the area.

Responding to questions, Mrs Abbott agreed that overcrowding could happen in a HIMO that wasn't checked, but noted that her properties were checked regularly.

The Head of Planning clarified that Article 4 only applied to new HIMO applications, not to properties that had already been converted.

Members discussed the report.

RESOLVED:

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

The proposed development is considered acceptable in principle as it would not result in an overconcentration of similar uses within the vicinity of the site, would provide adequate facilities for future occupants and would not be at risk from flooding. Notwithstanding existing parking conditions in the local area, the site is in a sustainable location close to a Local Centre, bus services and amenities and would provide adequate facilities for cycle storage and refuse storage. The proposal thereby complies with Policies H1, H5 and S10 of the West Northamptonshire Joint Core Strategy, saved Policies E20 and H30 of the Northampton Local Plan, the Council's Houses in Multiple Occupation Interim Planning Policy Statement (IPPS) and the aims and objectives of the National Planning Policy Framework.

(D) N/2017/0557 - LISTED BUILDING APPLICATION FOR DEMOLITION OF EXISTING CHANGING ROOM FACILITIES AND INSTALLATION OF AND RECONFIGURATION OF THE SWIMMING POOL CHANGING FACILITIES. MOUNTS BATHS, UPPER MOUNTS

The Development Management Team Leader submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. The Committee heard that the application sought to reconfigure the changing rooms to comply with Sport England requirements and that the development would cause no harm to the character of the building.

Members discussed the report.

RESOLVED:

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

The proposed works would not harm the character and significance of this Grade II Listed Building and as a consequence the proposal is compliant with the requirements of the National Planning Policy Framework; Policies S10 and BN5 of

the West Northamptonshire Joint Core Strategy and Policy 1 of the Northampton Central Area Action Plan.

(E) N/2017/0589 - CHANGE OF USE FROM DWELLING (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 5NO OCCUPANTS. 21 FLORENCE ROAD

At this juncture of the meeting, Councillor Smith moved to public seating.

The Principal Planning Officer submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. Members' attention was drawn to the addendum, in which further comments had been received from the applicant. The Committee were informed that the property already had planning permission for a change in use to a 4-bed HIMO; this application would see the upstairs double bedroom used for 2 people.

Councillor Smith addressed Members as the ward councillor for Abington. She stated that with the recent appeal decisions, it seemed like the Planning Committee were being held hostage by the Inspectors. She further stated that public safety was being infringed; there were so many cars parked on the roads that people could not easily see what they were walking into.

Councillor Smith then left the meeting.

Councillor Stone addressed the Committee as a resident of Abington. She noted that the original application was made 2 years ago under different circumstances and was not satisfied that the Planning Committee had enough information to make a proper judgement so asked that the item be deferred to a future Planning Committee. Councillor Stone said that families were being evicted from their homes so that they could be turned into HIMOs and in doing so, caused the families undue unhappiness and distress. She stated that the area had become unbalanced; there was a lack of social cohesion and a rise in antisocial behaviour and that due to the lack of parking, near-fatal accidents happened all of the time.

In response to questions to officers, the Committee were informed that the existing application would expire in 2018. They also heard that should this application fail, the applicant could fall back onto the existing one.

RESOLVED:

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

The proposed development is considered acceptable in principle as it would not result in an overconcentration of similar uses within the vicinity of the site, would provide adequate facilities for future occupants and would not be at risk of flood. Notwithstanding existing parking conditions in the area, the site is in a very sustainable location close to a Local Shopping Centre and bus stops on Wellingborough Road and local amenities, and would provide adequate facilities for cycle storage and refuse storage. The proposal thereby complies with Policies H1, H5 and S10 of the West Northamptonshire Joint Core Strategy, Policies E20 and H30 of the Northampton Local Plan, the Council's Houses in Multiple Occupation

Interim Planning Policy Statement (IPPS) and the aims and objectives of the National Planning Policy Framework.

11. ENFORCEMENT MATTERS

There were none.

12. ITEMS FOR CONSULTATION

There were none.

13. EXCLUSION OF PUBLIC AND PRESS

The Chair moved that the Public and Press be excluded from the remainder of the meeting on the grounds that there was likely to be disclosure to them of such categories of exempt information as defined by Section 100(1) of the Local Government Act 1972 as listed against such items of business by reference to the appropriate paragraph of Schedule 12A to such Act.

The Motion was Carried.

The meeting concluded at 8:26 pm