

NORTHAMPTON BOROUGH COUNCIL

PLANNING COMMITTEE

Tuesday, 23 October 2018

PRESENT: Councillor Oldham (Chair); Councillor Lane (Deputy Chair);
Councillors Birch, Bottwood, Choudary, Golby, Kilbride, McCutcheon,
Meredith, Russell and Smith

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

1. APOLOGIES

Apologies for absence were received from Councillors Kilby-Shaw and M Markham. It was announced that Councillor Lane would be arriving late.

2. MINUTES

The minutes of the meeting held on 25th September 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 were granted leave to address the Committee:

N/2016/1593

Neil Rowley

N/2017/1653

William Jacobs

N/2018/0390

Councillor Davenport
Jaqueline Abbott

N/2018/0664

Councillor Davenport
Tony Brogan
Pat Dooley

N/2018/0980

Councillor Davenport
Paul Smith

N/2018/1149

Councillor Smith
Pat Dooley

N/2018/1215

Councillor Smith
Lucy Warner
Barry Waine

N/2018/1229

Councillor Davenport
Elizabeth Pryer
Barry Waine

N/2018/1315

William Jacobs

4. DECLARATIONS OF INTEREST/PREDETERMINATION

Councillor Kilbride declared a disclosable and pecuniary interest in respect of items 10b and 10k as a board member of Northampton Partnership Homes (NPH).

Councillor Birch declared a disclosable and pecuniary interest in respect of item 10a as a governor of All Saints Primary School.

Councillor Meredith declared a personal and non-pecuniary interest in respect of item 10b as the Ward Councillor.

Councillor Smith declared a predetermination in respect of items 10g and 10h and advised that she would leave the room after addressing the Committee on the two items.

Councillor Bottwood declared a disclosable and pecuniary interest in items 10b and 10k as a board member of Northampton Partnership Homes (NPH).

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 Head of Planning. The Committee heard that the appeal relating to 35 Hunter Street was allowed, with the inspector concluding that not all future occupants would be drivers and that the property was in a sustainable location. An appeal relating to 20 Southampton Road was dismissed; the Inspector agreed with the Planning Committee that there was no residue parking in the area and the development would result in an unacceptable increase in highway danger.

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

(A) N/2018/1133 - NEW PRE MANUFACTURED GRP SUB STATION ADJACENT TO THE EXISTING SUB STATION AT THE FORMER CONSTABULARY OFFICES. SUB STATION, ANGEL STREET

The Development Manager submitted a report and elaborated thereon. Members' attention was drawn to the addendum which contained further comments from the NBC Conservation Team. The Committee heard that the development was considered small scale and did not warrant its own out-building.

Members discussed the report.

RESOLVED:

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

(B) N/2018/1218 & N/2018/1219 - VARIATION OF CONDITION 2 OF PLANNING PERMISSION N/2016/1428 TO REMOVE THE INTERNAL WALLS OF VICTORIAN WORKSHOPS AND PARTIAL DEMOLITION OF WALLS TO FORM NEW OPENINGS IN GUILDHALL ROAD BLOCK. ENTRANCES TO FETTER STREET STORES TO BE RATIONALISED AND NEW FACADE ELEMENTS INCLUDED, REMOVAL OF DISUSED LINTELS ETC. ALL EXISTING ELEMENTS TO BE REPAIRED AND REFURBISHED WHERE NECESSARY. AMENDMENTS TO ALLOW FOR VARIOUS EXTERNAL AND INTERNAL RE-ARRANGEMENTS AND TO CHANGE USE SOLELY FOR CREATIVE INDUSTRIES AND SMALL TO MEDIUM BUSINESS ENTERPRISES; AND LISTED BUILDING APPLICATION FOR AMENDMENTS TO N/2016/1388 TO REMOVE INTERNAL WALLS OF VICTORIAN WORKSHOPS AND PARTIAL DEMOLITION OF WALLS TO FORM NEW OPENINGS IN GUILDHALL ROAD BLOCK. ENTRANCES TO FETTER STREET STORES TO BE RATIONALISED AND NEW FACADE ELEMENTS INCLUDED, REMOVAL OF DISUSED LINTELS ETC. ALL EXISTING ELEMENTS TO BE REPAIRED AND REFURBISHED WHERE NECESSARY) TO ALLOW FOR INTERNAL AND EXTERNAL AMENDMENTS T

The Development Manager submitted a report and elaborated thereon. Members were asked to note that 2 decisions would need to be made. The Committee heard that planning permission was granted in 2017 to create the University of Northampton's Institute for Creative Leather Technology & Leather Conservation

Centre, however this had since been relocated. The proposed scheme would be a minor alteration to the original so as to be suitable to let to others.

Members discussed the report.

RESOLVED:

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

- (C) N/2018/1220 - VARIATION OF CONDITION 2 OF PLANNING PERMISSION N/2016/1425 (NEW 4 STOREY BUILDING TO PROVIDE SHARED OFFICE SPACE AND UNIT ROOMS FOR CREATIVE NEW SMALL AND MEDIUM-SIZED ENTERPRISES (SMES)) TO ALLOW FOR MINOR EXTERNAL ALTERATIONS INCLUDING PASSENGER LIFT OVERRUN TO ROOF. LINNELLS MOTORS, FETTER STREET**

The Development Manager submitted a report and elaborated thereon. The Committee heard that the developer wanted to include a lift in the development; this was not considered by Officers to have an undue impact on the conservation area.

Member discussed the report.

RESOLVED:

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

10. ITEMS FOR DETERMINATION

- (A) N/2016/1593 - VARIATION OF CONDITION 6 OF N/2014/0475 (OUTLINE PERMISSION FOR THE DEMOLITION OF THE EXISTING UNIVERSITY FACILITIES AND ERECTION OF NEW BUILDINGS COMPRISING RESIDENTIAL ACCOMMODATION (USE CLASS C3) OF UP TO 800 UNITS) TO AMEND WORDING OF CONDITION TO ENSURE THE PROVISION OF AN AVERAGE OF TWO PARKING SPACES PER DWELLING (UP TO A MAXIMUM OF 800 DWELLINGS). UNIVERSITY OF NORTHAMPTON PARK CAMPUS, BOUGHTON GREEN ROAD**

The Principal Planning Officer submitted a report and elaborated thereon. Members' attention was drawn to the addendum which corrected an error within the report. In addition, the Committee heard that the variation of condition application sought to amend the number of parking spaces provided as part of the development and would result in a new planning permission. The consequence of this new planning permission would be a need for a new Section 106 Legal Agreement, which would also allow for the consolidation of three previous legal agreements into one document

It was noted that the applicant has submitted a revised viability assessment, which had been the subject of an independent appraisal on behalf of the Council. . The found that the viability of the scheme has diminished, but the applicant has offered to keep the affordable housing and education contributions unchanged, with only the purchase price excess (a payment that could be utilised for education, healthcare,

open space or off site affordable housing at the Council's discretion) reduced and replaced by a single contribution. Depending on viability, an additional payment may be made when the land currently used for student accommodation comes forward for redevelopment (which could also be utilised for education, healthcare, open space or off site affordable housing)

Neil Rowley, the agent on behalf of the applicant, spoke in favour of the application and stated that this application corrected a deficiency in the original submission and that it had been tested by an independent assessor.

In response to a question relating to garages, Mr Rowley advised that they would be a matter for the developer that chose to build the homes.

The Head of Planning explained to Members that there was a need to balance the delivery of housing and the positive impact the university was having with the S106 contribution loss.

In response to further questions, it was explained that highway mitigation had been previously agreed at Planning Committee.

Members discussed the report.

RESOLVED:

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

(C) N/2018/0390 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 4 OCCUPANTS. 43 CLINTON ROAD

The Principal Planning Officer submitted a report and elaborated thereon. Members' attention was drawn to the addendum which contained an amendment to Condition 3. The Committee heard that the property lay within Flood Zones 2 and 3; and to mitigate flood risks the front room was set 3 steps higher than the other ground floor rooms. It was noted that there had been no objections from NCC Highways and that the rooms all complied with Private Sector Housing standards.

Councillor Davenport, as the Ward Councillor, spoke against the application and stated that there was insufficient parking provision to facilitate the development.

Jacqueline Abbot, the applicant and owner, spoke in favour of the application and commented that the Waterside university campus cannot meet demand for accommodation for students. She maintained that student HIMO's were having a positive parking impact and further stated that she and her husband undertook monthly visits at all of their properties, attended landlord meetings and residents' association meetings to continue to ensure that any concerns could be addressed promptly.

Members discussed the report.

RESOLVED:

That the application be **APPROVED** subject to the conditions and reasons as set out in the report and the addendum, with amended Condition 3.

(D) N/2018/0664 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 5 OCCUPANTS. 9 TOWCESTER ROAD

The Principal Planning Officer submitted a report and elaborated thereon. Members' attention was drawn to the addendum which contained further comments from Private Sector Housing. The Committee heard that the property sat within Flood Zones 2 and 3; due to this, no bedrooms were proposed on the ground floor. It was noted that there had been no objections from NCC Highways and that should the application be approved, the concentration of HIMO properties in a 50m radius would be 13.2%.

Councillor Davenport, as the Ward Councillor, spoke against the application and commented that the potential number of occupants would increase despite the number of habitable rooms decreasing and suggested that the Council's data regarding nearby HIMOs was incorrect.

Tony Brogan, a local resident, spoke against the application and voiced concerns around parking, stating that the area had seen an influx of student parking. He further stated that antisocial behaviour in the area was prevalent at the weekends, and that HIMOs were not spread evenly throughout the town.

In response to a question, Mr Brogan explained that he had occasionally had to call Anglian Water to resolve sewage issues, since the sewage from several nearby properties, some of them HIMOs, ran underneath his property.

Pat Dooley, the agent on behalf of the applicant, spoke in favour of the application and commented that the property was located within a sustainable location and noted that there had been no objections from NCC Highways or Private Sector Housing.

In response to a question relating to sewage, Mr Dooley advised that no plumbing works were proposed.

Members discussed the report.

RESOLVED:

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

(E) N/2018/0980 - VARIATION OF CONDITION 3 OF PLANNING PERMISSION N/2017/0999 (CHANGE OF USE FROM DWELLING (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 3 OCCUPANTS) TO INCREASE THE TOTAL NUMBER OF OCCUPANTS TO 4. 145 EUSTON ROAD

The Principal Planning Officer submitted a report and elaborated thereon. The Committee heard that the proposal sought to split the downstairs living room to

provide an additional bedroom. It was noted that the proposed development complied with the IPPS, had received no objections from Private Sector Housing and that although NCC Highways had objected to the application, the property sat within a sustainable location.

Councillor Davenport, as the Ward Councillor, spoke against the application and pointed out that the previous application for 3 occupants received no objections and suggested that this variation was the applicant's way of bypassing planning policy. She suggested that the Planning Committee should be consistent in terms of highway objections and refuse the application.

Paul Smith, the agent on behalf of the applicant, spoke in favour of the application. He stated that students tended to move into a house in pairs and that the extra bedroom would make the property viable; advising that the previous HIMO planning permission had not been implemented because the applicant cannot find a group of three students to occupy the property. He noted that a flood risk management plan had been completed and that the objection from NCC Highways was mitigated by the property's location.

Responding to a question, Mr Smith explained that the landlord had been having difficulty renting the property out as it stood and suggested that NCC Highways were looking at Far Cotton as a whole when writing their objection since he did not personally see the application as "severe".

Responding to a question relating to Private Sector Housing's comments, it was explained that the building exceeded minimum thresholds. It was further explained that concentration of HIMOs was not a material consideration as the property was already classed as such.

The Principal Planning Officer requested that Members impose a time limit for works to be implemented, by way of a condition, should planning permission be forthcoming.

The Head of Planning reported that Loughborough University had recently undertaken a piece of work relating to the impact of HIMOs across the town and that Officers would soon be looking to amend the IPPS, subject to consultation.

Members discussed the report.

RESOLVED:

That the application be **APPROVED** subject to the conditions and reasons as set out in the report, with an additional Time Condition.

(F) N/2018/1085 & N/2018/1236 - CHANGE OF USE FROM RETAIL (USE CLASS A1) TO GIN & TONIC BAR (USE CLASS A4) AND ADVERTISEMENT CONSENT APPLICATION FOR A NON-ILLUMINATED HANGING SIGN. 21 ST GILES STREET

The Principal Planning Officer submitted a report and elaborated thereon. Members' attention was drawn to the addendum which contained further representations from NCC Highways and conservation groups. The Committee heard that the proposed

development would bring a long-vacant building back into use, and that the sign proposed to be situated above the window would not appear unduly prominent as historically there was a sign in this location.

Members discussed the report.

RESOLVED:

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

(G) N/2018/1149 - CHANGE OF USE FROM DWELLING (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION FOR 5 OCCUPANTS (USE CLASS C4). 109 LEA ROAD

At this juncture Councillor Smith moved to public seating.

The Development Manager submitted a report and elaborated thereon. Members' attention was drawn to the addendum which contained additional neighbour objections. The Committee heard that no external works were proposed, the basement would be used for storage and that should the application be approved, the concentration of HIMOs in a 50m radius would be 11.5%.

Councillor Smith, as the Ward Councillor, spoke against the application and voiced concerns around waste and parking, explaining that non-residents used the area to park. She stated that a sustainable location was not tantamount to people working close by or using public transport.

After addressing the Committee, Councillor Smith left the room for the remainder of the discussion.

Pat Dooley, the agent on behalf of the applicant, spoke in favour of the application and stated that the proposed number of bedrooms had been reduced from the original application, and that car ownership would not be dissimilar to a family home.

In response to a question, Mr Dooley reported that the applicant managed their other properties well and was in frequent communication with neighbouring properties.

Members discussed the report.

RESOLVED:

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

(H) N/2018/1215 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (SUI GENERIS) FOR 8 OCCUPANTS TO INCLUDE DEMOLITION OF REAR DETACHED GARAGE AND PROVISION OF DRIVEWAY AND ALTERATION TO LIGHTWELL WINDOWS. 121 HOLLY ROAD

Councillor Smith re-joined the meeting and sat in the public gallery.

The Development Manager submitted a report and elaborated thereon. Members' attention was drawn to the addendum which contained an additional objection. The Committee heard that the 2 parking spaces to the rear of the property would be served by a private road, the basement would be used as a lounge/diner and that all bedrooms would be en suite. Minor alterations to the lightwell were proposed and a double door would be added to the kitchen's side elevation. It was noted that should the application be approved, the concentration of HIMO's in a 50m radius would be 5.7%.

Councillor Smith, as the Ward Councillor, spoke against the application and stated that parking in the area was already a well-established problem, being in close proximity to the mosque.

Having addressed the Committee, Councillor Smith left the room for the remainder of the discussion.

Lucy Warner, a local resident, spoke against the application and advised that there were unlicensed HIMO's in the area. She stated that whilst rear gardens were supposed to be used to store waste, in reality many HIMO occupants simply left it at the front of the houses, on the street. She further stated that there was no residual parking capacity and that often the service road to the rear of the street was blocked.

Barry Waine, the agent on behalf of the applicant, spoke in favour of the application and stated that the application complied with the Council's IPPS. He advised that the agent encouraged occupants to cook and spend time together and noted that as well as providing parking spaces, the property sat within a sustainable location.

Members discussed the report.

RESOLVED:

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

(I) N/2018/1229 - ERECTION OF 2NO ONE BEDROOMED DWELLINGS AND PARKING AREA (DEVELOPMENT FRONTING THORPE ROAD). 10 DELAPRE CRESCENT ROAD

At this juncture Councillor Smith re-joined the meeting.

The Principal Planning Officer submitted a report and elaborated thereon. The Committee heard that conditions had been included to ensure the upper rear windows be fixed closed and glazed to ensure neighbouring privacy, and to ensure that the buildings could not be further extended. It was noted that previous applications for the site had been refused, however this application site for the current proposal was larger due to the inclusion of a neighbouring garden.

Councillor Davenport, as the Ward Councillor, spoke against the application and voiced concerns around parking. She explained that residents felt like their voices were not being heard when they made objections.

Elizabeth Pryer, a local resident, spoke against the application and commented that parking on the street was difficult due to the amount of dropped kerbs and that this would be further reduced by the proposal. She further commented that the development would block light and may cause damage to her property.

Barry Waine, the agent on behalf of the applicant, spoke in favour of the application and commented that a dropped kerb would be moved, and not added, so the parking situation would not be worsened. Mr Waine further commented that the properties would conform to the surrounding buildings with matching materials.

Members discussed the report.

RESOLVED:

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

(J) N/2018/1276 - CHANGE OF USE OF GROUND FLOOR SHOP (USE CLASS A1) TO RESTAURANT (USE CLASS A3) TO MERGE WITH NOS. 50-54 ST GILES STREET (RETROSPECTIVE). 44 - 46 ST GILES STREET

The Principal Planning Officer submitted a report and elaborated thereon. The Committee heard that the 2 units would be merged into one to create a restaurant that would share kitchen facilities and refuse storage.

Members discussed the report.

RESOLVED:

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

(L) N/2018/1346 - PROPOSED FASCIA SIGNS, POSTER SIGNS AND WINDOW GRAPHICS TO EXISTING SHIP UNIT. 2 LITTLE CROSS STREET

The Development Manager submitted a report and elaborated thereon. The Committee heard that the application would have been dealt with under delegated powers had the site not been on Council owned land.

Members discussed the report.

RESOLVED:

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

11. ENFORCEMENT MATTERS

There were none.

12. ITEMS FOR CONSULTATION

(A) N/2018/1274 - HYBRID APPLICATION COMPRISING: A FULL APPLICATION FOR THE ERECTION OF RETAIL UNITS, RESTAURANT

UNITS, OFFICE FLOORSPACE, PHYSIOTHERAPY/LEISURE FLOORSPACE, ANCILLARY STORAGE FLOORSPACE, (WITH ASSOCIATED SITE CLEARANCE, EARTHWORKS, SITE LEVELLING AND FORMATION OF BANKS) TOGETHER WITH PROPOSALS FOR ACCESS, FOOTPATHS, PARKING AND SERVICING SPACE, HARD AND SOFT LANDSCAPING, DRAINAGE WORKS, ATTENUATION PONDS AND OTHER ASSOCIATED WORKS AND AN OUTLINE APPLICATION FOR THE ERECTION OF EMPLOYMENT UNITS AND RETAIL UNITS WITH SOME MATTERS RESERVED (LAYOUT, SCALE, APPEARANCE). PLUS CONSTRUCTION OF A NEW LINK ROAD BETWEEN DITCHFORD ROAD AND RUSHDEN LAKES (WITH ASSOCIATED SITE CLEARANCE AND EARTHWORKS) ALONGSIDE JUNCTION WORKS, FOOTPATHS, CYCLEWAYS, LIGHTING, HARD AND SOFT LANDSCAPING AND ASSOCIATED WORKS - CONSULTATION BY EAST NORTHAMPTONSHIRE COUNCIL. LAND WEST OF RUSHDEN LAKES, DITCHFORD LANE, RUSHDEN

The Principal Planning Officer submitted a report and elaborated thereon. The Committee heard that the Officer recommendation was to raise an objection due to the impact the development would have on the viability and vitality of Northampton town centre and also seek the call in of the application by the Secretary of State.

In response to a question, Members were informed that NBC were not the only authority consulted on the application and that it could be considered at a Public Inquiry if NBC were successful in seeking the call in of the application.

Members discussed the report.

RESOLVED:

That the Council **RAISED STRONG OBJECTIONS** (amended to include the word "strong") to the proposed development.

Councillors Bottwood and Kilbride left the meeting at this juncture.

(B) N/2017/1653 - DEMOLITION OF EXISTING BUILDINGS WITHIN THE SITE BOUNDARY (TANNERS PUBLIC HOUSE, TAKEAWAY UNITS & POST OFFICE) AND PROPOSED DEVELOPMENT OF 17NO. NEW DWELLINGS TO INCLUDE 11NO. INDIVIDUAL RESIDENTIAL UNITS AND 6NO. PROPOSED FLATS WITH 400 SQM OF RETAIL UNITS ON GROUND FLOOR AND PROVISION OF PARKING. DEMOLITION OF 12NO. EXISTING GARAGES AND CAR PARKING SPACES TO BE REPLACED WITH 10NO. NEW GARAGES AND NEW CAR PARKING SPACES FOR EXISTING RESIDENTS' USE ONLY. THE TANNERS PH, 32 FARMFIELD COURT

The Principal Planning Officer submitted a report and elaborated thereon. Members' attention was drawn to the addendum which contained a revised recommendation. The Committee were informed that the scheme had been amended to take into account various consultations. Delivery and opening hours of the proposed business units would be restricted by a condition, and the homes would contribute to the Council's 5 year housing supply. It was explained that an independent viability

assessment showed there was no money for S106 contributions, since all the homes provided would be social housing, the community room would not be creating revenue, and the cost of decontaminating the site was high.

In response to a question, it was explained that the 9 proposed garages would be within viewing distance from properties, with the aim that this visibility would provide surveillance and detract from antisocial behaviour.

Members discussed the report.

RESOLVED:

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

(K) N/2018/1315 - CONSTRUCTION OF 1NO BUNGALOW WITH ASSOCIATED PARKING. LAND REAR OF 40 TO 42 AVON DRIVE

The Principal Planning Officer submitted a report and elaborated thereon. The Committee heard that the proposed development would be specially adapted for disabled persons, and that a family had already been allocated to it, once completed.

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 8:55 pm