

NORTHAMPTON BOROUGH COUNCIL

PLANNING COMMITTEE

Tuesday, 19 March 2019

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

OFFICERS: Peter Baguley (Head of Planning), Rita Bovey (Development
Manager), Adam Smith (Principal Planning Officer), Hannah Weston
(Principal Planning Officer), James Chadwick (Solicitor), Ed Bostock
(Democratic Services Officer)

1. APOLOGIES

Apologies for absence were received from Councillors Choudary and Smith. It was explained that Councillors Lane, Kilby-Shaw and Golby would be arriving late.

2. MINUTES

Due to a delay the minutes of the previous Planning Committee were not ready for signing off; they would be brought to the following meeting.

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/2018/1371

Mike Hallam
Helen Reay
Gary Swarbrick

N/2018/1519

Matthew Berry
Nicky McKenzie

N/2018/1524

Matthew Berry
Nicky McKenzie

N/2018/1546

John Connolly
Councillor Joyce
Ann Brooks
Matthew Berry

Nicky McKenzie

N/2018/1549

Matthew Berry
Nicky McKenzie

N/2018/1594

Matthew Berry
Nicky McKenzie

N/2018/1746

Shaun Bennett
Adam Renn

N/2018/1759

Matthew Berry

N/2018/1768

Matthew Berry
Nicky McKenzie

N/2018/1774

Carl Cookson
John McKary
Matthew Berry
Nicky McKenzie

N/2018/1777

Matthew Berry
Nicky McKenzie

N/2019/0146

Laura Elliott

4. DECLARATIONS OF INTEREST/PREDETERMINATION

Councillor M Markham declared a personal and disclosable pecuniary interest in respect of items 10c, 10d, 10e, 10f, 10g, 10j, 10k, 10l, 10m and 10q as a board member of Northampton Partnership Homes (NPH) and advised that she would leave the room whilst the items were discussed.

Councillor Bottwood declared a personal and disclosable pecuniary interest in respect of items 10c, 10d, 10e, 10f, 10g, 10j, 10k, 10l, 10m and 10q as a board member of NPH and advised that he would leave the room whilst the items were discussed.

Councillor Kilbride declared a personal and disclosable pecuniary interest in respect of items 10c, 10d, 10e, 10f, 10g, 10j, 10k, 10l, 10m and 10q as a board member of NPH and advised that he would leave the room whilst the items were discussed.

Councillor Russell declared a predetermination in respect of item 10b.

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 and elaborated thereon. She reported that the Inspector had made no decisions due to a backlog of appeals.

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/2018/1249 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 3 OCCUPANTS. 7 VICTORIA PROMENADE

The Development Manager submitted a report and elaborated thereon. The Committee heard that there were no external alterations proposed and that whilst the property sat within Flood Zone 2, there were no bedrooms on the ground floor. It was noted that there were no objections from the Highway Authority or Private Sector Housing. Should the application be approved, the concentration of HIMOs in a 50m radius would be 10%.

Members discussed the report.

RESOLVED:

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

(B) N/2018/1371 - ERECTION OF DRIVE THRU COFFEE SHOP (USE CLASSES A1 & A3) WITH ASSOCIATED CAR PARKING, REFUSE STORE, HARD AND SOFT LANDSCAPING, ELECTRICITY SUBSTATION AND ASSOCIATED WORKS. MORRISONS SUPERSTORE, KETTERING ROAD

Councillor Russell left the room at this juncture, having declared a predetermination.

The Principal Planning Officer submitted a report and elaborated thereon. Members' attention was drawn to the addendum which contained further representations from local residents. The Committee heard that the proposed development had a smaller footprint than the recently permitted McDonald's development on the neighbouring site. In addition, it was highlighted that, following concerns from local residents, councillors and County Highways, the applicant has been required to model the traffic impacts up to 2031 taking into account traffic from other planned developments, including the recently permitted McDonald's restaurant and the application for up to 132 dwellings on Parklands Middle School. Furthermore, as a result of this modelling, County Highways have raised no objections to the application.

Mike Hallam spoke against the application on behalf of Parklands residents and commented on the collective impact that this and previous applications would have on the highway. He stated that the Highway Authority's comments were clear in their objection and that it was acceptable for Members to refuse the application.

In response to a question regarding comments made by the Highway Authority, Mr Hallam stated his disagreement that a condition requiring signal timing changes would lessen the burden on the road, commenting that the area could not take any more traffic and that the models did not reflect the actual situation.

Helen Reay, a local resident, spoke against the application and disagreed with the report identifying the area as an "underused brownfield site". She commented that other sites would be more appropriate and believed that changes to the timing of traffic lights would not do enough to mitigate the increase in traffic. She further voiced concern around increased pollution from vehicles near the nursery.

Gary Swarbrick, the agent on behalf of the applicant, spoke in favour of the application and commented that robust evidence showed that there would be no material impact on the highway, following changes to the signal timings. He stated that there was sufficient parking for the development, noted that the Police had not raised any concerns relating to the application and highlighted that the proposal would generate some 20 jobs.

In response to a question relating to the single entrance to the site and how further developments may impact on its use, Mr Swarbrick stated that Morrison's would not do anything that might compromise their business objectives, such as overdevelop the site. He further explained that an air quality report was not required of the applicant, since dedicated trips to the new premises would be minimal.

The Principal Planning Officer explained that the Highway Authority had initially objected to the application, however this objection was withdrawn following the submission of highway modelling and the inclusion of a condition requiring changes to the signal timings to be complete prior to the commencement of development.

Members discussed the report.

RESOLVED:

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

(H) N/2018/1619 - TWO STOREY AND SINGLE STOREY REAR EXTENSION AND TO CONVERT THE BUILDING INTO 4 RESIDENTIAL UNITS. 186 ST JAMES PARK ROAD

Councillor Russell re-joined the meeting at this juncture.

Councillors Lane and Kilby-Shaw also joined the meeting – they advised of no declarations of interest.

The Development Manager submitted a report and elaborated thereon. The Committee heard that the neighbouring property already have a substantial ground floor extension to the rear. There were no objections received to the application.

Members discussed the report.

APPROVED:

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

(I) N/2018/1746 - CHANGE OF USE FROM CARE HOME (USE CLASS C2) TO SUPPORTED LIVING ACCOMMODATION (USE CLASS C3) COMPRISING OF 14NO. APARTMENTS. KINGSLEY NURSING HOME, 18-20 KINGSLEY ROAD

The Principal Planning Officer submitted a report and elaborated thereon. The Committee heard that the application site has been vacant since the start of 2018. She reported that there have been no external changes to the building. A garage in the car park of the application site would be demolished to create further parking spaces. The application detailed the provision of 14 apartments for Supported Living Accommodation.

The Service Manager for Commissioning at Northamptonshire County Council explained to Members that there were currently 75 adults across Northamptonshire that required supported living accommodation. The support they receive should enable them to become independent over time. The County Council would be involved in the design of the service and selecting a care provider. He reported that a care provider had been selected and would be responsible for placing people into the scheme for tenants and management of the scheme thereof.

Members asked whether Northamptonshire County Council would be responsible for overseeing the contract. The Service Manager for Commissioning reported that complaints would be dealt with by the care provider but could be raised with Northamptonshire County Council if residents were dissatisfied with the initial response.

The Applicant, Adam Renn explained to Members that he and his wife have set up the Care Home as an independent space for people to live and enable customers to live as independently as possible.

Councillor Birch thanked the Case Officer Hannah Weston for dealing with the application with most professional manner.

RESOLVED:

That the application be **APPROVED** subject to the conditions and reasons as set out in the report and **additional Condition 9** contained in the addendum.

(N) N/2019/0054 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 4 OCCUPANTS. 11 CLARKE ROAD

At this juncture, Councillor Golby joined the meeting and advised of no declarations of interest.

The Principal Planning Officer submitted a report and elaborated thereon. Members heard that no objections have been received from the Local Highway Authority and that should the application be approved, the concentration of HIMOs in a 50m radius would be 9.7%. In addition, Members were advised that amended plans have been received to introduce an additional toilet into the property and as a result the Addendum proposes an amendment to the wording of Condition 2.

Members discussed the report.

RESOLVED:

That the application be **APPROVED** subject to the conditions and reasons as set out in the report within amended Condition 2 in relation to reference to revised plans.

(O) N/2019/0100 - CHANGE OF USE FROM HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 5 OCCUPANTS TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 6 OCCUPANTS, INCLUDING SINGLE STOREY REAR EXTENSION. 169 ADNITT ROAD

The Development Manager submitted a report and elaborated thereon. The Committee heard that an application to change the use from dwelling to HIMO for 5 occupants was approved in 2018; this revision would increase the number of rooms by 1 and maximum occupants from 5 to 6. It was explained that since planning permission had previously been granted for a change of use, the concentration of HIMOs in the area was immaterial. Members noted that there were no objections from the Local Highway Authority.

Members discussed the report.

RESOLVED:

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

(P) N/2019/0127 - CHANGE OF USE FROM HOUSE IN MULTIPLE OCCUPATION FOR 4 OCCUPANTS (USE CLASS C4) TO HOUSE IN

MULTIPLE OCCUPATION FOR 5 OCCUPANTS (USE CLASS C4) WITH SINGLE STOREY REAR EXTENSION. 6 HOLLY ROAD

The Development Manager submitted a report and elaborated thereon. The Committee heard that the application sought to revise a previously approved application, to allow for a single storey extension which would create a bigger lounge. The previously approved lounge would be used as a bedroom. The extension would not create an adverse neighbour impact and since the property was already established as a HMO, concentration was not a consideration. A condition was included to ensure that the extension be completed prior to a new resident moving into the HMO .

Members discussed the report.

RESOLVED:

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

(E) N/2018/1546 - DEMOLITION OF 20NO DOMESTIC GARAGES AND CONSTRUCTION OF 2NO NEW DWELLINGS. GARAGES REAR OF 21 KESWICK DRIVE

At this juncture Councillors Kilbride, Bottwood and M Markham left the room.

The Development Manager submitted a report and elaborated thereon. The Committee heard that the application, deferred from a previous Planning Committee meeting, had been revised following strong objections from local residents. It was explained that some of the existing garages could not be retained because of the site's restricted layout as , however 4 additional parking spaces would be created, the rest of the development would remain substantively the same. There would be good separation distances from the proposed development and existing properties and there were no objections from the Local Highway Authority.

John Connolly, a local resident, spoke against the application and stated that by demolishing the garages, the community would suffer and a free-for-all parking frenzy would ensue.

In response to questions, Mr Connolly commented that he was not aware of any further consultation having taken place. He also disagreed that some garages were no longer fit for purpose due to their small size.

Councillor Joyce, in his capacity as Ward Councillor, spoke against the application and expressed his disappointment that the application seemed largely unchanged. He stated that a petition to save the garages that reached 168 signatures was ignored.

In response to a question, Councillor Joyce explained that the application had caused tensions amongst residents in the area.

Ann Brooks, a local resident, spoke against the application and stated her belief that NPH withheld information from members at a previous Planning Committee and that

health and safety concerns had not been addressed, specifically that a fire truck would not have space for turning.

When asked to elaborate, Ms Brooks explained that the NPH Project Manager had, at a previous Planning Committee, stated that residents would be kept up-to-date with the application; she had received no correspondence.

Matthew Berry, Project Manager for NPH, spoke in favour of the application and commented that single applications should be looked at in a wider context. He noted that the plans had been revised to allow for more parking spaces. Regarding highway safety, Mr Berry commented that regular meetings with NCC had taken place and safety of the area would improve, due to dropped kerbs and better spacing.

In response to questions, Mr Berry confirmed that 2 drop-in sessions took place during summer 2018 and that NPH sent out revised plans as soon as the consultation process began. He confirmed that NPH worked closely with residents and contractors to come up with solutions to boundary treatment.

Nicky McKenzie, Head of Housing at NPH, spoke in favour of the application and commented that 7 of the garages were rented by occupants of Lakeview House. She confirmed that every person renting a garage would be relocated; the farthest relocation would be 130m away and the closest 40m. She explained that NPH's Assets department had to identify suitable garages across large parts of the town.

Members discussed the report.

RESOLVED:

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

(L) N/2018/1774 - DEMOLITION OF 10 DOMESTIC GARAGES AND CONSTRUCTION OF 1 NEW BUILD DWELLING WITH CAR PARKING SPACES. LOCKUP GARAGES, MAIDENCASTLE

Councillor Meredith left the meeting at this juncture.

The Principal Planning Officer submitted a report and elaborated thereon. Members' attention was drawn to the addendum which contained 10 additional letters of objection from local residents. The Committee heard that 10 garages would be demolished under the scheme, allowing for the creation of 1 dwelling and 9 parking spaces.

Carl Cookson, a local resident, spoke against the application and commented that consultation relating to the application took place in November 2018 for a detached bungalow; the plans had since changed without further consultation. He stated that the development would block light from his property and that the development would give rise to security and privacy problems for him and other residents.

John McRay, a local resident, spoke against the application and stated that he accessed his property through a back gate by a dropped kerb; with the dropped kerb removed, the closest one to his gate would be 1.2 miles away. He further stated that

the car park was consistently full and that residents were not kept informed of changes to the application.

Matthew Berry, Project Manager for NPH, spoke in favour of the application and noted consultation that had taken place at a local community centre and online. He explained that NPH would work with residents to find solutions regarding disabled access.

In response to questions, Mr Berry explained that parking spaces were allocated to properties during the construction process and that it was standard procedure for NPH to consult residents where there were a number of applications in an area; the level of consultation had exceeded statutory requirements as well as carrying out home visits.

Nicky McKenzie, Head of Housing for NPH, spoke in favour of the application and explained that garages were being kept empty so that users were able to be relocated where necessary. She further explained that 23 people on the Council's housing register were in need of a 3 bedroom property in the area, not including those classed as homeless.

The Principal Planning Officer confirmed for members that a footpath on either side of the site would be provided for neighbouring properties to retain rear access, and that the property had been amended to a two storey dwelling to complement the character and appearance of the area during the application process and neighbours re-consulted. It was advised that due to site levels, with the neighbouring properties to the east being much higher, it was not considered that the two storey property would have an unacceptable impact upon neighbouring properties. It was also advised that a condition requiring details on boundary treatments was recommended.

Members discussed the report.

RESOLVED:

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

(C) N/2018/1519 - DEMOLITION OF 34NO DOMESTIC GARAGES AND CONSTRUCTION OF 3NO NEW-BUILD DWELLINGS. GARAGE 1 LOCK UP GARAGES, GLOUCESTER AVENUE

The Principal Planning Officer submitted a report and elaborated thereon. Members' attention was drawn to the addendum which contained a further letter of objection, of which the points were previously noted in the report. The Committee heard that 3 1-bedroom properties would be constructed, following the demolition of 34 garages.

In response to a question relating to comments made by Northamptonshire Police, Members heard that it was the opinion of Officers that developing the site would introduce surveillance and custodians into the parking and thus also afford some crime prevention benefits.

In response to questions, Nicky McKenzie, Head of Housing for NPH, confirmed that 2 garages on the site were currently occupied.

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.

(D) N/2018/1524 - DEMOLITION OF TWO GARAGE BLOCKS AND CONSTRUCTION OF ONE NEW DWELLING TO NORTH WEST SIDE OF NO. 40 TYES COURT AND FORMATION OF PARKING AREA TO SOUTH WEST REAR OF NOS. 37-40 TYES COURT. LOCK UP GARAGES , TYES COURT

The Principal Planning Officer submitted a report and elaborated thereon. The Committee heard that the application sought approval for the demolition of 2 garage blocks to allow for construction of one new dwelling and associated parking. The design was considered in keeping with surrounding properties.

Members discussed the report.

RESOLVED:

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

(F) N/2018/1549 - DEMOLITION OF 8NO DOMESTIC GARAGES AND CONSTRUCTION OF 2NO NEW DWELLINGS. LAND REAR OF 33 SOUTHWOOD HILL

The Principal Planning Officer submitted a report and elaborated thereon. The Committee heard that the application sought approval for the demolition of 8 garages to allow for the construction of 2 1-bed, level access bungalows. It was noted that the roofs would be hipped to reduce the impact on neighbouring properties.

In response to a question Matthew Berry, Project Manager for NPH, advised that the property was not being built for any specific person, however many people on the housing register had been identified as needing level access accommodation.

Members discussed the report.

RESOLVED:

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

(G) N/2018/1594 - DEVELOPMENT OF 6NO NEW DWELLINGS WITH ASSOCIATED PARKING. LOCK UP GARAGES, SWALE DRIVE

At this juncture, Councillor Lane left the room.

The Principal Planning Officer submitted a report and elaborated thereon. It was highlighted that the Council's Arboricultural Officer objects to the loss of the trees on the site, but that Officers consider that the harm arising for the loss of trees and associated open space is outweighed in this instance by the benefits arising from the provision of housing. The Committee also heard that the garages within the application site has now been cleared in preparation for the construction of the new dwellings. In addition, the attention of the Committee was drawn to the Addendum, which includes an update to Condition 2 to reflect revised plans that have been received to improve the outlook from the proposed bungalow.

RESOLVED:

That the application be **APPROVED** subject to the conditions and reasons as set out in the report with **amended Condition 2** as stated in the addendum.

(J) N/2018/1759 - INSTALLATION OF HYDRAULIC CAR PARK BARRIER TO EXISTING CAR PARK. CALEDONIAN HOUSE, ARGYLE STREET

Councillor Lane re-joined the meeting.

The Development Manager submitted a report and elaborated thereon. The Committee heard that the application was a revision, following from objections raised by the Local Highway Authority.

Members discussed the report.

RESOLVED:

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

(K) N/2018/1768 - DEMOLITION OF 3 DOMESTIC GARAGES AND CONSTRUCTION OF 1 NEW DWELLINGS WITH ASSOCIATED PARKING. LOCKUP GARAGES, MAIDENCASTLE

The Principal Planning Officer submitted a report and elaborated thereon. Members' attention was drawn to the addendum which contained further objections from neighbours. It was noted that the proposal had changed during the consultation period from a bungalow to a two storey property; a two storey property was considered more in keeping with the wider area.

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.

(M) N/2018/1777 - DEMOLITION OF 6NO. GARAGES AND ERECTION OF 2 NEW BUILD DWELLINGS AND PARKING. LOCK UP GARAGES, SMYTH COURT

The Principal Planning Officer submitted a report and elaborated thereon. The Committee heard that the application sought approval for the demolition of 6 garages to allow for the construction of 2 3-bedroom, semi-detached dwellings, and associated parking.

In response to questions to the applicant, the Committee heard that consultations took place on a neighbourhood basis; the Lumbertubs project consultation took place in the same manner as those on Blackthorn and Lakeview, as well as letter drops to remote properties.

Members discussed the report.

RESOLVED:

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

(Q) N/2019/0146 - ALTERATIONS TO DESIGN OF TWO STOREY EXTENSION APPROVED IN PLANNING PERMISSION N/2016/1151 INCLUDING CHANGE IN GROUND FLOOR UPVC DOOR FROM DOUBLE TO SINGLE DOOR, INSERTION OF AN OBSCURED, TOP OPENING WINDOW TO THE FIRST FLOOR SIDE ELEVATION AND A CHANGE IN DIMENSIONS. 10 TOMS CLOSE

The Development Manager submitted a report and elaborated thereon. Members' attention was drawn to the addendum which contained clarification around proposed glazing. It was explained that works had already begun and that they differed to the original plans; the extension's footprint was slightly larger, it included a double UPVC door and an additional window.

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.

11. ENFORCEMENT MATTERS

There were none.

12. ITEMS FOR CONSULTATION

There were none.

The meeting concluded at 8:37 pm