

NORTHAMPTON BOROUGH COUNCIL

PLANNING COMMITTEE

Tuesday, 24 November 2020

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

OFFICERS: Peter Baguley (Director of Planning and Sustainability), Rita Bovey
(Development Manager), Nicky Scaife (Development Management
Team Leader), Hannah Weston (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 Cali and Choudary. It was advised that Councillor Russell would be arriving late and that Councillors Golby and King would be leaving the meeting early due to other commitments.

2. MINUTES

The minutes of the meeting held on 27th October 2020 were agreed and signed by the Chair.

3. DEPUTATIONS / PUBLIC ADDRESSES

RESOLVED:

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

N/2016/0810

Catherine Mason

N/2019/0612

Councillor Beardsworth
Councillor M Markham
Jennifer Smith

N/2020/1157

Claire Gardiner
Keith Howard
Nigel Ozier

N/2019/1429

John Manning
Councillor T Eales

Gary Owens

N/2020/0542

Ms Brown
Gary Owens

N/2020/1113

Tracey Thomson

4. DECLARATIONS OF INTEREST/PREDETERMINATION

Councillor Bottwood declared a predetermination in respect of item 10a and a disclosable and pecuniary interest in respect of items 12a, 12b and 12c as a board member of Northampton Partnership Homes (NPH) and advised that he would leave the meeting while the items were discussed.

Councillor M Markham declared a predetermination in respect of items 10a and 10b and a disclosable and pecuniary interest in respect of items 12a, 12b and 12c as a board member of Northampton Partnership Homes (NPH) and advised that she would leave the meeting while the items were discussed.

Councillor Birch declared a personal interest in respect of item 10a as the Ward Councillor for Trinity but advised of no predetermination.

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

None.

6. LIST OF CURRENT APPEALS AND INQUIRIES

The Development Manager submitted a List of Current Appeals and Inquiries on behalf of the Director of Planning and Sustainability. She advised of 3 decisions made by the Inspectorate on applications refused under delegated powers. In respect of an appeal relating to 104 Semilong Road, the Inspector agreed with officers that the application would be an overdevelopment with insufficient parking. Regarding an appeal relating to 47 Beech Avenue, the Inspector found that the development would have a poor outlook and was not in keeping with surrounding properties. An appeal relating to 110A Harlestone Road was allowed with the inclusion of a further condition relating to parking.

Members discussed the report.

RESOLVED:

That the report be noted.

Councillor Russell joined the meeting at this juncture.

7. OTHER REPORTS

(A) N/2020/1396 - REQUEST FOR VARIATIONS TO S106 AGREEMENT DATED 29 JULY 2015 TO REMOVE OBLIGATIONS RELATING TO

HIGHWAYS AND SECONDARY EDUCATION THAT ARE NOW COVERED BY THE COMMUNITY INFRASTRUCTURE LEVY. LAND TO THE EAST OF HARDINGSTONE NORTH OF NEWPORT PAGNELL ROAD

The Principal Planning Officer submitted a report to the Committee which sought to vary the S106 Agreement to remove obligations relating to highways and secondary education, which were now covered by the Community Infrastructure Levy.

Members discussed the report.

RESOLVED:

That the application to vary the Section 106 Legal Agreement be **AGREED** as per the officer recommendation.

8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS

None.

9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

None.

12. NORTHAMPTON PARTNERSHIP HOMES APPLICATIONS

(A) N/2019/1429 - CONSTRUCTION OF 5NO NEW BUILD DWELLINGS WITH ASSOCIATED PARKING. LOCK UP GARAGES, DERWENT DRIVE

Councillors M Markham and A Bottwood left the meeting, having declared an interest earlier.

The Development Management Team Leader submitted a report to the Committee. Members' attention was drawn to the addendum which contained further representations from local residents, the correction of a typo and an additional Condition 16. The application sought the approval for the construction of 5 new dwellings and associated parking. 6 of the 12 proposed parking spaces would have EV charging points. Access to the church would remain and the proposal complied with distance requirements in relation to neighbouring properties. It was noted that the Local Highway Authority had not raised objections to the application.

John Manning, a local resident, spoke against the application and raised concern around the construction phase of the development and noted that during the demolition of the garages, contractors routinely drove their vehicles on neighbours' gardens causing damage.

Councillor T Eales, in her capacity as the Ward Councillor, spoke against the application and raised concern regarding consultation, highway impacts, parking, visibility, access for emergency vehicles and maintenance of neighbouring fencing.

Gary Owens, Project Manager for NPH, spoke in favour of the application and commented that the development will be project managed and the access width will be addressed for construction vehicles. The proposed parking catered for the number of houses proposed and NPH had already approached the neighbouring property regarding fence maintenance.

Members discussed the issues of construction traffic and hours of construction.

RESOLVED:

That the application be **APPROVED** subject to the conditions and reasons as set out in the report and additional **Condition 16** contained in the addendum and an additional **Condition 17** for a Construction Management Plan in respect of construction traffic and construction hours.

Councillor Golby left the meeting at this juncture.

(B) N/2020/0542 - VARIATION OF CONDITION 2 OF PLANNING PERMISSION N/2018/1594 (DEVELOPMENT OF 6NO NEW DWELLINGS WITH ASSOCIATED PARKING) TO AMEND SITE ENTRANCE TO RETAIN EXISTING HIGHWAY JUNCTION. LOCK UP GARAGES, SWALE DRIVE

The Principal Planning Officer submitted a report to the Committee. Members' attention was drawn to the addendum which corrected an error in the report relating to parking spaces and reworded Condition 5. The application sought to vary the site entrance, amend parking by the entrance, remove a drive to plot 4, and reconfigure a parking court. No changes to the appearance or position of the dwellings were proposed. Replacement trees were also to be added to the front entrance in line with neighbour request.

Ms Brown, a local resident, spoke against the application and commented that whilst she was pleased that mature trees would be replaced once felled, she asked that the trees be in the same position and be Oak. She further requested that the pavements be re-laid and commented that some elevations of the proposed dwellings looked very plain and not in keeping with neighbouring houses. Ms Brown requested that the boundary wall behind numbers 30 to 36 be replaced with a brick wall. Parking spaces were requested to be removed due to noise and air pollution.

Gary Owens, Project Manager for NPH, spoke in favour of the application and commented that the variation sought to maximise parking for the benefit of residents. He noted that the pavement would be replaced and improved to meet required standards and the boundary wall was an issue to be resolved between NPH and residents.

The Principal Planning Officer noted that Condition 6 related to boundary treatments and reminded the Committee that the applicant could develop the site under previously approved planning permission and that only the changes to that approval were under consideration. It was further advised that the type of replacement tree requested was decided in consultation with the Council's tree officer and is a type more suitable for a residential setting.

RESOLVED:

That the application be **APPROVED** subject to the conditions and reasons as set out in the report and **amended Condition 5** contained in the addendum.

Councillor King left the meeting at this juncture.

(C) N/2020/1113 - CHANGE OF USE FROM DWELLING TO SUPPORTED LIVING ACCOMMODATION FOR TWO OCCUPIERS (USE CLASS C2) INCORPORATING FENESTRATION ALTERATIONS TO EXISTING DWELLING AND GARAGE, REPLACEMENT ROOF TO AND CONVERSION OF EXISTING GARAGE TO ANCILLARY ACTIVITY ROOM, 2.4 METRE HIGH SECURITY FENCE WITH AUTOMATED GATED ACCESS, ADDITIONAL PARKING AND NEW PEDESTRIAN STEPS TO LINGS WAY. THE BUNGALOW LINGS WOOD, LINGS WAY

The Principal Planning Officer submitted a report to the Committee. The application sought approval for a change of use from dwellinghouse to supported living accommodation for two occupiers. A larger parking area was proposed to allow for 4 vehicular parking spaces within the site and minor alterations to windows and external doors were proposed.

Members 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/2016/0810 - HYBRID APPLICATION FOR UP TO 170 NEW DWELLINGS IN TOTAL INCLUDING OUTLINE APPLICATION FOR THE DEMOLITION AND CONVERSION OF EXISTING UNIVERSITY BUILDINGS AND THE ERECTION OF NEW BUILDINGS TO PROVIDE RESIDENTIAL ACCOMMODATION (USE CLASS C3) OF UP TO 112 UNITS AND ASSOCIATED CAR PARKING (INCLUDING RECONFIGURATION OF NEWTON BUILDING CAR PARK), LANDSCAPING AND OPEN SPACE (ALL MATTERS RESERVED EXCEPT ACCESS) AND FULL APPLICATION FOR THE PART DEMOLITION, CONVERSION AND EXTENSION OF THE MAIDWELL BUILDING TO PROVIDE 58 NEW DWELLINGS TOGETHER WITH ACCESS AND PARKING. UNIVERSITY OF NORTHAMPTON AVENUE CAMPUS, ST GEORGES AVENUE

The Principal Planning Officer submitted a report to the Committee. He advised that the application was brought before the Committee at its last meeting on 27th October but due to a late objection letter raising concern around the demolition of the Maidwell Building not being reported to the Committee, there was a need for it to be re-considered. There was no change in the detail of the application or the officer recommendation.

Catherine Mason, the agent on behalf of the applicant, spoke in favour of the application and commented that the proposal was sustainable development and a good use of a brownfield site which had been carefully designed and of high quality. She advised that the site is allocated for dwellings in the emerging Local Plan Part 2. The most significant elements of the Maidwell Building would be retained with new high-quality apartments created and existing green areas within the site would be protected. Any impacts arising from the scheme have been satisfactorily mitigated against. The scheme had been amended to ensure that it complied with the

Council's standards and ecology, archaeology, drainage and transport issues have been resolved. The University is an important stakeholder in the town and the redevelopment of Avenue Campus is linked to the development of the new Waterside Campus and the financing of the University.

Councillor McCutcheon left the meeting at this juncture due to connection issues.

Members discussed the report.

RESOLVED:

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

Councillors M Markham and Bottwood re-joined the meeting at this juncture.

(B) N/2019/0612 - ERECTION OF PURPOSE-BUILT STUDENT ACCOMMODATION COMPRISING 347NO ROOMS WITH 356NO BED-SPACES, FOLLOWING PARTIAL DEMOLITION OF EXISTING BUILDINGS. REFURBISHMENT AND CHANGE OF USE OF LISTED BUILDING TO PROVIDE ANCILLARY STUDENT HUB, RETAIL UNITS, PLANT, STORAGE AND REFUSE AREAS, WITH ASSOCIATED LANDSCAPING AND OTHER WORKS. BECTIVE WORKS, BECTIVE ROAD

The Principal Planning Officer submitted a report to the Committee. Members' attention was drawn to the addendum which contained an additional letter of objection by a local resident. The Committee were informed that alterations were required to the requirements of the S106 for this application following the approval in principle on the 19th May 2020. These were that the Local Highway Authority were no longer requiring traffic contributions and as such these could no longer be requested, that legally the Council cannot require that students not use their own vehicles and as such this cannot be included in the legal agreement, and a contribution was to be added requesting a contribution towards the provision of sustainable travel.

Councillor M Markham, in her capacity as a local resident, spoke against the application and commented that parking in the area was very bad and she objected to the removal of the clause limiting car use; she believed the site would be of more benefit if it was converted to sheltered accommodation. She stated that there was no need for student accommodation in Kingsthorpe now that the university had moved.

Councillor M Markham left the meeting after addressing the Committee.

Councillor Beardsworth, in her capacity as the Ward Councillor of an adjoining ward, spoke against the application and stated that this was the wrong site for this development, and it was a money-making scheme that would provide no benefit and cause misery for locals. Concern was raised with the traffic issues resultant from this, and it was stated that Brexit would mean there would be less students anyway.

Jennifer Smith, the agent on behalf of the applicant, spoke in favour of the application and commented that the application incorporated the Listed building and that there were no material changes to the application previously approved by the Committee. She noted that the principle of development had already been established.

In response to questions, the Committee heard that the applicant was aware that the university had moved but felt that there was still a need for student accommodation in the area. A consultation exercise by way of a leaflet drop had been carried out but received no responses from residents. Condition 16 related to a Student Management Plan, part of which required students to sign up to a tenancy agreement which stipulated that they would not use their own vehicles.

The Principal Planning Officer confirmed in response to questions that the Local Highway Authority had not objected to the application, that the Local Highway Authority had requested the location of bus stops and shelters, that the provision of cycle lanes would be for the Highways Authority to look into, and that the minibus requirement was for the provision of a minibus and not a contribution and is required for the life of the development and a breach of this would be investigated by Planning Enforcement and by NCC Highways.

Members discussed the report.

RESOLVED:

That the application be **APPROVED IN PRINCIPLE** subject to the finalisation of an S106 Legal Agreement to secure planning obligations and conditions as set out in the report.

Councillors M Markham and McCutcheon re-joined the meeting.

(C) N/2020/0866 - VARIATION OF CONDITION 5 OF PLANNING PERMISSION N/2018/0011 (CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION FOR 4 OCCUPANTS (USE CLASS C4) INCLUDING SINGLE STOREY EXTENSIONS TO THE REAR, A LOFT CONVERSION WITH REAR DORMER WINDOW & INTERNAL ALTERATIONS) TO ALLOW THE PROPERTY TO BE OCCUPIED BY A MAXIMUM OF 5 OCCUPANTS. 70 VICTORIA ROAD

The Development Manager submitted a report to the Committee. The application sought to vary a condition to increase the number of occupants from 4 to 5. Parking in the area was permit only and since the property was an existing HMO, concentration was not a consideration. Following comments made by the Committee at its last meeting on 27th October, the applicant had amended the scheme and the bedroom that previously shared an entire wall with the kitchen has been moved to the front.

Members discussed the report.

RESOLVED:

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

(D) N/2020/1157 - CONSTRUCTION OF 6NO NEW TWO BED DWELLINGS WITH ON-SITE PARKING. LAND AT BROWNLEE PLACE

The Development Manager submitted a report to the Committee. Members' attention was drawn to the addendum which corrected a typo in the report. The application sought approval for the construction of 6 dwellings and associated parking, including EV charging points. No first-floor rear windows were proposed to reduce overlooking, but roof lights were proposed for bathrooms and landings. The distance between proposed dwellings and those existing, back to back to the main rear walls, was at least 13m. A construction Management Plan was recommended in light of the application at Derwent Drive approved by the Committee earlier in the meeting.

Claire Gardiner, of a neighbouring property, spoke against the application and commented that properties at Brownlee Close sat 1.4m below the road level as opposed to "approximately 1m" as stated in the report which would result in significant overlooking from the proposed development, she stated that this would also remove any height difference in terms of security that her fence currently provided. Ms Gardiner questioned who would be accountable should the development result in damage to her property, through flooding etc.

Keith Howard, the applicant, spoke in favour of the application and commented that he wanted to improve the existing scheme for residents; gardens had been added to all of the proposed dwellings and hipped roofs reduced the overall setting of the proposals.

Nigel Ozier, the agent on behalf of the applicant, spoke in favour of the application and noted that the site had extant consent for 8 maisonettes, however he believed that the scheme being considered currently was a significant improvement that included boundary treatment, amenity space and larger parking. The development's reduction would also mean a more sympathetic relationship with existing properties and a more pleasing street scene than the existing consent.

Members discussed the report.

RESOLVED:

That the application be **APPROVED** subject to the conditions and reasons as set out in the report and **additional Condition 24** in relation to CEMP.

The meeting concluded at 7:59 pm