

NORTHAMPTON BOROUGH COUNCIL

PLANNING COMMITTEE

Tuesday, 10 May 2016

PRESENT: Councillor Oldham (Chair); Councillor Lynch (Deputy Chair); Councillors Aziz, Birch, Davenport, Golby, Haque, Hill, Lane, McCutcheon and Meredith

OFFICERS Steve Boyes (Director of Regeneration, Enterprise and Planning), Peter Baguley (Head of Planning) Rita Bovey (Development Manager), Ben Clarke (Senior Planning Officer), Theresa Boyd (Planning Solicitor), Michael Flynn (Democratic Services Officer)

1. APOLOGIES

Apologies were received from Councillors Larratt and Lynch.

2. MINUTES

The minutes of the meeting held on 12th April were agreed and signed by the Chair.

3. DEPUTATIONS / PUBLIC ADDRESSES

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

N/2016/0152 & N/2016/0190

Councillor Stone

N/2016/0162

Ian Jenkinson

4. DECLARATIONS OF INTEREST/PREDETERMINATION

None

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 and elaborated thereon.

RESOLVED: That the report be noted.

7. OTHER REPORTS

(A) VARIATION OF SECTION 106 AGREEMENT SIN RELATION TO SITE 7C, EDGAR MOBBS WAY

The Development Manager submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. It was recommended that the committee agree to vary the two Section 106 Agreements dated 15th March 2005 to exclude an area of land known as Site 7C situated within the Northampton Waterside Enterprise Zone and identified on the attached plan of the report from the planning obligations contained within the relevant S106 Agreements. It was advised that Coltham Management Services Limited, who have exchanged contracts with the Homes and Communities Agency for the purchase of Site 7C, have requested the Borough Council voluntarily agree to vary both S106 Agreements to release Site 7C from the planning obligations contained therein as the obligations have either been met or are not specifically relevant to this part of the overall site.

In response to questions from the committee the Development Manager advised that in the event that the site becomes unacceptably untidy there are alternative measures of control under S215 of the Town and Country Planning Act to ensure the site is kept in a reasonable condition.

RESOLVED

The Committee **AGREED** to vary the two Section 106 Agreements dated 15th March 2005 to exclude an area of land known as Site 7C situated within the Northampton Waterside Enterprise Zone from the planning obligations contained within the relevant S106 Agreements.

8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS

None.

9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

None.

10. ITEMS FOR DETERMINATION

(A) N/2015/1077 - DEMOLISH EXISTING GARAGE AND REPLACE WITH 14NO. TWO-BED AND 4NO. ONE-BED FLATS WITH CAR PARK (OUTLINE APPLICATION WITH ALL MATTERS RESERVED).DISCOUNT TYRE AND EXHAUST LTD, 11-13 RUSKIN ROAD

The Senior Planning Officer submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. It was advised that the primary matter for consideration in respect of this outline application is whether

the principle of erecting up to 18 flats in this location is acceptable. In the event of an approval of the outline application, future applications would be submitted to cover matters such as design, layout, access and landscaping.

RESOLVED

The committee **APPROVED IN PRINCIPLE** subject to:

1.1.1 The prior completion of a S106 Agreement to secure:

- i) 35% on site affordable housing;
- ii) A payment towards the provision of and/or enhancements and maintenance of public open space within the vicinity of the site;
- iii) A scheme for the provision of construction worker training opportunities and a payment towards the operation of this programme; and
- iv) The Council's monitoring fee subject to the Director of Regeneration, Enterprise and Planning being satisfied the monitoring fee is necessary and of an appropriate scale.

1.1.2 The Conditions set out in Paragraph 9 of the Committee report and for the following reason:

The proposed development represents an acceptable use of the land and is complementary towards the surrounding land uses. Subject to conditions, it is considered that a satisfactory standard of development would be created with a neutral impact on the amenities of surrounding properties. The development is therefore in conformity with the requirements of the National Planning Policy Framework; Policies S1, S10, H1 and H2 of the West Northamptonshire Joint Core Strategy and Policy E20 of the Northampton Local Plan.

1.2 It was also agreed that in the event of the Section 106 Legal Agreement not being completed within three calendar months of this Committee meeting, in addition to being able to grant planning permission as recommended above, the Director of Regeneration, Enterprise and Planning be given delegated authority to either refuse or finally dispose of the application (at his discretion) on account that the necessary mitigation measures have not been secured in order to make the proposal acceptable in line with the requirements of Policies INF1 and INF2 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

(B) N/2016/0152 - CHANGE OF USE FROM OFFICES/CHURCH INTO HOUSES IN MULTIPLE OCCUPATION FOR 8NO OCCUPANTS (SUI GENERIS). 31 HAZELWOOD ROAD

The Senior Planning Officer submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. Items 10b and 10d were presented together as the units in both applications were adjacent and very similar. It was reported that the planning application **N/2016/0152** is for the change of use of a building which was previously used as a church and offices to a house in multiple occupation (HIMO) for a maximum of eight residents and that planning application **N/2016/0190** is for the change of use of a building which was previously used as a church and offices to a house in multiple occupation (HIMO) for a maximum of six residents.

Councillor Stone addressed the Planning Committee as Ward councillor and spoke against the application. She expressed her concerns about the number of HIMOs already in the vicinity, parking issues and the location of the kitchens. She stated that there was an inadequate number of en suites bathrooms at both locations..

The Chair referred to 6.2 of the report advising that Highway Authority have no objection as the surrounding area features a number of parking restrictions.

In response, the Senior Planning Officer stated that issue surrounding en suites is not a planning issue and that if the applications are approved the number of HIMOS in the area will be will within the designated limit.

In response to questions from the committee the Senior Planning Officer advised that registration with the University will depend on who the developer rents the properties to. This is up to the applicant to research and decide. It was also confirmed that a condition was recommended that would ensure that the provision and retention of refuse storage and the appropriate ventilation would be a matter for the appropriate building regulations.

The Development Manager stated that the applicant confirmed that the wall between the kitchen and one of the bedrooms will be a block wall and ventilation will be provided. It was also advised that condition 4 is sufficiently robust and private housing sector would monitor the use under their licensing scheme.

The Committee discussed the report.

RESOLVED

The Application be **APPROVED** subject to the conditions as set out in the report and for the following reason:

The proposed development, subject to conditions, would represent an acceptable use of the land and would secure a satisfactory level of amenity for future residents and the occupiers of neighbouring properties. The development is therefore in conformity with the requirements of the National Planning Policy Framework; Policies H1, H5, BN5 and S10 of the West Northamptonshire Joint Core Strategy; Policy 1 of the Central Area Action Plan and the Houses in Multiple Occupation Interim Planning Policy Statement.

(C) N/2016/0162 - EXTENSION OF EXISTING GROUND FLOOR PORCH AND GARAGE. 3 BEECHWOOD DRIVE

The Senior Planning Officer submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. It was advised that permission is sought for single storey front extension with front porch. The proposal involves a new pitched roof over the front of the attached garage.

Mr Ian Jenkinson addressed the planning committee as the applicant and spoke in favour of the application.

The Committee expressed their concerns as to why this application was called before the planning committee. The Director of Regeneration, Enterprise and Planning advised that the call in process will be reviewed.

The Committee discussed the report.

RESOLVED

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

The proposed development would not have an undue detrimental impact on the appearance and character of the host building, surrounding area and amenity of adjoining occupiers to comply with Policies E20 and H18 of the Northampton Local Plan, S10 of the West Northamptonshire Joint Core Strategy, SPD on Residential Extensions and National Planning Policy Framework.

(D) N/2016/0190 - CHANGE OF USE FROM OFFICES/CHURCH INTO HOUSE IN MULTIPLE OCCUPATION FOR 6NO OCCUPANTS (USE CLASS C4). 33 HAZELWOOD ROAD

The Senior Planning Officer submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. This application was presented alongside application N/2016/0152.

Councillor Stone addressed the committee as the Ward Councillor and spoke against the application. She expressed her concerns about the number of HIMOs already in the vicinity, parking issues and the location of the kitchen. She stated that there was an inadequate number of en suites at both locations.

In response, the Senior Planning Officer stated that issue surrounding en suites is not a planning issue and that if the applications are approved the number of HIMOS in the area will be within the designated limit.

In response to questions from the committee, the Senior Planning Officer advised that registration with the University will depend on who the developer rents the properties to. This is up to the applicant to research and decide. It was also confirmed that a condition was recommended that would ensure that the provision and retention of refuse storage and the appropriate ventilation would be a matter for the appropriate building regulations.

RESOLVED

The committee **APPROVED** subject to the conditions as set out in the report and for the following reason:

The proposed development, subject to conditions, would represent an acceptable use of the land and would secure a satisfactory level of amenity for future residents and the occupiers of neighbouring properties. The development is therefore in conformity with the requirements of the National Planning Policy Framework; Policies H1, H5, BN5 and S10 of the West Northamptonshire Joint Core Strategy; Policy 1 of the Central Area Action Plan; and the Houses in Multiple Occupation Interim Planning Policy Statement.

(E) N/2016/0264 - SINGLE STOREY FRONT EXTENSION AND TWO STOREY SIDE EXTENSION. 22 MARTINS LANE

This item was withdrawn from the agenda.

(F) N/2016/0452 - PRIOR NOTIFICATION FOR LARGER HOME EXTENSION.1 BOUVERIE ROAD

The Senior Planning Officer submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. It was advised that the applicant has submitted a prior notification application for the erection of a single storey rear extension. The proposed extension will have a projection of 4m and 2.5m in height.

The committee discussed the report.

RESOLVED

The committee **AGREED** that delegated authority be given to the Head of Planning in consultation with the Chair of Planning Committee to consider any objections that may be received in respect of the application and determine whether the impact on the amenity of all adjoining properties is acceptable and either:

- (i) grant prior approval unconditionally or subject to conditions reasonably related to the impact of the proposed development on the amenity of any adjoining premises or
- (ii) refuse prior approval.

11. ENFORCEMENT MATTERS

12. ITEMS FOR CONSULTATION

(A) N/2016/0486 - HYBRID APPLICATION. (1) OUTLINE APPLICATION FOR CLASS B2, B8 AND ANCILLARY B1, PROVISION OF A 2HA LORRY PARK AND ASSOCIATED INFRASTRUCTURE. (2) FULL APPLICATION FOR WORK ON THE A4500 COMPRISING: REFORMATTING THE ACCESS TO THE TRUCK STOP AND LAYBY (CLOSURE); CONSTRUCTION OF 2 ROUNDABOUTS; CLOSURE OF EXISTING ACCOMMODATION ACCESS NORTH SIDE OF THE A4500 AND REFORMATTING PROVISION OF NEW ACCESS FROM ROUNDABOUT; ENGINEERING OPERATIONS COMPRISING GROUND RE-PROFILING; THE RE-ROUTING OF THE EXISTING WATERCOURSE; FLOOD PLAIN COMPENSATION WORK; ECOLOGICAL WORK AND ACCESS ON LAND ADJACENT TO JUNCTION 16 OF THE M1 (INCLUDES ENVIRONMENTAL STATEMENT). LAND AT JUNCTION 16 ON THE M1

The Development Manager submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. It was advised that the application is a hybrid application to South Northamptonshire Council (SNC) comprising two elements.

The first element is an outline application for Class B2 (General Industry) and B8 (Storage and Distribution) development with ancillary Class B1 (Business), the provision of a 2ha lorry park and associated infrastructure. The second element is a full application for work on the A4500 concerning access arrangements to the site and general road configuration, engineering operations relating to watercourses and floodplain compensation works and ecological work.

It was advised that the site would be accessed from the A4500 via two roundabouts with the lorry park served by an access road running parallel to the A4500. An indicative layout submitted with the application shows five units of between approximately 20,000 and 40,000 sqm and a smaller unit of approximately 7,500 sqm. All units are shown as having their own service yards and car parking as well as individual attenuation measures. There would be landscaping around and between the units.

The committee requested that NBC be consulted on all RM applications.

The committee discussed the report.

RESOLVED

Northampton Borough Council had **NO OBJECTIONS** to the principle of development subject to the issues outlined below being addressed by South Northamptonshire Council:

- No objections being received from the Highway Authority or Highways England in respect of the impact on the local and strategic road networks and the necessary works/contributions being secured to mitigate the impacts of the development;
- Sustainable transport measures being secured;
- No objections being received from the Environment Agency or the Lead Local Flood Authority in respect of the flooding and drainage implications of the development;
- The development being fully assessed against Policy E8 of the West Northamptonshire

Joint Core Strategy and being found to be in conformity with this;

- The development on land outside the West Northamptonshire Joint Core Strategy allocation E8 being fully assessed and the impacts of this found to be acceptable;
- Adequate landscaping being secured to satisfactorily ameliorate the visual impact of the development;
- Archaeological and ecological impacts of the development being fully addressed; and
- Noise and air quality impacts of the development being fully addressed.
- South Northamptonshire Council to consider whether any mitigation measures are required to overcome impacts of the proposed development in Northampton in particular on the highway network and infrastructures.

The meeting concluded at 19:25