

## **NORTHAMPTON BOROUGH COUNCIL**

### **PLANNING COMMITTEE**

**Tuesday, 14 February 2017**

**PRESENT:** Councillor Oldham (Chair); Councillor Golby (Deputy Chair);  
Councillors Birch, Davenport, Gowen, Lane, B Markham,  
McCutcheon and Walker

**OFFICERS:** Rita Bovey (Development Manager), Nicky Toon (Development  
Management Team Leader), Wendy Rousell (Senior Planning  
Officer), Theresa Boyd (Solicitor), Dan Kalley (Democratic Services  
Officer), Ed Bostock (Democratic Services Officer)

#### **1. APOLOGIES**

Apologies for absence were received from Councillors Mary Markham, Kilbride, Kilby-Shaw and Haque.

#### **2. MINUTES**

The minutes of the meeting held on 17<sup>th</sup> January 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/2016/0083**

Mr R Gardner  
Sinead Turnbull

**N/2016/1188**

David Linnell  
Cllr Sally Beardsworth  
Jonathan Weekes

**N/2016/1264**

James Moore

#### **4. DECLARATIONS OF INTEREST/PREDETERMINATION**

Councillor Lane declared a personal non-pecuniary interest in item 10f as the Ward Councillor.

**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 and elaborated thereon. The applications relating to 26 Thornton Road and 21 Ravenscroft had been dismissed, the Inspector had agreed with the Council's decisions.

The Committee were informed that the appeal relating to Land at Milton Ham, Towcester Road had been dismissed, following the Public Inquiry held in December 2016. The Inspector agreed that the harm to the character of the area and the landscape and visual harm outweighed the social and economic benefits of the proposed development.

**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/2016/0083 - DEMOLISH EXISTING DWELLING AND ERECT RESIDENTIAL DEVELOPMENT OF UP TO 12 DWELLINGS, ACCESS ROAD AND ASSOCIATED WORKS. (OUTLINE APPLICATION INCLUDING DETAILS OF ACCESS) - 135 HARLESTONE ROAD**

The Development Management Team Leader submitted a report on behalf of the Head of Planning and elaborated thereon. The Committee heard that this outline application sought to demolish the existing property to make way for 12 dwellings, an access road and associated works. They were also informed that although there were trees on site that were subject to Tree Preservation Orders (TPOs) along the south-eastern boundary, it was considered that conditions would be put in place at the reserved matters stage to ensure there was no unacceptable adverse impact on the protected trees. It was noted that the dwellings would contribute towards the Council's 5-year housing supply. There were no objections raised from NCC Highways Authority nor from NCC Lead Local Flood Authority, the latter being

subject to a condition for the submission of a surface water drainage scheme for the site. In addition the Committee were informed that prior to any commencement of construction, a full ecology report was to be undertaken.

Mr R Gardner, resident at 29 The Lawns, addressed the Committee, citing concerns regarding security and scenery. He noted that the survey by NBC's Arboricultural Officer was carried out in 2013 and argued that this was no longer relevant information. He also noted that he and other residents had frequently seen not just bats, but owls, tits and other wildlife in and around the area. He stated that the erection of more dwellings in the area had the potential to lead to subsidence in those, as well as neighbouring properties. He stated that this application did not comply with Policies H3 and H4 of the Duston Neighbourhood Plan. He commented that the size of the access road would restrict the ability of the emergency services to reach the properties easily. Mr Gardner ended by saying that he and his neighbours had been long-standing residents since the properties on The Lawns had been built in 1987.

Ms Sinead Turnbull from DLP Planning addressed the Committee, stating that comprehensive consultation had taken place at every stage of the application and that it was accepted in principle by NBC's Planning Officers. She stated that the dwellings could be built without significant impact on neighbouring properties and that the development would not impact the protected trees. Furthermore, this development would contribute to the 5 year housing supply. Ms Turnbull noted that the application was outline only and that detailed matters would be subject to further consultation and a reserved matters application.

In response to questions asked, the Development Management Team Leader stated that there were no specific guidelines on separation distance between windows, however the indicative plans drawn up, showed the closest distance was 26m. Although not applicable planning guidelines stated that when building extensions, the Council's guidance sought a distance of no less than 21m back to back distances between properties it was felt that in this instance the 26m distance fell well above those guidelines. It was noted that with regard to the Duston Neighbourhood Plan, although policy H4 referred to backland development, the garden in question was of considerable size and it was the opinion of officers that the potential development benefits outweighed the harm to the area.

Members of the Committee welcomed the comments made and agreed that there were no reasons on a Planning basis to refuse the application; the site was large enough, concessions would be made to minimise disruption to the protected trees and privacy disruption would be minimal.

#### **RESOLVED:**

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

The principle of residential development of the site for up to 12 dwellings was considered acceptable and would contribute towards the Council's 5-year housing supply. Subject to the conditions below, the development would not lead to undue impacts on the character of the area, adjacent residential amenity, trees, ecology and

highway conditions in accordance with the aims and objectives of the National Planning Policy Framework, Policies SA, S3, S10, H1, BN3 and BN7 of the West Northamptonshire Joint Core Strategy, Policies E20 and H10 of the Northampton Local Plan and Policy OP1 of the Duston Neighbourhood Plan.

**(B) N/2016/1188 - OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT WITH ALL MATTERS RESERVED EXCEPT ACCESS - GRAZING LAND, MILL LANE, KINGSTHORPE**

The Senior Planning Officer submitted a report on behalf of the Head of Planning and elaborated thereon. The Committee heard that the site was some 0.74 hectares of green space that was close, but not adjacent to, the Kingsthorpe Local Nature Reserve. It was stated that a landscape assessment, that took the conservation area into consideration, had been carried out and that further reports would need to be submitted in due course. It was noted that the stone wall at the front of the site was not of historic value despite its appearance. Members were informed that a new access from Mill Lane was indicated in a central location, with the existing field access to be closed. It was further noted that the 5 dwellings would contribute to the Council's 5-year housing supply. Furthermore, the Committee were referred to two additional representations contained in the Addendum.

Mr David Linnell, the resident of Kingsmoor House, addressed the Committee. He stated that the proposed development would impinge upon the River Valley Green Space and to allow the development would be counter intuitive, contravening JCS BN5 – The Historic and Environment and Landscape. He further noted that the application contradicted National Planning Policy Framework paragraph 17, as in his view, there were other, more suitable, brown spaces available and that this would set a dangerous precedent for further development on green spaces. He stated that the housing deficit does not outweigh other considerations. He stated that the presence of badgers and other wildlife could not be denied. Mr Linnell finished by stating that the development would pose a loss of amenities for neighbouring properties.

Councillor Sally Beardsworth, as Ward Councillor, addressed the Committee, echoing earlier statements made by Mr Linnell. She noted that any green space in the town was valuable and once lost, was never regained. She further noted that any significant development in the area would make the improvement project in Kingsthorpe impossible to implement. She stated that Kingsthorpe was already prone to flooding and that any further development would only exacerbate the problem. Although the site itself was not in a flood zone, it was a soakaway and as such, would cause problems to the immediate area if it were to be developed. Councillor Beardsworth ended by noting that although there were no objections from NCC Highways Authority, she saw the 40mph limit on a very busy stretch of road as a potential danger to both cyclists and pedestrians.

Mr Jonathan Weekes, of BSH Projects Ltd, addressed the Committee on behalf of the applicant. He noted that extensive investigation had already taken place regarding the benefit of development versus harm and that the impact was considered to be neutral. Environmental and Arboricultural surveys had been received and raised no objections. He also noted that it was an outline application and that development could go ahead with no loss of amenities and that the site was presently private with no access to the public. Any development, Mr Weekes stated, would be subject to schemes to make sure that flooding would be no worse than at

present. Regarding Highways concerns, there was excellent visibility from either side of the access road.

In response to questions from the Committee, the Senior Planning Officer stated that the area was within the Brampton Arm of the River Nene and that the site itself had been identified in the Northampton Green Infrastructure Plan. It was also noted that the Northampton Local Plan 1997 was not an up to date document, however, some policies within the document were material to the application. The Committee were informed that changes in Planning policy and the requirement for the Council to demonstrate a 5-year housing supply resulted in a change in circumstances as per the report that justified Officers' recommendations for approval.

The Committee welcomed the comments and agreed that there were no Planning reasons to refuse this application. Several members did voice concerns about the number of houses that might be built on the land and the potential intrusiveness to neighbouring properties, but those concerns, among others, were covered by the conditions in the report; the size and proximity of any houses on the development would be subject to further reserved matters applications and consultation.

#### **RESOLVED:**

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

The proposed development would contribute towards the Borough's 5-year housing supply and would cause less than substantial harm to the setting, of Kingsthorpe Conservation Area. The proposed development would not have undue impact on neighbour amenity, flood issues, biodiversity and highway safety. The development was therefore in conformity with the requirements of the National Planning Policy Framework, Policies H1, BN1, BN2, BN5, BN8 & S10 of the West Northamptonshire Joint Core Strategy and Saved Policy E20 and E26 of the Northampton Local Plan.

#### **(C) N/2016/1264 - VARIATION OF CONDITION 1 OF PLANNING PERMISSION N/2000/981 TO ALLOW THE USE OF THE BUILDING AS A FREE SCHOOL - NBC DEPOT, STATION ROAD**

The Development Management Team Leader submitted a report on behalf of the Head of Planning and elaborated thereon. The Committee heard that the application sought to change the use of the building to a free school and that the application had been amended to allow for more on-site parking. Clarification had been given by NCC Learning Skills and Education regarding the urgency for alternative education for vulnerable children. It was noted that this was for a 2 year temporary consent basis. The Committee were also referred to additional comments made by the Crime Prevention Officer regarding an amended parking layout and arrangements contained in the addendum.

Mr James Moore, the Project Manager for Catch 22, addressed the Committee, firstly noting that NCC Authority had confirmed the need for alternative education for vulnerable children, stating that there was a substantial shortfall in education development. He noted that his Trust had already, and would continue to be proactive with the local community and that these plans were minimising the impact

to the immediate area. Furthermore, following consultation with local residents there was now an increased provision for off street parking.

In response to questions asked, the Committee heard that there was an area of currently concreted ground on-site that would be turned to a soft ground play surface for children to play outdoors. They also heard that the length of time this site was occupied would be subject to planning permission being granted for an alternative site in town, which was the subject of a separate planning application.

The Committee welcomed the comments made and agreed that as it was only on a temporary basis and although play space and parking were slight concerns, this was a good use of the building at the time.

**RESOLVED:**

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

The proposal would allow for the provision of a temporary facility to meet an existing educational need until a more permanent facility is provided. Subject to the conditions below, it was not considered that the change of use would lead to any unacceptable adverse impacts on adjacent residential amenity or existing highway conditions. The proposal was therefore in accordance with the requirements of Policies S10 and E6 of the West Northamptonshire Joint Core Strategy and the aims and objectives of the National Planning Policy Framework.

**(D) N/2016/1297 - CHANGE OF USE FROM SINGLE DWELLING TO 2 SELF-CONTAINED FLATS - 69 ALLEN ROAD**

The Development Manager submitted a report on behalf of the Head of Planning and elaborated thereon. The Committee heard that the application sought to change the use of the building from a three-bedroom dwelling to two one-bedroom flats. Two applications for this property had been received previously, one for the conversion of the existing dwelling to two flats, another for a single storey extension. Both applications were refused. It was noted that there had been no objections from NCC Highways Authority on the current application.

Members expressed concerns regarding the unauthorised works and use on site, The Development Manager stressed that decision should be made on the submitted plans only and the Council's Enforcement Officers would keep check on the progress of work on site.

Members welcomed the comments and agreed that a change from a three-bed dwelling to two one-bed flats would not impact the parking issue for the street.

**RESOLVED:**

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

The development would have no adverse impact upon the character and appearance of the area, or on the amenities of neighbouring occupiers, whilst securing a suitable

level of amenity for the future occupiers of the development. The proposal would not result in any increased detrimental impact on highway amenity. The proposal is therefore in conformity with Policies H1 and S10 of the West Northamptonshire Joint Core Strategy and Policies E20, H21 and H23 of the Northampton Local Plan and the National Planning Policy Framework.

**(E) N/2016/1544 - VARIATION OF CONDITION 1 OF PLANNING PERMISSION N/2015/0001 TO EXTEND USE OF THE EXISTING CAR WASH FOR A FURTHER FIVE YEARS - NBC SURFACE CAR PARK, COMMERCIAL STREET**

The Development Manager submitted a report on behalf of the Head of Planning and elaborated thereon. The application sought the variation of Condition 1 of planning permission N/2015/0001 to extend the use of the existing car wash for a further five years.

**RESOLVED:**

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

The proposed development is considered acceptable as a temporary use of the land and would not prejudice the future comprehensive redevelopment of the wider site and would allow the Local Planning Authority to monitor the impact on highway safety in compliance with Policy 1 of the Central Area Action Plan, Policy BN7A of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

**(F) N/2016/1579 - PROPOSED TRACTOR SHED, STORE AND PAVILION - FERNIE FIELD SPORTS GROUND, FERNIE FIELD**

The Development Manager submitted a report on behalf of the Head of Planning and elaborated thereon. The proposal entailed the construction of a tractor shed and a small pavilion to be used by young children and persons with disabilities.

**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 significantly improve the facilities for this established sports club and would not have any adverse impact in respect of visual amenity or on the amenities of adjoining and nearby residents. The proposal thereby complies with Policy S10 of the West Northamptonshire Joint Core Strategy, Policy E20 of the Northampton Local Plan and the National Planning Policy Framework.

**(G) N/2016/1697 - CHANGE OF USE OF TWO COMMUNAL ROOMS INTO TWO ONE BEDROOM SELF-CONTAINED DWELLINGS - WOODSTOCK, CLIFTONVILLE ROAD**

The Senior Planning Officer submitted a report on behalf of the Head of Planning and elaborated thereon. The Committee were informed that the application sought to change the use of two communal rooms into two one bedroom self-contained

dwelling. There would be minor exterior alterations to the building, including the replacement of a single door with a window in the elevation facing the car park and two additional windows on the elevation fronting Cliftonville Road.

**RESOLVED:**

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

The proposed development represents an acceptable use of accommodation and is complementary to the surrounding land uses. 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 S10 and H1 of the West Northamptonshire Joint Core Strategy and Policy E20 of the Northampton Local Plan.

**(H) N/2017/0005 - CHANGE OF USE FROM DWELLING (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 5 PERSONS - 54 BOSTOCK AVENUE**

The Development Management Team Leader submitted a report on behalf of the Head of Planning and elaborated thereon. The Committee heard that the application sought to change the building from a dwelling house to a house of multiple occupation (HIMO) for 5 people. A previous application to change the use of the dwelling to a HIMO for 6 people had been withdrawn. The Committee also heard that the making of the HIMO would only increase the amount in a 50m radius to 6.8%, which was well under the 15% guideline. The Committee were referred to comments made in the Addendum by NCC Highways Authority, raising concerns about the potential increase in the number of vehicles parked on street where there is no residual parking capacity, resulting in a greater chance of dangerous parking and conflict among residents. However, it was noted that the building was within 200m of local facilities and a bus stop, in line with Principle 3 of the Interim Planning Policy Statement (IPP).

In response to questions from the Committee, the Development Management Team Leader confirmed that the usable size of the attic bedroom was just over 10m<sup>2</sup>, which was above the IPPS requirement of 6.5m<sup>2</sup>. With regards to any enforcement action the applicant would be bound by the conditions as set out in the report, including keeping to the proposed layout.

Members welcomed the comments and agreed that the recommendation from NCC Highways Authority could not be ignored; the potential for dangerous driving and parking on an already very busy street posed too much of a risk.

**RESOLVED:**

That the application be **REFUSED** due to there being no residual parking capacity for vehicles in the area, and that the proposed change of use would generate a greater parking demand than existing, the proposed development would have a detrimental impact upon parking provision, highway safety and surrounding amenity contrary to Policy H5 of the West Northamptonshire Joint Core Strategy, Policy H30 of the



Northampton Local Plan and the aims and objectives of the National Planning Policy Framework.

## 11. ENFORCEMENT MATTERS

There were none.

## 12. ITEMS FOR CONSULTATION

### (A) N/2017/0021 - OUTLINE APPLICATION FOR DEVELOPMENT OF UP TO 125 DWELLINGS, INCLUDING AFFORDABLE HOUSING, ACCESS AND ASSOCIATED WORKS, OPEN SPACE INCLUDING STRATEGIC LANDSCAPING, SPORTS PITCHES AND CHILDREN'S PLAY SPACE, CAR AND COACH PARKING AREA TO SERVE MOULTON SCHOOL AND LOCAL COMMUNITY - LAND TO THE SOUTH OF BOUGHTON ROAD, MOULTON

The Senior Planning Officer submitted a report on behalf of the Head of Planning and elaborated thereon. It was noted that this was a revised application, which had previously been refused by Daventry District Council (DDC). The plans sought permission for outline planning permission for 125 dwellings and associated works, including strategic landscaping, sports pitches and children's play space, car and coach parking area to serve Moulton School and local community.

In response to questions asked, the Committee heard that these new homes would not count towards Northampton's 5-year housing supply and that they would be subject to the Community Infrastructure Levy (CIL). Members also raised concerns about the seemingly inadequate access from the site to the main roads and public transport connections.

Members welcomed the comments made and agreed they would be happy to raise no objections subject to adequate access to houses and adequate contributions towards provision of public transport links.

### **RESOLVED:**

That Northampton Borough Council raise **NO OBJECTIONS** (to the principle of development subject to the issues below being addressed by Daventry District Council:

- No objections being received from Northamptonshire County Council Highways regarding the impact on the local road network and adequacy of the access to serve the development;
- No objections being received from Northamptonshire County Council Education regarding the impact on education provision;
- That the developer enter into a satisfactory S106 Legal Agreement to ensure that provision is made for the necessary infrastructure to meet the requirements to mitigate the impacts of the development, including a contribution towards improvements to public transport provision, in particular bus services to Northampton town centre.

**13. EXCLUSION OF PUBLIC AND PRESS**

None required.

The meeting concluded at 8:17 pm