

**NORTHAMPTON BOROUGH COUNCIL**

**PLANNING COMMITTEE**

**Tuesday, 5 September 2017**

**PRESENT:** Councillor Oldham (Chair); Councillor Lane (Deputy Chair);  
Councillors Birch, Davenport, Golby, J Hill, Kilbride, Kilby-Shaw, B  
Markham, M Markham, McCutcheon and Smith

**OFFICERS** Rita Bovey (Development Manager), Nicky Toon (Development  
Management Team Leader), Ben Clarke (Principal Planning Officer),  
Theresa Boyd (Planning Solicitor), Emma Powley (Democratic  
Services Officer)

**1. APOLOGIES**

Apologies for absence were received from Councillor Choudary

**2. MINUTES**

**(A) MINUTES OF PREVIOUS MEETING**

The minutes of the meeting held on the 25<sup>th</sup> July 2017 were agreed and signed by  
the Chair.

**(B) AMENDED MINUTES FOR MEETING HELD ON 13TH JUNE 2017**

The Chair explained that the minutes of the meeting held on the 13<sup>th</sup> June 2017  
needed to be amended as outlined on the agenda. Members agreed the amended  
minutes and they were signed by the Chair as a true record.

**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/2017/0163**

Councillor Stone

**N/2017/0448**

Mr Markey

Mr Byrne

Councillor Stone

**N/2017/0448**

Mr Bright

**N/2017/0519**

Mr Fountain

**N/2017/0626**

Mr Lawson  
Councillor Smith

**N/2017/0702**

Mr Bright  
Mr Wallace  
Ms Trehan

**N/2017/0781**

Mr Smart

**N/2017/0791**

Ms Williams

**N/2017/0795**

Miss Battison  
Mr Oakes  
Mr Birch

**N/2017/0908**

Mr Smith

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

Councillor Oldham declared a personal and disclosable pecuniary interest in item 10j, as the applicant had sponsored leaflets for the Upton and West Hunsbury Conservative Branch, of which the Chair was a member.

Councillor Smith declared predetermination in respect of item 10e.

Councillor Davenport declared a personal and non-pecuniary interest in items 10c, 10f, 10g, 10h, 10i, 10k, 10n, 10o and 10q as Ward Member for Delapre and Briar Hill.

#### **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. It was explained that application N/2016/1073 had been dismissed and noted that N/2017/0081 had also been dismissed. Both applications were refused by the Planning Committee against Officers' recommendations.

**RESOLVED:**

That the report be noted.

**7. OTHER REPORTS**

**8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS**

None.

**9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS**

None

**10. ITEMS FOR DETERMINATION**

**(A) N/2017/0163 - CHANGE OF USE OF THE FIRST FLOOR OFFICES AND STORAGE AREA TO FORM A HOUSE IN MULTIPLE OCCUPATION FOR 5 OCCUPANTS (USE CLASS C4) AND A ONE BEDROOM SELF-CONTAINED RESIDENTIAL UNIT ON THE GROUND FLOOR (USE CLASS C3); ERECTION OF BIKE STORE AND BOUNDARY WALLS. SIKH TEMPLE, 2 CRAVEN STREET**

The Development Manager submitted a report on behalf of the Head of Planning and elaborated thereon. It was noted that the premises was currently used as a Dental Laboratory and that it had previously been a Sikh Temple.

Councillor Stone, as the Ward Councillor, spoke against the application and raised concerns about bin storage and parking.

In response to questions asked by the Committee, the Development Manager reported that the bin storage was within an enclosed area and noted that residents would need to apply for parking permits.

The Committee discussed the application.

**RESOLVED:**

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

**(B) N/2017/0448 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE OF MULTIPLE OCCUPATION (USE CLASS C4) FOR 5 OCCUPANTS. 39 QUEENS ROAD**

The Development Management Team Leader submitted a report on behalf of the Head of Planning and elaborated thereon. It was explained that an extra condition would be added to reinstate the bricked up basement window. Reference was made to the comments in the report from the Local Highway Authority that noted that there was no residual parking capacity on street.

Mr Markey, resident of Queen's Road, spoke against the application and commented that there were already a number of HIMO's on the road and a bail hostel which he believed had an adverse effect on the area.

Councillor Stone, as Ward Councillor, spoke against the application and voiced concerns about noise pollution and litter and stated that the houses had not been originally designed for multiple occupation.

Mr Byrne, as the owner, spoke in favour of the application and explained that the property was primarily for student accommodation and would be let and managed through the University to be leased on a three year basis.

In response to questions asked, Mr Byrne commented that if the application were approved, 2 of the occupants would be able to apply for 2 parking permits and noted the property's proximity to bus stops running to the Waterside campus.

The Committee discussed the application.

**RESOLVED:**

That the application be **APPROVED** subject to the conditions and reasons set out in the report which included a further condition that the bricked-up basement window be reinstated.

Condition 7 - Prior to the occupation of the premises for the use hereby permitted, the living room shall have been provided with an adequate means of natural light by the provision of a clear glazed window to be installed in the front elevation, in accordance with details which shall first have been submitted to and approved in writing by the Local Planning Authority. The window shall be retained throughout the life of the development.

Reason: To ensure an adequate standard of living accommodation for future occupiers of the premises, in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy, Policy H30 of the Northampton Local Plan and the National Planning Policy Framework.

**(C) N/2017/0488 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO A HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 5 OCCUPANTS (PART RETROSPECTIVE). 51 SOUTHAMPTON ROAD**

The Principal Planning Officer submitted a report on behalf of the Head of Planning and elaborated thereon. It was explained that the Highway Authority had objected to the proposal due to the potential impact on highway safety which were considered to be severe. Reference was also made to the nature of the site's location and previous appeal decisions.

Mr Bright, a local resident, spoke against the application and commented that residents would like to see the application deferred as it was believed that the 6.4% concentration of HIMOs in the 50m radius was incorrect and before the application be approved, a more accurate number of HIMOs needed to be collated for the Committee.

In response to questions, the Principal Planning Officer outlined that applications needed to be decided on the basis of the evidence currently available. If the Council did not make a decision, the applicant could potentially appeal against non-determination.

In response to further questions, the Development Manager explained that the Council was investigating a significant number of suspected HIMOs – although it had been established that some of those referred to in representations were not HIMOs in planning terms (e.g. they were occupied by people with extended families) – and therefore re-calculation of HIMO figures would be lengthy and time consuming and that support should be given to those who were applying and licensing their HIMOs correctly.

Members discussed the application.

A proposal was made to refuse the application against the officer recommendation.

Upon a vote, this motion was passed and the application **REFUSED** for the following reason:

Due to there being no residual parking capacity for vehicles in the area, and the fact 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, saved Policy H30 of the Northampton Local Plan and the aims and objectives of the National Planning Policy Framework.

**(D) N/2017/0519 - PROPOSED DEMOLITION OF NO. 341 BILLING ROAD EAST AND CONSTRUCTION OF REPLACEMENT NEW DWELLING, TOGETHER WITH CONSTRUCTION OF THREE FURTHER DWELLINGS TO REAR WITH DETACHED GARAGES. 341 BILLING ROAD EAST**

The Development Management Team Leader submitted a report on behalf of the Head of Planning and elaborated thereon. Member's attention was drawn to additional information contained within the addendum. In addition, an additional representation was received from residents of Brayford Close. It was noted that the officer recommendation was for approval of the application.

Mr Fountain, the applicant, spoke in favour and commented that no objections had been received from the Highways Authority and noted that he had worked with his agent alongside Council officers to minimise any negative impacts on the area. He stated that one of the new proposed dwellings would be his family home and emphasised the need for sustainability.

Members discussed the application.

**RESOLVED:**

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

**(E) N/2017/0626 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (SUI GENERIS) FOR 9 OCCUPANTS (RETROSPECTIVE). 22 ABINGTON GROVE**

At this juncture of the meeting, Councillor Smith moved from the table to public seating.

The Development Management Team Leader submitted a report on behalf of the Head of Planning and elaborated thereon. It was noted that the officer recommendation was to approve the application. Member's attention was drawn to additional information contained within the addendum.

Councillor Smith, as the Ward Councillor, spoke against the application and cited the number of occupants as being excessive. She further commented that there could be potential knock on effects on street parking within the vicinity.

Having addressed the Committee, Councillor Smith left the room.

Mr Lawson, as the owner, spoke in favour and commented that parking would not necessarily be problematic and the property was located near to bus stops and parking at the rear of the property was available. He further noted that it was a retrospective application and assured Members that none of the current occupants were car users.

In response to questions asked, Mr Lawson stated that he visited the property every week and explained that it was managed and visited by an agency once a week as well as a weekly cleaner.

The Committee discussed the report.

**RESOLVED:**

That the application be **APPROVED** subject to the condition and reasons as set out within the report.

Councillor Smith re-entered the room and took her seat at the table.

**(F) N/2017/0702 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 4 OCCUPANTS. 36 SOUTHAMPTON ROAD**

The Principal Planning Officer submitted a report on behalf of the Head of Planning and elaborated thereon. It was noted that the officer recommendation was for approval of the application subject to the conditions set out in the report. Member's attention was drawn to additional information contained within the addendum.

Mr Bright, a local resident, spoke against the application stated that he believed the 4.3% concentration of HIMO's in the area, referred to in the report, was an underestimate and that he considered it to be about 15.9% if the application was approved.

Mr Wallace, letting agent and local resident, spoke in favour of the application and commented that he and his client would provide high quality accommodation for students and that it would be possible to mitigate concerns with regards to parking by selecting tenants who were non-car users. He commented that there would be regular inspections for litter recycling and noise/anti-social behaviours would not be tolerated.

Ms Trehan, the applicant, spoke in favour and stated that the property would be re-furnished to a very high standard and noted that she would employ a regular cleaner. She reported that the number of young people learning to drive was decreasing and therefore, parking would be less problematic.

The Committee discussed the report.

**RESOLVED:**

A proposal was made to refuse the application against the officer recommendation.

Upon a vote, this motion was passed and the application **REFUSED** for the following reason:

Due to there being no residual parking capacity for vehicles in the area, and the fact 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, saved Policy H30 of the Northampton Local Plan and the aims and objectives of the National Planning Policy Framework.

**(G) N/2017/0736 - ERECTION OF 3NO ONE BED SELF-CONTAINED FLATS. LAND ADJOINING, 54 THORN HILL**

The Development Manager submitted a report on behalf of the Head of Planning and elaborated thereon. It was noted that Officer recommendation was for approval subject to conditions. It was confirmed that the application would contribute to the Council's 5 year housing supply.

The Committee discussed the report.

**RESOLVED:**

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

**(H) N/2017/0781 - VARIATION OF CONDITION 3 OF PLANNING PERMISSION N/2017/0362 (CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 3 OCCUPANTS) TO INCREASE TO A MAXIMUM OF 4 OCCUPANTS. 75 EUSTON ROAD**

Councillor Lane left the room at this juncture.

The Principal Planning Officer submitted a report on behalf of the Head of Planning and elaborated thereon. It was noted that the application was for the variation of a condition to increase the limit of residents in the HIMO from 3 to 4.

Mr Smart, the owner, spoke in favour and commented that he had purchased the property prior to the area being an Article 4 Direction area, which removed permitted development rights for change of use from a dwelling to a HIMO.

Members discussed the report.

**RESOLVED:**

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

Councillor Lane returned to the room. Councillors Hill and M Markham left the room.

**(I) N/2017/0791 - NEW TWO STOREY ONE BEDROOM HOUSE ON LAND PREVIOUSLY OCCUPIED BY A GARAGE. LAND REAR OF 20 THIRLESTANE ROAD**

The Development Manager submitted a report on behalf of the Head of Planning and noted that planning permission was being sought for a new two storey dwelling to replace the previous detached double garage which has recently been demolished.

Ms Williams, local resident, spoke against the application and cited concerns with regards to pressure on parking, overbearing and not in keeping with the area.

The Committee discussed the report.

**RESOLVED:**

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

Councillors Hill and M Markham returned to the room.

**(J) N/2017/0795 - VARIATION OF CONDITION 5 OF PLANNING PERMISSION N/2011/0221 (CHANGE OF USE FROM RESIDENTIAL (USE CLASS C3) TO RETAIL (USE CLASS A1) TO ALLOW PERMANENT TRADING HOURS OF 07.30 TO 22.00 DAILY. 2 WEBB DRIVE, UPTON**

At this juncture of the meeting, having declared a personal and disclosable pecuniary interest, Councillor Oldham left the room. Councillor Lane, as the Deputy, took the Chair. Councillors Davenport and Birch also left the room.

The Development Manager submitted a report on behalf of the Head of Planning and elaborated thereon. Member's attention was drawn to additional information contained within the addendum. There were two further letters of support received in addition. The application sought approval for the variation of a planning condition relating to approved opening hours. It was noted that no objections had been received from either the Police or Environmental Health.

Ms Battison, as a resident of the flat above the premises spoke against the application and stated that it was having a serious detrimental effect on her health and that of her son with excessive noise and noted that there was no demand for increased opening hours.

Mr Oakes, local resident, spoke against the application and commented that the shop had generated an increase in the amount of litter left by customers. He further



commented that the shop was not in keeping with the rest of the area and voiced concerns about potential accidents caused by shop-users parking unlawfully.

Mr Birch, the Licensing Consultant who applied for the original alcohol License, spoke on behalf of his clients and commented that having received complaints the applicant had fitted new door shutters and door latch. He stated that efforts had been made by his clients to resolve the issues with the neighbouring residents.

The Committee discussed the application.

**RESOLVED:**

A proposal was made to refuse the application against the officer recommendation.

Upon a vote, this motion was passed and the application **REFUSED** for the following reason:

The proposed extension to opening hours would result in increased comings and goings and general activity into the late evening, in close proximity to residential properties, creating noise and disturbance detrimental to residential amenity contrary to Policies BN9 and S10 of the West Northamptonshire Joint Core Strategy and aims and objectives of the National Planning Policy Framework.

Councillor Oldham returned to the room and resumed his position as Chair. Councillors Davenport and Birch also returned to the room.

**(O) N/2017/0908 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 3 OCCUPANTS. 150 SOUTHAMPTON ROAD**

The Principal Planning Officer submitted a report on behalf of the Head of Planning and elaborated thereon. He referred to further information that was contained within the addendum.

Mr Smith, the agent for the applicant, spoke in favour of the application and stated that they were seeking a modest change to the property and there would be no increased risk. He stated that there was a dedicated refuse area and bicycle storage. He further stated that the applicant worked closely with the residents association to ensure that he was responsive to any concerns raised.

In response to a question asked, Mr Smith confirmed that the accommodation was primarily for student accommodation.

Members discussed the report.

**RESOLVED:**

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

Councillor McCutcheon left the room.

**(K) N/2017/0796 - ADVERTISEMENT CONSENT FOR 1NO. NON-ILLUMINATED FASCIA SIGN ON GABLE END. 5 CLINTON ROAD**

The Development Management Team Leader submitted a report on behalf of the Head of Planning and elaborated thereon. The application was recommended for approval and sought for advertisement consent.

Members discussed the report.

**RESOLVED:**

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

**(L) N/2017/0874 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 4 OCCUPANTS. 17 OVERSTONE ROAD**

Councillor McCutcheon returned to the room.

The Development Management Team Leader submitted a report on behalf of the Head of Planning and elaborated thereon. Member's attention was drawn to the additional information contained within the addendum which referred to a further condition that was to be added.

Members discussed the report.

**RESOLVED:**

That the application be **APPROVED** subject to the conditions and reasons set out in the report and with the additional condition contained within the addendum.

**(M) N/2017/0875 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 4 OCCUPANTS. 65 DUNSTER STREET**

The Development Management Team Leader submitted a report on behalf of the Head of Planning and elaborated thereon. It was explained that there were only 7 other HIMO's within a 50 m radius and parking was within a permit zone.

Members discussed the report.

**RESOLVED:**

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

**(N) N/2017/0882 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 4 PERSONS. 18 ROTHERSTHORPE ROAD**

The Principal Planning Officer submitted a report on behalf of the Head of Planning and elaborated thereon.

Members discussed the report.

**RESOLVED:**

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

**(P) N/2017/0952 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 4 OCCUPANTS. 46 DENMARK ROAD**

The Principal Planning Officer submitted a report on behalf of the Head of Planning and elaborated thereon. It was noted that no representations had been received from neighbouring properties and that the site was located in an area where parking was controlled through permits, which were limited.

Members discussed the report.

**RESOLVED:**

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

**(Q) N/2017/0964 AND N/2017/1965 - PLANNING AND LISTED BUILDING CONSENT APPLICATIONS FOR INSTALLATION OF CCTV SECURITY CAMERAS AFFIXED TO THE BUILDING AND ON CCTV POSTS. DELAPRE ABBEY, LONDON ROAD**

The Development Manager submitted a report on behalf of the Head of Planning and elaborated thereon. Members' attention was drawn to the additional information contained within the addendum. It was noted that the design was sensitive to the integrity of the listed building and noted that the Police were supportive of the application.

Members discussed the report.

**RESOLVED:**

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

**11. ENFORCEMENT MATTERS**

None

**12. ITEMS FOR CONSULTATION**

None

The meeting concluded at 10.14pm