

NORTHAMPTON BOROUGH COUNCIL

PLANNING COMMITTEE

Tuesday, 7 July 2020

PRESENT: Councillor Oldham (Chair); Councillor Lane (Deputy Chair);
Councillors Birch, Bottwood, Cali, Choudary, 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

None.

2. MINUTES

The minutes of the meeting held on 19th May and 9th June would be brought to the next Planning Committee.

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/2019/0840

Sam Rumens
Councillor Larratt
Andrew Palmer
Srivani Vuppala

N/2020/0128

Caroline Mayes

N/2020/0133

Caroline Mayes

N/2020/0399

Robin Brown
Mohammed Azhar
Councillor Hallam
Andrea Feeney
Adrian Kearley

N/2020/0509

Steve Ingram

N/2020/0514

Councillor Flavell

Nick Stephens

4. DECLARATIONS OF INTEREST/PREDETERMINATION

Councillor King declared a predetermination in respect of items 10a and 10b and advised that she would leave the meeting during these items.

Councillor Bottwood declared a disclosable and pecuniary interest in respect of items 12a and 12b as a board member of Northampton Partnership Homes (NPH) and advised that he would leave the meeting for these items.

Councillor M Markham declared a disclosable and pecuniary interest in respect of items 12a and 12b as a board member of Northampton Partnership Homes (NPH) and advised that she would leave the meeting for these items.

Councillor B Markham advised that he had received email representations in support of, and in objection to in respect of items 10c and 10e but stated that he was not predetermined.

Councillor Kilby-Shaw advised of a personal interest in respect of item 8a as a resident of Kingsthorpe but stated that he was not predetermined.

Councillor Choudary declared a disclosable and pecuniary interest in respect of 8a and advised that he would leave the meeting for this item.

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

At the Chair's invitation, Councillor Larratt addressed the Committee and explained that he had attempted to email a request to Democratic Services to speak at the meeting against item 8a, but the email was not received.

The Chair agreed to allow Councillor Larratt to address the Committee in reference to item 8a.

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 explained that 3 appeals had been dismissed by the Inspector, having first been refused by officers under delegated powers. Regarding 5-11 Horseshoe Street, the Inspector agreed with planning officers that the proposed extension was too large and would be detrimental to the setting of the Listed Building. The Inspector also agreed with planning officers regarding 5 St Michaels Mount, who had initially refused the application based on concentration grounds. Regarding 8 Bostock Avenue, the Inspector agreed with officers and upon a day-time site visit, found that parking was nose-to-tail and

concluded that the situation would be significantly worse during the evening, and that the proposal would increase conflict and affect highway safety.

Members discussed the report.

RESOLVED:

That the report be noted.

Councillor Choudary left the meeting at this juncture.

7. OTHER REPORTS

None.

8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS

(A) N/2019/0840 - THE CONSTRUCTION OF NEW ROADS (NORTHAMPTON NORTH WEST RELIEF ROAD) ON LAND SOUTH OF THE A5199 NORTHAMPTON ROAD BETWEEN THE BRAMPTON HEATH GOLF CENTRE AND THE RIVER NENE, INCLUDING TWO NEW ROUNDABOUTS AND LINKS BRIDGING OVER THE RIVER NENE TO BRAMPTON LAND AND OVER THE NORTHAMPTON LOOP OF THE WEST COAST MAINLINE TO CONNECT WITH THE DALLINGTON GRANGE DEVELOPMENT. LAND OFF A5199, NORTHAMPTON ROAD

The Development Management Team Leader submitted a report to the Committee. Members' attention was drawn to the addendum which contained additional comments from a 3rd party and Northamptonshire Badger Group; they had been forwarded to NCC for consideration. The Committee were informed that the scheme had been amended slightly from a previous application that it was consulted on in December 2019; the boundaries of the site to the south-west and north-east had been expanded. To the west of the site, where several smaller drainage ponds had been proposed, now one large pond was proposed along with a raised embankment to the south of the pond. Two new roundabouts were proposed at Sandy Lane and Brampton Lane; the Sandy Lane roundabout was approximately 40m east compared to the previous application and both roundabouts had been redesigned to increase the flow of traffic. Two bridges were proposed over the railway line and the River Nene. The Committee heard that the NPPF stated that a development should only be refused on highway grounds if it would have an unacceptable highway safety impact or have a severe impact on road networks. A revised transport assessment had been submitted based on updated modelling details which advised that regarding the North West Relief Road (NWRR), there would be a reduced volume of traffic by 2031 (on junctions listed in paragraph 7.6 of the report). Several offsite mitigation measures were proposed (listed at paragraph 7.7 of the report). The transport assessment acknowledged that there could be junctions that may be adversely affected; whilst no mitigation was proposed at this stage, potential mitigation measures could be considered in the future. In respect of air quality, Environmental Health had been consulted directly by NCC who were in the process of reviewing the information, however, their initial comment was that the submitted modelling did appear to be acceptable; whilst there would be initial exceedances in air quality levels, by approximately 2029 there would be no exceedances. Ecology reports had identified several species on the site including bats, badgers, barn owls and otters. The NCC

Ecologist has been consulted by the County and will respond directly to them in respect of ecology matters and appropriate mitigation. In terms of drainage, the relevant bodies had been consulted directly by NCC and information would be reviewed to ensure there was no increased flood risk.

Sam Rumens, County Councillor for Kingsthorpe North and representative of Whitehills and Spring Park Residents Association (WASPRA), spoke against the application and advised that the proposal would provide small improvements in places and much larger problems in others and stated that the mitigations were unrealistic. He noted that none of the junctions would become free flowing as a result of the development. He implored the Committee to object to the application in its current form, until a more ambitious plan came before them with a longer view of how it could benefit the town.

Councillor Larratt spoke against the application and stated that WASPRA had undertaken a significant amount of work alongside the Council in respect of the proposal, none of which appeared in the report. Councillor Larratt considered the proposal a bypass for the Bramptons and further stated that any problems alleviated in Northampton would simply be pushed farther down the road. And explained that residents' views had been ignored and that it did not represent the thorough work carried out by WASPRA.

In response to questions, Councillor Larratt commented that the proposal was a poor substitute for the Northern Orbital Road which he believed to be the best solution for congestion in the town's outskirts.

The Chair introduced Andrew Palmer and Srivani Vuppala, agents on behalf of the applicant, and invited the Committee to ask any technical questions of them. In response to a question, Mr Palmer advised that several locations were looked at regarding the Brampton Lane roundabout, but none were taken forward as preferred that avoided the roundabout being located on the disused railway line. He explained that numerous initial studies were carried out in respect of the Northern Orbital Road in previous years, but the NWRR was taken forward as a scheme after funding for the Northern Orbital Road was not forthcoming. The Committee further heard that traffic counts carried out by WASPRA and the applicant, when compared to each other, were consistent; this led to further work on the traffic assessment which was added to the transport assessment addendum and recently submitted transport assessment update. In response to a question relating to cycle routes, Ms Vuppala confirmed to the Committee that a permanent cycle route already existed along the length of the road.

Members discussed the report.

RESOLVED:

That Northampton Borough Council raise **NO OBJECTION IN PRINCIPLE** subject to the following:

- 1) Northamptonshire County Council seeking an appropriate level of mitigation with due regard to comments received from relevant consultees and conditioning any planning permission accordingly in respect of impacts arising

from the development on the local highway network including the promotion of active travel and sustainable transport modes, air quality, flood risk and drainage, biodiversity, noise, and impacts on amenity, particularly during the course of construction; and

- 2) Northamptonshire County Council give due consideration to the impacts of the proposed development on the Safeguarded Former Transport Route identified in Policy C3 of the West Northamptonshire Joint Core Strategy and Policy 30 of the emerging Northampton Local Plan Part 2, and to ensure that the development does not delay or compromise the allocation and delivery of the Northampton North Orbital Road.
- 3) Northamptonshire County Council are strongly urged to promote the development of the Northampton North Orbital Route in order to achieve the highway improvements required from both schemes and maximise the highway benefits in their entirety.

Councillors Golby and King left the meeting at this juncture.

9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

10. ITEMS FOR DETERMINATION

(A) N/2020/0128 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (SUI GENERIS) FOR 8 OCCUPANTS. 51 ST MATTHEWS PARADE

The Principal Planning Officer submitted a report to the Committee. Members' attention was drawn to the addendum which contained additional comments made by the applicant. It was noted that the application came before the Planning Committee at the May meeting and was deferred to allow the applicant to work with officers to reduce the number of occupants. As a result of these negotiations, a bedroom has been replaced by a living room and the number of occupants has been reduced from 10 to 8. It was also noted that should the application be approved, the concentration of HMOs in a 50m radius would be 2%.

The Chair confirmed that the Public Speaker on the item had identical statements to read out in respect of items 10a and 10b; for the sake of expediency the Chair asked Ms Mayes to speak once and for the Committee to consider her statement in respect of items 10a and 10b.

Caroline Mayes, a local resident, spoke against the application and stated that whilst the revised application alleviated some of her concerns, previous issues still needed consideration. She advised that a garage linked to the property was being used to dismantle cars; this business was not licensed. She asked that the application be refused until current problems were resolved.

Members discussed the report.

RESOLVED:

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

(B) N/2020/0133 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (SUI GENERIS) FOR 8 OCCUPANTS. 53 ST MATTHEWS PARADE

The Principal Planning Officer submitted a report to the Committee. Members' attention was drawn to the addendum which contained additional comments made by the applicant. The Committee heard that the application was considered alongside the previous application at the last Planning Committee and was also deferred for the same reason. The applications were almost identical; however the toilets and bathrooms were laid out differently. It was noted that should the application be approved, the concentration of HIMOs in a 50m radius would be 4%.

In response to a question, the Committee heard that the provision of bathrooms within the property complied with planning and licensing guidance adopted by the Council.

Members discussed the report.

RESOLED:

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

Councillor McCutcheon left the meeting at this juncture.

Councillor King re-joined the meeting.

(C) N/2020/0399 - DEMOLITION OF EXISTING BUNGALOW AT 486 KETTERING ROAD AND REDEVELOPMENT OF SITE TO PROVIDE NEW CARE HOME (CLASS C2) ARRANGED OVER PART TWO AND PART THREE STOREYS TOGETHER WITH ASSOCIATED CAR PARKING, LANDSCAPING AND AMENITY SPACE AND NEW ACCESS FROM KETTERING ROAD. 486 - 492 KETTERING ROAD

The Principal Planning Officer submitted a report to the Committee including further objection received and explained that buildings on site had been demolished and cleared to make way for the development and that an existing bungalow onsite would also be demolished to allow for the development. The proposal, a 56-bed care home, would have a similar set back from the road to the neighbouring property to the south and would step forward to the north. The development would comprise 3 blocks served by 1 access point at the request of the Local Highway Authority. The number of occupants was initially proposed at 66 but the numbers were reduced to try and improve the parking situation. The care home would include various facilities such as a hair salon and cinema room for use by occupants and all bedrooms would be en suites. Members' attention was drawn to the addendum which contained a summary of 5 further letters of objection and to an additional statement from a local resident in support of the application that was received following the publication of the Addendum.

Robin Brown, a local resident, spoke against the application and commented that he objected to the size of the development and lack of parking. Mr Brown contested

several paragraphs in the report including 7.5, 7.8 and 7.13. He noted that the new proposal was almost 3 times larger than that previously approved. Regarding parking, Mr Brown stated that the provision of 19 spaces was insufficient and suggested that any overflow would block Kettering Road and the surrounding streets. He advised that refuse collection vehicles would need to reverse 32m into the site, exceeding the recommended distance which could affect the safety of service users and other elderly people in the area.

Councillor Hallam, in his capacity as the Ward Councillor, spoke against the application and commented that local residents were supportive of the principle of the continued use of the site for elderly accommodation and care, however they had concerns around the proposed development's design which would have an overbearing effect. The continuing increase of traffic along Kettering road was also a concern. Councillor Hallam asked that the Committee defer their decision to allow further discussion to take place between the planning consultant, officer and local residents

Mohammed Azhar, a local resident, spoke against the application and voiced concern around the scale and design of the proposal, the increase in traffic generated and privacy. He noted that waste storage for the site would be located close to neighbouring properties and suggested that it be moved to an area of the site not adjacent to residential properties.

Andrea Feeney, Operations Manager for Avery Healthcare, spoke in favour of the application and commented that the care homes operated by Avery Healthcare in Northampton had good ratings with the CQC. She advised that access to outdoor spaces was essential for the wellbeing of residents. Local companies would be used as suppliers for the care home. There was high demand for placements with care homes run by the company which had close links with the relevant authorities. The site would be run by a general manager alongside a team of dedicated and experienced staff, including full-time gardeners and maintenance staff.

In response to questions, Ms Feeney explained that approximately 15-20 staff members would be on site at any time

Adrian Kearley, the agent on behalf of the applicant, spoke in favour of the application and commented that the proposal would address a pressing need for purpose-built care accommodation for elderly people in the area. Up to 55 jobs would be created, and additional jobs during the construction stage. It would have a positive impact on the Council's housing supply; where people may seek to downsize, larger family homes in the area would become available. Mr Kearley noted that the scale of the proposed development was as small as possible whilst remaining commercially and operationally viable. The development would drop down to 2 storeys where adjacent to residential buildings. Where close to the properties on Squires Walk the proposal would be 2 storeys and a separation distance of 10m from the boundary and an overall separation distance of 24m to the nearest property. Following meetings with immediate neighbours, the height of the boundary fencing was proposed to be higher and boundary landscaping strengthened. Mr Kearley advised that in Avery's experience elsewhere, the provision of 20 parking spaces would fully meet their needs and noted that there had been no objections from the Local Highway Authority.

In response to questions, the Committee heard that following extensive consultation with neighbours and the Ward Councillor, the scale of the development had been significantly reduced. The previous care home had a maximum capacity, including extensions over the years of 40+ residents, however it was noted that the care home was not purpose-built.

Members discussed the report.

It was noted that Councillor Choudary joined the meeting mid-way through the item so would not take part in the vote.

RESOLVED:

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

At this juncture Councillor B Markham left the meeting and Councillor Choudary re-joined the meeting.

(D) N/2020/0509 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION FOR 5 OCCUPANTS (USE CLASS C4). 50 MANFIELD ROAD

The Principal Planning Officer submitted a report to the Committee and explained that the basement was currently being used as a bedroom; this would be converted to a kitchen which was considered acceptable due to the large windows featured. A previous application for a HIMO for 7 occupants had been refused due to parking capacity, the access from a loft bedroom to the basement kitchen and a convoluted route to the bin store. It was noted that the loft bedroom had been removed, an easier access to the bin store created, and the number of proposed occupants reduced to reduce parking need. It was noted that the application complied with the Council's recently adopted SPD on HIMOs and that should the application be approved, the concentration of HIMO properties in a 50m radius would be 5.8%.

Steve Ingram, the applicant, spoke in favour of the application and commented that he owned and managed 2 HIMOs currently, and that he had worked with planning officers and considered feedback from the previous refusal and made amendments to his application.

Members discussed the report.

RESOLVED:

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

(E) N/2020/0514 - PROPOSED REMOVAL OF HORSE CHESTNUT TREE (UNDER TREE PRESERVATION ORDER 069). 1A BILLING ROAD

The Development Manager submitted a report to the Committee. Members' attention was drawn to the addendum which contained representations from the County Ward

Councillor and additional objections from local residents, also a correction in that the tree's canopy did not overhang into a neighbouring property. An arboricultural report was submitted alongside the application to remove the tree which stated that fungal growth and infection had weakened the stability of the tree and would result in possible catastrophic failure of the tree's base. Whilst it was difficult to ascertain when the tree might fall, it was clear that it was in a poor and declining condition. The Council's Tree Officer provided a statement which agreed with the arboricultural report to recommend the tree's removal. A condition was included to ensure that the tree be replaced with another heavy standard of an appropriate species, also protected with a TPO.

Councillor Flavell, in her capacity as the Ward Councillor, spoke against the application and commented that the application mentioned a "danger to the public" which was not mentioned in the Tree Officer's report. She further commented that Building Control had confirmed that the retaining wall did not pose a danger to the public; she asked that the Committee defer their decision and request that an independent survey be undertaken, noting that the applicant had declined to do so.

In response to questions, the Committee heard that applications to maintain the tree had been submitted in the years following the TPO being granted in 1990 but no works had been carried out since then.

Nick Stephens, a local resident, spoke against the application and advised that should the tree be removed, the subsequent subsidence would cause damage to his property and suggested that the Council would be liable for any damage to his property. He noted that there had been over 100 objections to the application but no messages of support for the removal of the tree had been received.

In response to questions, the Committee heard that subsidence was a risk associated with extraction of moisture from soil; subsidence would only occur if the soil was not allowed to rehydrate and given that the soil had a high concentration of free-draining sandstone, it was not envisaged that this would be an issue. The proposed replacement tree would be approximately 3.5m high. In 2001, an application was submitted to remove the tree which was refused, however this subsequent application and the addition of the arboricultural report, supported by the Council's Tree Officer showed that it was no longer safe to retain. No Capital Asset Value assessment had been carried out; it was explained that the Tree Officer felt that public health and safety should take precedence over public amenity. It was further explained that the TPO Regulations did not allow for more than a 1-for-1 replacement of protected trees. The Tree Officer advised that due to the way in which works were carried out prior to the implementation of the TPO, should any remedial works be carried out to reduce the canopy at this stage, there was a risk that its energy reserves would deplete, further weakening the tree.

Members discussed the report.

RESOLVED:

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

Councillors Lane, M Markham and Bottwood left the meeting at this juncture.

11. ITEMS FOR CONSULTATION

None.

12. NORTHAMPTON PARTNERSHIP HOMES APPLICATIONS

(A) N/2020/0244 - INSTALLATION OF BRICK BUILT BIN ENCLOSURES ADJACENT TO 1-23 STONEHURST. 1 STONEYHURST

The Development Manager submitted a report to the Committee. The application sought approval for the construction of brick-built bin enclosures for 3 Euro bins and dropped kerbs to serve the apartment block.

Members discussed the report.

RESOLVED:

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

(B) N/2020/0541 - VARIATION OF CONDITION 2 OF PLANNING PERMISSION N/2019/0387 (DEMOLITION OF 18NO DOMESTIC LOCK UP GARAGES AND CONSTRUCTION OF 2NO NEW BUILD UNITS) TO AMEND UNITS POSITION. LOCK UP GARAGES, CARDIGAN CLOSE

The Principal Planning Officer submitted a report to the Committee. It was noted that the application was approved by the Planning Committee in June 2019; a sewer easement had been discovered under the site and so there was a need to shift the proposed dwellings 3 metres to the south-west. It was noted that no alterations were proposed to the design or layout of the properties.

Members discussed the report.

RESOLVED:

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

The meeting concluded at 8:28 pm