

**NORTHAMPTON BOROUGH COUNCIL**

**PLANNING COMMITTEE**

**Tuesday, 28 July 2020**

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

**1. APOLOGIES**

Apologies for absence were received from Councillors Bottwood and Choudary.

**2. MINUTES**

The minutes of the meeting held on 19<sup>th</sup> May 2020 and on 9<sup>th</sup> June 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/2019/1277**

Councillor Davenport  
Councillor Walker  
Councillor Roberts  
Pete Stanton  
Sally Jones  
Peter Frampton  
Anna Swift

**N/2020/0424**

Richard Gartside

**N/2020/0458**

Andy Lord  
Jonathan Best

**N/2020/0589**

Councillor Stone  
Kalam Mohammad

**N/2019/0755**

William Jacobs

**N/2020/0257**

Jonathan Evans

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

Councillor Kilby-Shaw advised of a personal and disclosable pecuniary interest in respect of item 7a, as a Ward Councillor, but that he was not predetermined and would keep an open mind when considering the item.

The Chair, Councillor Oldham advised of a personal and disclosable pecuniary interest in respect of item 10c, as a Ward Councillor, but that he was not predetermined and would be open minded when considering the application.

Councillor M Markham declared a personal and disclosable pecuniary interest in respect of items 12a and 12b, as a board member for Northampton Partnership Homes. Councillor M Markham advised that she would leave the meeting before these items were presented and take no part in the discussion.

#### **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 on behalf of the Director of Planning and Sustainability. She explained that 7 decisions had been made since the last meeting, 4 appeals had been allowed as outlined in the report and 3 appeals had been dismissed. A further update would be provided at the next meeting.

#### **RESOLVED:**

That the report be noted.

#### **7. OTHER REPORTS**

There were none.

#### **(A) N/2020/0667 - APPLICATION FOR A VARIATION TO THE S106 AGREEMENT TO AMEND MORTGAGEE CLAUSE. UNIVERSITY OF NORTHAMPTON PARK CAMPUS, BOUGHTON GREEN ROAD**

The Development Management Team Leader presented the report and explained that the application was a request to vary the Section 106 Agreement to amend the mortgagee exclusion clause in the Section 106 Agreement dated 19 December 2018 relating to an outline consent at the former Northampton University Park Campus at Boughton Green Road, which was currently being redeveloped for residential use. Members were advised that the amendment primarily related to lending and funding requirements and did not in themselves affect the required provision of affordable housing on site.

Members discussed the application.

#### **RESOLVED:**

That the Committee **AGREE** to vary the Section 106 Agreement in accordance with the Recommendations as set out in paragraphs 1.1 and 1.2 of the report.

## **8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS**

There were none.

## **9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS**

There were none.

## **10. ITEMS FOR DETERMINATION**

- (A) N/2019/1277 - VARIATION OF CONDITION 2 OF PLANNING PERMISSION N/2012/0909 (PROPOSED RESIDENTIAL DEVELOPMENT OF 139 RESIDENTIAL DWELLINGS, GARAGES AND ASSOCIATED WORKS INCLUDING NEW ACCESS ROUNDABOUT) TO ALTER THE LAYOUT OF THE DEVELOPMENT, ALTER HOUSE TYPES, AND REMOVE AND ALTER GARAGES, AND VARIATION OF CONDITIONS 3, 4, 5, 6, 7, 8, 11, 12, 13, 15, 18, 19, 21, 22, 23, 24, 25, AND 26 TO BE IN ACCORDANCE WITH DETAILS SUBMITTED. REMOVAL OF CONDITIONS 10 AND 16. DEVELOPMENT LAND, LANCASTER WAY**

Councillor King joined the meeting at this juncture.

The Principal Planning Officer presented the report for the development land at Lancaster Way and explained the application was for an amendment to approved scheme N/2012/0909 to slightly alter the layout of the development, amend house types, reduce the number of garages, and to alter the wording of conditions to be in accordance with details now submitted. It was advised that the levels of the site had been closely looked at on an individual plot basis to ensure that there was not an unacceptable impact upon neighbouring amenity. Plots 112 and 122 were highlighted as improvements to neighbouring amenity through the use of hipped roofs. It was advised that EV charging had been added to the development. An explanation of the development in connection with ecology and flooding was provided. A private right of way across the site was also explained alongside changes to the open space on site.

At the Chair's invitation, Ward Councillor for Far Cotton and Delapre, Councillor Walker addressed the Planning Committee and addressed his concerns regarding flooding and the drainage of the site.

The Chair then invited Councillor Davenport to address the Planning Committee. Councillor Davenport expressed her concerns with the development and urged Committee Members to reconsider the development. Concerns regarding flooding and foul water were reiterated.

Councillor Roberts, Ward Councillor for Delapre and Briar Hill, was then invited to address Planning Committee. Councillor Roberts highlighted concerns with the development not being built in accordance with the approved plans, the private right of way, a substation not being in the plans, that no occupation should occur until all conditions are completed, contamination issues, drainage issues, and biodiversity concerns. In response to a question from Committee it was advised that concerns

with the development had been raised to the Planning Department but it was not considered that the responses had been realistically considered.

At the Chair's invitation, local resident Pete Stanton addressed the Planning Committee. He queried the foot connection that was in a previous application between Leah Bank and the new estate and questioned as to why the police had deemed as dangerous. He hoped the footway would be instated as it would benefit many residents.

Then the Chair invited Sally Jones to address the Planning Committee as a representative for the Northamptonshire Badger Group. Concern was raised with the layout and the impact upon badgers, that work should stop until the badgers are given all they need, and that the development may result in the loss of badgers on the site. Ms Jones urged for further conditions to be included for the protection of badgers currently on the site. In response to a question from Committee it was advised that the proposed conditions for the badgers were welcomed but despite these the badgers would need more space and a reduction in the number of plots was needed.

At the Chair's invitation, Peter Frampton, the agent for the site, addressed the Committee. It was outlined that the road layout resulted in the need to amend the scheme, that conditions were in place to control flooding and foul water, that there are conditions for the protection of badgers, and that there was a vitally important need for housing. In response to questions from Committee it was advised that the application was supported by specialist assessments and consultees responses do not raise concerns, and that the protection of badgers after construction is covered by Natural England and the requirement for licences.

Then the Chair invited, Anna Swift, Consultant Ecologist on behalf of the developer to address the Planning Committee. Ms Swift highlighted that the artificial badger set had been deemed appropriate by Natural England in July and having been monitored she confirmed that they found badgers were in use of this. Ongoing monitoring and badger surveys were in place and badger proof fencing could be installed to prevent digging in residents' gardens and movement corridors could be provided. In response to questions from Committee it was advised that fruiting trees and shrubs could be provided in the open space and corridors on the northern and eastern boundaries. Councillor King left the meeting at this juncture.

The Principal Planning Officer provided clarification on points raised with regards to there being no objection to the scheme from the LLFA, that there was not a link to Leah Bank, that the substation was not in the plans as it was not part of the application, that there are conditions on contamination, that there are conditions on badgers in line with NCC Ecology requests, and that the badger corridors and planting referred to by Ms Swift are not within the application boundary.

The Committee Members then questioned the Principal Planning Officer and it was advised that with regards to badgers, licences had been obtained from Natural England for previous closures and they would need further licences for any further closures, that the development is not CIL liable, that the link to Leah Bank was not within N/2012/0909 and the Police do not want this link due to crime issues, that open space has altered from the previous approval and that enforcement issues

were not a consideration for this application. It was further advised that conditions had been reworded to ensure that they complied with the reasonability tests for conditions.

Members discussed the report.

**RESOLVED:**

That the application be **APPROVED IN PRINCIPLE** subject to the finalisation of a S106 agreement and to the conditions and reasons as set out in the report and addendum.

**(B) N/2020/0424 - EXTENSION OF EXISTING DETACHED GARAGE TO CREATE SELF CONTAINED ANNEXE INCLUDING RAISING RIDGE HEIGHT, INSTALLATION OF EXTERNAL STAIRCASE AND DORMER (RETROSPECTIVE). 7 LAUREL VALLEY**

Councillor King rejoined the meeting at this juncture.

The Development Management Team Leader presented the report and referred Members to additional 3<sup>rd</sup> party comments received in the Addendum. It was explained that the application was a retrospective application for the extension of existing detached garage to create a self-contained annexe including raising ridge height, installation of external staircase and dormer. The application had been amended to remove an existing first floor side elevation window to remove overlooking of a neighbouring property.

At the Chair's invitation, Richard Gartside addressed the Planning Committee as the applicant. He apologised to the committee for undertaking work without prior permission and advised he was not aware they needed to apply for planning permission.

Members discussed the report.

**RESOLVED:**

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

**(C) N/2020/0458 - VARIATION OF CONDITIONS 2, 15, 16, 19, 24, 27, 28 AND 30 OF PLANNING PERMISSION N/2018/0277 (DISTRIBUTION CENTRE (USE CLASS B8) INCLUDING RELATED SERVICE ROADS, ACCESS AND SERVICING ARRANGEMENTS, CAR PARKING, LANDSCAPING BUND AND ASSOCIATED WORKS) TO MODIFY THE HEIGHT AND WIDTH OF UNIT 1, TO ALTER THE PARKING AND TO ADD A STAFF EXERCISE TRAIL, AND VARIATION OF CONDITIONS 3, 4, 6, 7, 8, 9, 20, 21 AND 22 TO BE IN ACCORDANCE WITH DETAILS SUBMITTED. MILTON HAM FARM, TOWCESTER ROAD**

The Principal Planning Officer presented the report and explained the application was for the variations of conditions for the Milton Ham Farm, Towcester Road. This

was to enlarge Unit 1, to re-arrange parking, to add a staff exercise trail, and to alter conditions to be in accordance with details submitted. It was explained that whilst unit 1 was 30 metres wider and 0.5 of a metre higher, this was not considered to have an unacceptable impact upon neighbouring amenity of the character and appearance of the area and would not appear significantly different from the previous approval. Members were pointed towards the Addendum.

At the Chair's invitation, Andy Lord addressed the Planning Committee as a representative for the adjacent landowner to the application site. He expressed concerns regarding storm water outfall onto the adjacent site and asked for clarification on conditions 20 and 22, to ensure there were no conflicts with a private legal agreement between the parties.

At the Chair's invitation, Jonathan Best addressed the Planning Committee as the planning consultant for the application. It was advised that the warehouse development accords with the allocation for the site, the enlargement provides a more efficient use of the site, that the design has previously been accepted, that the S106 would remain unchanged, that the drainage scheme has been adapted from the previous approval and that a S106 matching the previous is required. In response to questions from Committee it was advised that the concerns from a neighbouring property regarding drainage had only just been raised, and that the roundabout existing to provide access to the site was as previously approved.

The Principal Planning Officer in response to questions clarified that there was no objection to the development from the Lead Local Flood Authority.

The Head of Service clarified that Committee cannot consider private legal agreements when assessing planning applications.

Members discussed the report.

#### **RESOLVED:**

That the application be **APPROVED IN PRINCIPLE** subject to the finalisation of a S106 agreement; with amended conditions 2, 4, 6 and 7 in the addendum and reasons as set out in the report.

#### **(D) N/2020/0536 - ADJUSTMENT OF FENCE LINE ALONG KESWICK DRIVE TO MAKE IT 2M CLOSER TO PAVEMENT TO INCREASE SIZE OF BACK GARDEN. 2 LANERCOST WALK**

Councillor B Markham left the meeting.

The Development Management Team Leader presented the report and explained the application was for the adjustment of the fence line along Keswick Drive to make it 2m and 4.87m closer to the pavement to increase the size of back garden. The Development Management Team Leader explained that the scheme had been amended to ensure appropriate visibility splays and the proposed repositioning of boundary fencing would not have an undue detrimental impact on the appearance and character of the surrounding area.

Members discussed the application.

**RESOLVED:**

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

**(E) N/2020/0558 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 4 OCCUPANTS. 12 CRANSTOUN STREET**

The Development Manager presented the report and explained the application was for the conversion of 12 Cranstoun Street from a dwelling house into a House in Multiple Occupation for 4 persons. The concentration would be 4.4% and no objection received from NCC Highway as it is a parking permit zone area.

Members discussed the report.

**RESOLVED:**

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

**(F) N/2020/0589 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 4 OCCUPANTS. 18 TALBOT ROAD**

Councillor B Markham rejoined the meeting at this juncture.

The Development Manager presented the report and explained the application was for the conversion of 18 Talbot Road from a dwelling house into a House in Multiple Occupation for 4 persons. The concentration would be 7% and no comment received from NCC Highway.

At the Chair's invitation, Councillor Stone addressed the Planning Committee as the Ward Councillor for Castle and expressed her concern for the number of Houses in Multiple Occupancy on Talbot Road. She felt with the Covid-19 pandemic, these houses were problematic and caused problems for people self-isolating and highlighted the sanitary issues of having multiple occupants share a small space.

At the Chair's invitation, the agent Kalam Mohammad, addressed the Planning Committee and offered assurance that the house would be completed to a high standard and he would work with the letting agents to ensure regular inspections and health and safety standards were adhered to.

Members discussed the application and felt the basement lounge may be potentially turned into another bedroom and highlighted this as a condition to the Planning Officers.

## **RESOLVED:**

That the application be **APPROVED** subject to the conditions and reasons as set out in the report, with additional Condition 5 to restrict use of basement as a bedroom.

### **(G) ITEMS FOR DETERMINATION**

#### **11. ITEMS FOR CONSULTATION**

#### **12. NORTHAMPTON PARTNERSHIP HOMES APPLICATIONS**

#### **(A) N/2019/0755 - CONVERSION AND ADDITION OF TWO NEW UPPER FLOORS INCORPORATING FENESTRATION CHANGES AND ALTERATIONS TO EXTERNAL FAÇADE TO CREATE 122NO APARTMENTS FOR SOCIAL HOUSING AND ALTERATIONS TO LAYBY AND NEW CROSSING POINTS AND FOOTWAYS TO GREYFRIARS. BELGRAVE HOUSE, GREYFRIARS**

The Principal Planning Officer introduced the report and explained the proposal was for the conversion and addition of two new upper floors incorporating fenestration changes and alterations to external façade to create 122 new apartments for affordable housing, and alterations to the layby, new crossing points and footways to Greyfriars. The building would include floor to ceiling double glazing, vertical feature panels, clock design features, and roof top solar panels and raised planters. It was noted that the application had been amended to seek to improve the access arrangements to the property. In addition, it was explained that whilst the proposal would include a new pedestrian entrance to the adjoining multi-storey car park, the car park does not form part of the application and the proposal comprises a zero-parking scheme. Photographs from various viewpoints across the town including extracts from the applicant's Townscape Visual Impact Assessment were shared with Members. It was also explained that the scheme had been subject to an independent viability assessment, which found that the development would not be deliverable if financial contributions for infrastructure were sought. Members' attention was drawn to the Addendum, which sets out that the applicant had changed the details of the vertical feature panels and as result amendments to Condition 8 and 10 were proposed.

Members discussed the report and commented on how the apartments were of a high-quality standard and would be welcomed in the town. They hoped that residents would be allocated parking spaces in the Greyfriars car park so that the issue of parking would be resolved.

## **RESOLVED:**

That the application be **APPROVED IN PRINCIPLE** subject to the completion of a S106 agreement; with amended Conditions 8 and 10 as set out in the Addendum and the conditions and reasons as set out in the report.

#### **(B) N/2020/0257 - CHANGE OF USE OF COMMUNITY HALL (USE CLASS D1) TO DWELLINGHOUSE (USE CLASS C3), WITH DROPPED KERB FOR WHEELCHAIR ACCESS ONLY AND ALTERATION TO WINDOWS AND**

**DOORS  
SENIOR CITIZENS COMMUNITY ROOM  
HINTON ROAD**

Councillor M Markham left the meeting at this juncture, having declared an interest earlier in the meeting.

The Principal Planning Officer introduced the report and explained the proposal was for the change of use of the property from a community room to a single dwelling with three bedrooms, a large bathroom, kitchen and living room with associated alterations to windows and new boundary treatments. Off-road parking would be provided within the existing car park.

Members discussed the report.

**RESOLVED:**

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

**13. EXCLUSION OF PUBLIC AND PRESS**

The Chair moved that the Public and Press be excluded from the remainder of the meeting on the grounds that there was likely to be disclosure to them of such categories of exempt information as defined by Section 100(1) of the Local Government Act 1972 as listed against such items of business by reference to the appropriate paragraph of Schedule 12A to such Act.

The Motion was Carried.

The meeting concluded at Time Not Specified