

NORTHAMPTON BOROUGH COUNCIL

PLANNING COMMITTEE

Tuesday, 17 December 2019

PRESENT: Councillor Oldham (Chair); Councillor Lane (Deputy Chair);
Councillors Birch, Bottwood, Golby, Haque, Kilbride, B Markham,
McCutcheon and Russell

OFFICERS: Peter Baguley (Head of Planning), Rita Bovey (Development
Manager), Nicky Scaife (Development Management Team Leader),
Kanchan Sharma (Principal Planning Officer), Theresa Boyd
(Planning Solicitor), Ed Bostock (Democratic Services Officer)

1. APOLOGIES

Apologies for absence were received from Councillors M Markham, Haque and Cali.

2. MINUTES

The minutes of the meeting held on 5th December 2019 were adjourned to be agreed at 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/2019/1362

Anthony Potter
Phylis Grimm
Lizzy Ringisai
Natalie Grimes

N/2019/1370

Pat Dooley

N/2019/1165

Pat Dooley

4. DECLARATIONS OF INTEREST/PREDETERMINATION

Councillor Kilbride declared a personal and disclosable pecuniary interest in respect of items 12a and 12b as a board member of Northampton Partnership Homes (NPH).

Councillor Bottwood declared a personal and disclosable pecuniary interest in respect of items 12a and 12b as a board member of Northampton Partnership Homes (NPH).

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 Head of Planning. She reported that 2 appeals had been allowed by the Planning Inspectors. Of note was an appeal relating to advertising consent which was refused by officers who felt that the proposed display's prominence would affect the street scene – the Inspector disagreed and allowed the appeal.

In response to a question, the Committee heard that any advertising consent was finite; the display could be removed after five years if there were sufficient reasons.

Members discussed the report.

RESOLVED:

That the report be noted.

7. OTHER REPORTS

There were none.

8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS

None.

9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

(A) N/2019/1270 - LISTED BUILDING CONSENT APPLICATION FOR THE INSTALLATION OF WI-FI AROUND THE BUILDING, TO INCLUDE ALL EQUIPMENT AND CABLING LOCATIONS. ABINGTON MUSEUM MANOR HOUSE ABINGTON PARK, WELLINGBOROUGH ROAD

The Development Manager submitted a report to the Committee. Members were informed that the changes were non-invasive with no material external alteration, 20 Wi-Fi units were to be installed and the Conservation Officer was in approval of this. 20 units were required to ensure signal due to the thickness of walls within the building.

Members discussed the report.

RESOLVED:

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

10. ITEMS FOR DETERMINATION

- (A) **N/2014/1429 - OUTLINE PLANNING APPLICATION (ALL MATTERS RESERVED EXCEPT ACCESS) FOR A SUSTAINABLE URBAN EXTENSION COMPRISING UP TO 3,000 DWELLINGS INCLUDING AFFORDABLE HOUSING; UP TO 7.2HA EMPLOYMENT LAND (CLASS B1 OFFICE/LIGHT INDUSTRY AND CLASS B2 GENERAL INDUSTRY); A LOCAL CENTRE TO ACCOMMODATE A FOOD STORE (2,230M²), 6 SHOP UNITS (750M²) FOR RETAIL (CLASS A1), PROFESSIONAL AND FINANCIAL SERVICES (CLASS A2), RESTAURANT/CAFE (CLASS A3), DRINKING ESTABLISHMENT (CLASS A4) AND HOT FOOD TAKEAWAY (CLASS A5); PUBLIC HOUSE/RESTAURANT; NURSERY (CLASS D1); 2 PRIMARY SCHOOLS; SECONDARY SCHOOL; REDEVELOPMENT OF GRANGE FARM FOR CAFE/RESTAURANT/PUBLIC HOUSE OR HOTEL; EXTENSION OF THE NORTH WEST BYPASS ON THE SITE; PROVISION OF OPEN SPACE AND STRATEGIC LANDSCAPING AND WILDLIFE CORRIDORS; SURFACE WATER/FLOOD MANAGEMENT WORKS AND ASSOCIATED ENGINEERING WORKS FOR DRAINAGE AND SERVICES. DALLINGTON GRANGE, MILL LANE**

The Development Management Team Leader submitted a report to the Committee and advised that the outline application had previously been approved in principle in October 2018 subject to the completion of a S106 Legal Agreement and conditions. Negotiations are ongoing regarding the S106 Agreement and it was anticipated that these would be complete early in 2020. Alongside this a Section 257 application for the diversion of part of Public Footpath HW44 is being considered and further advice had been sought regarding relevant procedures for this application. In order to meet requirements of Section 257, an additional condition, Condition 52, was proposed in the report which required the footpath diversion order to be in place prior to the occupation of any part of the development. The application remained unchanged in all other aspects.

Members discussed the report.

RESOLVED:

That the application be **APPROVED IN PRINCIPLE** subject to the completion of a S106 agreement to secure planning obligations as set out in the officer report and the conditions and reasons as set out in the report, and to allow delegated authority for the Head of Planning in consultation with the Chair to amend or add conditions as appropriate. In the event that the Section 106 Legal Agreement is not completed within 3 calendar months of the date of this Committee meeting, delegated authority be given to the Head of Planning to refuse or finally dispose of the application on account of the necessary mitigation measures not being secured in order to make the proposed development acceptable.

Councillor Haque joined the meeting at this juncture and advised of no declarations of interest/predetermination.

- (B) **N/2019/1165 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 4**

OCCUPANTS, INCLUDING SINGLE STOREY REAR EXTENSION. 15 BURNS STREET

The Planning Officer submitted a report to the Committee and advised that it had been deferred from the previous meeting; the Council's new Supplementary Planning Document (SPD) in relation to HiMOs had been adopted so the application had been reassessed. The proposal included a single-storey extension to provide a shower room. En-suite facilities would be provided throughout the development. However, the concentration of HIMO properties in a 50m radius was 14.1%, in excess of the Council's newly adopted 10% limit, so the officer recommendation was for refusal.

Pat Dooley, the agent on behalf of the applicant, spoke in favour of the application and commented that the application had originally been validated on 9th September and not publicised until 3 weeks later. He noted that the NPPF stated that old policies could be used to consider applications for 12 months after they had been replaced and asked the Committee to consider the application under the previous policy. Mr Dooley noted that another HIMO application had been allowed under delegated authority around the time of his client's application being deferred.

In response to a question, Mr Dooley confirmed that his client had other similar properties, finished to a very high standard, with clients waiting to move in.

The Head of Planning confirmed that the application Mr Dooley referred to had not been called in. He further confirmed that all Cabinet call-in periods expired at 5pm, 3 working days after publication of a decision, as prescribed in the Constitution. The Head of Planning advised that consultation on the new SPD had already commenced when Mr Dooley's application reached the Council.

Members discussed the report.

RESOLVED:

That the application be **REFUSED** in accordance with the Officer recommendation for the reasons as set out in the report.

(C) N/2019/1195 - CHANGE OF USE FROM HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 5 OCCUPANTS TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 6 OCCUPANTS, INCLUDING SINGLE STOREY REAR EXTENSION. 75 IVY ROAD

The Development Management Team Leader submitted a report to the Committee and advised that the application sought approval for the construction of a single-storey extension and sub-division of the lounge to provide additional bedrooms. No changes were proposed for the upper floor. The property sat in a sustainable location, close to public transport links and shopping facilities. Notwithstanding this, the Local Highway Authority had raised objections to the application. The facilities were considered appropriate for 6 occupants.

In response to questions, the Committee were informed that since the property was an existing HIMO, concentration was not a material consideration. They further heard that the property had 2 separate toilet facilities.

Members discussed the report.

RESOLVED:

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

(D) N/2019/1211 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 4 OCCUPANTS. 22 BOSTOCK AVENUE

The Planning Officer submitted a report to the Committee. Members' attention was drawn to the addendum which contained additional neighbour representations and the correct location plan. The Committee were informed that the application sought approval for a change of use from dwellinghouse to HIMO for 4 people. No external alterations were proposed and the living room would be retained. There would be 1 shared toilet on each floor and should the application be approved, the concentration of HIMOs in a 50m radius would be 8%. A request was made of the applicant to carry out a parking beat survey, however it was declined. Due to the property sitting in a sustainable location, close to public transport links and shopping facilities, the proposal was considered to comply with the principles of the SPD.

In response to a question, the Committee were informed that a future application would be required in order for the spare bedroom to be inhabited.

Members discussed the report.

RESOLVED:

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

(E) N/2019/1337 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION FOR 9 OCCUPANTS (SUI GENERIS). 51 AXE HEAD ROAD

The Development Management Team Leader submitted a report to the Committee. Members were informed that as part of the application, some internal walls would be removed to enlarge the kitchen and entrance hall. 4 of the rooms would be double occupancy. Whilst the Local Highway Authority had objected to the application, it was noted that the property sat in a sustainable location, close to public transport links and shopping facilities.

In response to questions, the Committee heard that the proposed facilities in the property complied with all of the Council's adopted policies.

Members discussed the report.

RESOLVED:

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

(F) N/2019/1362 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO CHILDREN'S HOME (USE CLASS C2). 30 FIVE ACRES FOLD

The Development Manager submitted a report to the Committee. Members were informed that the application sought approval for the conversion of a dwellinghouse to Children's Home for 2 children aged 10-17 and 2 full-time carers. There were no objections raised by any statutory consultees and it was not envisaged that there would be any activities taking place outside of family arrangements and a condition was included to restrict the number of occupants.

Anthony Potter, a local resident, spoke against the application and commented that residents purchased their properties on the assumption that the area was residential, not commercial. He stated that there would be higher vehicle use than the report suggested and that the road occasionally got blocked as it was. Mr Potter stated that the development would be to the detriment of all of the current residents.

Lizzie Ringisai, the director of BTTLR Limited, spoke in favour of the application and commented that the property would allow children to be raised in a home environment with the staff acting as parental figures. She noted that the company was governed by OFSTED, that training for staff would take place off-site and that all children would be inducted before residing.

In response to questions, Ms Ringisai confirmed that 2 members of staff would be on the premises at all times, with rules and boundaries set firmly between themselves and the children. All staff would have enhanced DBS checks carried out and Ms Ringisai and other senior staff would be on-call at all times. For the sake of continuity for the children, the same members of staff would be scheduled in. She explained that children responded well if they were given an appropriate environment to do so.

Natalie Grimes, a manager for BTTLR Limited, spoke in favour of the application and commented that children in the care system were being forced to leave the county due to a lack of local care facilities. She stated that she lived close to the property and would be available if any problems arose.

In response to questions, Ms Grimes explained that she had experience working with children of all ages and backgrounds and had always worked in "secure" facilities. She further commented that she had a good working relationship with CAMHS.

Phylis Grimm, a local resident, spoke against the application and commented that existing parking problems would be exacerbated should the application be approved and questioned why a parking survey had not been undertaken by the applicant, and the lack of consultation.

The Development Manager explained that as part of the consultation, the Council was required to consult the adjoining properties or post a notice near the property; both had been done in this instance.

Members discussed the report.

RESOLVED:

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

(G) N/2019/1370 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 6 OCCUPANTS, INCLUDING SINGLE STOREY REAR EXTENSION (AMENDMENT TO PLANNING PERMISSION N/2019/0866). 85 LEA ROAD

The Development Manager submitted a report to the Committee. Members heard that the application sought approval for the conversion of a dwellinghouse to HIMO for 6 occupants and a single-storey extension, to create an additional bedroom. It was noted that the application was a revision of application N/2019/0866 which was granted in September 2019 and allowed for the conversion to a 5 bed HIMO. The development would result in a slight impact upon a neighbouring property due to the proposed extension on the neighbours' bay window, however the proposed extension was only slightly larger than what could be allowed under permitted development.

Pat Dooley, the agent on behalf of the applicant, spoke in favour of the application and commented that en-suite facilities had been provided where they could be, and bathrooms where they could not. Mr Dooley advised that his client's properties were all finished to a very high standard and that his client managed all of his properties himself.

Members discussed the report.

RESOLVED:

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

Councillors Golby and B Markham left the meeting at this juncture.

(H) N/2019/1372 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 5 OCCUPANTS. 125 UPPER THRIFT STREET

The Development Management Team Leader submitted a report to the Committee. Members were informed that the application sought approval for a change of use from dwellinghouse to HIMO for 5 occupants; the ground floor would be reconfigured to create additional bedrooms. Whilst the Local Highway Authority had objected to the application, the property sat within a sustainable location, close to public transport links and shopping facilities. Should the Committee approve the application, the concentration of HIMOs in a 50m radius would be 3.8%.

In response to questions, the Committee heard that the cycle storage to the rear could be accessed from the side of the property. The Committee were further informed that any change in occupiers would be subject to future planning applications.

Members discussed the report.

RESOLVED:

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

Councillors Golby and B Markham re-joined the meeting.

Councillors Bottwood and Kilbride left the meeting.

11. ITEMS FOR CONSULTATION

None.

12. NORTHAMPTON PARTNERSHIP HOMES APPLICATIONS

(A) N/2019/0704 - INSTALLATION OF CAR PARK BARRIER TO EXISTING CAR PARK. CAR PARK REAR OF 38 TO 54 MARKET STREET

The Development Manager submitted a report to the Committee. Members were informed that the proposal sought to prevent unauthorised parking in the car park. The proposed barrier would not affect highway safety and the Local Highway Authority had not objected to the application.

Members discussed the report.

RESOLVED:

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

(B) N/2019/1163 - ERECTION OF 1NO NEW BUILD BUNGALOW WITH ASSOCIATED PARKING. LAND ADJACENT TO 30 BROOK LANE

The Planning Officer submitted a report to the Committee. Members' attention was drawn to the addendum which contained further representations from a neighbouring property. The Committee were informed that the application sought approval for the erection of a bungalow. The proposed dwelling would be facing the nearby footpath to avoid the sub-station and a condition was included to ensure that materials used were in-keeping with nearby properties. It was noted that Environmental Health had recommended that a noise survey be undertaken in respect of the sub-station.

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 7:17 pm