

**NORTHAMPTON BOROUGH COUNCIL**

**PLANNING COMMITTEE**

**Tuesday, 18 February 2020**

**PRESENT:** Councillor Oldham (Chair); Councillor Lane (Deputy Chair);  
Councillors Birch, Cali, B Markham, McCutcheon and Russell

**OFFICERS:** Peter Baguley (Director of Planning and Sustainability), Rita Bovey  
(Development Manager), Hannah Weston (Principal Planning  
Officer), Theresa Boyd (Planning Solicitor), Ed Bostock (Democratic  
Services Officer)

**1. APOLOGIES**

Apologies for absence were received from Councillors Kilbride, Bottwood and M Markham.

**2. MINUTES**

The minutes of the meeting held on 21<sup>st</sup> January 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/2019/1342**

John Roy  
Isabel White  
Mark Robinson

**N/2019/1460**

Hilary Scott

**N/2020/0006**

Paul Toone  
Mike Hallam

**N/2019/0248**

Gary Owens

**4. DECLARATIONS OF INTEREST/PREDETERMINATION**

Councillor Lane declared a personal interest in respect of item 10c and advised that he would leave the room whilst the item was discussed.

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

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 3 decisions had been reached, of which 2 appeals were allowed by the Inspector. Regarding Compton House, the Inspector agreed with officers' conclusion that the proposed bin storage would be prominent, and the development would compromise highway safety. The Inspector disagreed with officers regarding 64 Edith Street and concluded that the proposed dormer was small and considered appropriate. The Inspector had concern regarding the proposed obscurely glazed windows in the loft space, however the communal space provided mitigated the loss of amenity. Regarding the advertising display, the Inspector found that the size of the display would not affect the character and setting of the conservation area.

In response to a question, the Committee heard that legislation had recently been passed that required developers to apply for advertising consent which would give local planning authorities more control over such development.

**RESOLVED:**

That the report be noted.

**7. OTHER REPORTS**

None.

**8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS**

None.

**9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS**

**(A) N/2019/1585 - CONTINUE USE AS A TEMPORARY EMERGENCY NIGHTSHELTER FOR ANOTHER TWO YEARS. NIGHT SHELTER, ST ANDREWS ROAD**

The Development Manager submitted a report to the Committee and commented that planning permission had previously been granted in 2016; this application sought approval for the continued use of the site as a temporary night shelter. The Development Manager noted that the applicant had submitted a management plan alongside the application. She further noted that there had been no statutory objections, however an objection had been received from a nearby resident.

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/2019/1342 - CONVERSION OF RESTAURANT (CLASS A3) TO PUBLIC HOUSE (CLASS A4) INCLUDING INTERNAL AND EXTERNAL ALTERATIONS, NEW DECKING, DOORS AND SHELTER. FORMER BUDDIES RESTAURANT, ACRE LANE**

The Development Manager submitted a report to the Committee. Members' attention was drawn to the addendum which contained an amended Condition 4 and additional neighbour representations. The Committee heard that as part of the application, external alterations including French doors leading to a new decking to the side and cladding were proposed. A smoking shelter was proposed and an additional condition (Condition 9) was proposed requiring further details on the external material of the smoking shelter. Officers considered the decking was acceptable, however a condition (Condition 8) was included to restrict live and piped music in the external areas to ensure compliance with the Council's policies regarding residential amenity. Whilst neighbour objections mentioned the proposed opening hours, they were in line with approved licencing hours and similar to other establishments, and there had been no objections from statutory consultees.

John Roy, a local resident, spoke against the application and commented that construction of fencing had already started. He stated that no other gastropubs in the area closed at 1:00am and felt that this was too late. Mr Roy commented that when the North Star pub was in operation, customers would park along Acre Lane and caused problems for residents.

The Development Manager confirmed the new opening times which were agreed at the Alcohol & Gambling Licensing Sub-Committee on 14<sup>th</sup> February.

In response to a question, Mr Roy commented that problematic parking had not been an issue whilst Buddies had been in operation.

Isabel White, a local resident, spoke against the application and commented that nearby pubs had reduced opening hours. She explained that whilst the car park could hold 41 vehicles, the business was looking to employ 15 permanent members of staff which would reduce the number of spaces for customers. Mrs White further explained that yellow lines outside of the pub would push drivers further up Acre Lane.

Mark Robinson, the owner and applicant, spoke in favour of the application and commented that the picket fence bordering the site was erected under permitted development, along with the laurel hedging. Mr Robinson advised that there were no plans for off-site alcohol sales and whilst the opening hours had not yet been announced, it was envisaged that the pub would close sooner than its mandatory closing hours. With regard to the loss of parking spaces for employees, Mr Robinson advised that he would be looking to employ locals who would be able to walk or cycle to the pub.

In response to questions, Mr Robinson advised that the smoking area would not affect the disabled access ramp or take up any parking spaces. He further advised that food would be promoted ahead of alcohol.

The Development Manager clarified that the original plans contained higher fencing but had since been removed from the proposal; the current picket fencing could be installed without planning permission under permitted development rights. She further advised that the Local Highway Authority had raised no objection to the application. The Committee were informed that the Licensing and Environmental Health departments had enforcement powers should the pub fail in meeting its conditions.

Members discussed the report.

**RESOLVED:**

That the application be **APPROVED** subject to the conditions and reasons as set out in the report **and amended Condition 4** contained in the addendum and **additional Condition 9** in relation to the material of the smoking shelter.

**(B) N/2019/1460 - DEMOLITION OF EXISTING DOUBLE GARAGE AND CONSTRUCTION OF NEW DWELLING. GARAGE ADJACENT TO 6 HESTER STREET**

The Principal Planning Officer submitted a report to the Committee and explained that the proposed detached property would look like a continuation of the terraced houses from the street. The design of the property would be traditional so as to be in-keeping with the surrounding properties. The Officer explained that whilst parking was shown on the plans, the spaces were not to a size where they could be counted as parking spaces within the assessment of the planning application. As such the assessment was that no parking was proposed, however the property sat in close proximity to shopping facilities and public transport links and due to this sustainable location the lack of parking was not considered unacceptable.

Hilary Scott, of a neighbouring property, spoke against the application and commented that the properties were in fact detached, with very little space in between. She stated that there would be no room for air bricks or any maintenance that might need to take place and advised of “tremendous” loss of light to her property, should the application be approved. Mrs Scott advised that the boundary wall referenced in paragraph 2.13 in the report was 1m tall, not 1.8m.

The Principal Planning Officer explained that air bricks were not a material planning consideration, and this would be a matter for Building Control. With regards to the single storey rear projection the Officer advised that during the course of the application the single storey element had been significantly reduced in depth to improve the relationship with the neighbouring property. When measuring the revised single storey element using the “45-degree rule”, the line partially hit the single storey element, however this was to a minimal level and as such it was not deemed to result in an unacceptable impact upon the neighbouring property.

Members discussed the report.

**RESOLVED:**

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

At this juncture Councillor Lane left the room.

**(C) N/2020/0006 - PROPOSED LOFT CONVERSION WITH NEW REAR ROOF DORMER AND NEW ROOFLIGHTS. 17 SPINNEY HILL ROAD**

The Principal Planning Officer submitted a report to the Committee and commented that a box dormer was proposed as part of the application. It was advised that there is currently a degree of overlooking from the existing first floor windows and that the creation of additional windows at loft level would result in increased overlooking of the neighbouring property, allowing a full view into the garden and rear of the neighbouring property due to the elevated position.. It was noted that the separation distance between habitable rooms of neighbouring properties should be 27m when adding windows at the third storey level; the distance between the proposed dormer windows and the closest habitable neighbouring room was just 12m.

Paul Toone, the agent on behalf of the applicant, spoke in favour of the application and commented that the previous extension was found acceptable and granted permission and that if this had been flat roofed a dormer may be permitted development. He explained that neighbours had made positive comments regarding the application and that none of them had made representations.

Mike Hallam, the applicant, spoke in favour of the application and commented that the loft space would partially be used as a bathroom and one dormer window would be obscurely glazed. The property would remain a 5-bedroom home. Mr Hallam advised that statutory guidelines state that 1 bathroom was not sufficient for a 5-bedroom property and that he was seeking to rectify this. Mr Hallam suggested that a condition could be attached to alter the design of the dormer.

The Principal Planning Officer advised that the previous two storey extension was granted in 1978 under different planning policies and there is no evidence that a flat roofed two storey side extension would have been acceptable. The existing property has already been greatly extended, and the property is significantly above the permitted development limits (50m<sup>3</sup> permitted, the property is already at 70m<sup>3</sup>). It was advised that any changes to the plans could not be conditioned as this would form a new proposal.

The Director of Planning and Sustainability advised Members that they could defer the application in order for officers to discuss possible amendments to ensure planning compliance.

Councillor Birch proposed and Councillor Russell seconded that the item be deferred.

The motion was carried.

**RESOLVED:**

That the item be **DEFERRED** for further negotiation with the applicant to seek improvement to the proposal.

Councillor Lane re-joined the meeting at this juncture.

## **11. ITEMS FOR CONSULTATION**

None.

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

### **(A) N/2019/0248 - ERECTION OF 3 NEW DWELLINGS TOGETHER WITH PARKING SPACES SERVED OFF NORMAN ROAD. LAND ADJACENT TO 573 WELLINGBOROUGH ROAD**

The Principal Planning Officer submitted a report to the Committee and commented that the scheme had been amended during the course of the application to ensure the retention of two large trees on site and an element of open space for the use of the community. It was advised that the application was for a row of three properties, and that 6 parking spaces would be provided and accessed from Norman Road. The properties would be designed and finished in a manner in-keeping with the surrounding homes.

Gary Owens of NPH advised the Committee that he was available to answer any questions they had for him.

In response to questions Mr Owens advised the Committee that NPH had sent letters to neighbouring properties; there had been some objections and NPH had worked closely with planning officers to mitigate concerns.

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 6:46 pm