

# **NORTHAMPTON BOROUGH COUNCIL**

## **PLANNING COMMITTEE**

**Tuesday, 1 September 2020**

**PRESENT:** Councillor Oldham (Chair); Councillor Lane (Deputy Chair);  
Councillors Birch, Bottwood, Choudary, Golby, Kilby-Shaw, 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), Paul  
Everard (Planning Policy & Heritage Manager), Francis Fernandes  
(Solicitor), Ed Bostock (Democratic Services Officer)

### **1. APOLOGIES**

An apology for absence was received from Councillor King.

### **2. MINUTES**

The minutes of the meetings held on 7<sup>th</sup> July and 28<sup>th</sup> July 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/2020/0648**

Gary Owens

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

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 those 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 he would leave the meeting for those items

### **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 advised that no decisions had been made by the Planning Inspectorate and that summer holiday was a likely reason for the delay.

Members discussed the report.

### **RESOLVED:**

That the report be noted.

## **7. OTHER REPORTS**

### **(A) RECENT CHANGES TO PLANNING LEGISLATION, THE PLANNING FOR THE FUTURE WHITE PAPER AND CONSULTATION ON CHANGES TO THE CURRENT PLANNING SYSTEM**

The Development Manager submitted a report to the Committee which outlined recent changes to Planning legislation, the Planning for the Future White Paper and consultation on Changes to the Current Planning System, in response to the challenges posed by Covid-19. One major change in legislation was the extension of planning permission; applications that had an expiry date between 23rd March and 31st December 2020 had the expiry date automatically extended until 1st May 2021. A further piece of legislation relating to permitted development rights came into effect on 1st August 2020 which allowed for the construction of new dwellings on detached purpose-built blocks of flats. Further, 2 additional storeys of purpose-built dwellings could be built on top of free-standing blocks, terraced houses or mixed-use buildings with an element of housing. Vacant office buildings could be replaced with a block of flats without planning permission also. These 3 would be subject only to the prior notification approval process; the criteria to consider such applications were listed in paragraph 3.4 of the report. The Use Class Order had undergone a change, effective from 1st September 2020, for example, a shop could now be changed to a restaurant without the requirement for planning permission. Whilst an element of control would be lost in terms of planning, it was noted that these premises would still be required to apply for premises licences so some level of control would remain. Pubs and hot food takeaways were now "Special Use Class"; planning permission was still required to change use between these classes. It was explained that a shop could change to a light industrial unit without planning permission under the change to Class E. Members' attention was drawn to page 23 of the agenda which showed a table outlining all Use Classes changes. An extension to construction site hours had also been introduced, a developer could apply for permission to work longer hours, subject to possible conditions. Further changes included deferral of CIL payments and pavement licences. The government published their White Paper on "Planning for the Future" and a consultation paper on Changes to the Current Planning System which both had significant implications on local plan making and development management policy; both papers were currently in the consultation stage, it was noted that the Council needed to make formal comments to MHCLG by 1st October 2020 and 29th October 2020 for each of the consultation paper. It was further noted

that a briefing session to Members on the White Paper was scheduled for 16<sup>th</sup> September 2020.

In response to questions, the Committee heard that regarding extensions to construction times, developers would need to apply, and the Council should seek to be as flexible as possible. Environmental Health would also be consulted as part of these applications. Regarding timing of determining applications, the White paper specified a 13-week timeframe which was considered tight for major applications; applicants were being encouraged to do more pre-application work to resolve as many issues as possible before submitting their applications. It was confirmed that should the Council be found to unreasonably refuse an application then it would be subject to costs as well as the refund of planning fee. It was confirmed that there was no green paper prior to the white paper before Members.

The Planning Policy & Heritage Manager confirmed that the white paper did pose questions throughout; the intention behind the document seemed to be to take a significant change of course in terms of planning.

The Director of Planning and Sustainability commented that the white paper represented a fundamental shift in the planning system, that permission for major sites when allocated in growth and renewal areas would be granted at the allocation of the plan; sites already allocated in the Joint Core Strategy would not be affected. The move in front-loading the system would mean less applications made so less fees and also less applications to be determined by the Planning Committee. It was noted that the Local Plan had to be produced in 30 months. It was further confirmed that the lack of a green paper was not without precedent, however it was a strong indication that the proposals within the white paper were what the government intended to do with the planning system.

Members discussed the report.

**RESOLVED:**

That the report be noted.

Councillor Choudary joined the meeting at this juncture.

**(B) N/2020/0368 - DEED OF VARIATION OF SECTION S106 OBLIGATIONS ASSOCIATED WITH AGREEMENTS DATED 7 OCTOBER 1992 AND 23 SEPTEMBER 1997 RELATING TO THE BUILDING EXCLUSION ZONE AND LANDSCAPE CONTROL ZONE. LAND RELATING TO SWAN VALLEY**

The Development Manager submitted a report to the Committee which sought to vary S106 Agreements dated 7<sup>th</sup> December 1992 and 23<sup>rd</sup> September 1997; subsequent development since those agreements were made had slightly encroached outside of the permitted area and the application sought to regularise this. The impact of this encroachment was not considered harmful and the variation would accurately reflect what was on the site.

Members discussed the report.

**RESOLVED:**

That the Members **AGREED** to the variation of the S106 agreements as set out in the report.

**(C) N/2020/0898 - APPLICATION FOR A VARIATION TO THE S106 AGREEMENT TO ALLOW THE OPEN SPACE TO BE TRANSFERRED INTO THE OWNERSHIP OF WOOTTON PARISH COUNCIL. OPEN SPACE, WOOTTON FIELDS, WOOLDALE ROAD**

The Development Management Team Leader submitted a report to the Committee. The application sought to vary the S106 Agreement to allow the open space to be transferred to the ownership of Wootton Parish Council, following discussions with the Parish Council and David Wilson Homes. It was further proposed that delegated authority be given to the Director of Planning and Sustainability and Monitoring Officer to agree the amended wording of said clause and relevant definitions and any consequential amendments as considered necessary.

In response to questions, the Committee heard that the original S106 Agreement mentioned grounds maintenance; David Wilson Homes would continue to be responsible for this for the next several years as set out in the legal agreement.

Members discussed the report.

**RESOLVED:**

That the Members **AGREED** to the variation of the S106 agreement as set out in the report.

**8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS**

None.

**9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS**

None.

**10. ITEMS FOR DETERMINATION**

**(A) N/2020/0353 - A MIXED USE DEVELOPMENT, INVOLVING A REAR SIDE ROOFTOP EXTENSION FOR 2 NEW OFFICES (USE CLASS B1) AND 5 SELF CONTAINED RESIDENTIAL FLATS (USE CLASS C3) B AND C, 102A ABINGTON STREET**

This application was withdrawn from the agenda.

**(B) 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 submitted a report to the Committee and explained that the application was approved in principle by the Planning Committee on 28<sup>th</sup> July 2020. Following this, the drainage system had been slightly altered in response to concerns raised at the meeting. The Local Lead Flood Authority considered the amendment acceptable. Members attention was drawn to the addendum for the meeting.

Members discussed the report.

**RESOLVED:**

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

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

**11. ITEMS FOR CONSULTATION**

None.

**12. NORTHAMPTON PARTNERSHIP HOMES APPLICATIONS**

**(A) N/2020/0489 - REPLACEMENT OF BROWN FRAME WINDOWS WITH WHITE FRAME WINDOWS**

The Principal Planning Officer submitted a report to the Committee. The presentation related to 14 applications which sought approval for the replacement of brown window frames with white UPVC window frames of the same size and design. The Principal Planning Officer answered questions from Members clarifying that the photographs demonstrated that some properties had already got white window frames, and that the need to change the colour of sky boxes would be something the applicant, Northampton Partnership Homes, would be responsible for looking into.

Members discussed the report.

**RESOLVED:**

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

**(B) N/2020/0648 - DEMOLITION OF EXISTING LOCK-UP GARAGES AND DEVELOPMENT OF 2NO SEMI-DETACHED DWELLINGS WITH ASSOCIATED PARKING. GARAGE 1 LOCK UP GARAGES, STENSON STREET**

The Principal Planning Officer submitted a report to the Committee. The application sought approval for the demolition of a disused garages to allow for the construction of 2x 2-bedroom dwellings with garages at ground floor level and 4 external parking spaces. Due to the site falling within Flood Zone 3 there were no habitable rooms proposed on the ground floor. It was noted that there were no statutory objections to the application.

In response to questions, the Committee heard that several trees would be removed as part of the development, but some would be retained; a condition was included to

ensure that they were protected during the construction phase. The Committee further heard that there was a condition requiring the maintenance of landscaping for 5 years, which is a standard time to require this.

In response to questions Gary Owens of NPH advised that NPH would take responsibility for maintenance of the landscaping; this would be enveloped within NPH's standard maintenance regime.

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 7:22 pm