

NORTHAMPTON BOROUGH COUNCIL

PLANNING COMMITTEE

Tuesday, 21 January 2020

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

OFFICERS: Rita Bovey (Development Manager), Nicky Scaife (Development Management Team Leader), Hannah Weston (Principal Planning Officer), Theresa Boyd (Planning Solicitor), Ed Bostock (Democratic Services Officer)

1. APOLOGIES

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

2. MINUTES

The minutes of the meetings held on 19th November, 5th December and 19th December 2019 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/2019/0851

Andy Lord

N/2019/1028

David Kemp

N/2019/1123

Pat Dooley

N/2019/1212

Councillor G Eales
Raymond Dumont
Matt Collerson

N/2019/1213

Belinder Gill

N/2019/1282

Matt Collerson

N/2019/1395

Sandra Emmet
Pat Dooley

4. DECLARATIONS OF INTEREST/PREDETERMINATION

Councillor Kilbride declared a personal and disclosable pecuniary interest in respect of items 10g, 12a, 12b and 12c as a board member of Northampton Partnership Homes (NPH) and item 10j as a trustee of The Spires Academy.

Councillor Bottwood declared a personal and disclosable pecuniary interest in respect of items 10g, 12a, 12b and 12c as a board member of NPH.

Councillor Birch declared a personal interest in respect of item 10h as a NCC member but advised of no predetermination.

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 and advised that 2 decisions had been reached. An appeal relating to Castilian Street, refused under delegated powers, had been dismissed by the Inspector who found that the location, being next-door and below to a nightclub, was unsuitable for a HIMO, due to potential noise impact from the nightclub. The second related to an application seeking to create additional parking on a grass verge on Eastfield Road. This was refused by the Planning Committee with Members concluding that the application would result in an unacceptable impact on the street scene. The Inspector agreed, adding that the proposed development would be incongruous.

Responding to a question, the Development Manager explained that regarding the Eastfield Road appeal, the grass verge was not owned by Northamptonshire County Council.

RESOLVED:

That the report be noted.

7. OTHER REPORTS

None.

8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS

None.

9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

(A) N/2019/1470 - CHANGE OF USE OF PART GROUND FLOOR FROM OFFICES (USE CLASS B1A) TO ARTIST STUDIOS (USE CLASS D1). COUNTY HALL, 24 GUILDHALL ROAD

The Development Manager submitted a report to the Committee. Members' attention was drawn to the addendum which contained representations from the Town Centre Conservation Area Advisory Committee. The application sought approval for a change of use from offices to artist studios. This was considered by officers an appropriate change due to County Hall being located within the Cultural Quarter of the town centre. Minor internal works were proposed and there would be no impact on the conservation area.

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/2019/0851 - ALTERATIONS AND EXTENSION TO EXISTING BUILDING AND CONVERSION TO 20NO FLATS INCLUDING 3NO OFFICES AS PART OF LIVE-WORK UNITS, PROVISION OF BIN STORE AREAS AND CAR PARKING. FORMER PEARCE LEATHER WORKS, WELLINGBOROUGH ROAD

The Principal Planning Officer submitted a report to the Committee. Members' attention was drawn to the addendum which contained clarification around EV charging points following the adoption of the Council's Parking Standards SPD. The proposed development would provide six 1 bed, thirteen 2 bed and one 3 bed flats; this was an increase from the previous application where 14 flats were proposed. The rear of the Leatherworks building would be rebuilt and gardens provided for some of the ground floor flats, while the front of the building would be renovated to keep its character. An independent viability assessment had been carried out and concluded that the development would not be financially viable if affordable housing or any contributions were provided. Subsequently, 0% affordable housing was proposed and no financial contributions.

Andy Lord, Development Manager for CC Town Planning, spoke in favour of the application and commented that the same footprint had been utilised for the current application as the previous. He explained that there was a potential buyer for the site, subject to the decision Members reached, and asked that they look favourably upon the application before the building fell further into disrepair.

In response to questions, Mr Lord confirmed that the pond would be reinstated, however the cypress trees on site were not part of the previously approved plans.

Members had concerns around the lack of EV charging points. In response to these concerns, Mr Lord advised that his client would agree to a maximum of five charging points, in order to secure a favourable decision.

Members discussed the report.

RESOLVED:

That the application be **APPROVED** subject to the conditions and reasons as set out in the report with **additional Condition 25** to secure the provision of 5 electric vehicle charging points, condition to be agreed by the Chair.

(B) N/2019/1028 - CHANGE OF USE FROM 3NO SELF-CONTAINED FLATS (USE CLASS C3) TO ONE HOUSE IN MULTIPLE OCCUPATION UNIT (SUI GENERIS) FOR 16 OCCUPANTS, TOGETHER WITH ANCILLARY CHANGES TO EXISTING WINDOWS AT LOWER GROUND LEVEL, NEW WINDOWS TO THE EXISTING ROOF SLOPE AND ANCILLARY BIN AND BICYCLE STORES. 10 THE CRESCENT

The Development Manager submitted a report to the Committee. Members' attention was drawn to the addendum which contained further neighbour objections, representations from statutory consultees and a letter from the applicant sent to Planning Committee members.

David Kemp, Planning Consultant on behalf of the applicant, spoke in favour of the application and commented that the area was well served by public transport and that the proposed development would have a similar number of occupants as the existing 3 flats. He thanked the Committee for their visit in November 2019 and suggested that they could see by the size of the property and its rooms that the proposal did not amount to an overdevelopment. Mr Kemp advised that the applicant would be willing to restrict occupants to those who did not own a vehicle, to assuage concerns around parking issues.

In response to questions, the Committee heard that there was space to store bins at the front and rear of the property; the applicant would be willing to have more bins provided if needed.

Members discussed the report.

RESOLVED:

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

(C) N/2019/1123 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 6 OCCUPANTS WITH SINGLE STOREY REAR EXTENSION AND NEW WINDOW AND ACCESS DOOR TO SIDE ELEVATION. 102 LEA ROAD

The Development Management Team Leader submitted a report to the Committee. The revised application sought approval for a change of use from dwellinghouse to HIMO for 6 occupants. A previous planning permission was granted for a 5-person HIMO, now a single-storey rear extension was also proposed to allow for an additional occupant. The proposed extension would protrude out and come within close proximity to neighbouring properties, however the size was only slightly larger than what could be constructed under permitted development. Whilst the Local highway Authority had objected to the application, the property sat in a sustainable location close to local shopping facilities and to public transport links with a regular bus service to town.

Pat Dooley, the agent on behalf of the applicant, spoke in favour of the application and commented that the Council's new HIMO Specialist Planning Document (SPD) made it more difficult for his client to find properties to convert so he was revisiting and updating his existing stock.

In response to a question, the Committee heard that an extension could be built extending 3m out from the existing rear elevation as permitted development in line with the existing building; the proposed extension was protruding 3.3m.

Members discussed the report.

RESOLVED:

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

(D) N/2019/1212 - RESERVED MATTERS APPLICATION PURSUANT TO OUTLINE PLANNING PERMISSION N/2018/0710 (OUTLINE PLANNING APPLICATION FOR 14 RESIDENTIAL DWELLINGS WITH ALL MATTERS RESERVED EXCEPT ACCESS) FOR THE APPROVAL OF DETAILS OF APPEARANCE, LANDSCAPING, LAYOUT AND SCALE. LAND OFF MILL LANE, DALLINGTON

The Development Management Team Leader submitted a report to the Committee. Members' attention was drawn to the addendum which contained comments from the Wildlife Trust, amended Conditions 8 and 10, and additional Condition 16, and advised that the Highway Authority had confirmed that an Order was to be imposed on a section of Mill Lane reducing the speed limit to 30mph with additional street lighting being required as part of the S278 works associated with the development. The Committee heard that access from Mill Lane had been agreed through a previously approved Outline Planning Application. A number of the proposed dwellings would be facing the internal access road and a distance of at least 21m between new and existing properties would be achieved where required. Details of boundary treatments would be agreed through a condition. Access to the adjacent pond, which was not part of the application site, would be restricted to residents of the development. Trees central to the site which were protected by TPOs were to be removed whilst protected trees towards the edge of the site would remain. Following concerns raised by neighbours, the height of Plot 14 had been lowered and the design amended to be a hipped roof with a single storey garage adjacent to the neighbouring boundary. It was explained that from the rear gardens of Corran Close, only the top section of the garage would be visible with the 2-storey element set approximately 16.5m away from the nearest existing rear elevations.

Councillor G Eales, in his capacity as the Ward and County Councillor, spoke against the application and commented that security on site would be lacking; he noted that the boundary wall was falling down in places and stated his insistence that it be rebuilt by the developers. He commented that Plot 14 was still intrusive to residents on Corran Close and further noted that the Wildlife Trust raised concerns regarding the proximity to trees. Agreed that Plot 14 would be overlooking existing properties and suggested that it be removed from the application. Councillor Eales advised that he had requested a meeting with the developers before Christmas; this had not

happened but he was still keen to meet them. He asked that the item be deferred, if Plot 14 was to remain.

In response to a question, Councillor Eales agreed that the drop in ground level for Plot 14 was an improvement, however it would still be intrusive to nearby properties.

Raymond Dumont, a local resident, spoke against the application and disagreed with the report's assertion that there would be no unacceptable impact on neighbouring properties, whilst it acknowledged that there would be some overlooking, Mr Dumont stated that the report minimised the extent of overlooking that would take place. He further stated that the gradient of the site meant that distances should be further than 21m between new and existing properties. Mr Dumont further questioned how 4 and 5-bedroom dwellings represented a "mix" of different sized homes, as referenced in Policy 13 of the Local Plan Part 2.

Matt Collerson, the agent on behalf of the applicant, spoke in favour of the application and commented that concerns had been addressed, including boundary treatment and explained that Plot 14 had been redesigned, following objections; he stated that Plot 14 would be much lower than adjacent properties and being located to the north there would be no overshadowing of gardens from the property.

In response to a question, Mr Collerson explained that he had not met with residents, but knew that the case officer had. The scheme had been amended and the design complied with policy.

The Development Management Team Leader confirmed that details of the security gates would be secured by condition. She further explained that the boundary wall, which was owned by the applicant, would be repaired as necessary and details of boundary treatments agreed by condition. It was explained that the Arboricultural Officer had confirmed that Plots 13 and 14 could be constructed without causing damage to the nearby protected trees. The Development Management Team Leader further confirmed that the Local Plan Part 2 had not yet been adopted by the Council.

Members discussed the report.

RESOLVED:

That the application be **APPROVED** subject to the conditions and reasons as set out in the report and **Amended Conditions 8 and 10** and **Additional Condition 16** in the addendum.

(E) N/2019/1213 - NEW REPLACEMENT OFFICE. WESTBRIDGE DEPOT, 9 - 13 ST JAMES MILL ROAD

The Principal Planning Officer submitted a report to the Committee. Member's attention was drawn to the addendum which contained an update to Condition 5 and the removal of Condition 4. The Committee were informed that as part of the application, the porta-cabins would be removed and a new office building constructed as well as re-configuring of parking spaces.

Members discussed the report.

RESOLVED:

That the application be **APPROVED** subject to the conditions and reasons as set out in the report and **deletion of Condition 4** and **amended Condition 5** in the addendum.

(F) N/2019/1282 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 4 OCCUPANTS, INCLUDING INSTALLATION OF REAR CONSERVATION ROOF WINDOWS AND REMOVAL OF EXISTING REAR DORMER (PART RETROSPECTIVE). 46 PALMERSTON ROAD

The Principal Planning Officer submitted a report to the Committee. Members were informed that a previous application for the property had been refused under delegated powers due to the proposed basement kitchen lacking natural light. The application was also dismissed at appeal. A dormer window would be removed as part of the application since it was constructed without planning permission. It was noted that NBC Conservation Officers were happy with the proposed roof light. Should the application be approved, the concentration of HIMO properties in a 50m radius would be 4.3%.

Matt Collerson, the agent on behalf of the applicant, spoke in favour of the application and commented that the proposal had been amended several times to pacify Officers' concerns. There were no habitable rooms in the basement and no objections from the Local Highway Authority. Whilst there were 6 bedrooms in the property currently, the proposal was for 4 occupants only.

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, Councillors Bottwood and Kilbride left the room.

(G) N/2019/1286 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 4 OCCUPANTS (RETROSPECTIVE). 41 ALFRED STREET

The Development Manager submitted a report to the Committee. Members were informed that the property, sold under the Right to Buy scheme, was currently used as a HIMO. The property did not benefit from any outdoor space or allocated parking provision, so the adequate provision of indoor cycle storage was important. Cycles were currently kept in a small storage cupboard which was inadequate and occupants would need to carry bicycles to the first floor via two flights of stairs.

Members discussed the report.

RESOLVED:

That the application be **REFUSED** as per the Officer recommendation in the report.

Councillors Bottwood and Kilbride re-joined the meeting at this juncture.

(H) N/2019/1394 - RESERVED MATTERS APPLICATION PURSUANT TO OUTLINE PLANNING PERMISSION N/2018/0170 (APPLICATION FOR OUTLINE PLANNING PERMISSION WITH ALL MATTERS RESERVED, APART FROM ACCESS FOR UP TO SIX DWELLINGS) FOR THE DETAILS OF THE APPEARANCE, LANDSCAPING, LAYOUT AND SCALE. GRAZING LAND, MILL LANE, KINGSTHORPE

The Development Manager submitted a report to the Committee. Members' attention was drawn to the addendum which contained additional neighbour representations and amended Conditions 2 and 10. The Committee were informed that outline planning permission was granted in May 2018 with access established at that time. The existing access road would serve 1 property and the new road would serve the remaining properties. The windows on all proposed dwellings were carefully placed so as to not overlook neighbouring houses. All of the proposed dwellings would be served by off-street parking by way of parking spaces and garages. Whilst objections had been received in respect of the reserved matters application, the development's impact was not considered unacceptable.

In response to a question, the Committee heard that there would be no change to the speed limit on the stretch of Mill Lane that served the site.

Members discussed the report.

RESOLVED:

That the application be **APPROVED** subject to the conditions and reasons as set out in the report and **amended Conditions 2 and 10** in the addendum.

(I) N/2019/1395 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 5 OCCUPANTS PLUS THE INSERTION OF A NEW REAR DOOR. 17 HOLLY ROAD

The Development Management Team Leader submitted a report to the Committee. Members were informed that no external alterations were proposed and that all bedrooms would have en-suite facilities. Should the application be approved, the concentration of HIMO properties in a 50m radius would be 8.7%. Members heard that the garage could be used to store refuse and cycles. It was noted that whilst the Local Highway Authority had objected to the application, the property sat in a sustainable location close to a regular bus service to town and local shopping facilities.

Sandra Emmet, a local resident, spoke against the application and commented that HIMOs undermined the character of the area. Ms Emmet stated that there were several unlicensed HIMOs in the area, including no. 12, and highlighted existing issues that she believed were caused by them, including double-parking and culminations of waste on the street.

Pat Dooley, the agent on behalf of the applicant, spoke in favour of the application and commented that the proposed number of occupants was not dissimilar to the number that could live there as a family home.

Responding to a question, Mr Dooley explained that neighbours were provided with the property owner's telephone number who was available at all times to deal with any issues.

The Development Management Team Leader confirmed that no. 12 Holly Road was licensed as a HIMO.

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 Kilbride left the meeting.

(J) N/2019/1523 - VARIATION OF CONDITION 1 OF PLANNING PERMISSION N/2018/0845 (VARIATION OF CONDITION 1 OF PLANNING PERMISSION N/2016/1264 TO EXTEND TEMPORARY PERIOD) TO ALLOW THE SPIRES ACADEMY TO OCCUPY THE BUILDING FOR ANOTHER THREE MONTHS TO 15TH MAY 2020. THE SPIRES ACADEMY, STATION CLOSE

The Development Management Team Leader submitted a report to the Committee. Members were informed that the applicant would like to extend the period as requested for staying on the current site until the development works are completed at their permanent site on Sheep Street.

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 Bottwood left the meeting.

11. ITEMS FOR CONSULTATION

None.

12. NORTHAMPTON PARTNERSHIP HOMES APPLICATIONS

(A) N/2019/0386 - DEMOLITION OF 10 LOCK UP GARAGES AND ERECTION OF TWO STOREY DETACHED DWELLING AND PROVISION OF CAR PARKING. LOCK UP GARAGES ADJACENT TO 43 HOPMEADOW COURT

The Principal Planning Officer submitted a report to the Committee. Members' attention was drawn to the addendum which contained an additional neighbour objection and an update to Condition 2. The Committee heard that 10 garages would

be removed to allow for more formalised parking and the construction of a 2 storey, 3-bedroom property.

In response to a question, the Committee heard that the development would result in a net increase of 9 unassigned parking spaces.

Members discussed the report.

RESOLVED:

That the application be **APPROVED** subject to the conditions and reasons as set out in the report with **amended Condition 2** in the addendum.

(B) N/2019/0392 - CONSTRUCTION OF 2NO NEW BUILD UNITS AND CAR PARKING SPACES. LAND ADJACENT TO 37 WINDERMERE WAY

The Principal Planning Officer submitted a report to the Committee and explained that the proposed dwellings would be slightly staggered to be in-keeping with the existing properties. The nearby grass strip would be turned into parking.

Members discussed the report.

RESOLVED:

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

(C) N/2019/1232 - TWO STOREY SIDE EXTENSION, FRONT PORCH, REAR CONSERVATORY, REPLACEMENT WINDOWS, EXTERNAL FINISH OF HOUSE IN BRICK, DEMOLITION OF SINGLE GARAGE AND REPLACEMENT WITH DOUBLE GARAGE, AND ADDITIONAL HARDSTANDING (RETROSPECTIVE). 11 TOMS CLOSE

The Development Manager submitted a report to the Committee. Members' attention was drawn to the addendum which contained an amended Condition 1. The Committee heard that planning permission was granted in October 2016. The works were now complete, however the development had not been carried out in accordance with the approved plans. The completed development was similar to the plans, the garage was different in size and the conservatory a different shape and with a tiled roof.

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 1** in the addendum.

The meeting concluded at 8:04 pm