



Northampton Local Area Planning Committee

Minutes of a meeting of the Northampton Local Area Planning Committee held at The Jeffrey Room - The Guildhall, Northampton, NN1 1DE on Tuesday 6 September 2022 at 5.00 pm.

Present Councillor Jamie Lane (Chair)
 Councillor Anna King (Vice-Chair)
 Councillor Paul Clark
 Councillor Raymond Connolly
 Councillor Paul Dyball
 Councillor Cathrine Russell
 Councillor Sally Beardsworth

Also
Present: Councillor Davenport
 Councillor E Roberts
 Councillor Hallam
 Councillor Purser
 Councillor Hill

Apologies Councillor Muna Cali
for
Absence: Councillor Nazim Choudary
 Councillor Zoe Smith
 Councillor Penelope Flavell

Officers: Shaun Robson (Development Manager)
 Nicky Scaife (Development Management Team Leader)
 Jonathan Moore (Senior Planning Officer)
 Adam Walker (Principal Planning Officer)
 Chris Wentworth (Principal Planning Officer)
 Jamie Parsons (Locum Planning Solicitor)
 Ed Bostock (Democratic Services Officer)

24. Apologies for Absence and Appointment of Substitute Members

Apologies for absence were received from Councillors Choudary, Clark, Flavell, and Z Smith.

25. Declarations of Interest

There were no declarations of interest made by Members.

26. Minutes

The minutes of the meeting held on 2nd August would be brought to a future meeting.

27. **Chair's Announcements**

The Chair advised that the addendum had been circulated to Members the day before the meeting, but gave Members 5 minutes to refresh themselves on the details contained therein.

28. **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
Antonella Mitchell
Emma Roberts
Andy Chapman/Shayne Martin

N/2020/1421

Councillor Hallam
Rob Mitchell
Jim Budd

WNN/2022/0033

Councillor Beardsworth
Patricia Willmott
David Linnell
Mr J Beveridge/Rhys Bradshaw

WNN/2022/0173

Councillor Purser
James Atkins
Danielle Stone
Roy Hammond
Cllr James Hill

WNN/2022/0180

Councillor Stone
Sebastian Charles

WNN/2022/0650

Councillor Purser
Roy Hammond

WNN/2022/0707

Councillor Purser

WNN/2022/0814

Councillor Hawes
Stukeley James

29. **List of Current Appeals/Inquiries**

The Development Management Team Leader advised that there was nothing to report to the meeting but asked Members to contact the Planning department for details around specific appeals.

30. **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.**

The Principal Planning Officer presented the report to the Committee which sought approval to vary Condition 2 of Planning Permission N/2012/0909 to alter the layout of the development, alter house types, remove and alter garages, and vary conditions 2, 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. Members attention was drawn to the Addendum and amendments therein. It was noted that the application had been approved in 2016 and a Section 106 Legal Agreement signed in 2017. It was noted that development has commenced on site but a subsequent application to vary a number of conditions to address layout alterations on site was submitted and approved in principle by Committee in 2020 with a subsequent approval in principle by Committee in 2021 due to further required amendments to conditions including ecology. The S106 was not completed and further amendments to conditions due to ongoing works on site including issues regarding drainage and ecology were required to be addressed, hence the application returning to Committee for consideration. There were currently drainage issues relating to the playground which remained closed, however most of the dwellings had been constructed. Members' attention was drawn to the addendum which contained an amended recommendation, updates to conditions, changes to the main report, and further responses from consultees.

Councillor Davenport addressed the Committee in her capacity as a Ward Member and spoke against the application, stating that there was insufficient affordable housing provided and advised that residents were initially told that they could rent properties on long lease tenancies but had since been informed that these would be moved to monthly leases. She expressed concern around the soakaway that had not been built and was not connected to Lancaster Way

Antonella Mitchell, of Northampton Badger Group, spoke against the application and stated that the previously proposed wildlife corridor must remain on the development. She advised that new setts had appeared onsite and that without the wildlife corridor, there was a risk of damage by the badgers to properties.

Councillor E Roberts addressed the Committee and spoke against the application. She stated that the drainage plans on the planning portal were not the same plans

that Anglian Water had commented on and asked the Committee to defer the application until Anglian Water had commented on the most up-to-date plans. She further advised that the drainage line went under the affordable housing so it could not be built, and the S106 Agreement could not be signed. She asked that the Committee defer the application.

Andy Chapman, the director of Frampton Town Planning Ltd, addressed the Committee and spoke in favour of the application. He noted that Anglian Water had seen the most up-to-date drainage plans and had agreed a strategy in principle, following the implementation of CCTV surveys to further ascertain the extent of the drainage issues. The applicant had been given a 3-month grace period to get the order in place, gain planning permission and carry out the necessary drainage works.

In response to questions, the Committee heard that the most up-to-date drainage plan ,P27, had been submitted to Anglian Water in August and there had been no objections to the strategy in principle. In regards to the wildlife corridor no longer being part of the application, the applicant had followed the advice of the Council's Ecological and Planning officers. There was a condition included to monitor the success of the badgers' relocation towards the railway and the artificial setts. 135 soil samples had been taken onsite and most levels of contamination were below levels of concern. The site was previously used as an allotment and the contaminant found was lead, which was not uncommon for Northampton.

Members discussed the report and raised concern around the potential damage that the badgers may cause in the future.

Councillor Lane proposed and Councillor Connolly seconded that the officer recommendation be approved. The recommendation contained within the report was put to a vote and was declared carried with 4 votes for and 2 abstentions.

RESOLVED:

That the application be **APPROVED IN PRINCIPLE** as per the officer recommendation and subject to the completion of S106 Agreement, with delegated authority to the Assistant Director of Place and Economy to resolve in consultation with the Lead Local Flood Authority any outstanding matters in respect of surface water drainage and condition as appropriate and necessary, and with updates to conditions as set out in the Addendum.

Updates to Conditions

- Condition 2 should state drawing reference 352A08-120-M.
- Condition 3 should state drawing reference 352A08-4006-B.
- Condition 7 should refer to plan reference 31006/300P27 rather than 31006/300P24.
- Condition 9 – The reference to site plan layout 201 Rev G should be 201 Rev M.
- Condition 15 – Plan 18/31006/SK50 reference should be removed.

Now Condition 19

19. Within three months of the date of this decision notice a desk top study in respect of possible contaminants within the site shall be completed and a site investigation designed. The scope and methodology of the desk top study and the site investigation report shall be submitted to and approved in writing by the Local Planning Authority. The site investigation and appropriate risk assessments shall be carried out and the results shall be used to produce a method statement for the necessary remedial works (and a phasing programme), which shall be submitted to and approved in writing by the Local Planning Authority. All remedial works shall be fully implemented in accordance with the approved method statement and phasing programme. Confirmation of the full implementation of the scheme and validation report(s) shall be submitted to the Local Planning Authority within 1 month of completion (or within 1 month of completion of each respective phase).

Additional Condition.

Condition 20:

20. Within 3 months of planning approval, a biodiversity monitoring strategy shall be submitted to, and approved in writing by, the Local Planning Authority. The purpose of the strategy shall be to monitor post construction/implementation success and aftercare of protected species mitigation methods, and ongoing success of the resident badger clan for three years after the occupation of the last dwelling on site. The content of the Strategy shall include the following.

- a) Aims and objectives of monitoring to match the stated purpose.
- b) Identification of adequate baseline conditions prior to the start of development.
- c) Appropriate success criteria, thresholds, triggers and targets against which the effectiveness of the various conservation measures being monitored can be judged.
- d) Methods for data gathering and analysis.
- e) Location of monitoring.
- f) Timing and duration of monitoring.
- g) Responsible persons and lines of communication.
- h) Review, and where appropriate, publication of results and outcomes.

A report describing the results of monitoring shall be submitted to the Local Planning Authority at intervals identified in the strategy. The report shall also set out (where the results from monitoring show that conservation aims and objectives are not being met) how contingencies and/or remedial action will be identified, agreed with the Local Planning Authority, and then implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The monitoring strategy will be implemented in accordance with the approved details.'

Councillor King joined the meeting at this juncture.

31. **N/2020/1421 - Demolition of existing buildings and erection of Discount Food store (Use Class E), with associated car parking, access, landscaping and associated engineering works. Mayleigh House, Kettering Road North**

The Principal Planning Officer presented the report to the Committee which sought approval for the demolition of existing buildings and the erection of a discount Foodstore with associated parking, access, landscaping and associated engineering works. Members' attention was drawn to the addendum which contained further representations from the Highway Authority and Retail Consultant in response to further 3rd party comments received and clarification that the application was a departure from the Development Plan.

Councillor Hallam, in his capacity as Ward Councillor, addressed the Committee and spoke against the application and thanked the applicant for their informative consultation. He noted that the Highways report showed that the end of Kettering Road where the development was proposed had reached its capacity and any increase could cause the far end of Kettering Road to reach its capacity. He explained that he received frequent calls to implement traffic measuring controls on the road.

Rob Mitchell, the agent on behalf of the applicant, addressed the Committee and spoke in favour of the application. He commented that there had been no objections from statutory consultees, the development would be situated within an existing employment area with the existing building not fit for purpose, would be employment-generating and would not offer any zero-hour contracts. The applicant had undertaken a thorough search of town and near-town centre locations and found no other suitable sites.

Jim Budd, the Highways Consultant on behalf of the applicant, addressed the Committee and spoke in favour of the application. He commented that concern relating to increased traffic was unfounded and noted that the proposed Foodstore would lead to a redistribution of traffic rather than an increase; people did not generally go out of their way to do a food shop.

In response to questions, Mr Budd advised that a pedestrian crossing could be considered as part of the 278 works.

Members discussed the report and commented that the benefits of the development seemed to outweigh the negatives, there were no material reasons to refuse the application and that the Foodstore would help local residents during the ongoing cost of living crisis.

Councillor Clark proposed and Councillor Lane seconded that the officer recommendation be approved. The recommendation was put to a vote and declared unanimously carried.

RESOLVED:

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

32. **WNN/2022/0033 - Outline Planning Application (All Matters Reserved except Access) for 11no Dwellings with vehicular and pedestrian access. Grazing Land, Mill Lane, Kingsthorpe**

The Principal Planning Officer presented the report to the Committee which sought outline planning approval for 11 dwellings with vehicular and pedestrian access. All matters were reserved except for access. Members' attention was drawn to the Addendum and amendments therein. It was noted that there were several objections to the application, including from the Highway Authority, Kingsthorpe Parish Council, Kingsthorpe Conservation Area Advisory Committee and Sally Beardsworth, Ward Councillor, as well as 8 letters of objection from local residents. Previous schemes had been approved for 5 and 6 dwellings on the site. A flood risk assessment had been supplied and indicated that the site was unaffected by flooding due to surface water runoff. The site was located adjacent to a conservation area; however, it was considered that the impact upon the setting of the conservation area would be neutral.

Councillor Beardsworth, in her capacity as Ward Member, addressed the Committee and spoke against the application. She voiced concern around the potential dangers of the road and amount of traffic; it had a 40mph limit and was frequently used by children walking to and from school. She advised that the area to the west of the development site frequently flooded and felt that the application before the Committee was an overdevelopment.

After addressing the Committee, Councillor Beardsworth left the room for the remainder of the item.

David Linell, a local resident, addressed the Committee and spoke against the application. He voiced concern around the lack of infrastructure and amenities, the impact on wildlife and loss of green space. He advised that from his property he would have unrestricted views into plots 7, 8, and 9.

Rhys Bradshaw, the agent on behalf of the applicant, addressed the Committee and spoke in favour of the application. He advised that the principle of development had been previously established and that the applicant had written to neighbours and received no replies. He believed that the proposed density of properties struck the right balance, and that proposal was comparable to previous scheme but now proposing smaller houses. The access would be widened to comply with adopted standards, so the Highways objection no longer applied. Mr Bradshaw noted that financial contributions would be paid in full.

In response to questions, the Committee heard that Condition 12 related to EV charging points and that 1 would be provided per dwelling.

Members discussed the report.

Councillor King proposed and Councillor Russell seconded that the officer recommendation be agreed. The recommendation was put to a vote and declared unanimously carried.

RESOLVED:

That the application be **APPROVED IN PRINCIPLE** subject to conditions and reasons as set out in the officer report with delegated authority to the Assistant Director for Place and Economy to approve any amendments to those conditions as deemed necessary; And **SUBJECT TO THE COMPLETION OF A SECTION 106 LEGAL AGREEMENT** to secure the obligations as set out in the Addendum.

Councillor Beardsworth re-joined the meeting at this juncture.

33. **WNN/2022/0173 - Conversion of existing Factory Building (Use Class B2) to 19no Self-Contained Flats for Supported Living (Use Class C2) and associated works including external alterations, formation of new vehicular access, creation of under croft parking, stopping up existing access, creation of amenity space. 64 - 72 Roe Road**

The Principal Planning Officer presented the report which sought the Committee's approval for the conversion of an existing factory building to 19 self-contained flats for supported living and associated works including external alterations, the formation of new vehicular access, under croft parking, stopping up of the existing access, creation of amenity space, and partial demolition. It was noted that there had been no statutory objections to the application and it was explained that due to the removal of the non-residential use which was previously unrestricted, any overlooking to nearby properties was considered acceptable on balance.

Councillor Purser addressed the Committee in his capacity as a Ward Member and spoke against the application. He voiced concern around the impact on local residents, potential safeguarding issues and noted that the proposal lacked any communal space for occupants, or space for staff.

In response to a question, Councillor Purser stated that he believed 1 member of staff would be inadequate to support all of the occupants of the development.

James Atkins, a local resident, addressed the Committee and spoke against the application. He voiced concern around the loss of privacy to properties opposite the proposed development and at the lack of amenities proposed. He believed that the town centre was a more appropriate location for such a development.

Councillor Stone addressed the Committee and spoke against the application and commented that the application was a severe overdevelopment which lacked amenities. She felt the proposal was unsuitable for young people and the applicant was focused on making money to the detriment of the occupants. She asked that the Committee defer the application so that it could come back with more amenities.

In response to a question, Councillor Stone felt that the proposed development would become a magnet for crime.

Roy Hammond, the agent on behalf of the applicant, addressed the Committee and spoke in favour of the application. He commented that the town lacked this type of accommodation; the applicant was seeking to equip young people to succeed as adults. There would be 2 members of staff onsite during the day and 1 at night, and Mr Hammond noted that the Children's Trust supported the application. He further

noted that the application had been amended following concerns, that parking was provided as part of the application, national minimum space standards were met, and the unrestricted “bad neighbour” use would be removed.

In response to a question, Mr Hammond advised that the applicant operated similar properties in the town successfully.

Councillor Hill addressed the Committee and spoke in favour of the application. He commented that concerns around waste and parking had been addressed by the applicant. He noted that there were more than 1200 looked after children in the town that should not be marginalised, and that there was wide support for the application.

In response to questions, the Committee heard that an area of open space would be provided for the occupants, and that the windows could not be glazed as the outlook for occupants would be restricted.

Members discussed the report and made the following comments:

- Some felt that the application was admirable
- Some felt that there would be too many occupants and that a smaller number of units would be more appropriate.

Councillor King proposed and Councillor Connolly seconded that the officer recommendation be agreed. The recommendation was put to a vote and declared carried with 6 votes for and 1 against.

RESOLVED:

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

34. WNN/2022/0180 - Change of use from commercial property (sui generis) to 5 no. flats (use class C3). 26 Clare Street

The Senior Planning Officer presented the report which sought approval for a change of use from commercial property to 5 flats. Members attention was drawn to the Addendum and amendments to conditions therein. An application to change the use to 7 flats was refused in January 2022. Cycle and waste storage would be provided to the rear of the property. It was noted that the Town Centre Conservation Area Advisory Committee had raised an objection to the application

Councillor Stone, in her capacity as Ward Member, addressed the Committee and spoke against the application. She commented that the area was already densely populated and suffered with waste issues. She stated that people living in small spaces with no outdoor space were prone to illness.

Sebastian Charles, the agent on behalf of the applicant, addressed the Committee and spoke in favour of the application. He commented that the proposal met national minimum space standards and that the units were small but would be low-cost and aimed at professional people who would be out working for most of the day. He advised that the proposal removes the commercial use and residential will bring the

building back to life. He further advised that there was easy access to nearby green spaces and that the conservation area would be preserved by the development, and that there had been no further objections to the application.

Members discussed the report.

Councillor Russell proposed and Councillor King seconded that the officer recommendation be agreed. The recommendation was put to a vote and declared unanimously carried.

RESOLVED:

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

35. **WNN/2022/0650 - Construction of a pair of semi-detached offices (Use Class E) and associated parking area. Land rear of 84 to 86 Lower Thrift Street.**

The Principal Planning Officer presented the report which sought approval for the construction of a pair of semi-detached office buildings and associated parking. A previous application very close to the application site was refused by the Council and allowed at appeal. Office use was considered compatible with the area, and it was noted that whilst the Local Highway Authority had objected to the application, this was not considered justifiable grounds for refusal.

Councillor Purser addressed the Committee and spoke against the application. He commented that the application set a precedence for residential gardens to be filled with offices.

Roy Hammond, the agent on behalf of the applicant, addressed the Committee and spoke in favour of the application. He commented that the area was in need of active frontages, and that the proposed development was modest in scale and design.

In response to a question, the Committee heard that the site was likely used as a stonemason, or that gravestones were recycled onsite; it was highly unlikely that people were buried in the gardens.

Members discussed the report.

Councillor Beardsworth proposed and Councillor King seconded that the officer recommendation be agreed. The recommendation was put to a vote and declared unanimously carried.

RESOLVED:

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

36. **WNN/2022/0707 - Change of Use from Dwelling house (Use Class C3) to House in Multiple Occupation (Use Class C4) for 5 occupants. 68 Bostock Avenue.**

The Principal Planning Officer presented the report which sought approval for a change of use from dwellinghouse to HMO for 5 occupants. Members attention was drawn to Highway comments in the Addendum. As part of the development, the existing large dining room window would be removed, and smaller window added. The room sizes exceeded the minimum space standards as required by the Council's adopted standards, and should the application be approved, the concentration of HMO properties in a 50m radius would be 9.45%. Whilst there was no parking proposed, the property sat within a sustainable location close to public transport links and shopping facilities.

Councillor Purser, in his capacity as a local Ward Member, addressed the Committee and spoke against the application. He noted that the proposed bathrooms were very small and stated that people living in the town centre still had cars. He stated that the town was losing family homes to HMOs.

Members discussed the report.

Councillor King proposed and Councillor Beardsworth seconded that the officer recommendation be agreed. The recommendation was put to a vote and declared carried with 4 votes for, 2 votes against and 1 abstention.

RESOLVED:

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

37. **WNN/2022/0814 - Demolition of existing garage structures and erection of two storey partially adaptable dwelling. Land to rear 17 North Western Avenue.**

The Principal Planning Officer presented the report which sought approval for the demolition of existing garages and the erection of a two-storey, partially adaptable dwelling. Members attention was drawn to the Addendum and further comments received. It was advised that the applicant had submitted several applications in previous years which were either withdrawn or refused by the Council. Officer opinion was that the proposal would be too close to the boundary, there would be no outlook from the proposed bedroom and its overall appearance would be very cramped.

Councillor Hawes addressed the Committee and spoke in favour of the application. She did not believe that the application was an overdevelopment; there were similar developments in the area, and there had been no objections from statutory consultees.

Stukeley James, the agent on behalf of the applicant, addressed the Committee and spoke in favour of the application. He commented that there would be no change to the boundary and that partially obscured windows with less outlook can assist in making less able people feel safer where they have a degree of vulnerability.

In response to questions, the Committee heard that an elderly family member would be moving into the property; there would be space for a wheelchair, a lift, a wider staircase and doors, etc.

The Principal Planning Officer confirmed that the design of the dwelling was in-keeping with the surrounding area, but the tight relationship with the site boundaries would appear cramped. He advised that glazed windows were not appropriate for habitable rooms.

Members discussed the report and made the following comments:

- Members sympathised with the applicant but felt that the development would be cramped.
- Members felt that the application would be recommended for approval if it was in a less affluent area of the town.

Councillor Beardsworth proposed that the officer recommendation be agreed. There was no seconder.

Discussion was held with regard to the imposition of a S106 Legal Agreement if Members were minded to approve the application. It was concluded that the new dwelling could be occupied independently from the existing dwelling (17 North Western Avenue) but remained tied as one larger planning unit, as the proposed accommodation is intended for an elderly family member.

Councillor Clark then proposed and Councillor Dyball seconded that the application be approved contrary to the officer recommendation. The application was approved with 5 votes for and 2 abstentions.

RESOLVED:

That the application be **APPROVED** contrary to the Officer recommendation **and subject to the completion of a Legal Agreement** to tie the new dwelling to the existing dwelling at 17 North Western Avenue, to form one planning unit.

38. **Urgent Business**

None advised.

The meeting closed at 9.18 pm

Chair: _____

Date: _____