

# West Northamptonshire Development Corporation

## Northampton UDA Planning Committee

Held in public on Tuesday 1<sup>st</sup> July 2008, 6.00pm

Ann Tate, Chair  
David Dickinson  
John Weir

Adrian Arnold	Head of Development Control
Jenny Chance	Senior Planning Officer (Consultant)
John Hill	Delivery Team Leader
Wendy McDonald	Board and Governance Officer

Approximately 19 members of the public attended the meeting.

### **Item 1, Apologies**

Apologies were received from Cllr Penny Flavell, Cllr Jean Hawkins, Cllr Brian Hoare, Cllr Chris Millar and Nick Thompson.

### **Item 2, Declarations of interest**

None.

### **Item 3, Minutes of the meeting of 8<sup>th</sup> April 2008**

**Resolved:** Minutes agreed.

### **Agenda Item 4:**

**Applicant:** Servite Houses: Fernbrook Builders Ltd: Darby Investments Ltd.

**Application No:** 07/0227/FULWNN

**Address:** Land and buildings at St George's Street, Northampton

**Description:** Residential development for 67 apartments (18x1 bed and 49x2 bed)

Officers briefly outlined the details of the proposal and then presented the update.

### **Additional Representations**

County Councillor Dr Marie Dickie OBE:-

Objects as the County Councillor for the area as the proposal will give rise to additional pressure on parking and traffic movement in this street. Not convinced that leaving negotiation to be delegated to an official is helpful. The parking and traffic movement issues in the street could be assisted with the introduction of a moveable barrier at the end of the street to move in and out

during the day time and restrict it at night and that a significant contribution be paid towards this. Remains unconvinced that that the town centre and immediately surrounding streets are getting an undue share of so called affordable housing – in the main made up of small flats. This does not address the actual need for family homes in the centre of Northampton.

Northampton County Council Sustainable Transport:-

Request that condition 13 be amended to include wording to secure the implementation of any approved scheme. It is therefore recommended that the following sentence be added to the condition.

*Thereafter the approved scheme shall be implemented prior to the first occupation of the development hereby approved unless otherwise agreed in writing by the Local Planning Authority.*

Section 106 Heads of Terms – Additional Officer Comments

The report sets out the requests for financial contributions to be secured by S106. These are from the County Council as both Highway Authority and Education Authority and the Primary Care Trust and totals some £275,000. The Corporation would normally look to secure S106 contributions over an above this towards Strategic Infrastructure, Skills and Training Development, Community Development, Sustainability (the scheme is intended to be constructed to Code Level 3), Place Making/Public Art and Monitoring.

These other contributions would be in the region of £300k giving an overall total of around £575,000 equivalent to £8582 per unit which is below the figure of £12,000 currently envisaged for a town centre site of this size.

Therefore, a financial appraisal would need to be undertaken to assess what the viability of the scheme could afford to contribute or a pragmatic approach is taken to negotiate a lesser sum.

The Recommendation remains as set out on page 19 of the report with the amendment of the additional wording to condition 13 as set out above.

### **Speakers AGAINST**

1. Cllr Tony Clarke made the following points:
  - They accept the site will be developed for housing
  - Concern over number of units proposed, prefer some family housing in the mix,
  - Issue with traffic at the bottom of St George Street due to kerbing work
  - Suggested an automatic barrier during the day to alleviate traffic problems, to be closed at night to protect residents,
  - Object to S106 – site is supposed to be for 100% sustainable housing – it is being sold off to housing associations for social housing
  - Consideration needs to be given for traffic flow for long term benefit

Mr Clarke was asked if he could clarify if he and Cllr Dickie are opposed to affordable housing in this location. He replied saying that some areas have

100% affordable housing that are not suitable for families and they want to see a more even mix of housing that will make the area more desirable, but they are not against additional affordable housing in principle.

### **Speakers FOR**

1. Mr Jeremy McNamee, on behalf of the Developer made the following points:

- The organisation is a non-profit one
- Any money made goes back into the business to develop better housing
- They aim to target figures for shared ownership
- Referred to Code 3 status
- They have already worked in the area for 18 months with other partnerships
- They first submitted a bid in 2007 and were asked to rebid with lower requirements
- Grants are being reduced due to a slump in the housing market
- The S106 makes it difficult for them

DD asked Mr McNamee if they had to pay the S106 at £9000 per unit, would they not be going ahead with the scheme?

Mr McNamee replied that with grants dwindling, £9000 is a lot of money, and said that this additional expense would make it very difficult for them, and added that most associations are finding it difficult and the inclusion of S106 makes the situation worse. He also said that they want the scheme to go ahead and figures stated in the report would form the basis for shared ownership. DD asked about the comment Cllr Clarke had made about making the development more desirable by including some family housing in the mix, and Mr McNamee replied that they will try to accommodate this to try to make it more desirable for families too.

JH said that regarding the S106, there appears to be concern that as the scheme is for 100% affordable housing then officers would not pursue 100% financial contributions. This would not be the case but there will be a need to understand the Housing Association's financial position, and negotiations will take place on this basis. He added that WNDC are not here to prevent the delivery of the scheme, but rather want to be actively involved in securing it.

DD said that the scheme seems to be viable and can probably be financed, and the S106 does not take this out of range to do so. He also said that he would encourage developers to negotiate with officers, and come back with specific changes in detail, where possible.

JW added that this scheme would benefit the area and raise standards. He agreed with Cllr Clarke and DD's comments about the need for a more mixed development, and said that the S106 money should be used for the best interest. He went on to say that the concern over the bollards at the bottom of St George Street is a matter for highways to deal with.

**Resolved:** That the application be **APPROVED** as set out in the report subject to the amended wording to condition 13.

**Agenda Item 5:**

**Application number:** 08/0075/FULWNN

**Applicant:** St Andrew's Healthcare

**Address:** Cliftonville Middle School, Cliftonville Road, Northampton, NN1 5BW

**Description:** Erection of a part two, part three storey residential mental healthcare facility, offering medium secure accommodation for 132 residents with associated parking and servicing area, landscaping and other infrastructure works.

Officers talked through the application and the update sheet

**White Young Green Consulting**

Responded to the Borough Council's objection on behalf of the applicants. The letter reiterates some points made as part of the application submission. This queries the formal status of the documents; 'Surplus School Sites Interim Policy', the 'Playing Pitch Strategy' and the 'Open Space Sport and Recreation Needs Assessment and Audit', as none of these documents were subject to public consultation.

The letter also highlights that the applicants carried out a consultation exercise before the application was submitted and received no objections, and that as part of the disposal of the site the County Council are required to use the net proceeds of the sale to fund specific projects to improve or enhance sports or educational facilities at schools. In addition they are offering monies as part of a unilateral undertaking to compensate for the loss of facilities that could be used to provide new facilities or upgrade existing ones.

**Sport England**

Object to application.

In accordance with PPG17 Sport England will object to the loss of any playing fields to development unless one of five exceptions is met. The exceptions are:

(i) a proven excess of provision, (ii) the use is ancillary to the playing field, (iii) the site is incapable of forming part of a pitch, (iv) equivalent or better replacement will be provided elsewhere, (v) an alternative sports use is proposed, outweighing loss.

The site is in an area that currently has a deficit of pitches and this will be increased by proposals for new development in the town. The only exception above that is relevant is for equivalent or alternative pitches to be provided elsewhere. However for Sport England to agree that this exception is met, they need to be assured that a satisfactory replacement facility is available and can be delivered. This requires an assessment of the quantity and quality of pitches and also the relative accessibility for the local community. At present there is no such information and Sport England therefore has no alternative but to object. The objection could be withdrawn if details of an alternative site, where re-provision will definitely proceed, are provided to Sport England's satisfaction.

If the Corporation were minded to approve the application whilst Sport England maintained their statutory objection then the application must be referred to the Government Office.

#### Northamptonshire Sport

Northamptonshire Sport is the County Sports Partnership for Northamptonshire and works with partners such as Sport England and Northampton Borough Council to drive forward the business of the sport development in the county. Obviously, part of this concerns the provision of high quality places to play sport that are accessible and open for all sectors of the community to use.

Agree with Northampton Borough Council and Sport England that the area around Cliftonville in particular, should not lose out in terms of sporting amenity due to the development of the Cliftonville site. Would like to see all the interested parties discussing solutions on or off site.

Looking at Area 1 and its surrounds there are a number of existing facilities which could benefit from a capital injection to take forward plans for various ideas on improvements.

#### Correction

Para 9.25 should state that there is no objection from the County Highway Authority rather than no response yet received.

#### Amendment to Recommendation

That following further discussions with Sport England and Northamptonshire Sport, the application be APPROVED subject to prior referral to the Secretary of State and thereafter pending the response of the Secretary of State, the Director of Planning and Development or appointed officer be given delegated authority to issue the decision notice, subject to the applicants entering into a legal agreement for a contribution towards off site playing pitch provision and also to conditions set out in the report for the following reason.

#### **SPEAKERS AGAINST**

None

#### **SPEAKERS FOR**

1. Mr David Alderson on behalf of St. Andrew's Hospital made the following points:

- St Andrew's is a charitable trust
- They have worked with the Council over the years
- Additional land was necessary when the opportunity to acquire this site arose
- The land was bought in 2006 subject to section 77 approval
- This was granted based on NCC using the site for new facilities for schools across the town
- They had talks in early 2006 with WNDC and sought advice
- Planning application was submitted this year
- This represents 10's of 1000's of developments in the area
- They are committed to the development

DD said that he would like to understand the roles of the different bodies who were seeking to take charge of the provision of new playing pitches and Mr Alderson elaborated that his clients intended to satisfy the level of requirement needed at national, county and borough levels.

DD asked for clarification that a solution had been agreed with the Borough Council to release playing facilities, in consideration of which his clients had offered to pay 200K for 2 plus 2 pitches, but didn't yet have a site for this. Mr Alderson confirmed this to be correct and advised that they have had meeting with Northampton Borough Council in relation to progress this and advised that they want to work with whoever it may be, to make this provision, whether that be at National, County or Borough level.

JC summarised the position and the proposal. She said that the application was for a medium secure mental health facility, having 132 bed spaces plus facilities such as a gym, pool etc. She said that the site is allocated for educational facilities, but has been deemed as surplus. She added that these sites were never available to public the before. She went on to say that the Borough Council want to keep the sports facility on site but it has been deemed inappropriate with/adjacent to a mental health institution. This will be a national facility and not just for Northampton. JC finished by recommending approval.

JW said that as a town/city, Northampton should be proud of St Andrews and we should encourage moving forward, so the application has his support.

**Resolved:** That the application be **APPROVED** as set out above

### **Agenda Item 6:**

**Applicant:** Prologis Developments Ltd

**Application No:** 08/0132/REMWNN

**Address:** Zone C, Pineham North.

Land off Banbury Lane, Pineham Barns Area, Northampton

**Description:** Reserved matters application including: layout, scale, appearance, access and landscaping pursuant to outline planning consent N/2002/1676 (as varied by 07/0082/VOCWNN) for mixed use employment uses dated 8 March 2006. Zone C – for an industrial unit with ancillary offices, gatehouse, vehicle maintenance unit, associated access, car/HGV parking, roads and landscaping.

The officer advised of the details of the application running through the update sheet, highlighting amendments made. It was also stated that the recommendation included a condition 1 had been 'Directed' by the HA. The officer advised that if this is withdrawn by the HA then it would be removed prior to the issuing of any decision.

### Amended Plans

Amended plans have been received to show revised elevation treatment fronting Nectar Way following request from officers to add further visual interest to elevation. No further consultation necessary. Amended plans improve proposal.

The reference to Vehicle Maintenance Unit has been changed to Ancillary unit to allow for greater flexibility. The unit would still need to be ancillary to the main unit.

### Amendments to Suggested Conditions

Conditions 14 and 17 are duplicates. Recommend that 17 is deleted and the reason for condition 14 is amended to refer to Policy E19 of the Northampton Local Plan.

Concern has also been raised as to the legality of the Highways Agency directing that a condition regarding the submission of a travel plan be imposed. The concerns relate to referring the details to the Highway Authority and to the Secretary of State, and whether the condition can be imposed on a reserved matters application.

AA referred the Committee to a letter received from Marrons Solicitors.

### **SPEAKERS AGAINST:**

None

### **SPEAKERS FOR:**

Mr David Smith of Turley Associates, on behalf of the applicant made the following points:

- 1 year ago they considered approval for previous zones for approval, i.e. Sainsbury's
- They are now seeking approval for Zone c
- The Sainsbury's site has won awards for high standards
- The building will reduce carbon emissions
- The design complies with all parameters
- Landscaping will be addressed
- The building will be for the industrial sector for manufacturing
- Could bring 1000 jobs to the area

It was commented that it is an exceptionally large building and the question was asked if there is a shortlist of potential occupants. Mr Smith said that there is not a short list, however, there are requirements for this size of building.

Mr Smith was then asked if there would be any a mix of units, i.e. some for distribution, to which he replied that there will not be.

DD referred to the transport issue saying that the Committee approve in principle the application, however there must be a travel plan put in place. Mr Smith replied that all units will have to provide a travel plan to satisfy HA's requirements. He went on to say that Sainsbury's submitted their own plan and any occupier under this Zone will also have to submit the same. DD

finished by saying that it is a key factor on how the occupier of the building will run their business. Mr Smith agreed.

JW added that he is delighted that this will bring employment to the area and said that the building was of an interesting design to help attract investors. He finished by thanking Mr Smith on behalf of the developer for the example they are setting.

DD concluded by wishing the developers luck in bringing industrial jobs into the area and in helping WNDG succeed within the infrastructure. He encouraged officers to work with the occupiers when they are known.

**Resolved:** That the application be **APPROVED** as set out in the report with the exception of the amendments to conditions referred to above.

### **Agenda Item 7 :**

**Applicant:** Darby Investments Limited

**Application No:** 07/0421/FULWNN

**Address:** Brackmills Industrial Estate, Site A, Gowerton Road, Northampton

**Description:** Construction of business support centre comprising 84 bed Hotel (Use class C1), Retail units (Use classes A1, A2 and A3), Office units (Use class B1), Nursery (Use class D1) and Business units (Use classes B2 and B8)

The officer advised the Committee of this application and went through details on the update sheet, pointing out that Condition 6 was now not needed.

### **Additional Representations**

Northampton Borough Council Environmental Health:-

Have advised that in response to additional information submitted by the applicant to address the information required under condition 6 of the recommendation that there is no longer a need for this condition and this can be removed from the recommendation as the information submitted satisfactorily addresses this issue. The subsequent condition numbers in the report will need to be revised accordingly.

Northampton County Council Sustainable Transport

Have requested that the design of the road layout be amended slightly to meet adoptable standards which the roads need to be designed to. Reiterate the need for a contribution towards infrastructure improvements to upgrade the pedestrian and cycleway infrastructure and traffic calming in this vicinity. The Travel Plan Officer considers the Travel Plan fulfils the standard for such documents and is acceptable. Have recommended a condition be attached to any permission requiring the road layout be constructed to an adoptable standard.

### *Officer Response*

*It is understood further negotiations have taken place with NCC Sustainable Transport and the applicant's engineering consultants and progress has been made towards agreement of the design of the road layout but final agreement has not yet been reached.*

*An additional condition be attached to any permission granted as follows:*

*The design of the internal layout of the development shall be to the adoptable standard of Northamptonshire County Council unless otherwise agreed in writing by the Local Planning Authority.*

*Reason. In the interests of highway safety.*

### Highways Agency

Do not consider that the submitted Travel Plan meets the requirements of the HA and is currently negotiating with the applicant to amend it to their satisfaction. Consequently they have issued a direction of non approval for an indefinite period of time on the grounds of insufficient information being submitted.

### Applicant's Consultant Engineers

Comments have been submitted in relation to the issue of land stability set out in the report in paragraphs 8.42 to 8.46. Their submission acknowledges that further detailed work is required but considers that this matter can be adequately addressed by a planning condition as opposed to being required before any permission is actually issued.

### *Officers Response*

*Land stability on what is a relatively steeply sloping site is a key issue as set out in the report. Officers remain of the opinion, noting the advice in PPG14, that further assessment should be undertaken prior to the issuing of any planning permission.*

### Additional Condition

Having regard to the sloping nature of the site and the need to control the height of the development generally the following additional condition is recommended by officers.

*Prior to the commencement of the development hereby approved details of the finished floor levels of all the buildings hereby approved shall be submitted to and approved in writing by the Local Planning Authority.*

*Reason: In the interests of the visual amenity of the area and to comply with Policy E20 of the Northampton Borough Council Local Plan.*

The Recommendation remains as set out in the report on page 71 with the inclusion of the two additional planning conditions referred to above.

**SPEAKERS:**

There were no speakers for this item.

**Resolved:** That the application be **APPROVED** as set out in the report with the exception of the amendments referred to above.

**Agenda Item 8:**

**Applicant:** Babcock and Brown

**Application No:** 08/0131/FULWNN

**Address:** Mereway Community College, Mereway, Northampton, Northants, NN4 8BU

**Description:** Substitution of ten small sided (5-a-side) all weather pitches for the full sized all weather pitch as permitted under application NO/05/0276 together with New Pavilion and associated works

The officer advised the Committee of the purpose and details of the application. There was no update sheet.

**SPEAKERS:**

There were no speakers for this item.

**Resolved**

The application be APPROVED as set out in the report.

**Future meeting dates**

- 29<sup>th</sup> July
- 2<sup>nd</sup> September
- 30<sup>th</sup> September
- 28<sup>th</sup> October
- 25<sup>th</sup> November
- 16<sup>th</sup> December

There being no further business the meeting closed at 7.15pm

Wendy McDonald  
Board and Governance Officer  
3<sup>rd</sup> July 2008