



Northampton Local Area Planning Committee

A meeting of the Northampton Local Area Planning Committee will be held in the The Jeffrey Room - The Guildhall, Northampton, NN1 1DE on Tuesday 4 October 2022 at 5.00 pm

Agenda

1.	Apologies for Absence and Appointment of Substitute Members
2.	Declarations of Interest Members are asked to declare any interest and the nature of that interest which they may have in any of the items under consideration at this meeting.
3.	Minutes To confirm the Minutes of the Meeting of the Committee held on 6 th September 2022.
4.	Chair's Announcements To receive communications from the Chair.
5.	Deputations/Public Addresses
6.	List of Current Appeals/Inquiries (Pages 5 - 6)
Other Reports	
a)	Hazardous Substance Consent revocation in relation to Condition 22 of planning application N/2020/1212 'Outline Application (with access details) for the demolition of existing building and structures and redevelopment to provide new warehouse and distribution floorspace (Use Class B8) with ancillary office accommodation, access from Liliput Road, with service yards, parking, landscaping and other associated infrastructure'. Howdens Joinery, Liliput

	Road, Northampton (Pages 7 - 10)
Planning Applications (Addendum attached)	
a)	WNN/2021/0927 - Reserved Matters Application (Appearance, Landscaping, Layout and Scale of Development) pursuant to Outline Planning Permission N/2016/0810 for 104no houses and flats, comprising 55no new build two and three storey houses, 48no family sized flats within the retained and converted Bassett-Lowke Building and conversion of the retained Quinton Building into a three bed family home. University of Northampton Avenue Campus, St Georges Avenue (Pages 17 - 42)
b)	WNN/2022/0301 - Erection of purpose-built student accommodation, with landscaping and associated works. Car Park, College Street (Pages 43 - 64)
c)	WNN/2022/0407 - Change of Use from 4 bed flat (Use Class C3) to House in Multiple Occupation (Use Class C4) for 5 occupants. 21B Gold Street (Pages 65 - 76)
d)	WNN/2022/0625 - Ground floor single storey rear extension to enlarge toilet area, first floor rear extension to create larger dining area with balcony and amendment to existing rear fire escape stair and side access gates. The Old House at Home, 214 - 216 Wellingborough Road (Pages 77 - 84)
e)	WNN/2022/0713 - 11no apartments and associated refuse and cycle storage. 31 Abington Square (Pages 85 - 94)
9.	Urgent Business The Chair to advise whether they have agreed to any items of urgent business being admitted to the agenda.
10.	Exclusion of Press and Public Should Members decide not to make a decision in public, they are recommended to resolve as follows: “That under Section 100A of the Local Government Act 1972, the public and press be excluded from the meeting for the following item(s) of business on the grounds that, if the public and press were present, it would be likely that exempt information falling under the provisions of Schedule 12A, Part I, Paragraph(s) XXXXX would be disclosed to them, and that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.”

Catherine Whitehead
Proper Officer
26 September 2022

Northampton Local Area Planning Committee Members:

Councillor Jamie Lane (Chair)

Councillor Anna King (Vice-Chair)

Councillor Muna Cali
Councillor Paul Clark
Councillor Paul Dyball
Councillor Zoe Smith
Councillor Penelope Flavell

Councillor Nazim Choudary
Councillor Raymond Connolly
Councillor Cathrine Russell
Councillor Sally Beardsworth

Information about this Agenda

Apologies for Absence

Apologies for absence and the appointment of substitute Members should be notified to democraticservices@westnorthants.gov.uk prior to the start of the meeting.

Declarations of Interest

Members are asked to declare interests at item 2 on the agenda or if arriving after the start of the meeting, at the start of the relevant agenda item

Local Government and Finance Act 1992 – Budget Setting, Contracts & Supplementary Estimates

Members are reminded that any member who is two months in arrears with Council Tax must declare that fact and may speak but not vote on any decision which involves budget setting, extending or agreeing contracts or incurring expenditure not provided for in the agreed budget for a given year and could affect calculations on the level of Council Tax.

Evacuation Procedure

If a continuous fire alarm sounds you must evacuate the building via the nearest available fire exit. Members and visitors should proceed to the assembly area as directed by Democratic Services staff and await further instructions.

Access to Meetings

If you have any special requirements (such as a large print version of these papers or special access facilities) please contact the officer named below, giving as much notice as possible before the meeting.

Mobile Phones

Please ensure that any device is switched to silent operation or switched off.

Arrangements for Speaking

It is necessary to register with Democratic Services no later than midday on the last working day before the Committee. This applies to all speakers, including Ward Councillors.

Speakers are required to indicate whether they will be speaking against or in support of an

application.

Speakers may register by telephone, email, or by writing, using the contact details below.

Queries Regarding this Agenda

If you have any queries about this agenda please contact Ed Bostock, Democratic Services via the following:

Tel: 07775036776

Email: publicspeaking@westnorthants.gov.uk

Or by writing to:

West Northamptonshire Council
The Guildhall
St Giles Square
Northampton
NN1 1DE

Planning Service – Northampton Area

Assistant Director Economic Growth & Regeneration: Jim Newton



**West
Northamptonshire
Council**

List of Appeals and Determinations – 4th October 2022

Written Reps Procedure

Application No.	DEL/PC	Description	Decision
WNN/2021/0124 APP/W2845/W/21/3287463	DEL	Conversion of loft with dormer to rear at 30 The Green, Kingsthorpe	AWAITED
WNN/2021/0426 APP/W2845/D/22/3294057	DEL	Removal of existing conservatory and construction of new two storey rear extension at 7 Glaisdale Close	AWAITED
WNN/2021/1063 APP/W2845/D/22/3294515	DEL	Two storey front extension and two storey side extension over existing garage at 29 Martins Lane	AWAITED
WNN/2021/1081 APP/W2845/D/22/3298011	DEL	Two storey rear extension together with new hardstanding and dropped kerb to front at 100 Westone Avenue	AWAITED
WNN/2021/1170 APP/W2845/D/22/3302819	DEL	Two storey side and rear extensions and two storey front extension at 4 Casterbridge Court	AWAITED
WNN/2022/0281 APP/W2845/W/22/3300030	DEL	Construction of new house in grounds of 253 Billing Road East, including shared drive	AWAITED

Public Inquiry

None

Hearings

None

Enforcement Appeals

None

Tree Preservation Order (TPO) Appeals

WNN/2022/0510 APP/TPO/W2845/8854	DEL	T1 Leyland Cypress - Fell due to direct damage to a nearby retaining wall. Replant with one standard tree at 2 High Street, Wootton (TPO 236)	AWAITED
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The Address for Planning Appeals is:

Mr Brian Rowe, Room 301, The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN.

Appeal decisions can be viewed at - <https://acp.planninginspectorate.gov.uk>

Local Government (Access to Information) Act 1985

Background Papers

The Appeal Papers for the appeals listed

Author and Contact Officer:

Nicky Scaife, Development Management Team Leader
Telephone 01604 837692
Planning Service
The Guildhall, St Giles Square,
Northampton, NN1 1DE

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Planning Committee Report

Committee Date: 4th October 2022

Application Number: N/2020/1212

Location: Howdens Joinery
Liliput Road
Northampton
Northamptonshire
NN4 7EY

Development: Revocation of Hazardous Substance Consent in relation to Condition 22 of 'Outline Application (with access details) for the demolition of existing building and structures and redevelopment to provide new warehouse and distribution floorspace (Use Class B8) with ancillary office accommodation, access from Liliput Road, with service yards, parking, landscaping and other associated infrastructure'

Applicant: Newlands Development Limited

Agent: Oxalis Planning Ltd

Case Officer: Nicky Scaife

Ward: Nene Valley Ward

Title: Revocation of Hazardous Substance Consent

Report Of: Assistant Director of Place and Economy

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

To **AUTHORISE** the making of an Order under Section 14(1) of the Planning (Hazardous Substance) Act 1990 seeking revocation of the Hazardous Substance Consent (HSC) at the site of MFI Group (also known as Howdens), Liliput Road, Brackmills, Northampton, to be confirmed by the Secretary of State.

1. PURPOSE OF REPORT

To obtain approval from Members of the Planning Committee for the making of an Order under Section 14(1) of the Planning (Hazardous Substance) Act 1990 to

revoke the Hazardous Substance Consent (HSC) at the site of MFI Group (also known as Howdens), Lilliput Road, Brackmills, Northampton. Revocation would be subject to confirmation by the Secretary of State.

2. BACKGROUND AND RELEVANT LEGISLATION

- 2.1 West Northamptonshire, as the Hazardous Substances Authority, are responsible for the control of Hazardous Substance and associated applications.
- 2.2 Under Section 14(1) of the Planning (Hazardous Substances) Act 1990, the Hazardous Substances Authority (HSA) may revoke or modify consent to such extent that it considers it expedient to do so. If the revocation is issued under Section 14(1) compensation may be payable to any person who has suffered depreciation or disturbance as a result of the Order being made. Any action for revocation is subject to confirmation by the Secretary of State.
- 2.3 Under Section 14(2) of the Planning (Hazardous Substances) Act 1990 the HSA may by Order revoke or modify a hazardous substance consent if it appears to them:
- a) There has been a material change of use of the land to which the hazardous substance consent relates; or
 - b) That planning permission has been granted for development the carrying out of which would involve a material change of use of such land and the development to which the permission relates has been commenced; or
 - c) in the case of a hazardous substances consent which relates to only one substance, that the substance has not for at least five years, been present on, over or under the land to which the consent relates in a quantity to or exceeding the controlled quantity; or
 - d) in the case of a hazardous substances consent which relates to a number of substances, that none of the substances have for at least five years been so present.

3. THE SITE AND RELEVANT HAZARDOUS SUBSTANCE CONSENT

- 3.1 The site is located on the south eastern fringe of Northampton on the western and northern sides of Liliput Road, near the A428, within the Brackmills Industrial Estate, a large commercial/industrial area. The site was previously occupied by a large warehouse building which has since been demolished as part of a recent planning approval for the redevelopment of the site for three warehouse and distribution units, currently under construction.
- 3.2 Hazardous Substance Consent (HSE reference: H0920) was granted on 27th November 1992 at Lilliput Road, Brackmills, Northampton for “the storage of LPG in bulk vessels and the filling of fork lift trucks LPF cylinders from the bulk vessels” for MFI Group Merchandise Distribution Centre.
- 3.3 MFI Distribution have since vacated and no longer own the site.

4. DETAILS TO SUPPORT THE REVOCATION

- 4.1 An outline planning application (with access details) for the demolition of the existing building and structures on the site and redevelopment to provide new warehouse and distribution floorspace (Use Class B8) with ancillary office accommodation, access from Liliput Road, with service yards, parking, landscaping and other associated infrastructure, planning reference N/2020/1212, was approved by the former Northampton Borough Council on 4/05/21.

- 4.2 Following consultation with the Health and Safety Executive on the outline application the following Condition 22 was imposed:

'No part of the development shall be occupied until all Hazardous Substances Consents for MFI Furniture Centre have been revoked in their entirety under the provisions of the Planning (Hazardous Substances) Act 1990 and written confirmation of the necessary revocations have been issued by the Hazardous Substances Authority.

Reason: To ensure the safety of the development in accordance with the requirements of the NPPF.'

- 4.3 Following the outline approval a reserved matters application was approved on 25/06/21, reference, WNN/2021/0250 for the following:

'Reserved Matters Application (details of appearance, landscaping, layout and scale) pursuant to Outline Planning Permission N/2020/1212 for Phases 1, 2 and 3 for the construction of Warehouse and Distribution Units (Use Class B8) with ancillary office accommodation, means of access, with service yards, parking, landscaping, and other associated infrastructure.

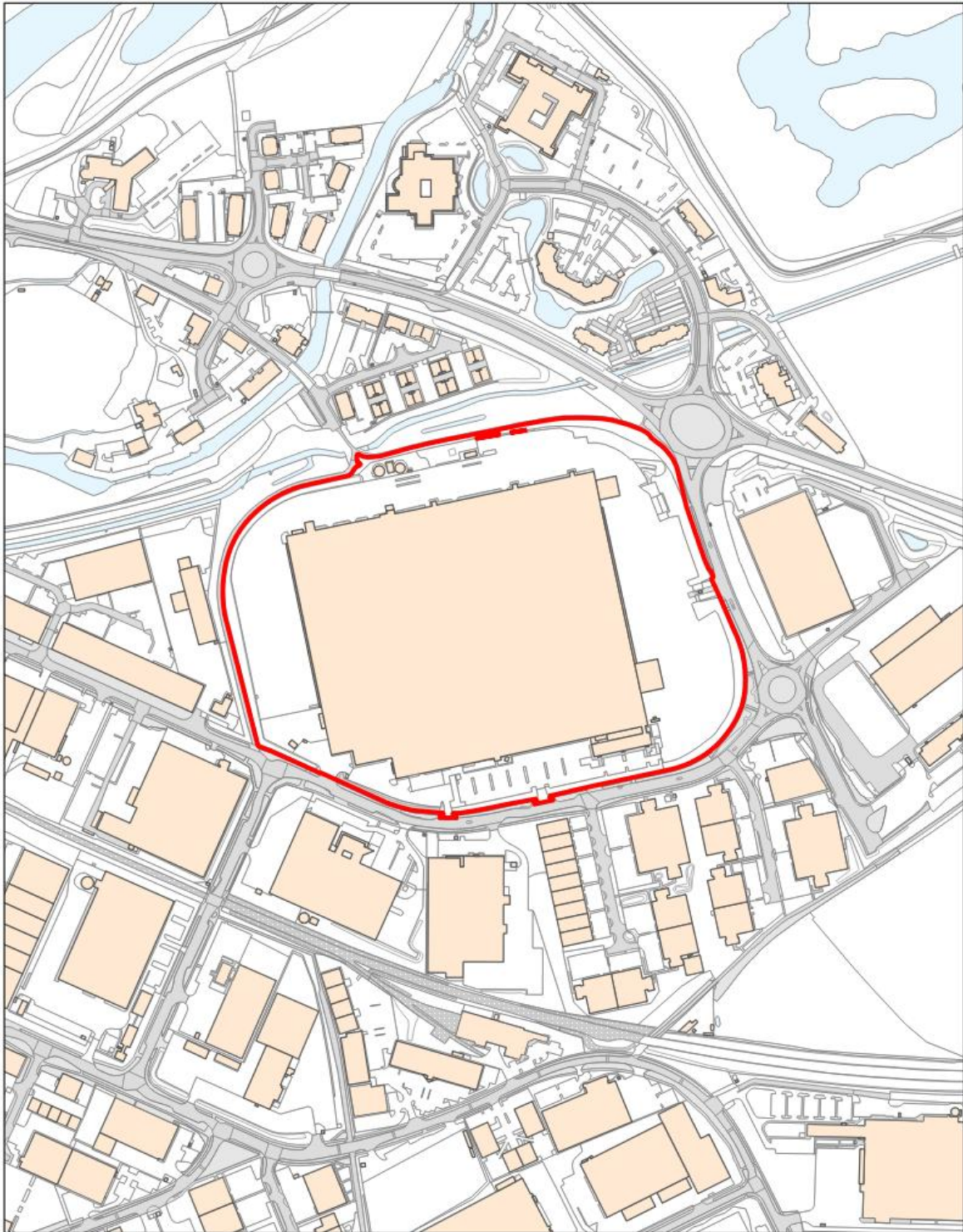
- 4.4 Construction has commenced on site and the applicants are therefore seeking the discharge of Condition 22 of the outline consent for the revocation of the Hazardous Substance Consent prior to occupation of the buildings.

- 4.5 In respect of the requirements under Section 14(2) of the Planning (Hazardous Substances) Act 1990:

- a) There has been a material change of use of the land. The previous use of the site by MFI Distribution with whom the LPG storage tanks and fork lift trucks were associated and to whom the Hazardous Substance Consent was granted has now ceased. MFI have vacated and no longer own the site and the former MFI building has been demolished.
- b) Planning permission has been granted under applications WNN/2020/0212 (outline) and WNN/2021/0250 (reserved matters) for the development of the site for three warehouse and distribution units and development has commenced on site.
- c) Aerial photographic evidence dated 2017 show that the petrol tanks are no longer in situ and supporting evidence accompanying the planning applications confirms that the substance has not been present on, over of under the land to which the hazardous substance consent relates in a quantity equal to or exceeding the controlled quantity for at least five years.
- d) The hazardous substance consent related to the use of LPG only, and not a number of substances, and has not been present on site for at least five years.

5. CONCLUSION

- 5.1 It is considered, in relation to the Hazardous Substance Consent as detailed above, that the requirements under Section 14(2) of the of the Planning (Hazardous Substances) Act 1990 are met and that an Order for revocation of the Hazardous Substance Consent should be sought from the Secretary of State.



Title: **Liliput Road**

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Date: 13-01-2021

Scale: 1:5,000

Drawn by: -----



**West
Northamptonshire
Council**

**Addendum to Agenda Items
Tuesday 4TH October 2022**

7. OTHER REPORTS

Items 7a (NS)

Revocation of Hazardous Substance Consent

Howden's Joinery, Liliput Road, Northampton

No update.

8. ITEMS FOR DETERMINATION

Item 8a [AW] WNN/2021/0927

Reserved Matters Application (Appearance, Landscaping, Layout and Scale of Development) pursuant to Outline Planning Permission N/2016/0810 for 104no houses and flats, comprising 55no new build two and three storey houses, 48no family sized flats within the retained and converted Bassett-Lowke Building and conversion of the retained Quinton Building into a three bed family home

University of Northampton Avenue Campus, St Georges Avenue

Consultation response: Local Highway Authority (LHA)

The committee report advised that the LHA had made a series of technical recommendations in relation to the layout and road surfacing and amended plans submitted by the applicant to address these matters were being considered.

The LHA has now provided comments on the amended plans and have confirmed that the outstanding issues have been satisfactorily resolved except for the surfacing on the internal road junctions, which was shown as block paving instead of tarmacadam. The applicant has subsequently submitted further revised plans which omit the block paving and as such it is considered that all highway matters have been resolved. The LHA has recommended a condition to ensure that the highway layout is provided in accordance with the proposed details.

The LHA has also recommended a condition requiring further details of the proposed surfacing, a condition in relation to private streets (in the event that any roads are not adopted) and a condition for a construction management plan. Conditions were imposed on the parent permission (N/2016/0810) which cover these matters and therefore it is not necessary for them to be imposed on the reserved matters application.

An additional condition is also recommended to secure the provision and retention of the proposed bin and cycle stores. The condition includes a requirement for further details of the facing materials

(brickwork) for the proposed bin store that would serve the listed Newton building. Bosworth College are lease purchasing the Newton building and it is to be used for educational purposes and administrative offices.

Conditions:

It is necessary to amend conditions 2 and 7-9 to reflect the revised plans that have been submitted since the publication of the committee report. Additional conditions are recommended requiring the highway layout to be provided in accordance with the approved details and in relation to the proposed bin and cycle storage.

Condition 2 (Approved plans)

The development shall be carried out in accordance with the list of the following plans:

- 101-190AR 004P
- 101-190AR/010H
- 101-190AR/011J
- 101-190AR/012F
- 101-190AR/013F
- 101-190AR/014F
- 101-190AR/015G
- 101-190AR/017E
- 101-190AR/019A
- 101-190AR/021C
- 101-190AR/022B
- 101-190AR/023A
- 101-190AR/024A
- 101-190AR/025A
- 101-190AR/026A
- 101-190AR/027A
- 101-190AR/028A
- 101-190AR/029A
- 101-190AR/030A
- 101-190AR/033C
- 101-190AR/034B
- 101-190AR/035A
- 101-190AR/036A
- 101-190AR/037B
- 101-190AR/038B
- 101-190AR/039B
- 101-190AR/041
- 101-190AR/042
- 101-190AR/043
- 101-190AR 047E
- 101-190AR 048E
- 101-190AR/049
- 101-190AR/051B

101-190AR 052D
101-190AR 053E
101-190AR 054E
101-190AR 055C
D8869.001 Rev R02
D8869.002 Rev R02
D8869.101 Rev R02
D8869.102 Rev R02
D8869.103 Rev R02
D8869.104 Rev R02
D8869.105 Rev R02
D8869.106 Rev R02
D8869.107 Rev R02
D8869.200 Rev R02
D8869.201 Rev R02
D8869.202 Rev R02
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D8869.402
D8869.403
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D8869.411
D8869.412
6569-SK58-P1
569-SK59-P1

Reason: For the avoidance of doubt and to accord with the terms of the planning application.

Condition 7 (Ecology measures)

The ecology measures as specified on approved drawing number 101-190AR/055C shall be provided before the plot to which the ecology measures relate is first occupied and shall thereafter be retained as such.

Reason: In the interests of biodiversity and to accord with Policy BN2 of the West Northamptonshire Joint Core Strategy, Policy 29 of the emerging Local Plan Part 2 and guidance contained within the National Planning Policy Framework.

Condition 8 (Electric vehicle charging)

Electric vehicle charging points shall be provided in accordance with approved drawing number 101-190AR/053E. The individual electric vehicle charging points shall be provided before the dwelling to which they relate is first occupied. The proposed shared electric vehicle charging facilities for the flats (Bassett-Lowke) shall be provided before any of the flats are first occupied. The charging facilities within the car park to the rear of the Newton building shall be provided before any part of the residential development is occupied. Cable and circuitry ratings shall be of adequate size to ensure a minimum continuous current demand of 16 Amps and a maximum demand of 32Amps. The charging points shall thereafter be retained as such.

Reason: To facilitate the use of low emissions vehicles in the interests of mitigating climate change and to accord with Policy S10 of the West Northamptonshire Joint Core Strategy, Policies 32 and 35 of the emerging Local Plan Part 2 and guidance contained within the National Planning Policy Framework.

Condition 9 (Footway to the west of the Maidwell building)

Notwithstanding the submitted information, details of a continuous footway to be provided between St Georges Avenue and the main spine road within the site, as indicated on drawing number 101-190AR/054E, shall be submitted to and approved in writing by the Local Planning Authority before any dwelling is first occupied. The details shall include a design and construction specification, a legal mechanism to ensure that there is a public right of access over the footway in perpetuity and future maintenance arrangements. The footway shall be provided before any dwelling is first occupied and shall thereafter be retained as such.

Reason: To improve the permeability of the development and promote sustainable and active travel. This is to accord with Policy S10 of the West Northamptonshire Joint Core Strategy, Policies 2, 4, 6 and 32 of the emerging Local Plan Part 2 and guidance contained within the National Planning Policy Framework.

Condition 10 (Highway layout)

10. The roads and footways within the development shall be laid out and constructed in accordance with drawing number 101-190AR/054E and shall thereafter be retained as such.

Reason: To secure a satisfactory standard of development in the interests of highway safety and to accord with Policy H1 of the West Northamptonshire Joint Core Strategy, Policy E20 of the Northampton Local Plan and Policy 33 of the emerging Local Plan Part 2.

Condition 11 (Bin and cycle storage)

11. The proposed bin and cycle storage as indicated on drawing number 101-190AR/054E and 101-190AR/043 shall be provided before the Bassett-Lowke building is first brought into use and shall thereafter be retained as such. Notwithstanding the submitted details, a specification for the facing brickwork of the proposed bin store for the Newton Building shall be submitted to and approved in writing by the Local Planning Authority before works to construct this bin store commence and the bin store shall be provided in accordance with the approved details.

Reason: In the interests of amenity, highway safety and to sustain the significance of heritage assets. This is to accord with Policy E20 of the Northampton Local, Policies S10 and BN5 of the West Northamptonshire Joint Core Strategy, Policies 2, 4, 31 and 33 of the emerging Local Plan Part 2 and

guidance in the National Planning Policy Framework.

Item 7b [CW] WNN/2022/0301

Erection of purpose-built student accommodation, with landscaping and associated works
Car Park, College Street

Withdrawn from Agenda.

Item 7c [SP] WNN/2022/0407

Change of Use from 4 bed flat (Use Class C3) to House in Multiple Occupation (Use Class C4) for 5 occupants
21B Gold Street

Withdrawn from Agenda.

Item 7d [KS] WNN/2022/0625

Ground floor single storey rear extension to enlarge toilet area, first floor rear extension to create larger dining area with balcony and amendment to existing rear fire escape stair and side access gates
The Old House at Home, 214 - 216 Wellingborough Road

Amendment to report:

Referred By: Cllr Zoe Smith

Reason for Referral: Impact on residential amenity and exacerbation of existing anti-social behaviour

Item 7e [CW] WNN/2022/0713

11no apartments and associated refuse and cycle storage.
31 Abington Square.

No updates.

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Planning Committee Report

Committee Date: 4th October 2022

Application Number: WNN/2021/0927

Location: University of Northampton Avenue Campus, St Georges Avenue, Northampton

Development: Reserved Matters Application (Appearance, Landscaping, Layout and Scale of Development) pursuant to Outline Planning Permission N/2016/0810 for 104no houses and flats, comprising 55no new build two and three storey houses, 48no family sized flats within the retained and converted Bassett-Lowke Building and conversion of the retained Quinton Building into a three bed family home

Applicant: Northampton Partnership Homes

Agent: Simply Planning Limited

Case Officer: Adam Walker

Ward: St. George Unitary Ward

Referred By: Assistant Director of Place and Economy

Reason for Referral: Major application

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: GRANT APPROVAL OF THE RESERVED MATTERS SUBJECT TO CONDITIONS, with delegated authority to the Assistant Director for Place and Economy to approve any amendments to the recommended conditions as deemed necessary.

Proposal

The application is seeking approval of the reserved matters for the erection of 104 dwellings pursuant to outline planning permission N/2016/0810. The reserved matters comprise the layout, scale, appearance and the landscaping of the development site.

Consultations

The following consultees have raised **no objections** to the application:

- Arboricultural Officer
- Ecology Advisor
- Environmental Health

- Environment Agency
- Historic England
- National Highways
- Sport England

The following consultees are **in support** of the application:

- Strategic Housing

The following consultees have made **comments** on the application:

- Local Highway Authority
- Police Crime Prevention Design Adviser
- NHS Clinical Commissioning Group
- Construction Futures
- Northamptonshire Fire and Rescue Service

Three representations have been received raising concerns and questions.

Conclusion

The application has been assessed against the relevant policies in the NPPF, the adopted Local Plan and other relevant guidance as listed in detail at Section 8 of the report.

The key issues arising from the application details are:

- Housing mix
- Urban design
- Heritage
- Residential amenity
- Highway safety
- Trees and ecology

The report looks into the key planning issues in detail, and Officers conclude that the proposal is acceptable subject to conditions.

Members are advised that the above is a summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies, the Officer's assessment and recommendations, and Members are advised that this summary should be read in conjunction with the detailed report.

MAIN REPORT

1 APPLICATION SITE AND LOCALITY

- 1.1 The application relates to the former Avenue Campus belonging to the University of Northampton, which lies approximately one mile to the north of the town centre.
- 1.2 The former campus contains five buildings that were used for educational purposes (known as Newton, Maidwell, Isham, Walgrave and Heyford), together with a hall of residence (known as Bassett-Lowke), an innovation centre, office space (known as Quinton), some seven car parks and areas of open space.

- 1.3 The application site covers the majority of the former campus but does not include the two large buildings that front onto St Georges Avenue (Maidwell and Newton buildings).
- 1.4 The site borders onto the Malcolm Arnold Academy and Preparatory Schools to the north. To the south of the site is St Georges Avenue with the Racecourse lying beyond. There are several properties fronting onto St Georges Avenue that back onto the application site. To the east of the site is residential development and there is a mixture of residential and commercial development towards the west.
- 1.5 Access to the former campus is off St Georges Avenue.

2. CONSTRAINTS

- 2.1 A small part of the application site falls within the Kingsley Conservation Area; this is the part of the site that contains the Quinton building plus the approved access into the site. The remainder of the site's southern boundary abuts the Kingsley Conservation Area.
- 2.2 The nearby Newton building is Grade II listed; this building is within the applicant's ownership but does not form part of the application site. The adjacent Maidwell building has been identified as a non-designated heritage asset.
- 2.3 The western part of the site contains some groups of protected trees.

3. DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1 This is a reserved matters application seeking approval of the layout, scale, appearance and landscaping of the residential development as approved under outline permission N/2016/0810.
- 3.2 Application N/2016/0810 was a hybrid application for up to 170 new dwellings on the former University of Northampton Avenue Campus site. It included a full application for the redevelopment of the Maidwell building to provide 58 new dwellings and an outline application for the demolition and conversion of existing university buildings and the erection of new buildings to provide up to 112 residential units along with associated car parking, landscaping and open space. The outline application approved the means of access to the site (from St Georges Avenue) with all other matters being reserved for future approval.
- 3.3 Following the approval of application N/2016/0810, a non-material amendment to the description of development has been approved under application reference WNN/2021/0582. This amended the description of the approved development to make a minor change to the number of dwellings allowed under the full permission and the outline permission. The description of development was amended to increase the number of dwellings under the full permission from 58 to 66 dwellings and a corresponding reduction in the maximum number of units permitted under the outline permission from 112 to 104. The total quantum of development across the former university campus remains as originally approved (170 dwellings).
- 3.4 The current application is therefore seeking approval of the layout, scale, appearance and landscaping (the reserved matters) for 104 dwellings in relation to the outline permission.

3.5 The proposal comprises of:

- 55 new build dwellings (31no. 2 bed and 24no. 4 bed)
- 48 units within the Bassett-Lowke building (40no. 3 bed and 8no. 2 bed flats)
- Conversion of Quinton House to form 1 dwelling (3 bed)

3.6 The new build dwellings would form semi-detached and terraced properties and would be two and three storeys in height. The dwellings would be faced in a mixture of red and buff coloured brick with two different types of grey tiles to the roofs.

3.7 Open space and soft landscaping is provided across the site and includes:

- An undeveloped area within the western part of the site which would include retained woodland and a drainage pond
- New tree planting across the site
- Two separate play areas with equipped play provision
- An area of formally laid out amenity space adjacent to the Bassett-Lowke building

3.8 The main point of access to the site was approved at outline stage; this is off St Georges Avenue and is located between the Maidwell and Newton buildings where there is an existing access. The proposed layout also includes the retention of an existing point of access to the west of the Maidwell building and this would serve the Quinton building (single dwelling).

3.9 The layout includes the retention of the existing car park to the rear of the Newton building.

4. RELEVANT PLANNING HISTORY

4.1 The following planning history is relevant to the current proposal:

Application Ref.	Proposal	Decision
N/2016/0810	Hybrid application for up to 170 new dwellings in total including outline application for the demolition and conversion of existing University buildings and the erection of new buildings to provide residential accommodation (Use Class C3) of up to 112 units and associated car parking (including reconfiguration of Newton Building car park), landscaping and open space (all matters reserved except access) and full application for the part demolition, conversion and extension of the Maidwell Building to provide 58 new dwellings together with access and parking	Approved 19/03/21
WNN/2021/0582	Non-Material Amendment to Planning Permission N/2016/0810 to amend the description of development to read: "Hybrid application for up to 170 new dwellings in total including outline application for the demolition and conversion of existing university buildings and the erection of new buildings to provide residential	Approved 27/04/22

	accommodation (Use Class C3) of up to 104 units and associated car parking (including reconfiguration of Newton Building car park), landscaping and open space (all matters reserved except access) and full application for the part demolition, conversion and extension of the Maidwell Building to provide 66 new dwellings together with access and parking."	
WNN/2022/0828 (This application relates to the redevelopment of the Maidwell Building which has full planning permission for up to 66 dwellings)	Variation of Conditions 4, 22, 26, 27 and 32; and remove Conditions 12 and 31 of planning permission N/2016/0810 as amended by WNN/2021/0582 (Hybrid application for up to 170 new dwellings in total including outline application for the demolition and conversion of existing university buildings and the erection of new buildings to provide residential accommodation (Use Class C3) of up to 104 units and associated car parking (including reconfiguration of Newton Building car park), landscaping and open space (all matters reserved except access) and full application for the part demolition, conversion and extension of the Maidwell Building to provide 66 new dwellings together with access and parking) to replace approved plans; changes to housing mix, highway layout, landscaping, parking and vehicle access, vehicle charging point and pedestrian crossings	Undetermined
WNN/2022/0443	Prior Approval for the Demolition of the Portfolio Innovation Centre, Isham Studios Building, Students Union Building, Walgrave Building, Heyford Building and Maidwell Building North Wing	Refused 30/06/22 on the grounds that part of the site fell within a CA and as such the Prior Approval process cannot be used
WNN/2021/0760	Prior Approval for the demolition of the Portfolio Innovation Centre, Isham Studios Building, Students Union Building, Walgrave Building and the Heyford Building	Granted 21/10/21
N/2020/1553	Change of Use of Newton Building from Educational (Use Class F1) to Offices and Learning and Non-Residential Institutions (Sui Generis Use)	Approved 19/03/2021

4.2 In addition to the above planning history, a formal pre-application enquiry was submitted for a proposed Reserved Matters Application pursuant to Hybrid Application N/2016/0810 for up to 112no new dwellings, including demolition of existing building, conversion of buildings and new build on other parts of the site (reference PA/2021/0066).

5. RELEVANT PLANNING POLICY AND GUIDANCE

Statutory Duty

- 5.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 5.2 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development that affects the setting of a listed building or its setting to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 5.3 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development to pay special attention to preserving or enhancing the character or appearance of a conservation area.

Development Plan

West Northamptonshire Joint Core Strategy (Local Plan Part 1) – Policies

- 5.4 The West Northamptonshire Joint Core Strategy (JCS) provides an up-to-date evidence base and considers the current Government requirements for plan making as it has been prepared in full conformity with the NPPF. Policies of particular relevance are:
- SA – Presumption in Favour of Sustainable Development
 - S1 – The Distribution of Development
 - S3 – Scale and Distribution of Housing Development
 - S10 – Sustainable Development Principles
 - C1 – Changing Behaviour and Achieving Modal Shift
 - C2 – New Developments
 - RC2 – Community Needs
 - E6 – Education, Skills and Training
 - H1 – Housing Density and Mix and Type of Dwellings
 - H2 – Affordable Housing
 - BN1 – Green Infrastructure Connections
 - BN2 – Biodiversity
 - BN3 – Woodland Enhancement and Creation
 - BN5 – The Historic Environment and Landscape
 - BN7A – Water Supply, Quality and Wastewater Infrastructure
 - BN7 – Flood Risk
 - BN9 – Planning for Pollution Control

Northampton Local Plan 1997 (Saved Policies)

- 5.5 Due to the age of the plan, the amount of weight that can be attributed to the aims and objectives of this document are diminished, however, the following policies are material to this application:
- E20 – New Development (design)

- E26 – Conservation Areas
- H14 – Residential Development, Open Space and Children’s Play Facilities

Northampton Local Plan Part 2 (2011-2029) (Emerging)

5.6 Following the decision at the Full Council on 18 January 2021, the former Northampton Borough Council submitted the Northampton Local Plan Part 2 (2011 – 2029) and supporting documents to the Secretary of State for Housing, Communities and Local Government (now Secretary of State for Levelling Up, Housing and Communities) on 4 February 2021 for examination. This is in accordance with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

5.7 In line with Paragraph 48 of the National Planning Policy Framework, the policies contained within the emerging Northampton Local Plan Part 2 are therefore a material consideration in the determination of planning applications. The weight afforded to the policies relevant to this application are set out below:

- Policy 1 – Presumption for sustainable development (Significant weight)
- Policy 2 – Placemaking and Design (Moderate weight)
- Policy 4 – Amenity and layout (Moderate weight)
- Policy 5 – Carbon reduction, community energy networks, sustainable design and construction, and water use (Moderate weight)
- Policy 6 – Health and wellbeing (Significant weight)
- Policy 7 – Flood risk and water management (Significant weight)
- Policy 13 – Residential and other residential led allocations (Significant weight)
- Policy 14 – Type and mix of housing (Moderate weight)
- Policy 27 – Sustaining and enhancing existing, and supporting the creation of, Northampton’s Green Infrastructure (Significant weight)
- Policy 28 – Providing Open Spaces (Significant weight)
- Policy 29 – Supporting and enhancing Biodiversity (Moderate weight)
- Policy 31 – Protection and enhancements of designated and non-designated heritage assets (Significant weight)
- Policy 32 – Designing Sustainable Transport and Travel (Significant weight)
- Policy 33 – Highway network and safety (Significant weight)
- Policy 35 – Parking standards (Significant weight)

National Policies

5.8 The National Planning Policy Framework (NPPF) sets out the current aims and objectives for the planning system and how these should be applied. In delivering sustainable development, decisions should have regard to the mutually dependent social, economic and environmental roles of the planning system. The NPPF should be read as one complete document. However, the following sections are of particular relevance to this application:

Paragraphs 7-12 – Presumption in favour of sustainable development.

- Section 5 – Housing Supply
- Section 7 – Ensuring the vitality of town centres
- Section 8 – Promoting healthy and safe communities.
- Section 9 – Promoting sustainable transport
- Section 11 – Making effective use of land
- Section 12 – Achieving well designed places
- Section 14 – Meeting the challenge of climate change and flooding

Section 15 – Conserving and enhancing the natural environment
 Section 16 – Conserving and enhancing the historic environment

Material Considerations

5.9 The following documents are material considerations in the assessment of the application:

- Northampton Parking Standards Supplementary Planning Document (2019)
- Northamptonshire County Parking Standards (2016)
- Planning Out Crime in Northamptonshire Supplementary Planning Guidance (2004)
- Biodiversity Supplementary Planning Document for Northamptonshire (2015)
- Kingsley Conservation Area Appraisal and Management Plan (2009)

6. RESPONSE TO CONSULTATION

Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website.

Consultee Name	Position	Comment
Local Highway Authority (LHA)	<i>Final comments awaited</i>	<i>The LHA provided a series of technical recommendations in relation to the site layout and surfacing. The applicant has submitted amended plans in response to these recommendations and officers are awaiting final comments from the LHA on the revised plans.</i>
National Highways	No objection	No objection
Environmental Health	No objection	Environmental Health have no comments to make on the details submitted in relation to the reserved matters. The submitted noise information is acceptable and is sufficient to partially discharge condition 6 of the outline planning permission. The proposed electric vehicle charging provision is supported following the inclusion of EV recharging points within the Newton Building carpark.
Environment Agency	No objection	The Environment Agency has no comments to make on the reserved matters application but would like to be consulted on the discharge of conditions 13-16 on outline planning permission N/2016/0810.
Ecology Advisor	No objection	The Ecology Advisor has no comments to make on the proposed planting schedule. The specifications for F1 (close board fence) and F5 (acoustic timber fence) on

		the boundary treatment plan should include hedgehog holes. Details of the locations of integrated bat and bird boxes/bricks on the dwellings should be provided.
Arboricultural Officer	No objection	No objection subject to a condition requiring an arboricultural method statement.
Strategic Housing	In support	All the proposed homes are for affordable rent and therefore exceed the policy requirements for affordable housing. The size and design of the dwellings is considered acceptable. 8 ground floor flats within the Bassett Lowke building will be provided to Building Regulations M4(3) standards (wheelchair user dwellings). This is equivalent to 8% of the total provision and the proposal is therefore policy compliant in this regard.
Archaeological Advisor	No objection	The Archaeological Advisor has no comments to make on the proposals.
Historic England	No objection	Historic England do not wish to offer any comments on the proposed details.
Northamptonshire Police	No objection	The security barrier to the Bassett-Lowke building car is welcomed. Suitable boundary treatment and the use of mast mounted lights and CCTV is recommended for this car park and the CCTV should be monitored if possible. There are some reservations with the play spaces between the wings of the Bassett-Lowke building.
Sport England	No objection	Given the comments made by the Council's Environmental Health team in respect of condition 6 and the submitted noise information (including proposed noise mitigation measures), Sport England is satisfied that the development would not impact on the future use of the existing sporting facilities adjacent to the site.
NHS Northamptonshire CCG	-	A financial contribution is sought towards healthcare infrastructure provision.
Construction Futures	-	A financial contribution is sought towards training and development
Northamptonshire Fire and Rescue	Observation	Please refer to published guidance on our website in respects of fire hydrants, fire

Service		service access, the weight of fire appliances and being able to get to the furthest point of the dwelling/flats within 45metres.
Lead Local Flood Authority	-	No comments received
Anglian Water	-	No comments received
Northampton Town Council	-	No comments received
Semilong Trinity Neighbourhood Forum	-	No comments received
Ward Councillors	-	No comments received

7. RESPONSE TO PUBLICITY

7.1 Three representations have been received in response to the publicity of the application. Two of the representations raise concerns/objections and the third essentially poses a series of questions. A summary of the comments is provided as follows:

- Proposed access arrangements are inadequate. An additional access road from should be provided from Trinity Road, rather than the entire site coming off the already congested St Georges Road. There is ample space for this to be provided for and would help ease any traffic congestion. Why this was not highlighted in the highway report is extremely confusing and does not explain how implementation of a speed limit will help with congestion as speed humps are already in place on St. Georges Avenue.
- Concerns with the loss of trees in the western part of the site. This area is a unique habitat for wildlife such as birds, bats, squirrels, muntjac deer, hedgehogs and there is a pond that has newts, frogs, and dragonflies.
- If the boundary fence to the woodland in the western part of the site is removed, then this private area would become an attraction for anybody and could increase the potential for crime.
- Proposals do not show a cycle path through the woodland and connecting to Freehold Street. Is there or is there not a cycle path into Freehold Street?
- What fencing will be used to stop the general public entering the retained woodland at the western end of the site?
- How will the existing woodland be protected?
- What type of fencing will be used to contain the existing woodland at the western end of the site?
- Are the TPO trees protected [as part of the development proposals] and will the non-TPO trees be retained?

- Will the rear stone wall to an adjacent property on St Georges Avenue be protected and will the general public be able to get close up to it?
- Concern that the woodland will be spoilt and wildlife frightened away

8. APPRAISAL

Principle of Development

- 8.1 The principle of residential development on the site has already been established under planning permission N/2016/0810. Furthermore, the site forms part of housing allocation LAA1014 in the emerging Local Plan Part 2. The housing allocation directly reflects the residential development approved under the hybrid application (N/2016/0810).
- 8.2 The current application is considering the layout, scale, appearance and landscaping of the part of the former campus site that is subject to the outline permission, along with information that has been submitted with the application to satisfy certain conditions that were imposed on the outline permission.

Housing density and mix

- 8.3 The proposed quantum of residential development (104 dwellings) is in accordance with the approved outline permission, as amended by application WNN/2021/0582. Consequently, it is also consistent with the indicative capacity of housing allocation LAA1014. The proposed density of development is therefore considered acceptable.
- 8.4 Policy H1 of the West Northamptonshire Joint Core Strategy (WNJCS) seeks to provide for a mix of house types, sizes and tenures to cater for different accommodation needs and Policy 14 of the emerging Local Plan Part 2 requires that provision is made for a range of housing to support the needs and requirements of different households so as to deliver a choice of homes and help create sustainable, inclusive and mixed communities.
- 8.5 The proposal would provide a mixture of flats, semi-detached and terraced properties plus a single detached dwelling. The dwellings would have two, three and four bedrooms. A breakdown of the housing mix is provided below:
- 2 bed properties: 37.5%
 - 3 bed properties: 39.5%
 - 4 bed properties: 23%
- 8.6 There would be a range of property types and a good mixture of unit sizes which would therefore help to meet the needs and requirements of a variety of different households. Additionally, 8 ground floor flats within the Bassett-Lowke building would be provided to Building Regulations M4(3) standards (wheelchair user dwellings). This equates to 8% (rounded) of the total number of units and this level of specialist/accessible housing provision accords with the requirements of emerging Policy 14 of the Local Plan Part 2 (having regard to the proposed housing tenure as discussed below).
- 8.7 Under the hybrid application (N/2016/0810) it was accepted that scheme could not deliver any affordable housing and as such there is no requirement for affordable housing provision on this development. However, the applicant for the reserved matters scheme is Northampton Partnership Homes, who are an arms-length

management organisation that manages West Northamptonshire Council's housing services, and it has been confirmed that the development would be for 100% affordable rented housing. Given that affordable housing was not required under the outline application, there is no mechanism to guarantee that the development would be occupied as affordable housing. Nevertheless, the intentions of the applicant are clear and the delivery of 104 affordable units is welcomed by officers and would make a positive contribution towards meeting Northampton's affordable housing needs, as set out within the supporting text to Policy 14 of the emerging Local Plan Part 2.

Urban design issues

- 8.8 Saved Policy E20 of the Northampton Local Plan places great importance on the quality of design of new developments. Policy S10 of the WNJCS seeks to achieve the highest standards of sustainable design including incorporating a strong sense of place. Policy 2 of the emerging Local Plan relates to placemaking and design and states that development should be designed to promote and contribute to good placemaking through high quality, innovative and sustainable design which encourages the creation of a strong, locally distinctive sense of place. These policies are in conformity with the NPPF, which advises that the planning and development process should achieve the creation of high quality, beautiful and sustainable buildings and places.
- 8.9 The proposed scheme involves a mixture of conversion and new build elements. It is proposed to convert the existing 232 bed student residence (Bassett-Lowke building) into 48 flats, convert a small two storey office building into a dwelling and erect 55 new build properties.
- 8.10 The proposed layout provides a main spine road which runs on a broad east-west axis with a looped road arrangement to the north and a secondary road (mews court) dissecting this northern loop. The new build dwellings would generally front onto these roads. The western part of the site would form an undeveloped area of open space.
- 8.11 The retention and conversion of the Bassett-Lowke building is a key change from what was envisaged at outline stage. Under the outline application the indicative proposal was to demolish this building and provide new build dwellings in this part of the site. The applicant is now proposing to retain this building and convert it into family sized flats (predominantly 3 bed and a small proportion of 2 bed).
- 8.12 The principle of retaining the Bassett-Lowke building is considered to provide several benefits, not least by enhancing the sustainability of the development and reducing its impact on climate change. The Bassett-Lowke building was built in the late 1990s and is therefore a relatively modern building and its reuse represents a much more efficient use of resources. Its retention means that the embodied carbon within the building would not be lost through demolition and the carbon footprint of the new build element is lessened. The conversion of the building into flats also allows for a higher density of development in this part of the site, which consequently allows for a more spacious layout across the remainder of the site, including the provision of open space and landscape buffers.
- 8.13 The Bassett-Lowke building is four storeys in height and generally has a simple architectural form, with some projecting gable features and a hipped roof. The building is faced in several different types of brick. Some external alterations are proposed to the building as part of the proposals, which include the formation of balconies and terraces that would provide private amenity areas for each of the flats,

new doors onto the balconies/terraces, new aluminium framed windows with aluminium surrounds and the inclusion of an additional string course. The proposed works would modernise the exterior of the building, with the balconies adding additional depth and fragmentation to the façade and the aluminium window surrounds helping to tie this part of the development in with the design of the new build element.

- 8.14 The new build dwellings would predominantly be semi-detached with a small number of triple terraces. The dwellings would be two and three storeys in height, with the three storey properties fronting onto the main spine road opposite the existing Maidwell building. There would therefore be a variety of building heights across the development ranging between two and four storeys.
- 8.15 The Bassett-Lowke building is still fairly domestic in scale despite its four storey height and the proposed three storey properties would help to provide a transition between the new build element and the Maidwell building, which is a substantial four storey building. Overall, it is considered that the proposed building heights would harmonise across the whole development and the variation in building height would provide visual interest within the streetscene.
- 8.16 In terms of the design of the new build dwellings, the development has been designed to reflect three main character areas. These comprise the spine road, loop road and the mews court. The dwellings fronting onto the spine road would be a mixture of two and three storeys and would have a gable frontage whilst the dwellings fronting onto the loop road would be two storeys and would have a traditional pitched roof frontage. The dwellings fronting onto the mews court would also be two storeys with a traditional pitched roof frontage, with the road hierarchy and landscaping creating a distinct identity to this area.
- 8.17 Where dwellings are located on the corner of road junctions, these properties have been designed to provide an active frontage and visual interest to both roadside elevations. For example, the three storey properties have their entrance door in the side elevation along with a series of different sized window openings and the two storey properties include an additional large window in the side elevation that would serve as a secondary window to the living room. The latter also applies to two other plots that have a prominent side elevation (plots 29 and 55).
- 8.18 The new dwellings would be faced in buff brick and red brick with grey tiles to the roofs. The two storey dwellings have projecting brick panels which serve to provide a degree of contrast within the brickwork. The buff brick dwellings would have cream coloured fenestration and the red brick dwellings would have dark grey fenestration. The dwellings incorporate window surrounds to the principal elevations and window surrounds have also been included to the side elevation windows on the prominent corner plots.
- 8.19 It is considered that there is a cohesive approach to the overall design. Variation in the scale, design and material palette of the new dwellings provides visual interest whilst unifying features, such as the window surrounds, brick detailing and colour scheme, provides a degree of rhythm across the development.
- 8.20 The prominence of parking within the development has been mitigated by many of the new build dwellings having parking spaces to the side of the houses and where parking is provided to the front of dwellings the parking spaces have been broken up with areas of soft landscaping. The proposed car park associated with the Bassett-

Lowke building would be screened along the road frontage by hedging sat behind 900mm spear top railings.

- 8.21 The proposed layout provides substantial areas of open space and landscaping which would soften the appearance of the development. The western part of the site would be retained as an undeveloped green space, maintaining an area of woodland in the southern portion and providing a wetland area to the northern edge as part of the surface water drainage strategy for the development. The retained woodland would also form the backdrop to the car park for the Bassett-Lowke building.
- 8.22 Shared amenity space would be provided between the wings of the Bassett-Lowke building and existing trees that lie to the rear of the building along the southern boundary would be retained. A small play area is also proposed to the rear of the Bassett-Lowke building.
- 8.23 In the northern part of the site it is proposed to provide an area of amenity space along the western flank of the loop road where there would be two interconnected play areas interspersed with existing trees and supplemented with new tree planting. To the eastern flank of the loop road an existing belt of trees would be retained and would provide a landscaped buffer to the adjacent school premises.
- 8.24 New tree planting is proposed throughout the development including along the main spine road and the mews court. The proposed tree planting coupled with the retained trees would give the sense of tree lined streets, as promoted within the NPPF. Tree planting to the spine road would also be augmented through the redevelopment of the Maidwell building.
- 8.25 Boundary treatments are considered to have been designed sensitively across the site. Where the boundaries of rear gardens are exposed and visually prominent it is proposed to provide brick boundary walls with projecting piers. The area at the terminus of the spine road would form a 1.2m high timber post and rail fence and this would extend around the rear of the Bassett Lowke car park and building. A similar post and rail fence would also be provided around the play area in the northern part of the site and to the front of the Quinton building. Metal railings at a height of 900mm would be provided to the mews court and the front of the Bassett-Lowke car park. The external boundaries of the site would be retained as existing, including to the undeveloped western part of the site. In some instances, new boundary treatments would be formed adjacent to existing external boundaries, for example along sections of the northern boundary next to the Malcolm Arnold Academy.
- 8.26 To conclude, it is considered that the proposal would deliver a high quality of design that would provide an attractive place to live and create a distinct sense of place. The application is therefore considered to comply with relevant planning policies and guidance in relation to design.

Heritage issues

- 8.27 A small part of the application site falls within the Kingsley Conservation Area. The Quinton building and its access along with the principal access into the site from St Georges Avenue lie within the Conservation Area. The remainder of the site's southern boundary abuts the Kingsley Conservation Area.
- 8.28 The nearby Newton building is Grade II listed and the neighbouring Maidwell building has been identified as a non-designated heritage asset. Both these buildings have a prominent frontage to St Georges Avenue and are identified in the Kingsley

Conservation Area Appraisal as making a positive contribution to the Conservation Area. It is worth noting here that full planning permission for the redevelopment of the Maidwell building, including partial demolition, was approved under application N/2016/0810 and there is an ongoing application to make amendments to that permission, which includes the retention of a greater proportion of the Maidwell building (application reference WNN/2022/0828).

- 8.29 Policy BN5 of the WNJCS and Policy 31 of the emerging Local Plan Part 2 relate to the historic environment and chapter 16 of the NPPF is relevant when assessing development proposals that affect designated and non-designated heritage assets.
- 8.30 The hybrid application (N/2016/0810) was supported by a detailed Heritage Impact Assessment and officers concluded that there were no overriding objections to the principle of the proposed development on the part of the site that was subject to the outline application (and is now the subject to the current reserved matters submission).
- 8.31 In line with the indicative details provided at outline stage, it is proposed to retain the Quinton building and convert it into a dwelling. Some minor external alterations are proposed to facilitate the conversion, including replacing a window with a pair of French doors in the rear elevation. The retention of the building is welcomed and the interventions necessary to convert the building into a dwellinghouse would have very limited impact on the Conservation Area or the setting of the adjacent Maidwell building.
- 8.32 The Council's Conservation Section considers that the retention of the Bassett-Lowke building and its conversion into flats is appropriate.
- 8.33 It is considered that the scale and layout of the proposed new build elements would reflect the character of the site and the appearance of the dwellings together with the proposed hard and soft landscaping scheme would help the new built form to harmonise with the retained historic buildings on the former campus site and the wider Kingsley Conservation Area.
- 8.34 The application site includes the car park to the rear of the Newton building. This area would be retained as a car park in connection with the use of the Newton building. Changes to the layout of the car park are limited and it is considered that this aspect of the proposal would not have any significant impact on the setting of the listed building.
- 8.35 No objections have been raised by the Council's Conservation Section or from Historic England in response to the proposed details and officers consider that the overall impact of the detailed proposals would result in less than substantial harm to the identified designated and non-designated heritage assets. Whilst the principle of development has already been established, it remains necessary to weigh this harm against the public benefits of the proposal, as required by the NPPF and emerging Policy 31 of the Local Plan Part 2. The proposal is necessary to bring forward the approved quantum of residential development on this part of the former campus site, which in turn would contribute towards the delivery of the Council's housing targets within the emerging Local Plan Part 2. This is considered to represent a public benefit which outweighs the less than substantial harm.

Residential amenity issues

- 8.36 All of the proposed dwellings satisfy Nationally Described Space Standards with regards to the unit sizes and all habitable rooms would be provided with window openings that would provide a suitable outlook and natural light. Separation distances between dwellings within the site are considered acceptable, including in relation to the redeveloped Maidwell building. The new build dwellings and the Quinton building are provided with reasonable sized private gardens and the flats within the Bassett-Lowke building would have private terraces and balconies. As such, it is considered that the development would provide acceptable living conditions for the future occupiers.
- 8.37 The nearest existing residential properties are to the south on St Georges Avenue and back onto the site. The proposed flats within the Bassett-Lowke building and the dwelling within the Quinton building are the closest part of the development to these neighbouring properties. Given that the Bassett-Lowke building has been used for residential purposes and there is an established relationship between this building and adjacent property, the potential impact on the amenity of neighbouring occupiers is lessened. The proposal would introduce balconies onto the Bassett-Lowke building although the separation distances, topography and boundary screening are sufficient to adequately mitigate any potential undue loss of privacy. The Quinton building was previously used as a security office and the orientation of this building, the land levels in this location and new and retained boundary treatments are such that its reuse as a dwelling is unlikely to result in any material harm to the amenity of existing neighbours.
- 8.38 There are some properties to the western site boundary on Freehold Street however there would be a substantial green buffer between these properties and the proposed dwellings. What is more, this area is intended to form a natural habitat with no direct public access. As such, the proposed development is unlikely to have any significant impact on neighbouring property to the west.
- 8.39 Two formal play areas are proposed within the site. One is proposed alongside the northern loop road where it would form two interconnected play areas with formal and informal play equipment. A further, smaller play area is proposed to the rear of the Bassett-Lowke building. In addition, areas of publicly accessible amenity space are proposed around the Bassett-Lowke building.
- 8.40 The play areas and amenity space are well overlooked by dwellings within the development, which is likely to mitigate the potential for these areas attracting antisocial behaviour and causing a nuisance for residents.
- 8.41 The proposed play area alongside the northern loop road would either be separated from the nearest proposed dwellings by the new road or by landscaped buffers, which would help to mitigate the potential for noise and disturbance associated with the use of this play area.
- 8.42 The proposed play area to the rear of the Bassett-Lowke building would tie in with amenity space to the south of the proposed flats. It would have a very close relationship with the Quinton building as well as with No.72-74 St Georges Avenue, both of which would back onto this play area. With regards to No.72-74 St Georges Avenue, this neighbouring property is set at a higher level to the development site and existing trees and boundary treatment provide some screening and are to be retained as part of the proposals. The rear garden of the Quinton building would be separated from the play area by a 1.8m close boarded fence.

- 8.43 The size of the play area has been reduced to help mitigate the potential for its use giving rise to noise disturbance. Officers recognise that the use of this area could impact on the amenity of existing and future occupiers, however, on balance it is considered that the benefits of providing the play area outweigh the risk of occasional disturbance resulting from its use.
- 8.44 As required under condition 6 of the outline permission, the application is accompanied by a noise assessment that includes acoustic and ventilation mitigation measures to address noise arising from the adjacent playing pitches and plant on buildings within the site. The proposed mitigation involves acoustically upgraded constructions and acoustic fencing to certain plots in the northernmost part of the site. The information has been assessed by the Council's Environmental Health team who are satisfied that the proposed noise mitigation is adequate. The details can therefore be approved as part of the reserved matters, with a condition requiring the provision of the approved mitigation measures prior to the occupation of the relevant plots.
- 8.45 In summary, it is considered that the proposal would provide acceptable living conditions for the future occupiers of the development and would not result in any significant harm to the amenities of existing neighbouring property.

Highway matters

- 8.46 The principal point of access into the reserved matters site has already been approved at outline stage. The access is located between the Maidwell and Newton buildings and is served off St Georges Avenue. The proposed layout also includes the retention of an existing point of access to the west of the Maidwell building and this would be a private drive serving the Quinton building.
- 8.47 Issues relating to the impact of traffic generation on the highway network were considered under application N/2016/0810 and found to be acceptable.
- 8.48 The highway matters under consideration are therefore limited to the internal layout of the site.
- 8.49 The Local Highway Authority has assessed the application. No significant concerns have been raised however a series of technical recommendations have been made in relation to visibility, surfacing, the relationship between the drainage pond and the adoptable highway, the location of trees in relation to the adoptable highway, the location of cycle parking and vehicle tracking information. The applicant has provided a suite of amended plans to address these technical requirements, and these are currently being considered by the LHA. An update will be provided to members on highway matters within the published committee addendum.
- 8.50 The LHA has not raised any issues with the proposed level of parking for the new residential development. The parking to the rear of the Newton building would largely be retained as existing for use in connection with the Newton building.
- 8.51 The access to the west of the Maidwell building would only serve the Quinton building and the site layout has been designed to prevent its use as a vehicular throughfare, in line with LHA advice. Officers have however sought to ensure that there is some pedestrian connectivity to the west of the Maidwell building to enhance permeability. The applicant is proposing to deliver this through a combination of the reserved matters layout and the Maidwell building development, with a section of new (unadopted) footway within the reserved matters site connecting to a section of

existing footway within the Maidwell site to form a continuous path. The existing footway would be widened where possible and some soft landscaping provided to form a buffer. A condition to secure this footpath would be necessary.

- 8.52 The indicative layout at outline stage showed a pedestrian and cycle path running east-west through the site connecting Freehold Street with Trinity Avenue, however, these connections are not included as part of the proposed layout. Whilst such links would improve the permeability of the development, they are unlikely to have a significant impact on encouraging active travel. This is because routes to the facilities and amenities that lie towards the east and west of the site would be readily accessible via St Georges Avenue and would not necessarily involve significantly greater distances or significantly slower journey times. What is more, providing a connection to Freehold Street would encourage human activity within the western part of the site, which is intended to be retained as a natural area for wildlife, and it is considered that there is a greater benefit in maintaining this area as a natural space. Furthermore, a connection to Trinity Avenue to the east would involve a route via the retained car park at the rear of the Newton building which is not particularly desirable on safety grounds. On balance, officers have therefore concluded that direct connections to the east and west of the site are not necessary.
- 8.53 The proposed layout indicates that a barrier structure is to be formed adjacent to the drainage pond within an area of open space. The purpose of this is to prevent any vehicles entering the drainage pond given the pond's location quite close to the terminus of the main spine road. Such a feature has been recommended by the LHA and a condition is considered necessary to secure design and construction details in the interests of highway safety and visual amenity.

Trees and ecology

- 8.54 As required by condition 7 of the outline permission, the application is accompanied by an arboricultural impact assessment report. This concludes that to achieve the proposed site layout it is necessary to remove 64 individual and small groups of trees. To mitigate this loss, the site has been designed to accommodate the planting and establishment of 105 new trees, leading to a long-term net gain in canopy coverage. Moreover, the layout has been designed to retain the most important trees, with sufficient space so as not to create a future conflict between trees, buildings, and people.
- 8.55 The application has been assessed by the Council's arboricultural officer and no objections have been raised. It is therefore considered that the proposed tree loss is acceptable and is adequately compensated for with new tree planting across the site. A condition requiring an arboricultural method statement would be necessary to ensure that all tree to be retained are protected during construction.
- 8.56 Detailed ecological proposals are required under condition 20 of application N/2016/0810 but in terms of the details submitted for the reserved matters it is considered that the proposal would provide suitable opportunities for biodiversity mitigation and enhancement. The proposed layout includes a woodland and wetland area in the western part of the site and the submission describes how this area could be enhanced for wildlife. Elsewhere, important tree belts would be retained and new tree planting provided. The proposed soft landscaping scheme is based on native shrub, hedge and tree planting. The Council's ecology advisor has not raised any issues with the soft landscaping proposals.

- 8.57 Bat and bird boxes are to be installed on some of the new dwellings and the Bassett-Lowke building and the boundary treatment to rear gardens is shown as allowing for the free movement of hedgehogs (except for the plots that are to have acoustic fencing). These features would need to be secured by condition.

Representations

- 8.58 Three representations have been received and these are summarised within section 7 of this report. The issues raised are considered to have been addressed within this appraisal, specifically with regards to matters of access, ecology, trees and boundary treatments.

Other matters

- 8.59 With regards to security and crime prevention, the Police Crime Prevention Design Adviser (CPDA) has stated that they have reservations with the amenity and play spaces between the wings of the Basset-Lowke building. This is due to the potential for these areas to be used inappropriately and inconsiderately by older youths who can create nuisance and disturbance in the evenings. The CPDA recommends that play areas be separated from the nearest dwelling by a well-used road so that there is a suitable distance to reduce nuisance.
- 8.60 Officers acknowledge the reservations of the CPDA, however, the benefits of providing the proposed amenity space and play area are considered to outweigh the potential harm from nuisance and disturbance, particularly considering that these areas would be well overlooked by neighbouring houses which would mitigate the likelihood of any antisocial behaviour associated with their use.
- 8.61 The parking for the units within the Bassett-Lowke building would be remote from the flats. The car park is proposed to have a security barrier across the entrance and CCTV, which is in line with the recommendation of the CPDA. It has also been recommended that lighting is provided to the car park, and this is considered appropriate although it would need to be designed sensitively to mitigate the impact on the adjacent woodland. The proposed boundary treatment to the car park (metal railings and timber post and rail fence) is considered to strike an acceptable balance between security and urban design considerations. Suitable security measures would also need to be provided for the Bassett-Lowke building given that it is a flat development with shared internal access arrangements. A condition regarding the provision of these security measures would be necessary.
- 8.62 Issues of flood risk and drainage were considered under the hybrid application and relevant conditions were attached to the permission. The details being considered under the current reserved matters application do not give rise to any specific flood risk or drainage issues, although it is to be noted that the layout provides a drainage pond associated with the developer's intended drainage strategy.
- 8.63 The Section 106 agreement allied with application N/2016/0810 requires a minimum of 1.4 hectares of open space to be provided across the entirety of the development approved on the former campus site. The proposed layout makes provision for a significant proportion of this, notably the formal play areas, amenity space adjacent to the Bassett-Lowke building and the western portion of the site. Arrangements for the laying out and maintenance of the open space across the development are covered within the Section 106 agreement associated with the original hybrid application. The Section 106 does however require a phasing plan for the provision of the open space

to be submitted at reserved matters stage; this has been provided and is considered acceptable.

- 8.64 A scheme for the provision of electric vehicle recharging points has been submitted with the application. A recharging point is provided for each of the new build dwellings plus the Quinton building. Communal recharging facilities are provided within the car park for the flats and would also be provided in the car park for the Newton building. Environmental Health consider the proposed provision to be acceptable. The details partially satisfy condition 26 of the parent consent and can be approved.

9. FINANCIAL CONSIDERATIONS

- 9.1 Relevant planning obligations were secured under the parent application, including contributions towards education and healthcare. It is not possible to seek further contributions as part of the reserved matters.

10 PLANNING BALANCE AND CONCLUSION

- 10.1 The principle of residential development for up to 104 dwellings on the site has already been established and the current application is seeking approval for the detailed design of the development, covering the layout, scale, appearance and landscaping of the site.
- 10.2 It is considered that the proposals would deliver a high-quality scheme that would provide a good mixture of housing within a well-designed development that would be enhanced by areas of open space, including retained and new tree planting. Furthermore, the proposal involves the reuse of two existing buildings, which significantly improves the overall sustainability of the development.
- 10.3 Acceptable living conditions would be provided for the future occupiers and the proposal would not result in any significant harm to the amenities of neighbouring property. The significance of designated and non-designated heritage assets would be preserved and opportunities for biodiversity enhancement would be provided. Subject to technical highway design matters being confirmed as satisfactory to the LHA, the proposal would be acceptable from a highway safety perspective.
- 10.4 The proposal is considered to comply with the policies and guidance as set out within this report and it is therefore recommended that the application is approved, subject to conditions.

11. RECOMMENDATION / CONDITIONS AND REASONS

- 11.1 Grant approval of the reserved matters subject to the following conditions:

1. The development shall be carried out in accordance with the list of the following plans:

101-190AR 004N
101-190AR/010H
101-190AR/011H
101-190AR/012F
101-190AR/013F
101-190AR/014F
101-190AR/015G
101-190AR/017E

101-190AR/019A
101-190AR/021C
101-190AR/022B
101-190AR/023A
101-190AR/024A
101-190AR/025A
101-190AR/026A
101-190AR/027A
101-190AR/028A
101-190AR/029A
101-190AR/030A
101-190AR/033B
101-190AR/035A
101-190AR/036A
101-190AR/037A
101-190AR/038A
101-190AR/039A
101-190AR/041
101-190AR/042
101-190AR/043
101-190AR 047D
101-190AR 048D
101-190AR/049
101-190AR/051A
101-190AR 052B
101-190AR 053D
101-190AR 054C
101-190AR 055B
D8869.001 Rev R02
D8869.002 Rev R02
D8869.101 Rev R02
D8869.102 Rev R02
D8869.103 Rev R02
D8869.104 Rev R02
D8869.105 Rev R02
D8869.106 Rev R02
D8869.107 Rev R02
D8869.200 Rev R02
D8869.201 Rev R02
D8869.202 Rev R02
D8869.203 Rev R02
D8869.204 Rev R02
D8869.205 Rev R02
D8869.206 Rev R02
D8869.207 Rev R02
D8869.301
D8869.302
D8869.303
D8869.304
D8869.401
D8869.402
D8869.403
D8869.405
D8869.411
D8869.412

6569-SK58-P1
569-SK59-P1

Reason: For the avoidance of doubt and to accord with the terms of the planning application.

2. A detailed specification for the proposed facing materials for the new dwellings and for the external alterations to the retained buildings on the site shall be submitted to and approved in writing by the Local Planning Authority before any works are carried out to construct the new dwellings above floor slab level and before any works are carried out to alter the external appearance of the retained buildings. The development shall be carried out in accordance with the approved details and thereafter retained as such.

Reason: In the interests of visual amenity and to retain the significance of designated and non-designated heritage assets. This is to accord with Saved Policy E20 of the Northampton Local Plan, Policies S10 and BN5 of the West Northamptonshire Joint Core Strategy, Policies 2 and 31 of the emerging Local Plan Part 2 and guidance contained within the National Planning Policy Framework.

Tree protection

3. An arboricultural method statement (AMS) and tree protection plan (TPP) for the protection of all trees that are to be retained on the site as part of the approved landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority before development commences (including all demolition and preparatory work). The scheme of protection shall be prepared in accordance with BS 5837:2012 Trees in relation to design, demolition and construction – Recommendations, and shall refer to a retained tree's root protection area (RPA as defined in BS 5837) and to any work that may affect a retained tree above-ground. The AMS and TPP shall include details of:

- the impact that demolition may have (where appropriate)
- the impact that the installation of services/utilities/drainage may have
- the impact that construction may have
- the impact that changes in level may have.

The AMS shall also make recommendations for:

- a) tree pruning to allow the development to proceed (if appropriate)
- b) tree protection, to be shown on the TPP with offsets from fixed points to confirm the alignment of any protective fencing and the extent of any ground protection
- c) ground protection where scaffolding will be erected (if appropriate)
- d) ground protection where cranes will be installed (if appropriate).
- e) the specification and installation of any boundary treatments within or adjacent RPAs or that may impact any of the retained trees
- f) the specification for the construction of any access, driveway, parking area or the like that encroach over the RPAs of the retained trees
- g) site setup, including (but not limited to) site access, parking, on-site welfare facilities, temporary buildings, loading, unloading and storage of equipment, materials, fuels and waste as well concrete mixing, including suitable control measures to protect the retained trees from harm from those facilities or activities
- h) a site monitoring protocol that will confirm by independent examination by a suitably qualified tree specialist that the agreed scheme of protection is in place.

The development thereafter shall be implemented in strict accordance with the approved AMS and TPP, which shall be kept in place until all parts of the development have been completed and all equipment, machinery and surplus materials have been removed.

Reason: To protect existing trees on the site in the interests of visual amenity and biodiversity and to accord with Saved Policy E20 of the Northampton Local Plan, Policies S10 and BN2 of the West Northamptonshire Joint Core Strategy, Policies 2 and 29 of the emerging Local Plan Part 2 and guidance contained within the National Planning Policy Framework.

4. Design and construction details of the proposed structure to prevent vehicles entering the drainage pond in the western part of the site shall be submitted to and approved in writing by the Local Planning Authority before any part of the development is first occupied. The barrier structure shall be provided in accordance with the approved details before any of plots 46-55 or any dwelling within the Bassett-Lowke building is first occupied and shall thereafter be retained as such.

Reason: In the interests of highway safety and visual amenity and to accord with Policies 2 and 33 of the emerging Local Plan Part 2 and guidance contained within the National Planning Policy Framework.

5. Notwithstanding the submitted details, a scheme of security measures for the approved flats and associated car park (Bassett-Lowke development) shall be submitted to and approved in writing by the Local Planning Authority before any flat within the Bassett-Lowke building is first occupied. The scheme shall include details of the proposed CCTV and security barrier to the car park, a lighting scheme for the car park (which shall be designed to limit light spill into the adjacent woodland) and measures to control access into the Bassett-Lowke building. The approved security measures shall be provided before any of the flats are first occupied and shall thereafter be retained as such.

Reason: To reduce opportunities for crime and to accord with Policy S10 of the West Northamptonshire Joint Core Strategy, Policies 2 and 4 of the emerging Local Plan Part 2 and guidance contained within the National Planning Policy Framework.

6. The proposed noise mitigation measures, as detailed in report reference RP02-21251-R1 prepared by Cass Allen and dated 15/09/2021, shall be provided before the plot to which the noise mitigation measures relate is first occupied and shall thereafter be retained as such.

Reason: In the interests of residential amenity and to accord with Saved Policy E20 of the Northampton Local Plan, Policies S10 and BN9 of the West Northamptonshire Joint Core Strategy, Policies 4 and 6 of the emerging Local Plan Part 2 and guidance contained within the National Planning Policy Framework.

7. The ecology measures as specified on approved drawing number 101-190AR/055B shall be provided before the plot to which the ecology measures relate is first occupied and shall thereafter be retained as such.

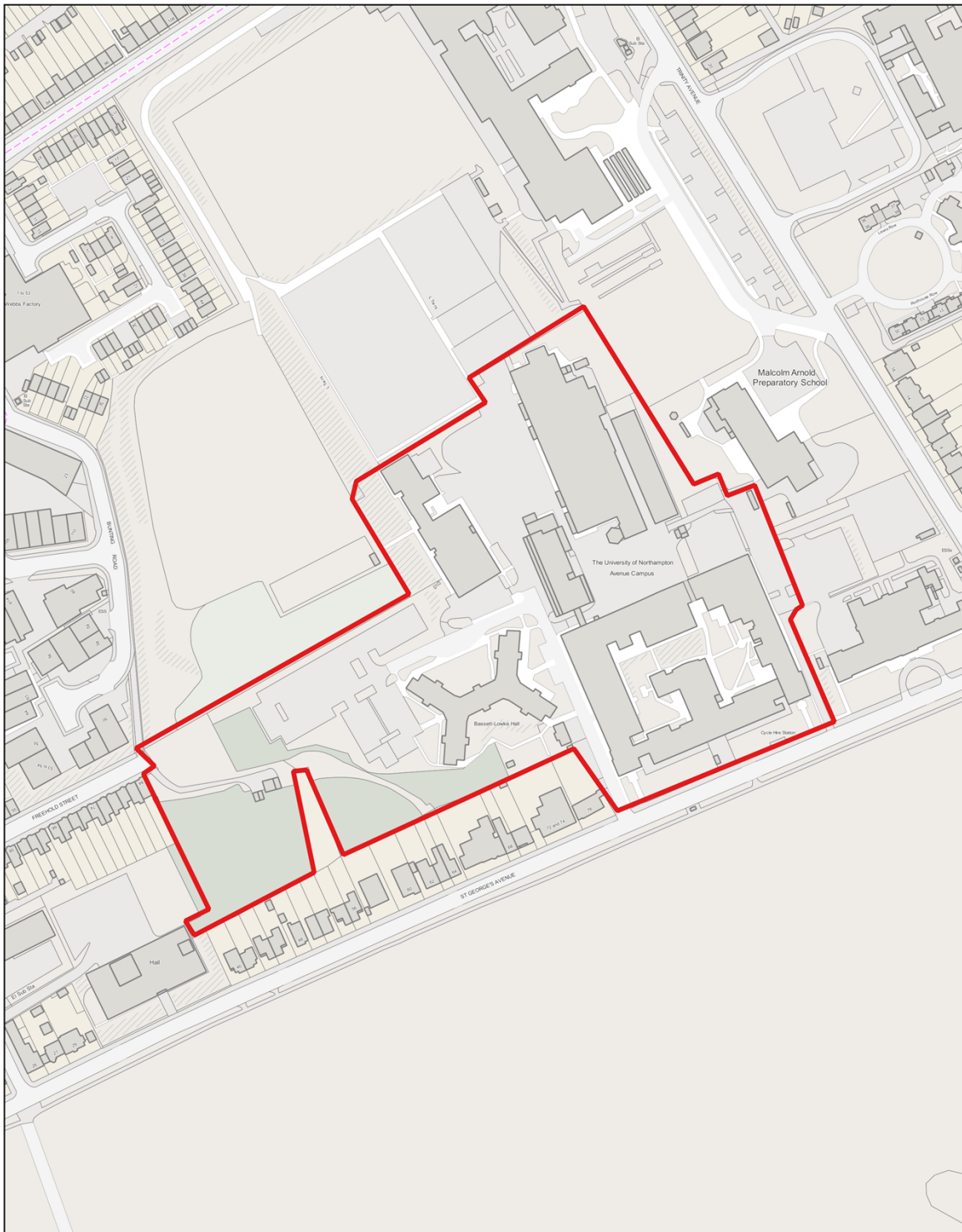
Reason: In the interests of biodiversity and to accord with Policy BN2 of the West Northamptonshire Joint Core Strategy, Policy 29 of the emerging Local Plan Part 2 and guidance contained within the National Planning Policy Framework.

8. Electric vehicle charging points shall be provided in accordance with approved drawing number 101-190AR/053D. The individual electric vehicle charging points shall be provided before the dwelling to which they relate is first occupied. The proposed shared electric vehicle charging facilities for the flats (Bassett-Lowke) shall be provided before any of the flats are first occupied. The charging facilities within the car park to the rear of the Newton building shall be provided before any part of the residential development is occupied. Cable and circuitry ratings shall be of adequate size to ensure a minimum continuous current demand of 16 Amps and a maximum demand of 32Amps. The charging points shall thereafter be retained as such.

Reason: To facilitate the use of low emissions vehicles in the interests of mitigating climate change and to accord with Policy S10 of the West Northamptonshire Joint Core Strategy, Policies 32 and 35 of the emerging Local Plan Part 2 and guidance contained within the National Planning Policy Framework.

9. Notwithstanding the submitted information, details of a continuous footway to be provided between St Georges Avenue and the main spine road within the site, as indicated on drawing number 101-190AR/054C, shall be submitted to and approved in writing by the Local Planning Authority before any dwelling is first occupied. The details shall include a design and construction specification, a legal mechanism to ensure that there is a public right of access over the footway in perpetuity and future maintenance arrangements. The footway shall be provided before any dwelling is first occupied and shall thereafter be retained as such.

Reason: To improve the permeability of the development and promote sustainable and active travel. This is to accord with Policy S10 of the West Northamptonshire Joint Core Strategy, Policies 2, 4, 6 and 32 of the emerging Local Plan Part 2 and guidance contained within the National Planning Policy Framework.



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Planning Committee Report

Committee Date: 4th October 2022

Application Number: WNN/2022/0301

Location: Car Park, College Street, Northampton

Development: Erection of purpose-built student accommodation, with landscaping and associated works

Applicant: The Zone Pension Trust

Agent: Scott Hobbs Planning

Case Officer: Christopher Wentworth

Ward: Castle Unitary Ward

Referred By: Assistant Director of Place and Economy

Reason for Referral: Major application

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS AND SUBJECT TO A S106 LEGAL AGREEMENT as set out below with delegated authority to the Assistant Director for Place and Economy to approve any amendments to those conditions as deemed necessary.

Proposal

The application proposes the redevelopment of the site for purpose-built student accommodation with 101 bed spaces within a four and five storey building along with landscaping and associated works at College Street, Northampton.

Consultations

The following consultees have raised **objections** to the application:

- Conservation
- Planning Policy

The following consultees have raised **no objections** to the application:

- Public Protection
- Ecology
- Anglian Water
- TCCAAC
- Highways
- Police
- Development Management (Contributions)

- Construction Futures

The following consultees are **in support** of the application:

- Northampton Town Council

2 no. letters of objection have been received and zero letters of support have been received.

Conclusion

The application has been assessed against the relevant policies in the NPPF, the adopted Local Plan and other relevant guidance as listed in detail at Section 8 of the report.

The key issues arising from the application details are:

- Principle of Development
- Heritage Impacts
- Design and Appearance
- Residential and Neighbour Amenity
- Highway Impacts
- Planning Contributions

The report looks into the key planning issues in detail, and Officers conclude that the proposal is acceptable subject to conditions.

Members are advised that the above is a summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies, the Officer's assessment and recommendations, and Members are advised that this summary should be read in conjunction with the detailed report.

MAIN REPORT

1. APPLICATION SITE AND LOCALITY

1.1 The application site is located within Northampton Town Centre on the western side of College Street and is currently used as a surface level car park. The site sits to the between the Grade II listed Church (New Testament Church of God) to the south, the Boston Clipper Public House to the north and St Katherines Gardens to the west. To the east lies the public highway and the rear of buildings fronting the Drapery, such as the former Debenhams Department Store.

2. CONSTRAINTS

2.1. To the south of the site is a Grade II listed building currently known as the New Testament Church of God accessed from College Street.

2.2. The application site itself is not listed or locally listed.

2.3. The site is located adjacent to, but outside of the All Saints Conservation Area – the boundary falls along College Street to the east of the site.

3. DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1. The application proposes the redevelopment of the site for purpose-built student accommodation with 101 bed spaces within a four and five storey building along with landscaping and associated works.
- 3.2. The living accommodation is spread over the following floor levels
 - Ground Floor – 14 units
 - First Floor – 15 units
 - Second Floor – 24 units
 - Third Floor – 24 units
 - Fourth Floor – 24 units

4. RELEVANT PLANNING HISTORY (ON ADJACENT SITE)

- 4.1 N/2021/0009 – Debenhams, 33 - 39 Drapery – Demolition of existing building and redevelopment of site for purpose-built student accommodation and ground floor/basement retail unit with landscaping and associated works – Approved, 22nd February 2022.

5. RELEVANT PLANNING POLICY AND GUIDANCE

Statutory Duty

- 5.1. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

Development Plan

- 5.2. The Development Plan comprises the West Northamptonshire Joint Core Strategy Local Plan (Part 1) which was formally adopted by the Joint Strategic Planning Committee on 15th December 2014 and which provides the strategic planning policy framework for the District to 2029, the adopted Local Plan (Part 1 – saved policies) and adopted Neighbourhood Plans. The relevant planning policies of the statutory Development Plan are set out below:

West Northamptonshire Joint Core Strategy Local Plan (Part 1) (LPP1)

- 5.3. The relevant policies of the West Northamptonshire Joint Core Strategy Local Plan (Part 1) are:
 - S1 – The distribution of development
 - S3 – Scale and distribution of housing development
 - S10 – Sustainable Development Principles
 - C2 – New developments
 - H1 – Housing density and mix and type of dwellings
 - BN5 – Historic Environment
 - BN9 – Pollution control
 - INF1 and 2 – Infrastructure delivery
 - N1 – The regeneration of Northampton

Northampton Central Area Action Plan 2013 (CAAP)

5.4. The relevant policies are:

- 1 – Promoting Design Excellence
- 11 – Town Centre Boundary
- 12 – Primary Shopping Area
- 16 – Central Area Living

Material Considerations

5.5. Below is a list of the relevant Material Planning Considerations

- **National Planning Policy Framework (NPPF)**

The National Planning Policy Framework (NPPF) sets out the current aims and objectives for the planning system and how these should be applied. In delivering sustainable development, decisions should have regard to the mutually dependent social, economic and environmental roles of the planning system. The NPPF should be read as one complete document. However, the following sections are of particular relevance to this application:

Paragraphs 7-12 - Presumption in favour of sustainable development.

Section 6 – Building a strong and competitive economy

Section 8 - Promoting healthy and safe communities.

Section 9 - Promoting sustainable transport

Section 11 – Making effective use of land

Section 12 – Design

Paragraph 187 – impact of development on existing business

- **Northampton Local Plan Part 2 (2011-2029) (Emerging)**

Following the decision at the Full Council on 18 January 2021, the former Northampton Borough Council submitted the Northampton Local Plan Part 2 (2011 – 2029) and supporting documents to the Secretary of State for Housing, Communities and Local Government (now Secretary of State for Levelling Up, Housing and Communities) on 4 February 2021 for examination. This is in accordance with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

In line with Paragraph 48 of the National Planning Policy Framework, the policies contained within the emerging Northampton Local Plan Part 2 are therefore a material consideration in the determination of planning applications. The weight afforded to the policies relevant to this application are set out below:

- Policy 1 – Presumption in favour of sustainable development – *Significant Weight*
- Policy 2 – Placemaking and Design – *Moderate Weight*.
- Policy 4 – Amenity and Layout – *Moderate Weight*.
- Policy 13 – Residential and other residential led allocations – *Significant Weight*.
- Policy 14 – Type and Mix of Housing – *Moderate Weight*.
- Policy 31 – Protection and enhancements of designated and non-designated

- heritage assets – *Significant Weight*.
- Policy 35 – Parking Standards – *Significant Weight*.
- Northamptonshire County Parking Standards (November 2016)
- Northampton Parking Standards Supplementary Planning Document (November 2019)
- Planning out crime in Northamptonshire SPG (2004)

6. RESPONSE TO CONSULTATION

Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website.

Consultee Name	Comment
Conservation	<p>- Materials would need to be conditioned as part of any application. There is potentially some merit in using buff coloured bricks, but due to the scale and massing of the structure it is unlikely to blend in.</p> <p>- The proposal to set the boundary to the student accommodation back behind the line of the church is welcome. The use of a bespoke fence for the area is also welcome, but details / sample would need to be included. This will help to mitigate the impact on the immediate streetscape surrounding the chapel.</p> <p>· The information provided on the boundary treatment to St Katherine's Churchyard is ambiguous. The plans show a railing physically attached to a new / repaired stone boundary wall, but the note on the drawing states 'This page shows the fence on the West Elevation facing St Katherine's churchyard. This would be a more standardised fence which would be built off the existing wall where we would make repairs where necessary to reinstate the stone wall'.</p> <p>- Concerns were raised over the bulk and scale of the proposed development along College Street and that the views of the Baptist Church from the north of College Street would be entirely lost. A study to explain how any building within the original footprint from the historic maps, would still disguise the church from the north of College Street has been undertaken. The additional information is welcome as it is always difficult to appreciate the real life impact from a 2D drawing. It is appreciated from a study of the models that the view from the north will be less impacted than anticipated by the differing storey heights, but the models do make it clear that there will be a significantly additional impact from the additional massing at the immediate street level. The concerns raised by the original Conservation Officer 'I consider that the bulk and scale of the proposed development would be intrusive in views along</p>

	College Street and would dominate the adjacent chapel, which is the principal landmark in the street, harmful to its setting' remain and the amended plans (without the setback along College Street) are still considered to cause additional harm. The objection from Conservation has not been removed by this information.
Town Centre Conservation Area Advisory Committee	The Northampton Town Centre Conservation Areas Advisory Committee noted that the applicant is considering the use of buff bricks. It felt that this should be a requirement. The Committee wishes to reiterate that the new building should enhance the area and the setting of the listed chapel.
Ecology Officer	I'm satisfied that biodiversity impacts should be negligible. Given the habitats on site the proposed amenity planting should be sufficient to deliver a net biodiversity gain. The proposed building height offers an opportunity to provide new nesting places for swifts and bats. Swifts nest in colonies so I would suggest a group of 10-20 integrated swift bricks would be ideal high up on the western or northern elevation. Integrated bat bricks would be welcome on the south or east elevation, perhaps associated with the terraces. Ideally these would be secured by condition.
Public Protection	No objection subject to conditions; <ul style="list-style-type: none"> - Air Quality Neutral/Mitigation - Air Quality – Construction Dust Assessment - Construction Environmental Management Plan (CEMP) - Noise Ingress - Building Services Control - Land Contamination/Remediation - Unexpected Contamination - Waste Management Scheme - Construction / Site Delivery Times
Northampton Town Council	Supports the proposal. Development seen as positive and would reduce the need for HMO's in the town.
Policy Team	The policy team has no objections to the principle of the scheme, subject to resolution on the matters associated with height, scale, bulk and heritage (scale subsequently revised – no further comments received).
Anglian Water	No comment.
Highways	- Bus ticket should be provided – 1 per unit. As the proposed building is within 1m of the highway boundary, the following conditions must apply: <ul style="list-style-type: none"> - Foundations do not encroach or undermine the highway, and the LHA would require full engineering and structural details to that effect. In practice, this will require the cantilever foundations, so they don't affect the highway infrastructure. - Building drainage, pipes, eaves, sills, outward

	opening windows, fenestrations or anything else attached to the building (e.g. Gas meter), must not encroach upon or overhang the highway. - Condition to secure construction traffic management plan.
West Northamptonshire Council Key Services	Request contributions towards libraries and condition on broadband.
Northamptonshire Police	The design of the fencing and gate for the secure fence line from College Street is fine as far as it goes. I approve of the electronic access. To prevent persons climbing over the gate and the fencing a discreet 'topping' of something to make sitting astride it uncomfortable is recommended. It does not need to be hostile in nature or visually offensive but just leaving it flat is not recommended. The fencing which will protect the rear boundary from the park needs to be suitably positioned so that the existing wall cannot be used as a climbing aid to help persons over the top of the new fence. Again a 'topping' on the top of the fence would be helpful in deterring climbing.
Construction Futures	Request a contribution towards construction training on the site and a construction training scheme.

7. RESPONSE TO PUBLICITY

Below is a summary of the third party and neighbour responses received at the time of writing this report.

- 7.1. Two letters objecting to the application have been received. The comments can be summarised as follows:

Objections and observations:

- The unacceptable impact upon the continued operation of an adjacent public house/entertainment LGBTQIA+ venue.
- The visual impact of the development in its locality.
- Its impact upon adjacent residential accommodation.
- The impact of the development upon the character and appearance of the adjoining conservation area and adjacent listed building.
- Proposals fail to set out how a satisfactory living environment will be achieved for future occupiers
- Inadequate information provided by the Noise Report despite additional information provided.
- The need for further accommodation is not accepted in this location.
- Loss of parking provision.

8. APPRAISAL

Principle of Development

- 8.1 The application proposes the erection of a new building of 4 and 5 stories forming a student halls. The proposed student halls would provide 101 x 1-bedroom studios (self-contained with en-suite and cooking facilities), and 5 no. of these would be accessible studios for those with disabilities. In addition to the student bedrooms, the proposed scheme provides a number of shared spaces for the students, with a lounge, 2 no. roof terraces, gym/amenity space, and central courtyard, alongside a laundry and bin and cycle stores. A front entrance to College Street is proposed with a reception area and offices for the management of the student halls.
- 8.2 With regards to the proposed student accommodation, the proposal would result in an increase in the number of people residing within the town centre, which is consistent with the strategic objectives of the CAAP, which calls for the repopulation of the town centre and allows for the provision of student accommodation. Given that the proposed development would be for bespoke student accommodation, it would not add to the Council's housing land supply, as it would be a sui generis use. However, it is acknowledged that the development may reduce the demand for alternative sources of student accommodation, such as Houses in Multiple Occupation, elsewhere within the Borough. As such, the proposal would support the provision of a mixture of house types across the Borough, as required by planning policy.
- 8.3 Comments have been received in respect of the need for student accommodation within Northampton. There is no planning policy requirement to demonstrate need or any basis to object to the provision of student accommodation. Policy 16 of the CAAP allows for the provision of student accommodation within the Central Area and, as such, the use is considered an appropriate town centre use.
- 8.4 The proposal would result in the loss of a private car park which is open for public use subject to a fee. It is noted that the car park is currently closed as it is being used for construction works taking place at the former Debenhams Department Store. Whilst the loss of the car park is regrettable, the town centre is well served by public car parks, many within a short walking distance of the site, such as the Grosvenor Centre and the Mayorhold car parks. Furthermore, the operator of the car park is free to close the car park or change its availability to the public at any time. On this basis, it is considered that the loss of the car park would not be a sustainable reason for refusal in this case.
- 8.5 The proposal would bring a prominent site in the town centre and Conservation Area back into use whilst contributing to the vitality and viability of the surrounding area in accordance with planning policy. As such, the principle of the development as proposed is accepted.

Design and impact on character and appearance of the street scene and Heritage Assets

- 8.6 The site is located adjacent to, but outside of the All Saints Conservation Area and adjacent to a grade II listed building, specifically the New Testament Church of God. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that in carrying out its functions as the Local Planning Authority in respect of development in a conservation area: special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
- 8.7 Likewise, Section 66 of the same Act states that: In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority...shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which

it possesses. Therefore, significant weight must be given to these matters in the assessment of this planning application.

- 8.8 Conservation Areas and Listed Buildings are designated heritage assets, and Paragraph 202 of the NPPF outlines that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 8.9 At present, the site is a surface level car park with no buildings located upon it. The proposed building would comprise of two distinct blocks with a central communal area that links the two buildings into one structure. The 4 storey element would face onto College Street with the larger 5 storey portion to the rear of the site on its boundary with St Katherines Gardens with a presence also onto College Street. It is noted that the originally submitted scheme was for a larger building that was 6 storeys high.
- 8.10 In respect of the proposed design as originally submitted, the Conservation Officer advised the bulk and scale of the proposed development would be intrusive in views along College Street and would dominate the adjacent chapel (grade II listed), which is the principal landmark in the street and would therefore be harmful to its setting. Following the Conservation Officer's concerns, the design and scale of the scheme has since been amended to provide a stronger active frontage at ground floor level, reduce the scale of the building to 5 stories as a maximum and to also amend the overall design of building to provide a more distinctive and interesting design that is considered sympathetic to the surrounding context which is varied in character.
- 8.11 A contemporary design is proposed, with facing red brickwork (white bricks facing the courtyard to maximise light), metal window reveals in a Champagne/Bronze colour to mirror the colour of the metal cladding that would be used on the upper most floors of each block (i.e. 4th and 5th floors). This approach would be used on both elevations facing College Street and St Katherines Gardens and is considered to be an appropriate design solution in this location and would also complement the currently under construction drapery chem that uses a similar design language.
- 8.12 It is considered that the proposed elevation for College Street would be an improvement to the existing surface level car park with boundary treatments that are in a state of disrepair. It is considered that the building would provide some active frontage with a large student lounge window and entrance point along College Street and would provide a building of a high design standard in its place. Furthermore, it is considered that the proposed building would actually improve the setting of the listed building by bring a underutilised area back into use and elevating College Street to one of a main thoroughfare rather than a service road to the rear of the Drapery as it currently appears. It is noted that the Conservation Officer still objects to the amended scheme over the bulk and scale of the proposed development along College Street and that the views of the Baptist Church from the north of College Street would be entirely lost. They go on state that the bulk and scale of the proposed development would be intrusive in views along College Street and would dominate the adjacent listed church, which is the principal landmark in the street, would be harmful to its setting' and that the amended plans) are still considered to cause additional harm.
- 8.13 A study to explain how any building within the original footprint from the historic maps, would still disguise the church from the north of College Street has been undertaken and submitted by the applicant which is welcomed as it clearly provides an assessment within its context on how the proposal would sit within the streetscene.

Furthermore, the Conservation Officer states that it is appreciated from a study of the models that the view from the north will be less impacted than anticipated by the differing storey heights, but the models do make it clear that there will be a significantly additional impact from the additional massing at the immediate street level. However, the authority takes the view that the provision of any building on site is going to have a materially greater impact than the current situation where no building exists on site and as such, it is instead an assessment to ensure that any building located on site is of an appropriate scale and of a high design standard that elevates the surrounding context. In this case, the authority takes the view that the reduced scale of the proposal along with his high design quality and positioning on the site away from the adjacent listed building results in a scheme that positively impacts upon the streetscene, provides an active frontage in a 'backland' thoroughfare and would positively impact upon the setting of the adjacent listed building and upon the character and appearance of the adjacent All Saints Conservation area.

- 8.14 The applicant has also provided further details regarding boundary treatments that would form part of the proposal. The front portion of the site would provide a courtyard that whilst could be viewed from College Street, would be secured for access to residents only by fencing and access gates. Given the sites location on the boundary of the conservation area and adjacent to a listed building it was considered imperative that the boundary treatments in this location were of high design quality and of a distinctive nature.
- 8.15 The proposal seeks to set the boundary to the student accommodation back behind the line of the church which is considered to be an appropriate approach and is welcomed by the conservation officer. The conservation also contends that the use of a bespoke fence for the area is also welcome, but details / samples would need to be sought as this would help to mitigate the impact on the immediate streetscape surrounding the chapel. Such details can be secured by planning condition. In addition, it is considered that the information provided on the boundary treatment to St Katherine's Churchyard is ambiguous. The plans show a railing physically attached to a new / repaired stone boundary wall, but the note on the drawing states 'This page shows the fence on the West Elevation facing St Katherine's churchyard. This would be a more standardised fence which would be built off the existing wall where we would make repairs where necessary to reinstate the stone wall'. Again this point of clarification can be addressed through planning condition.
- 8.16 Materials proposed include a mix of facing brick and light-coloured metal cladding to the inset top floor levels to both the College Street and Sta Katherine Garden elevations. Discussions on the most appropriate brick choice, e.g. the use of buff brick are ongoing but consider that such details can be agreed by condition to ensure a high quality development is delivered.
- 8.17 As such and on balance, it is considered that the development proposal would result in less than substantial harm to heritage assets and that the amended design and appearance are acceptable and that the public benefits of the development outweigh any harm identified.

Residential Amenity

- 8.18 The application proposes the provision of 101 studio student flats, 5 no. of these would be accessible studios (30sq.m) (1 no. to each floor with lift access).

- 8.19 The Council does not have a policy regarding the minimum size requirements for student accommodation. It is considered, however, that the room sizes proposed (between 20-23sq.m) are sufficient for the intended use, being of a similar size to other student accommodation approved within Northampton and all rooms are provided with sufficient light and outlook to all rooms.
- 8.20 The proposal provides a shared amenity space at ground floor level and a shared terrace space at first floor and roof level for the student occupiers, alongside a number of internal shared spaces with a lounge, laundry, and gym/amenity spaces. In addition, the site is located within the town centre and within walking distance of amenity space, such as St Katherines Gardens, Becketts Park and the River Nene. It is, therefore, considered that sufficient amenity space is provided.
- 8.21 An enclosed refuse storage area is proposed for the student accommodation fronting onto College Street with additional internal access within the complex. A condition is proposed to ensure the refuse storage areas are provided prior to first occupation and an additional condition requires the submission and approval of a Waste Management Plan to ensure appropriate management of refuse storage and that there is no adverse impact on surrounding amenity. Public Protection raise no objection in this regard.

Impact on neighbouring amenity and surrounding uses

- 8.22 The application site is located within the town centre, and as such the majority of neighbouring units are commercial in nature. There is, however, a residential unit at first floor within the adjacent public house venue to the north of the site. Concerns have been raised by the occupiers that the proposal, due to its scale and position within the site, would adversely impact upon residential amenity associated with the living accommodation, with particular reference to outlook and light levels. The proposal would result in a blank elevation towards the adjacent public house and would not result in the provision of any habitable room windows overlooking this elevation so that no overlooking or loss of privacy would occur which is welcomed. The proposal due to its scale with a mixture of 1, 4 and 5 stories would present a side elevation wall at a distance of approx. 16m away from the southern elevation windows which serve the habitable rooms of a bedroom and dining room.
- 8.23 The proposal would result in a building in a position where there is currently none and it is agreed that outlook from these windows would change along with a change in light levels. However, the scale of and position of the building is considered appropriate in this case with a 16m distance between the affected windows and side elevation wall with a view over a flat roof. This is considered typical of a town centre/urban location. It is also noted that whilst reference to these habitable room windows is mentioned within the comments received, no floor plan has been provided so as to allow a full assessment of these rooms and whether they are served by other windows to the northern or eastern elevation. It is therefore considered on balance that the proposal, whilst resulting in a change to the streetscene and its relationship with adjacent buildings, is acceptable in this regard. It is also noted that concerns are raised regarding the impact upon amenity space of the residential accommodation at the adjacent PH. This is currently a flat roof associated with the PH and has no railings but is used informally by the occupants. Whilst the proposal would impact upon the light levels from the south, the amenity space would not be reduced in size or overlooked and would therefore still be a usable space. Therefore, the impact upon this informally used space would not be sufficient to warrant refusal of the scheme on this basis.

- 8.24 In respect of surrounding commercial uses, 3rd party comments have been received raising concern regarding the potential impacts arising from the proposed development in respect of the use of the Boston Clipper Public House situated to the north of the site at 26 College Street which has a license to hold late night DJ and live music events until 6am.
- 8.25 Paragraph 187 of the NPPF seeks to ensure that new development can effectively integrate with existing businesses, including pubs and music venues, and that these existing businesses should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business could have a significant adverse effect on new development in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development is completed.
- 8.26 A Noise Assessment and an addendum to that assessment has been submitted with the application and assessed by Public Protection. The submitted Noise Assessment also includes an assessment of the Boston Public House. Public Protection has advised that there have been no noise nuisance/ public nuisance incidents on record in respect of the Boston Public House since 2014. It is however acknowledged that there is currently no particular concentration of residential uses within the immediate vicinity of the venue.
- 8.27 The development proposal includes student accommodation with habitable room windows facing towards both College Street and St Katherines Gardens, although not to the north facing the adjacent public house. The application site is located to the south of the Boston Clipper Public House which is a LGBTQIA+ venue that has a late licence until 6am. As part of the assessment the applicant has been required to submit a noise impact assessment along with appropriate mitigation measures so as to ensure that appropriate levels of amenity for proposed occupiers are made and that there are no unreasonable expectations placed upon the continued operation of existing businesses in the vicinity.
- 8.28 A noise assessment has been undertaken and prepared by Sweco UK Limited, dated 14th December 2021, Document Ref: 65204849-001-ACO.REP1 and has been reviewed by Public Protection. The adjacent public house occupiers have also assessed the noise assessment and subsequent additional information and have commented upon it. The report is considered to be a comprehensive assessment of existing noise sources likely to affect future occupiers of the proposed development. It is also noted that prior consultation took place in advance of the baseline noise assessment between the Northampton based Environmental Protection Team and the applicants noise consultant to agree on the assessment methodology approach and design criteria for the building envelope, internal ambient noise levels in habitable rooms (e.g., bedrooms) and any associated M&E plant.
- 8.29 Public Protection state that "Outcomes from the modelled of noise sources (road traffic noise and entertainment noise from the Boston nightclub (including external noise from the beer garden) identified to be a potential concern are accepted. As expected from the initial risk assessment for site suitability in accordance with the Pro PG: Planning & Noise has identified low to moderate levels of road traffic noise for night-time periods on all facades of the proposed apartment block and the existing noise climate is predominantly affected by entertainment noise from The Boston nightclub, which is the overriding noise constraint".
- 8.30 The proposed mitigation contained within the report is accepted by Public Protection who raise no objection to the proposal in this regard. However, it is noted that the

adjacent occupiers contend that the noise assessment is not comprehensive enough and that the agent of change principle has not been adequately assessed. However, the authority is happy with the scope and methodology of the noise assessment along with the recommended mitigation measures which in brief would achieve the site-specific indoor noise level criteria for the worst affected studio apartments. On this basis the following would need to be introduced into the building design. It is considered appropriate to secure such measures by planning condition.

- Normal ventilation via a mechanical system (e.g. MVHR).
- Openable windows can be provided for purge ventilation at the occupant's choice.
- Double leaf masonry external walls with interior independent plasterboard lining.
- Minimum 150 mm deep concrete roof with plasterboard ceiling on light steel grid.
- Acoustic laminate double glazed units for the worst-affected location.

8.31 It is therefore considered that any impacts arising from surrounding uses can be sufficiently mitigated such that there is no unacceptable adverse impact on proposed amenity or existing businesses within the area in accordance with policy requirements.

Public Sector Equality Duty

8.32 The Equality Act 2010 introduced a new public sector equality duty (the PSED), which cover nine protected characteristics including sexual orientation. This is relevant to the current proposal as it could have an impact upon the operation of The Boston PH which is a key venue for the LGBTQ community in Northampton. The applicant has worked with the local planning authority during the course of the planning application to address potential noise and disturbance issues that would continue to allow the venue to operate without detriment to future occupiers or the venue itself. It is considered that the authority has assessed the proposal appropriately in this regard and discharged its function in relation to the equality act.

Highway Impact

8.33 The application site is located within the town centre and as such the nil provision of parking spaces is considered acceptable.

8.34 The Council's Highways department have been consulted on the proposal and have raised no objection to the scheme subject to comments regarding the provision of a 4-week bus ticket for each unit, that works should not encroach upon the public highway and that a condition should be attached to secure a construction traffic management plan. In terms of bus ticket provision, there is no planning policy basis to request such provision as part of the planning application plus the site is centrally located within the town centre and within walking distance to a variety of facilities. In addition, the proposed works would take place within the submitted red line plan and that any works within the highway would require separate consent from the highway authority and therefore it is not necessary to secure such measures by planning condition. It is however considered appropriate to secure a construction management plan by condition so as to ensure that construction traffic does not adversely impact upon highway safety or the local road network within the town centre.

8.35 The application proposes the provision of cycle store with space for 104 bicycles which is considered to be an appropriate size for the proposed development. The

cycle store would be secured for residents use only within the confines of the site. The provision of cycle storage as proposed would be required by condition prior to occupation and retained thereafter.

Crime Prevention

- 8.36 The proposal would add windows overlooking the public realm to both St Katherines Gardens and College Street. Space and would provide a more intensive use of the site which is likely to provide natural surveillance. In order to ensure the development is safe, details of CCTV and external lighting are required which can be secured by planning condition.
- 8.37 The Police Crime Prevention Design Advisor requests a number of safety features to ensure the development is secure by design. A condition will be attached requiring the development to provide details of proposed measures for the prevention of crime and to provide a secure development along with management of the block as student accommodation.

Other matters

- 8.38 In addition to the comments outlined in para 8.24-8.31, the Council's Public Protection team have requested conditions on noise ingress, a Construction Environmental Management Plan (CEMP), air quality mitigation, building services control, contamination/remediation, noise attenuation, construction/delivery times and waste management. These are considered reasonable to attach.
- 8.39 West Northamptonshire Council Key Services have requested a condition to secure broadband provision. There is no planning policy basis to require such a condition and as such it is not considered reasonable to attach.
- 8.40 The Lead Local Flood Authority has been consulted on the proposal and has not commented on the scheme. However, given the scale of the development (i.e. major development) on a site that is currently without any built development, it is considered appropriate to secure drainage details along with maintenance details by planning condition so as to ensure that the proposal does not adversely impact upon the surrounding area in terms of flooding and drainage.

Obligations

- 8.41 West Northamptonshire Council Key Services request a financial contribution towards libraries. There is no planning policy basis in the Northampton Area for the requirement of funds towards libraries and as such it is not reasonable for the Council to request such funding for this development.
- 8.42 Construction Futures request a contribution towards apprentice training and a training scheme on the site. This is considered reasonable to request through a S106 agreement.
- 8.43 The applicant has agreed to the above contribution and requirement.

9 FINANCIAL CONSIDERATIONS

9.1 The development is not CIL liable.

10 PLANNING BALANCE AND CONCLUSION

10.1 The proposed development represents an acceptable land use and would not have a significant adverse impact upon the character and appearance of the surrounding area, the adjacent All Saints Conservation Area, neighbouring amenity, the highway system, or crime and safety. The development will result in a positive impact upon the setting of the historic environment in visual impact terms. As a consequence, the proposal is in conformity with the requirements of the National Planning Policy Framework, Policies C2, E1, H1, BN5, BN9, INF1, INF2, N1, S1, S2, S3 and S10 of the West Northamptonshire Joint Core Strategy; and Policies 1, 11, 12, 13, 16 and 32 of the Northampton Central Area Action Plan 2013.

10.2 It is therefore recommended that the application be approved subject to the following conditions and subject to the completion of a S106 agreement.

11 RECOMMENDATION

11.1 Approve, subject to conditions and S.106 agreement.

12. CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990

2. The development hereby permitted shall be carried out in accordance with the following plans: 21057_pl(20)_01E, 21057_pl(20)_02D, 21057_pl(20)_03B, 21057_pl(23)_01D, 21057_pl(23)_02B, 21057_pl(23)_03B, 21057_pl(23)_04B, 21057_pl(23)_05B, 21057_pl(90)_02B, 21057_ex(--)_01.

Reason: For the avoidance of doubt and to accord with the terms of the planning application.

3. Notwithstanding the materials details already submitted, no development above lower ground floor base level shall take place until full samples of all proposed external facing materials, including window frame/surround and balustrade details, have been submitted to, and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and to ensure that the development will harmonise with its surroundings in accordance with Policy BN5 of the West Northamptonshire Joint Core Strategy.

4. Prior to any above ground works a scheme for the provision of bird boxes within the development shall be submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved scheme and retained thereafter.

Reason: In the interests of wildlife and nature conservation in accordance with Policy BN2 of the West Northamptonshire Joint Core Strategy.

5. No development shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. Development shall then be carried out in accordance with the approved CEMP. The CEMP shall include, though not necessarily be restricted to the following details:

- i) A Traffic Management Plan incorporating the routing of construction traffic and details of heavy vehicle movement patterns.
- ii) Measures to minimise and control noise, vibration, dust and fumes during site preparation works and construction, including vehicle reversing alarms.
- iii) Details of the siting of all vehicles of site operatives and visitors.
- iv) The unloading and loading arrangements for heavy plant and machinery.
- v) The location, extent and duration of any temporary stockpiling areas.
- vi) Measures to prevent mud being deposited on the surrounding highway.
- vii) Hours in which development will take place.
- vii) Delivery hours for construction works.

Reason: To minimise the impact of the development during the construction phase in accordance with the National Planning Policy Framework. This is a pre-commencement condition to enable timely submission of information.

6. No development shall take place until details of the existing and proposed ground levels and finished floor levels of the development have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details.

Reason: In the interests of residential and visual amenity in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to ensure timely submission of details.

7. No development shall take place until an investigation and risk assessment to assess the nature and extent of any contamination of the site has been completed, in accordance with a scheme that has been first submitted to and approved in writing by the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced which must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, pets, and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason: Pre commencement condition to ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with paragraph 170 of the NPPF and Policy BN9 of the West Northamptonshire Joint Core Strategy.

8. Prior to the commencement of the development hereby permitted, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings, and other property and the natural and historical environment shall be prepared and submitted to and approved in writing by the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures and shall ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason: Pre commencement condition to ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with paragraph 170 of the NPPF and Policy BN9 of the West Northamptonshire Joint Core Strategy.

9. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with paragraph 170 of the NPPF and Policy BN9 of the West Northamptonshire Joint Core Strategy.

10. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Condition 7 above, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Condition 8 above, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, shall be submitted to, and approved in writing by the Local Planning Authority in accordance with Condition 9.

Reason: To ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with paragraph 170 of the NPPF and Policy BN9 of the West Northamptonshire Joint Core Strategy.

11. Prior to any above ground works commencing full details of the surface water drainage scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include:
 - a) details (i.e. designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets and attenuation structures (if required)

- b) Appropriately cross-referenced supporting calculations demonstrating that there is no surcharge in the system for the 1 in 1 year, no above ground flooding for the 1 in 30 year, and that any above-ground flooding for 1 in 200 year plus 40% climate change storm is limited to areas designated and safe to flood, away from sensitive infrastructure or buildings.
- c) Full details of the surface water pumping station

Reason: To prevent the increased risk of flooding, both on and off site, by ensuring the satisfactory means of surface water attenuation and discharge from the site in accordance with the NPPF and Policy BN7 of the Core Strategy for West Northamptonshire.

12. No development shall take place until a detailed scheme for the maintenance and upkeep of every element of the surface water drainage system proposed on the site has been submitted to and approved in writing by the Local Planning Authority and the maintenance plan shall be carried out in full thereafter. This scheme shall include details of any drainage elements that will require replacement within the lifetime of the proposed development.

Reason: In order to ensure that the drainage systems associated with the development will be maintained appropriately and in perpetuity, to reduce the risk of flooding due to failure of the drainage system in accordance with the aims of the NPPF.

13. No Occupation shall take place until a Verification Report for the installed surface water drainage system for the site has been submitted in writing by a suitably qualified independent drainage engineer and approved by the Local Planning Authority The details shall include:
- a) Any departure from the agreed design is keeping with the approved principles
 - b) Any As-Built Drawings and accompanying photos
 - c) Results of any Performance testing undertaken as a part of the application process (if required / necessary)
 - d) Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges etc.
 - e) CCTV confirmation that the system is free from defects, damage and foreign objects.

Reason: To ensure the installed Surface Water Drainage System is satisfactory and in accordance with the approved reports for the development site and in accordance with the aims of the NPPF.

14. Prior to any works above lower ground floor level, a Full Site Management Plan for the student accommodation shall be submitted to and agreed in writing by the Local Planning Authority. The Full Site Management shall include, but not be limited to, the following:
- i) The process for managing students to move into, and out of, the development.
 - ii) On site management.
 - iii) A Code of Conduct for occupiers of the development.
 - iv) Security Controls, including positions of access control measures door by door and security rated doors and windows.
 - v) CCTV, including the location of each camera.
 - vi) External lighting.
 - vii) Fire alarm system, including the location of each alarm.
 - viii) Post box locations.

The approved management plan shall be fully implemented prior to the first occupation of the development and shall be retained thereafter.

Reason: In the interests of securing a satisfactory standard of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy.

15. Notwithstanding any previously submitted boundary treatment details, prior to first occupation of the development, details of all boundary materials (including materials, design, and access control of any gates) shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented on site prior to first occupation of the development hereby permitted and retained in full working order in accordance with the approved details thereafter.

Reason: In the interests of visual amenity and to ensure that the development will harmonise with its surroundings in accordance with Policy BN5 of the West Northamptonshire Joint Core Strategy.

16. Prior to first occupation of the development a detailed scheme of hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner, and which shall be maintained for a period of five years; such maintenance to include the replacement in the current or nearest planting season whichever is the sooner or shrubs that may die are removed or become seriously damaged or diseased with others of similar size and species. Any approved hard landscaping shall be carried out prior to first occupation.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

17. No above ground development shall begin until a scheme detailing the on-site measures to be incorporated within the development in order to meet air quality neutral standards or to provide suitable mitigation, has been submitted to and approved in writing by the Local Planning Authority. Prior to occupation of the development, the approved scheme shall be implemented and maintained in perpetuity.

Reason: In the interests of air quality.

18. Prior to occupation of the Development hereby approved, details of building services noise control shall be submitted to and approved by the West Northamptonshire Council. Such a scheme of works shall be capable of controlling building services noise (such as that arising from ventilation equipment) to the following levels:

Indoor building services noise shall be controlled as to not exceed the following levels during normal ventilation mode:

- Habitable rooms (daytime): NR(L_{eq}) 30 (0700 to 2300 hours); and
- Bedrooms (night-time): NR(L_{eq}) 25 (0700 to 2300 hours);

Indoor building services noise shall be controlled as to not exceed the following levels during summer-time peak ventilation mode:

- Habitable rooms (daytime): NR(L_{eq}) 40 (0700 to 2300 hours); and

- Bedrooms (night-time): NR(L_{eq}) 30 (0700 to 2300 hours);

The noise rating shall be determined using octave bands between 63 Hz and 8kHz.

Outdoor building services noise shall be controlled as to not exceed:

- A noise level, dB L_{Aeq,T}, of no more than 6 dB less than the representative background sound level at existing residential receptors.

Background sound levels for daytime and night-time shall be determined following the guidance within BS 4142:2014+A1:2019. Noise limits shall apply at a position 1m outside of the worst-affected window to habitable rooms at existing residential receptors. The scheme of sound insulation works shall include a description of buildings services noise control measures (such as attenuators) where these noise levels would otherwise be exceeded. The building shall not be occupied until the buildings services noise control measures have been implemented in accordance with the approved scheme and thereafter permanently retained.

Reason: In the interests of residential amenity and for surrounding occupiers in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

19. Above ground works on the Development hereby approved shall not commence until a scheme of sound insulation works has been submitted to and approved by West Northamptonshire Council. Such a scheme of works shall be capable of achieving the following indoor noise levels:

General Environmental Noise Ingress:

- Habitable rooms (daytime): L_{Aeq,16 hour} of 35dB (0700 to 2300 hours); and
- Bedrooms (night-time): L_{Aeq,8 hour} of 30dB (2300 to 0700 hours) and L_{Afmax,5min} of 45dB no more than 10 times a night (2300 to 0700 hours).

Night-Time Entertainment Noise Ingress:

- Bedrooms (night-time): Night-time entertainment noise ingress shall not exceed any of the three site-specific entertainment noise criteria defined in Section 2.8 (Page 19) of the Sweco report entitled "Planning Report – Acoustics, College Street, Northampton" dated 14th December 2021, Document Ref: 65204849-001-ACO.REP1. These apply to noise from adjacent hospitality venues during the night-time.

The scheme of sound insulation works shall include a system of alternative acoustically treated ventilation to all habitable rooms where these indoor noise levels would otherwise be exceeded. The scheme of sound insulation shall also account for noise ingress through mechanical ventilation duct routes into habitable rooms where this would otherwise result in the above indoor noise levels being exceeded. The building shall not be occupied until the sound insulation works have been implemented in accordance with the approved scheme and thereafter permanently retained.

Reason: In the interests of residential amenity and for surrounding occupiers in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

20. Prior to first occupation of the development hereby permitted a Waste Management Plan and Pest Control Plan shall be submitted to and approved in writing by the Local Planning Authority. The details shall include but not be limited to

- a management plan for collection of refuse from the bin stores and

- arrangements for moving the bins in and out before and after collection; and
- a management plan for cleaning and maintaining the bin stores

The approved details shall be fully implemented prior to the first occupation of any part of the development hereby permitted and retained thereafter.

Reason: In the interests of creating a sustainable form of development, in accordance with the requirements of the National Planning Policy Framework.

21. Prior to first occupation of the student development hereby approved, the secure student cycle storage, as shown on 21057_pl(23)_01D shall be provided on site and retained for the parking of bicycles by the occupants of the student flats thereafter.

Reason: In the interests of promoting sustainable travel in accordance with the requirements of the National Planning Policy Framework.

22. The residential student development hereby permitted shall be a 101 bed student accommodation (sui generis use) only and shall not be used for any other purpose.

Reason: For the avoidance of doubt and to secure a satisfactory standard of development in accordance with the requirements of the National Planning Policy Framework.

23. Prior to first occupation the noise mitigation scheme outlined within the Noise Impact Assessment Sweco UK Limited, dated 14th December 2021, Document Ref: 65204849-001-ACO.REP1 shall be provided in full on the site. The noise mitigation scheme shall thereafter be retained in a fully working condition.

Reason: In the interests of residential amenity and for surrounding occupiers in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy



Title: **Car Park. College Street**

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Date: 21-09-2022

Scale: 1:1,000 @A4

Drawn: M Johnson



Planning Committee Report

Committee Date: 4th October 2022

Application Number: WNN/2022/0407

Location: 21B Gold Street, Northampton

Development: Change of Use from 4 bed flat (Use Class C3) to House in Multiple Occupation (Use Class C4) for 5 occupants

Applicant: TJM Group

Agent: FLH Architectural Design Services

Case Officer: Satu Pardivalla

Ward: Castle Unitary Ward

Referred By: Called in by Councillor D Stone

Reason for Referral: Overdevelopment, inappropriate form of development, Size of rooms

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS as set out below with delegated authority to the Assistant Director for Place and Economy to approve any amendments to those conditions as deemed necessary.

Proposal

The application seeks planning permission for a change of use of the second and third floors from a flat (Use Class C3) to House in Multiple Occupation (Use Class C4) for 5 occupants.

Consultations

The following consultees have raised **objections** to the application:

- Councillor Danielle Stone.

The following consultees have raised **no objections** to the application:

- Local Highway Authority
- Private Sector Housing
- Conservation Section
- Environmental Protection

No public representations have been received.

Conclusion

The application has been assessed against the relevant policies in the NPPF, the adopted Local Plan and other relevant guidance as listed in detail at Section 8 of the report.

The key issues arising from the application details are:

- Concentration of HIMO's within the locality
- The living environment of the occupiers of the application building and the neighbouring buildings.
- Parking and highway safety

The report looks into the key planning issues in detail, and Officers conclude that the proposal is acceptable subject to conditions.

Members are advised that the above is a summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies, the Officer's assessment and recommendations, and Members are advised that this summary should be read in conjunction with the detailed report.

MAIN REPORT

1. APPLICATION SITE AND LOCALITY

- 1.1 This application relates to a 4-storey terraced building located on the south side of Gold Street some 90m to the west of its junction with Bridge Street. The site is within the All Saints Conservation Area. The site is not neighboured by listed buildings, but there are locally listed buildings opposite and to the rear of the property.
- 1.2 All the proposed changes are internal, no external changes to the building are involved.

2. CONSTRAINTS

- 2.1 The site is within the All Saints Conservation Area, there are locally listed buildings in the immediate vicinity.

3. DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1 The application seeks planning permission for a change of use from Class C3 (dwellinghouse) to Class C4 (House in Multiple Occupation).
- 3.2 This application relates only to the second and third floors, the ground and first floors are not part of the application, however, floor plans for the ground and first floors have been submitted to indicate shared access arrangements. The attic remains unused.
- 3.3 There are no changes proposed to the external front and rear facades. Internally, the second floor remains substantially as existing, and the third floor remains unchanged.
- 3.4 Essentially, planning permission is sought for a change of use for the second and third floors from a flat in single occupation with 5 rooms to a flat in multiple occupation

for up to 5 persons. The internal changes are minor and do not constitute development.

4 RELEVANT PLANNING HISTORY

4.1 The following planning history is considered relevant to the current proposal:

Application Ref.	Proposal	Decision
WNN/2022/0508-21 Gold Street	Internal conversion to create 3no one-bedroom residential apartments and a studio apartment	Approved
N/2019/1490	Variation of Condition 4 of Planning Permission N/2012/1227 (Change of use of ground floor and basement from A1 retail to A3 restaurant with ancillary take-away facility) to amend the trading hours to 08:00 to 23:00.	Approved
N/2012/1227	Change of use of ground floor and basement from A1 retail to A3 restaurant with ancillary take-away facility and erection of ventilation system and extraction flue to rear (as amended by revised plan received on 5 April 2013)	Approved
N/2007/0135	Change of use from sandwich shop to sandwich shop with hot food sales (A1 and A5) open 8am – 9pm (WNDC application)	Approved
N/1996/705	Change of use of upper floors to student accommodation.	Approved

5 RELEVANT PLANNING POLICY AND GUIDANCE

Statutory Duty

- 5.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 5.2 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development to pay special attention to preserving or enhancing the character or appearance of a conservation area.

Development Plan

- 5.3 The Development Plan comprises the West Northamptonshire Joint Core Strategy Local Plan (Part 1) which was formally adopted by the Joint Strategic Planning Committee on 15th December 2014 and which provides the strategic planning policy framework for the District to 2029 and the adopted Northampton Local Plan. The relevant planning policies of the statutory Development Plan are set out below:

West Northamptonshire Joint Core Strategy – Local Plan (Part 1) (LPP1)

- 5.4 The relevant policies of the LPP1 are:
- H1 - Housing Density & Mix & Type of Dwellings
 - H5 - Managing the Existing Housing Stock
 - S10 - Sustainable Development Principles
 - BN7 - Flood Risk

Northampton Local Plan 1997 (Saved Policies)

5.5 The relevant policies of the NLP1 are:

- Policy E20 – Design for new development
- Policy H30 – Multi-occupation with a single dwelling

Material Considerations

5.6 Below is a list of the relevant Material Planning Considerations

- **National Policies**

The National Planning Policy Framework (NPPF) sets out the current aims and objectives for the planning system and how these should be applied. In delivering sustainable development, decisions should have regard to the mutually dependent social, economic and environmental roles of the planning system. The NPPF should be read as one complete document. However, the following sections are of particular relevance to this application:

- Paragraphs 62 - ensure that a variety of homes to meet the needs of different groups in the community will be provided
- Paragraph 126 – the planning systems should achieve the creation of high quality, beautiful and sustainable buildings and places.

- **Northampton Local Plan Part 2 (2011-2029) (Emerging)**

Following the decision at the Full Council on 18 January 2021, the former Northampton Borough Council submitted the Northampton Local Plan Part 2 (2011 – 2029) and supporting documents to the Secretary of State for Housing, Communities and Local Government (now Secretary of State for Levelling Up, Housing and Communities) on 4 February 2021 for examination. In response to the Inspector's letter dated 24 January 2022 the Council has prepared modifications which are out to consultation and carry increased weight.

In line with Paragraph 48 of the National Planning Policy Framework, the policies contained with the emerging Northampton Local Plan Part 2 are therefore a material consideration in the determination of planning applications. The weight afforded to the policies relevant to this application are set out below:

- Policy 1 – Presumption in favour of sustainable development (Significant weight)
- Policy 2 – Placemaking (Moderate weight)
- Policy 15 – Delivering houses in multiple occupation (Significant weight)
- Policy 33 – Highway network and safety (Significant weight)
- Policy 35 – Parking standards (Significant weight)

Supplementary Planning Documents

- Residential Extensions and Alterations Design Guide 2011
- Northamptonshire County Parking Standards (November 2016)
- Northampton Parking Standards Supplementary Planning Document (November 2019)
- Houses in Multiple Occupation Supplementary Planning Document (November 2019). The HIMO SPD details that proposals for HIMOs should:

- Result in a balanced and mixed community and protect the physical character of the street and neighbourhood as a whole, by not resulting in a concentration of similar uses, a material change or adverse impact on the character of the area, or more than 10% of HIMO's within a 50 metre radius.
- Secure the provision of adequate facilities and amenities
- Provide adequate waste and recycling facilities and sufficient refuse storage
- Minimise flood risk
- Secure provision of adequate parking
- Provide adequate secure cycle storage in accordance with relevant parking standards documents and SPDs

6 RESPONSE TO CONSULTATION

6.1 Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website.

Consultee Name	Position	Comment
Environmental Protection Section	No objection	Recommends conditions for noise, insulation, odour, CEMP, and air quality.
Local Highway Authority	No objection	The local highway authority has no comments to make regarding this application.
Private Sector Housing	Comment	The indicated rooms sizes would meet the requirements for 5 persons. The kitchen and sanitary facilities are adequate. Fire protection is not shown on the submitted drawings and will be required to meet the appropriate standards.
Conservation Section	No objection	The conversion from a single use to a HIMO will have a neutral impact on the character of the conservation area. No alterations are proposed, and the appearance of the conservation area will not be harmed.
Councillor Danielle Stone	Object	Please could I call this application in on the grounds of overdevelopment leading to an unbalanced community, negatively impacting local services, and contributing to the population churn in this area.

7 RESPONSE TO PUBLICITY

7.1 There have been no public comments received in response to the publicity of the application.

8 APPRAISAL

Principle of Development

- 8.1 The basement and ground floor of the property are in use as a restaurant with ancillary take away. The upper floors were granted permission in 1996 for student accommodation. It now seems that the first floor may have been in use as a single flat, and the two floors above as another. The attic is unused and lit by a dormer window on its rear roof slope.
- 8.2 Permission has recently been granted (WNN/2022/0508) for the upper floors including the attic to be converted from a seven-bed unit to four, one-bedroom flats.
- 8.3 This application seeks permission to convert the second and third floors from a five-bed unit to use as an HMO for up to five persons set on the same two floors (the attic is to remain unconverted).
- 8.4 The NPPF supports an appropriate mix of uses within town centres to support its vitality and viability and seeks a variety of different house types and tenures. Policy 16 of the CAAP also supports residential uses in the central area and indicates support for a mix of dwelling types, sizes and tenures, indicating that one or two-bedroom apartments and student accommodation would be acceptable in the town centre.
- 8.5 In addition, JCS Policy H5 allows for HMOs where the proposal would not adversely impact on the character of the area and amenity of residential areas.
- 8.6 Although dated Local Plan Policy H30 is in line with the aims of NPPF in respect of the provision of adequate amenity for proposed occupiers and requires HMOs to be of sufficient size to accommodate the proposed use.
- 8.7 The HMO SPD seeks to ensure acceptable standards for a range of space and facilities and sets out minimum space standards for bedrooms, kitchens, living and dining space as well as a minimum number of bathroom facilities for the intended occupiers. Policy 15 of the emerging Local Plan 2 states that schemes should be compliant to the Council's existing space standards for houses in multiple occupation.
- 8.9 Given the planning history of the property where permission for student accommodation has previously been granted, its sustainable location in the town centre, and accordance with policy the principle of the use is considered to be acceptable.

Area concentration

- 8.10 Council records indicate that there are only two other HMOs within a 50m radius of the application site. The use of this property as a HMO would equate to a 1.63% concentration and would clearly fall within the 10% maximum threshold recommended by the Council's adopted SPD in relation to HMOs. It is considered therefore that there would still be a reasonable mixture of house types within the area.

Size of property and facilities for future occupiers

- 8.11 Policy H30 of the Local Plan, although dated, is in line with the aims of NPPF in respect of the provision of adequate amenity for proposed occupiers and requires HMOs to be of sufficient size to accommodate the proposed use.
- 8.12 The property is considered to be of sufficient size, providing room sizes in accordance with the Council's HMO SPD and appropriate kitchen, WC and wash facilities. Furthermore, it is noted that Private Sector Housing have assessed the application and have raised no objections detailing that all rooms sizes are adequate and have advised for an informative that the property would require a mandatory HMO licence.
- 8.13 Each bedroom is to be occupied by a single person. The minimum size of a single person bedroom prescribed by law and required by the HMO SPD is 6.61m². This standard is easily exceeded as the proposed room sizes vary between 10.61m² to 16.042m². The shared kitchen/dining room area at 18.06m² matches the requirement of the SPD.
- 8.14 All the habitable rooms are lit by a window, and benefit from good outlook and light. It should be noted that the property does not enjoy any outdoor amenity space. However, such restrictions are commonplace within tight urban settings and considered to be acceptable given access to town centre facilities.
- 8.15 To conclude, the proposed five person HMO satisfies the space standards as set out within the HMO SPD and as such it is considered that the property would provide an acceptable living environment for the occupiers.
- 8.16 A condition restricting the use of the property to a maximum of 5 people would ensure that the use is commensurate with space and facilities.

Heritage Assets

- 8.17 The application property is located in the All Saints Conservation Area and, therefore, consideration must be given to preserving or enhancing its character or appearance of a Conservation Area, with great weight given the conservation of the heritage asset.
- 8.18 In this instance, the proposal involves no external alterations to the property on the front. As such and given that the Conservation Officer does not object to the application, it is considered that the proposal would not impact on the character or appearance of the Conservation Area or the neighbouring locally listed buildings.

Highways / Parking

- 8.19 The application site does not benefit from any onsite parking nor is there any scope of providing any, however, there are no highway safety reasons for resisting the proposal as the site is in a sustainable location within the Town centre in close proximity to public transport facilities. Furthermore, provision can be made for cycle storage within the application site.
- 8.20 In the absence of any objections from the Highway Engineer the proposal is considered to accord with the requirements of the HMO SPD and the Parking SPD.

Refuse and cycle storage

- 8.21 Provision can be made for internal refuse and cycle storage; this can be secured by condition.

Noise

- 8.22 The property is located within a town centre location with numerous commercial premises in the locality with potential noise impact from these sources, and within the building. In order to ensure that proper living conditions are secured for residents the Environmental Protection Section has recommended conditions which require the submission of an acoustic assessment, and implementation of noise insulation before commencement of the use.

Odour

- 8.23 The submission of an odour assessment is recommended by the Environmental Protection Section due to the restaurant/takeaway use on the ground floor and basement. Although the upper floors have a residential use currently, as emissions from the restaurant takeaway could have a detrimental impact on future occupiers a condition which requires odour assessment/mitigation is considered to be reasonable and necessary.

Construction Management Plan

- 8.24 A condition requiring the submission of a Construction Management Plan is suggested by the Environmental Protection Section. It is considered that as the proposed internal works to facilitate the proposed change of use are minor the requirement for such a plan is not necessary.

Air Quality

- 8.25 The concern here is reduce exposure to emissions from traffic by promoting sustainable transport and emission friendly heating and cooling systems. The town centre location of the proposed development close to public transport and other facilities and provision of cycle storage would meet the first objective.
- 8.26 There is much debate about the use of alternative energy sources for heating and cooling. It must be accepted however that there may be no financially viable options currently available to retro fit existing dwellings in marginal locations and as such it would not be reasonable to insist upon these solutions.

Land Quality

- 8.27 As the proposed works are internal and restricted to the upper floors the issue of ground contamination does not arise.

Flood Risk

- 8.28 The site lies in a low-risk Flood Zone (Zone 1) where there is limited risk from flooding to the proposed use.

Refuse and cycle storage

- 8.29 Provision can be made for internal refuse and cycle storage; this can be secured by condition.

CIL Implications

- 8.30 The development is not CIL liable.

9. FINANCIAL CONSIDERATIONS

- 9.1 The development is not CIL liable.

10. PLANNING BALANCE AND CONCLUSION

- 10.1 The proposed development would not lead to an unacceptable concentration of HIMO's within the locality, would not adversely affect the character of the conservation area, highway safety nor would the development have significant adverse impacts on neighbouring amenity or parking provision. The property is of sufficient size to accommodate the level of accommodation as proposed.

- 10.2 It is considered that the proposed development would be in accordance with the and the aims and objectives of the National Planning Policy Framework, requirements of Policies H1, H5, S10, BN5, BN7 and BN9 of the West Northamptonshire Joint Core Strategy, saved Policy H30 of the Northampton Local Plan, Policies 1, 11 and 16 of the Central Area Action Plan, the Council's Houses in Multiple Occupation Supplementary Planning Document.

11. RECOMMENDATION / CONDITIONS AND REASONS

- 11.1 The proposed development is recommended for approval subject to the following conditions.

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

1. Drawing No: Drawing No: A4137-11-0 (Block and Location Plan).
2. Drawing No: Drawing No: A4137-09.01 (Proposed Loft Floor Plan).
3. Drawing No: Drawing No: A4137-08-02 (Proposed Third Floor Plan).
4. Drawing No: Drawing No: A4137-07.02 (Proposed Second Floor Plan).
5. Drawing No: Drawing No: A4137-06.02 (Proposed Ground Floor Plan).
6. Drawing No: Drawing No: A4137-01-03 (Survey Drawing Existing Plans).

Reason: For the avoidance of doubt and to accord with the terms of the planning application/listed building consent application.

3. Before the commencement of the use hereby approved an odour impact assessment and mitigation measures to minimise the level of odour emanating from the restaurant/takeaway use on the ground floor/basement of the property shall be submitted to and approved in writing by the local planning authority. The scheme as approved shall be fully implemented before the use hereby permitted is commenced and shall thereafter be retained in strict accordance with the approved details.

Reason: In the interest of safeguarding residential amenity and reducing pollution in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

4. Before to the commencement of the use hereby approved an odour impact assessment and mitigation measures to minimise the level of odour emanating from the restaurant/takeaway use on the ground floor/basement of the property shall be submitted to and approved in writing by the local planning authority. The scheme as approved shall be fully implemented before the use hereby permitted is commenced and shall thereafter be retained in strict accordance with the approved details.

Reason: In the interest of safeguarding residential amenity and reducing pollution in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

5. The attic within the property shall not be occupied as a bedroom.

Reason: In the interests of the residential amenity of the proposed occupiers and the surrounding area in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy.

6. The development hereby permitted shall be occupied by a maximum of five residents at any one time.

Reason: In the interests of the amenity of the occupiers of the property and the surrounding area, and to accord with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy.

7. Prior to the commencement of the use hereby approved provision for the secure storage of at least 5 bicycles shall be made within the property. The cycle spaces shall thereafter be retained as such.

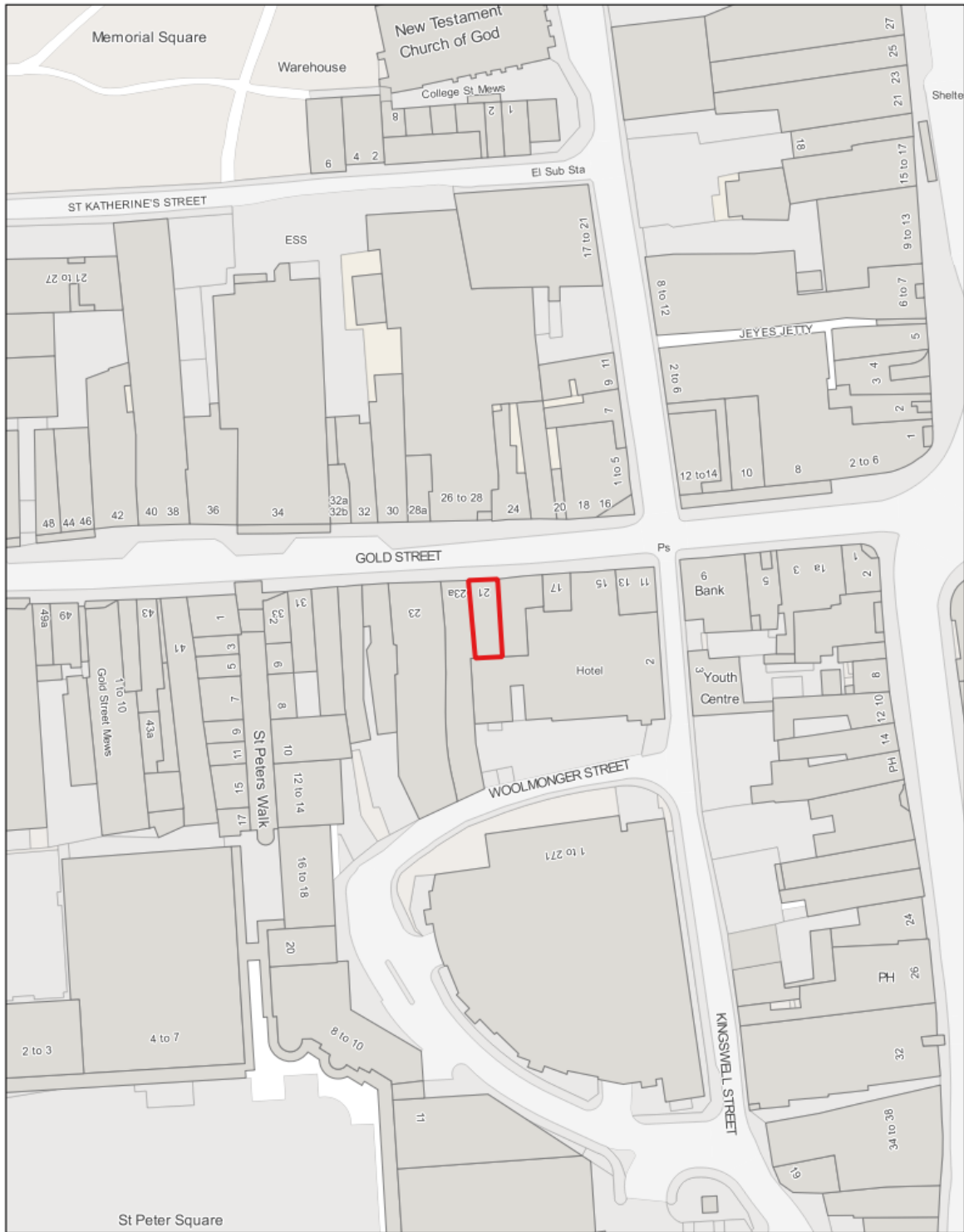
Reason: To promote sustainable modes of transport and in the interests of crime prevention and to accord with Policies H1, H5 and S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

8. Prior to the commencement of the use hereby approved details of the provision for the storage and collection of refuse and materials for recycling shall be submitted to and approved in writing by the Local Planning Authority for approval. The scheme agreed shall be retained thereafter

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy.

INFORMATIVES

1. Attention is drawn to the attention of the applicant that the premises may require licensing under the Council's HMO licensing scheme.



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Planning Committee Report

Committee Date: 4th October 2022

Application Number: WNN/2022/0625

Location: The Old House at Home, 214 - 216 Wellingborough Road, Northampton

Development: Ground floor single storey rear extension to enlarge toilet area, first floor rear extension to create larger dining area with balcony and amendment to existing rear fire escape stair and side access gates

Applicant: ONGP Ltd

Agent: LMR Designs

Case Officer: Kanchan Sharma

Ward: Abington and Phippsville Unitary Ward

Referred By: Councillor D Stone

Reason for: Overdevelopment, community balance, impact on local services and population churn

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS as set out below with delegated authority to the Assistant Director for Place and Economy to approve any amendments to those conditions as deemed necessary.

Proposal

The application proposes a number of extensions and alterations to the existing public house, The Old House.

Consultations

The following consultees have raised **objections** to the application:

- Cllr Zoe Smith
- Cllr Andre Gonzalez De Savage

The following consultees have raised **no objections** to the application:

- Environmental Health

7 letters of objection have been received and 1 letter of support have been received.

Conclusion

The application has been assessed against the relevant policies in the NPPF, the adopted Local Plan and other relevant guidance as listed in detail at Section 8 of the report.

The key issues arising from the application details are:

- Principle of Development
- Impact on character
- Residential Amenity

The report looks into the key planning issues in detail, and Officers conclude that the proposal is acceptable subject to conditions.

Members are advised that the above is a summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies, the Officer's assessment and recommendations, and Members are advised that this summary should be read in conjunction with the detailed report.

MAIN REPORT

1. APPLICATION SITE AND LOCALITY

- 1.1 The application site is an established pub, The Old House on the Wellingborough Road. The application property is established over the three floors and have some staff accommodation.
- 1.2 There are flatted developments/ residential blocks to the rear of the pub, which are separated by a public footpath.

2. CONSTRAINTS

- 2.1 None Relevant.

3. DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1 The current application seeks planning permission for Ground floor single storey rear extension to enlarge toilet area, first floor rear extension to create larger dining area with balcony and amendment to existing rear fire escape stair and side access gates. The staff accommodation has been removed from the second floor to provide an enlarged kitchen.
- 3.2 The proposal would result in an additional dining area on the first floor and improved staircase and improvised internal layout.

4. RELEVANT PLANNING HISTORY

- 4.1 There is no planning history directly relevant to the proposal.

5. RELEVANT PLANNING POLICY AND GUIDANCE

Statutory Duty

- 5.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

Development Plan

- 5.2 The Development Plan comprises the West Northamptonshire Joint Core Strategy Local Plan (Part 1) which was formally adopted by the Joint Strategic Planning Committee on 15th December 2014 and which provides the strategic planning policy framework for the District to 2029, the adopted Local Plan (Part 1 – saved policies) and adopted Neighbourhood Plans. The relevant planning policies of the statutory Development Plan are set out below:

West Northamptonshire Joint Core Strategy Local Plan (Part 1) (LPP1)

- 5.3 The relevant policies of the West Northamptonshire Joint Core Strategy Local Plan (Part 1) are:
- S10 – Sustainable Development Principles
 - BN7 – Flood Risk
 - BN9 – Pollution Control

Northampton Local Plan 1997 (Saved Policies) (NLP1)

- 5.4 The relevant policies of the NLP1 are:
- E20 – Design for new development

Material Considerations

- 5.5 Below is a list of the relevant Material Planning Considerations:

- **National Planning Policy Framework (NPPF)**

The National Planning Policy Framework (NPPF) sets out the current aims and objectives for the planning system and how these should be applied. In delivering sustainable development, decisions should have regard to the mutually dependent social, economic and environmental roles of the planning system. The NPPF should be read as one complete document. However, the following sections are of particular relevance to this application:

Paragraphs 7-12 - Presumption in favour of sustainable development.

Section 6 – Building a strong and competitive economy

Section 8 - Promoting healthy and safe communities.

Section 9 - Promoting sustainable transport

Section 11 – Making effective use of land

Section 12 – Design

- **Northampton Local Plan Part 2 (2011-2029) (Emerging)**

Following the decision at the Full Council on 18 January 2021, the former Northampton Borough Council submitted the Northampton Local Plan Part 2 (2011 – 2029) and supporting documents to the Secretary of State for Housing, Communities and Local Government (now Secretary of State for Levelling Up, Housing and Communities) on 4 February 2021 for examination. This is in accordance with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

In line with Paragraph 48 of the National Planning Policy Framework, the policies contained with the emerging Northampton Local Plan Part 2 are therefore a material consideration in the determination of planning applications. The weight afforded to the policies relevant to this application are set out below:

- Policy 1 – Presumption in favour of sustainable development (Significant weight)
- Policy 2 – Placemaking and Design (Moderate weight)
- Policy 4 – Amenity and layout (Moderate weight)
- Policy 6 – Health and wellbeing (Significant weight)
- Policy 7 – Flood risk and water management (Significant weight)
- Policy 33 – Highway network and safety (Significant weight)
- Policy 35 – Parking standards (Significant weight)
- Residential Extensions and Alterations Design Guide 2011
- Northamptonshire County Parking Standards (November 2016)
- Northampton Parking Standards Supplementary Planning Document (November 2019)

6. RESPONSE TO CONSULTATION

Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council’s website.

Consultee Name	Position	Comment
Cllr Zoe Smith	Object	likely to affect residential amenity and may exacerbate existing issues with anti-social behaviour
Environmental Health Officer	No objection	No Objection subject to recommended conditions for kitchen extraction unit and balcony use.
Cllr Andre Gonzalez De Savage	Object	Concerned with the plans for expansion of the premises over the existing development and use of have already been breached. I believe that enforcement action must be taken against the occupiers of the property in question, noise disturbance and litter and general loss of amenities at

7. RESPONSE TO PUBLICITY

Below is a summary of the third party and neighbour responses received at the time of writing this report.

7.1 There were 7 objections, 1 observation and 1 support letter raising the following comments:

- Impact on privacy
- Existing noise and social problems resulting from the pub would be exaggerated.
- Impact on nearby residential properties
- Concern over refuse and fly-tipping
- Impact on neighbour amenity
- Contrary to policy
- Would encourage vandalism
- Out of character with area
- Noise from emptying of the bottles.
- Late night music and noise from the pub would be exaggerated.

8. APPRAISAL

Principle of Development

8.1 The application site is an existing pub so the principle of development of site as pub is not being considered here. The proposed works, alterations and extensions at the pub would be considered for its impact on the appearance of the host building any impact on the street scene or wider area and the impact on the amenities of adjoining occupiers, as well as highway and parking implications. As such the principle of development is acceptable subject to the impact on character and residential amenity.

Impact on Character of Area

8.2 The proposed works would be sited towards the rear of the building and would not be visible in the streetscene from Wellingborough Road but the works would be partly visible from the residential area to the rear; however the works would be carried out in matching materials. As such subject to matching materials condition except for the orangery, the work would not have any adverse impact on the character of the area. The proposed works would have an acceptable impact and would comply with the policy E20 of the Northampton Local Plan and advice contained in NPPF.

Impact on the amenities of adjoining occupiers

8.3 The proposed ground floor extension would be a small addition to the existing footprint to provide ancillary facilities for the pub. The first floor extension would infill in between the existing structures and would not extend past the existing structure. The proposed balcony would be created over the existing ground floor roof and as such would be screened by 1.8m high obscure glazed railing.

8.4 The use of additional space would potentially have an impact on adjoining residents; however, it can be noted that the whole outside space to the rear is

included within the lawful use as a pub and therefore has been used for seating. However, a condition has been recommended to submit Noise Management Plan to secure the amenity of the residential properties to the rear.

- 8.5 The proposed works would shift the existing commercial kitchen to the second floor. Environmental Health have concerns over noise and odour. Conditions to deal with this are therefore proposed. Further conditions to restrict the use of the proposed balcony have been recommended to avoid any undue impact on the neighbouring amenity.
- 8.6 Subject to the aforementioned conditions, it is not considered that the proposal would have any adverse impact on the amenity of the neighbouring residential units.

Parking and highway considerations

- 8.7 The proposal would result in marginal increase in the floor space. Moreover, application site is located in the Local Centre with a parade of retail and non-retail units. As such proposal would not result in any adverse impact on the highway safety.

Other matters

Noise and opening hours

- 8.8 The application site is an existing pub, and the opening hours of the pub cannot be regulated under the current applications. Similarly, the noise from emptying of the bottles cannot be regulated under the current application because the pub has been running at the site historically without any restrictions for opening hours or delivery or tipping out. Any conditions to do so would be unreasonable and not justified and would fail the 6 tests outlined in the Paragraph 55 of the National Planning Policy Framework that makes clear that planning conditions should be kept to a minimum, and only used where they satisfy the 6 tests: necessary; relevant to planning; relevant to the development to be permitted; enforceable; precise; and reasonable in all other respects.

9. FINANCIAL CONSIDERATIONS

- 9.1 The development is not CIL liable.

10. PLANNING BALANCE AND CONCLUSION

- 10.1 The proposal is considered acceptable. The proposal would continue to provide a community facility to serve the local residents. Subject to conditions, it is considered to have an acceptable impact on the appearance and character of the host building and wider area, neighbour amenity, highway safety. The Proposed development would comply with the advice contained in the NPPF, policy S10, BN9 of the West Northamptonshire Joint Core Strategy, saved policy E20 of the Northampton Local Plan and policies, 1, 2, 4 and 6 of the emerging Northampton Local Plan Part 2.

11. CONDITIONS

- 11.1 Detailed recommendation here and full list of conditions here:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: 022-021-001 Existing, 022-021-002 revA Proposals, 022-021-003 Location Plan

Reason: For the avoidance of doubt and to accord with the terms of the planning application.

3. The external walls and roof of the extensions shall be constructed with materials of the same type, texture and colour as the external walls and roof of the existing building.

Reason: In the interests of visual amenity to ensure that the extension harmonises with the existing building in accordance with Policy E20 of the Northampton Local Plan.

4. Prior to the commencement of development, details for the kitchen extraction unit and the scheme for the collection, treatment and dispersal of cooking smells and fumes shall be submitted to and approved in writing by the Local Planning Authority and the approved scheme shall have been implemented prior to the premises being used for the permitted purpose and retained thereafter.

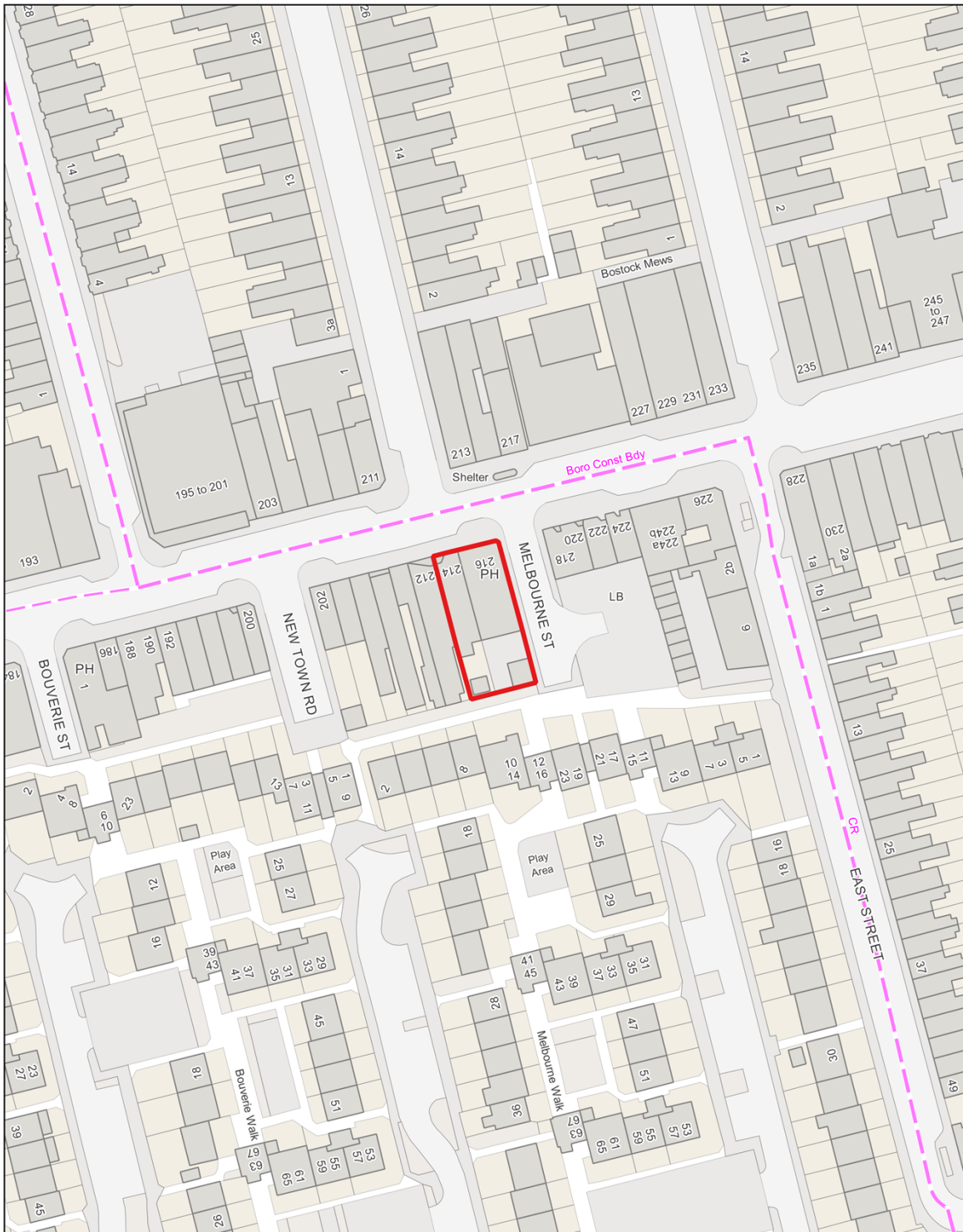
Reason: In the interests of the amenity of the surrounding locality and to secure a satisfactory standard of development in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to ensure timely submission of details.

5. No external televisions, amps or speakers should be located in the approved balcony area and any doors serving the external balcony area shall not be propped open at any time. The area shall not be used by patrons between the hours of 23:00pm and 08:00am on any given day.

In the interest of residential amenity with regard to odour, fume and noise in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy 2011-2031

6. Prior to the use of the approved development, a noise management scheme shall be submitted to the Local Planning Authority for approval in writing to demonstrate how noise will be effectively controlled and managed, so as not cause nuisance and to protect residential amenity. The approved noise management plan shall be implemented at all times when the external licensable area is in use.

Reason: In the interests of the amenities of the occupiers of nearby properties in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.



Title: **214-216 Wellingborough Road**

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Planning Committee Report

Committee Date: 4th October 2022
Application Number: WNN/2022/0713
Location: 31 Abington Square, Northampton, NN1 4AE
Development: 11no apartments and associated refuse and cycle storage

Applicant: Asset Bricks
Agent: LMR Designs
Case Officer: Christopher Wentworth

Ward: Castle Unitary Ward

Referred By: Assistant Director of Place and Economy
Reason for Referral: Major application

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS as set out below with delegated authority to the Assistant Director for Place and Economy to approve any amendments to those conditions as deemed necessary.

Proposal

The development proposal seeks planning consent for the change of use of the existing first floor level of 31 Abington Square to provide 11 no. apartments. Access into the residential accommodation would be made from a new access from the rear of the building. The proposal does not seek to provide any vehicle parking. Ground floor cycle storage spaces for residential purposes is proposed and dedicated residential refuse storage is proposed.

Consultations

The following consultees have raised **objections** to the application:

- None

The following consultees have raised **no objections or no comments** to the application:

- Conservation Officer
- Development Management
- Anglian Water
- Archaeology
- Environment Agency
- Environmental Health
- Northants Police

- Fire and Rescue
- Ecology

Zero letters of objection have been received and zero letters of support have been received.

Conclusion

The application has been assessed against the relevant policies in the NPPF, the adopted Local Plan and other relevant guidance as listed in detail at Section 8 of the report.

The key issues arising from the application details are:

- Principle of Development
- Highway Safety
- Residential Amenity
- Visual Impact

The report looks into the key planning issues in detail, and Officers conclude that the proposal is acceptable subject to conditions.

Members are advised that the above is a summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies, the Officer's assessment and recommendations, and Members are advised that this summary should be read in conjunction with the detailed report.

MAIN REPORT

1. APPLICATION SITE AND LOCALITY

- 1.1 The application site is located at 31 Abington Square which is positioned to the east of the town centre but within the CAAP area. The site is located within the Boot and Shoe conservation area.
- 1.2 To the south of the site lies Abington Square itself with commercial and residential uses and the public highway. To the north of the site is an open car park/yard area. To the west of the site is Chapel Place (highway) and two and three storey commercial buildings beyond. The building forms the western end of a parade of commercial properties. The building is two storeys in nature with a ground floor commercial use that fronts onto Abington Square and is a mid-20th century flat roof building that was previously used for office accommodation.

2. CONSTRAINTS

- 2.1 The application site is located within Northampton Town Centre (CAAP).
- 2.2 Boot and Shoe Conservation Area.

3. DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1 The development proposal seeks planning consent for the change of use of the existing first floor level of 31 Abington Square to provide 11 no. apartments. Access into the residential accommodation would be made from a new access from the rear of the building. The proposal does not seek to provide any vehicle parking. Ground floor cycle storage spaces for residential purposes is proposed and dedicated residential refuse storage is proposed.

4. RELEVANT PLANNING HISTORY

4.1 The following planning history is considered relevant to the current proposal:

Application Ref.	Proposal	Decision
PN/2015/0010	Prior notification for a proposed change of use from office (use class B1) to 14 residential apartments.	Approved April 2015.

5. RELEVANT PLANNING POLICY AND GUIDANCE

Statutory Duty

- 5.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 5.2 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development to pay special attention to preserving or enhancing the character or appearance of a conservation area.

Development Plan

- 5.3 The Development Plan comprises the West Northamptonshire Joint Core Strategy Local Plan (Part 1) which was formally adopted by the Joint Strategic Planning Committee on 15th December 2014 and which provides the strategic planning policy framework for the District to 2029, the adopted Local Plan (Part 1 – saved policies) and adopted Neighbourhood Plans. The relevant planning policies of the statutory Development Plan are set out below:

West Northamptonshire Joint Core Strategy (Local Plan Part 1)

- 5.4 The relevant policies of the West Northamptonshire Joint Core Strategy Local Plan (Part 1) are:
- BN5 – Historic Environment
 - BN9 – Pollution Control
 - Policy H1 – Housing
 - Policy H2 – Affordable Housing
 - Policy S10 – Sustainable Development Principles

Northampton Local Plan (1997)– Saved Policies

- 5.5 The relevant policies are:
- E20 – New Development

Northampton Central Area Action Plan (CAAP) (2013)

- 5.6 The relevant policies are:
- Policy 1 – Promoting Design Excellence

- Policy 16 – Town Centre living

Material Considerations

5.7 Below is a list of the relevant Material Planning Considerations

- **National Planning Policy Framework (NPPF)**

The National Planning Policy Framework (NPPF) sets out the current aims and objectives for the planning system and how these should be applied. In delivering sustainable development, decisions should have regard to the mutually dependent social, economic and environmental roles of the planning system. The NPPF should be read as one complete document. However, the following sections are of particular relevance to this application:

Paragraphs 7-12 - Presumption in favour of sustainable development.

Section 6 – Building a strong and competitive economy

Section 8 - Promoting healthy and safe communities.

Section 9 - Promoting sustainable transport

Section 11 – Making effective use of land

Section 12 – Design

- **Northampton Local Plan Part 2 (2011-2029) (Emerging)**

Following the decision at the Full Council on 18 January 2021, the former Northampton Borough Council submitted the Northampton Local Plan Part 2 (2011 – 2029) and supporting documents to the Secretary of State for Housing, Communities and Local Government (now Secretary of State for Levelling Up, Housing and Communities) on 4 February 2021 for examination. This is in accordance with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

In line with Paragraph 48 of the National Planning Policy Framework, the policies contained with the emerging Northampton Local Plan Part 2 are therefore a material consideration in the determination of planning applications. The weight afforded to the policies relevant to this application are set out below:

- Policy 1 - Presumption in favour of sustainable development – Significant Weight.
- Policy 2 – Placemaking and Design – Moderate Weight.
- Policy 4 – Amenity and Layout – Moderate Weight.
- Policy 8 – Supporting Northampton Town Centre's role – Significant Weight.
- Policy 14 – Type and mix of housing – Moderate Weight.
- Policy 21 – Residential development on upper floors – Significant Weight.
- Policy 31 – Protection and enhancement of designated and non-designated heritage assets – Significant Weight.
- Northampton Parking Standards Supplementary Planning Document
- Planning Obligations Strategy Supplementary Planning Document
- Northamptonshire Parking Standards

Material Considerations

6. RESPONSE TO CONSULTATION

Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website.

Consultee Name	Position	Comment
Conservation Officer	No objection.	
Development Management	Comments.	Library contribution sought.
Anglian Water	No objection.	Foul water drainage condition.
Archaeology	No comments.	
Environment Agency	No comments	
Environmental Health	No objection.	Condition – Scheme for achieving the internal noise levels. Condition – Scheme of noise insulation. Condition – Construction Management Plan. Condition – Cycle storage.
Northants Police	Comments.	External doors should be security rated and post boxes should be external.
Fire and Rescue	Comments.	Fire safety matters to be addressed at Building Regulations stage.
Ecology	No comments.	

7. RESPONSE TO PUBLICITY

- 7.1 No third party or neighbour responses have been received at the time of writing this report.

8 APPRAISAL

Principle of Development

- 8.1 The proposed development would create an additional 11 no. units of residential accommodation within a sustainable location. The authority is currently unable to demonstrate a five-year housing land supply, and therefore the tilted balance assessment is engaged. The development proposal would make a contribution to addressing this continuing need, which is considered to be of benefit. Furthermore, the proposal would create new residential accommodation within the town centre in a highly sustainable location which is a strategic objective of the Central Area Action Plan (CAAP) which is to re-populate the town centre through mixed use development proposals such as that proposed. The proposal also retains a ground floor commercial use along Abington Square, which is supported. For these reasons, the proposal is considered acceptable in principle.
- 8.2 The site has previously been the subject of a prior approval application for the creation of 14 no. apartments on the site in 2015. Whilst work commenced on these units the scheme was not completed and therefore the prior approval consent was never fully implemented and therefore lapsed. Therefore, the current planning

application for a reduced number of units, which assesses the full complement of planning policy, has been submitted for determination.

Design and Appearance

- 8.3 The proposal seeks to make limited external changes to the building as the proposal primarily relates to the buildings change of use from office accommodation to residential. The main changes relate to replacement windows to all elevations to improve noise insulation and energy performance along with 4 no. additional windows to the buildings Chapel Place elevation to serve the residential accommodation. A revised elevation treatment to the front elevation is also proposed that would comprise of a render panel at first floor level (colour to match render panels on side elevation) with 5 no. vertical windows and 2 no. horizontal windows to serve the internal accommodation. The amendments to the elevations are considered appropriate in this context and the conservation officer also raises no objection to these amendments.
- 8.4 The building is located within the Boot and Shoe Conservation Area and the building is not statutorily or locally listed. Given that the proposed changes to the front elevation are minimal, it is not considered that the proposal would adversely impact upon the character and appearance of the Boot and Show Conservation Area. Furthermore, the conservation officer raises no objection in principle to the conversion of the upper floor into residential use as a means of securing occupation of vacant floorspace.

Highway Matters

- 8.5 Owing to the sustainable location of the development, it is considered that the proposal would not result in any harm to the traffic system and no comments have been received from the Highway Authority in this regard. Whilst no on-site parking provision is proposed, the site is located within a highly sustainable location, surrounded by main town centre facilities and a variety of public transport options within walking distance. Furthermore, the proposal would offer onsite cycle storage provision for residents use which offers a further, sustainable transport option which is supported. Such provision can be secured by planning condition. On this basis, it is considered that the proposal is acceptable addition in this regard.

Residential Amenity

- 8.6 The application site is located within Northampton Town Centre and is surrounded by a variety of commercial uses including retail and food and beverage outlets. Environmental Health have been consulted on the proposal and have requested the imposition of planning conditions to secure a scheme for achieving the internal noise levels, a scheme of noise insulation, a Construction Management Plan and the provision of Cycle storage. Whilst the provision of noise mitigation and cycle storage conditions are considered appropriate in the context of a town centre location to ensure that residential amenity is secured, it is not considered necessary to attach a construction management plan condition given that the works are generally internal as a result of the change of use application type and that no new build element is proposed as part of the this application.
- 8.7 The proposal would provide the main building entrance to the rear of the building from Chapel Place with access to all apartments from that entrance along with access to the internal refuse storage area and cycle storage area. The proposed scheme would also now be assessed in relation to the nationally described space standards

which provides minimum space standards for overall residential unit sizes along with minimum bedrooms sizes. In this case all of the proposed residential units would meet or exceed the minimum space standards for either 1 bed/1 person units (37sq.m or more) or 1 bed/2 person units (50sq.m or more) which is welcomed.

- 8.8 The outlook from the proposed residential units, specifically in relation to habitable rooms, would look over the front elevation to Abington Square, the side elevation facing over Chapel Place and to the rear elevation also looking over Chapel Place and car parking beyond. The outlook to each unit is considered sufficient and would offer sufficient natural light and a reasonable outlook over rooftops as expected within a town centre/urban environment.

Other Matters

- 8.9 Northamptonshire Police have been consulted on the proposal and raise no objection subject to the provision of further details related to site security, specifically access door security, external mailboxes and details for the refuse store/cycle store area. It is considered reasonable and necessary to secure such details to ensure an appropriate standard of residential amenity for future occupiers and the imposition of a planning condition is considered appropriate in this case.
- 8.10 The proposal represents a change of use of an existing building and does not seek to provide any further built development outside of what is already found on site. The application has been assessed by Anglian Water who has raised no objection but has requested the imposition of conditions to secure drainage details for foul water drainage.

9. FINANCIAL CONSIDERATIONS

- 9.1 The proposal is CIL liable and chargeable.

10 PLANNING BALANCE AND CONCLUSION

- 10.1 The development represents an appropriate land use and would not have a significant adverse impact upon the highway system, neighbour amenity and the character and appearance of the surrounding area. Furthermore, the provision of new dwellings within a sustainable, town centre location, therefore meeting the aims of the CAAP and providing a required need in relation the authorities lack of five-year housing supply, are all positive aspects to the proposal. On this basis it is considered that the proposal is therefore in general conformity with the requirements of the National Planning Policy Framework; Policies BN5, H1 and S10 of the West Northamptonshire Joint Core Strategy; and Policies 1 and 16 of the Northampton Central Area Action Plan.

11. RECOMMENDATION

- 11.1 Approve, subject to conditions.

12. CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: 022-030-003A, 022-030-004C, Location Plan.

Reason: For the avoidance of doubt and to accord with the terms of the planning application.

3. Prior to the construction above damp-proof course, a scheme for on-site foul water drainage works, including connection point and discharge rate to the public network, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To prevent environmental and amenity problems arising from flooding.

4. The refuse storage details as shown on drawing reference 022-030-004C shall be implemented prior to the first occupation or bringing into use of the building hereby permitted and thereafter retained.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

5. Prior to the occupation of the residential units a scheme for achieving the internal noise levels outlined in BS8233:2014 shall be submitted to and approved in writing by the Local Planning Authority. Once approved the scheme shall be implemented in full prior to first occupation of the residential units and thereafter maintained in the approved state.

Reason: In the interest of safeguarding residential amenity and reducing pollution in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

6. Prior to first occupation of the approved accommodation a scheme of noise insulation of party wall construction between the ground floor non-residential uses and the first-floor residential units has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented prior to the first occupation of any of the approved residential units.

Reason: In the interest of safeguarding residential amenity and reducing pollution in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

7. Prior to first occupation a scheme for site security to include external mailboxes, door/access system and security details for communal facilities shall be submitted to and approved in writing by the local planning authority. Once approved, the scheme shall be implemented in full and retained thereafter.

Reason: To ensure appropriate residential amenity for future occupiers.

8. The cycle storage details as shown on drawing reference 022-030-004C shall be carried out in accordance with the approved details and fully implemented prior to the development being first brought into use and retained thereafter.

Reason: To ensure the provision of adequate facilities in accordance with Policy C5 of the of the West Northamptonshire Joint Core Strategy.



Planning Committee Report



Title: **31 Abington Square**

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