



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 7 February 2023 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 (Pages 5 - 10) To confirm the Minutes of the Meeting of the Committee held on 10 th January 2023.
4.	Chair's Announcements To receive communications from the Chair.
5.	Deputations/Public Addresses
6.	List of Current Appeals/Inquiries (Pages 11 - 12)
7. Other Reports	
a)	N/2020/1212 - 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 (Pages 13 - 18)

8. Council Applications

- a) **WNN/2022/1310 - Installation of metal gates at each end of Francis Jetty to prevent access.**
Thoroughfare between Bridge Street and Kingswell Street (Pages 19 - 26)

9. Applications for Determination

- a) **WNN/2022/0847 - Erection of buildings for Use Classes E(g)(iii), B2 and B8 with ancillary offices, together with means of access, servicing, car parking, landscaping and associated works.**
Opus House, Anglia Way (Pages 27 - 42)
- b) **WNN/2022/1109 - Change of use from vacant retail unit to adult gaming centre (sui generis use)**
58-58a Abington Street. WNN/2022/1109 (Pages 43 - 50)

10. Northampton Partnership Homes Applications

- a) **WNN/2022/0953 & WNN/2022/0954 - Change of Use of existing building from Offices (Use Class E) to Residential Use for 18no Apartments (Use Class C3), together with 8no parking spaces to rear and areas for cycle parking and bin storage**
- Listed Building Consent Application for Change of Use of existing building from Offices (Use Class E) to Residential Use for 18no Apartments (Use Class C3), together with 8no parking spaces to rear and areas for cycle parking and bin storage. Oriel House,**
55 - 57 Sheep Street (Pages 51 - 82)

11. Urgent Business

The Chair to advise whether they have agreed to any items of urgent business being admitted to the agenda.

12. 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.”

Northampton Local Area Planning Committee Members:

Councillor Jamie Lane (Chair)

Councillor Anna King (Vice-Chair)

Councillor Sally Beardsworth

Councillor Muna Cali

Councillor Nazim Choudary

Councillor Paul Clark

Councillor Raymond Connolly

Councillor Paul Dyball

Councillor Penelope Flavell

Councillor Cathrine Russell

Councillor Zoe Smith

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. Page 3

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



Northampton Local Area Planning Committee

Minutes of a meeting of the Northampton Local Area Planning Committee held at The Jeffrey Room - The Guildhall, Northampton, NN1 1DE on Tuesday 10 January 2023 at 5.00 pm.

Present:

Councillor Jamie Lane (Chair)
 Councillor Anna King (Vice-Chair)
 Councillor Muna Cali
 Councillor Paul Clark
 Councillor Raymond Connolly
 Councillor Cathrine Russell
 Councillor Zoe Smith
 Councillor Sally Beardsworth
 Councillor Penelope Flavell
 Councillor Andrew Kilbride

Substitute Members:

Councillor Andrew Kilbride

Also Present:

Catherine Whitehead (Head of Legal & Democratic and Monitoring Officer)
 Councillor Jonathan Nunn
 Councillor Daniel Lister

Officers:

Artemis Christophi (Head of Planning Delivery)
 Nicky Scaife (Development Management Team Leader)
 Adam Walker (Principal Planning Officer)
 Chris Wentworth (Principal Planning Officer)
 Neil Weeks (Locum Planning Solicitor)
 Ed Bostock (Democratic Services Officer)

81. Apologies for Absence and Appointment of Substitute Members

Apologies for absence were received from Councillors Choudary and Dyball, and Councillor Cali would be arriving late. Councillor Kilbride would be substituting for Councillor Dyball.

82. Declarations of Interest

Councillor Kilbride declared a non-pecuniary interest in relation to item 9a as a board member of Northampton Partnership Homes and advised that he would take no part in the discussion or vote.

83. **Minutes**

The minutes of the meetings held on 2nd August, 1st November, and 5th December 2022 were agreed and signed by the Chair.

84. **Chair's Announcements**

There were no Chair's announcements on this occasion.

85. **Deputations/Public Addresses**

RESOLVED

That under the following items, the members of the public and Ward Councillors below were granted leave to address the Committee:

WNN/2022/1072

John Howsam
Kevin Langley
Leslie Brannan

WNN/2022/0828

Lien Geens

86. **List of Current Appeals/Enquiries**

An update would be brought to the next meeting.

87. **WNN/2022/1072 Temporary Change of Use (2 years) from Car Park to Temporary Home for Northampton Market Stall Holders, with associated works. Commercial Street Car Park Surface NBC, Commercial St.**

The Principal Planning Officer presented the report to the Committee which sought approval for a change of use from car park to temporary home for Northampton Market Stall holders, and associated works, for a period of 2 years. Following deferment of the application at the previous meeting, discussions took place with the applicant to clarify matters raised by Members. A plan was appended to the report to show various pedestrian access routes from the town centre to the proposed site; of 7, only 1 had steps, so the site was considered by officers to be accessible to all users. Whilst it was noted that there were no public toilet facilities on the Market Square, the closest being on Abington Street, the Grosvenor Centre, the Guildhall and the Bus Station, the applicant confirmed that they would be willing to install an accessible toilet for use during market opening hours. Access and egress for service vehicles from the existing highway networks would remain unchanged with access gates within the car park proposed that would ensure that the servicing of the market took place within the market area, rather than the public car park.

John Howsam addressed the Committee and spoke against the application. He believed that the move to Commercial Street was a mistake and highlighted a petition to "save" the Market which had reached more than 16,000 signatures. He suggested

that the Market could be moved to the vacant BHS building which benefitted from close proximity to toilet and loading facilities within the Grosvenor Centre.

Kevin Langley, WNC Head of Major Projects and Regeneration, addressed the Committee and spoke in favour of the application. He advised that the results of a public consultation showed that residents' priority in terms of regeneration was the Market Square. A wide range of options were presented to Market Traders, including indoor venues, and costs increased where splitting the market was proposed.

In response to questions, Mr Langley confirmed that the BHS building, and the vacant M&S building next door were looked at, but neither were viable options. He advised that a wide range of options were looked at as potential temporary homes for the Market. The Market's new home would be communicated by the Council, and it was expected that its new location would bring new customers since it was located next to a car park. However, in response to a concern raised around sustainability, Mr Langley suggested that people would visit the Market as part of a journey, not travel by car specifically to use it.

Leslie Brennan, a Northampton Market trader, addressed the Committee and spoke in favour of the application. He advised that following discussions with the Council, it became clear that Commercial Street was the only viable option. He noted that the Committee had previously approved the application to regenerate the Market Square and it was now vital that traders be given a new home whilst works took place.

In response to questions, Mr Brennan advised that a shuttlebus from the town centre to the proposed site would be beneficial for members of the public who would otherwise struggle to get there. He stated that he would have preferred not to move at all, however he knew that this was not viable and accepted that traders would have to put up with "short-term pain for long-term gain".

In response to questions, the Principal Planning Officer advised that in order to increase the number of public toilets on site, an assessment would need to be carried out. There would be cost implications to consider. Signage would be installed throughout the town centre advising of the Market's new location, transport links, etc.

Members made the following comments:

- They would continue to support and promote the Market in its new location.
- Some felt that they were being coerced into approving the application
- Members hoped that there was a solid commitment that the administration would continue to support the Market whilst regeneration works took place.
- Accessibility was still a concern.

Councillor King proposed and Councillor Connolly seconded that the officer recommendation be approved. The recommendation contained within the report was put to the vote and declared carried with 7 votes for and 1 abstention.

RESOLVED:

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

Councillors Clark and Cali joined the meeting at this juncture.

Councillor Kilbride did not participate in the discussion or the vote of the following item, having declared an interest as a board member of Northampton Partnership Homes.

88.1 Applications for Determination

89. **WNN/2022/0828 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 (Major application where the Council has an interest in the land) University of Northampton Avenue Campus, St Georges Avenue**

The Principal Planning Officer presented the report to the Committee which sought to vary Conditions 4, 22, 26 and 32, and remove Conditions 12 and 31 of planning permission N/2016/0810 as amended by WNN/2021/0582, to replace the approved plans; changes to housing mix, highway layout, landscaping, parking and vehicle access, vehicle charging point and pedestrian crossing. Members' attention was drawn to the addendum which contained an amended recommendation, an amendment to Section 9 of the report, and corrections to paragraphs 8.11 and 8.13.

Lien Geens, of MCW Architects, addressed the Committee and spoke in favour of the application. She advised that the retention of the western wing and part of the eastern wing was beneficial in terms of sustainability and heritage, and the removal of the central avenue would create a family-friendly communal space. An additional lift in the eastern building meant that only 6 dwellings would not be fully accessible, and she advised that a larger number of trees on St George's Avenue would be retained under the amended plans.

In response to questions, the Committee heard that all financial contributions secured at the outline application stage were carried over.

Members made the following comments:

- They were happy with the scheme; larger social housing units were desperately needed.
- The removal of the central avenue made the scheme safer.

Councillor Cali proposed and Councillor Russell seconded that the officer recommendation as amended be approved. The recommendation contained within the report was put to a vote and declared carried with 9 votes for.

RESOLVED:

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

90. **Urgent Business**

There was no urgent business on this occasion.

The meeting closed at 6.00 pm

Chair: _____

Date: _____

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List of Appeals and Determinations – 7th February 2022

Written Reps Procedure

Application No.	DEL/PC	Description	Decision
N/2021/0161 APP/W2845/W/22/3303335	DEL	Erection of detached dwelling at Land Opposite 1 Farmhouse Lane, 1 Wootton Hill Farm	AWAITED
N/2021/0482 APP/W2845/W/22/3303648	DEL	Discharge of Conditions 9 and 12 of Planning Permission N/2021/0482 (Variation of Condition 7 of Planning Permission N/2018/0351 (Outline planning application for the demolition of part of existing Plough Hotel and erection of a 35no serviced apartment building (Use Class C1) with landscaping reserved for future consideration) to allow for archaeological works to be undertaken safely once demolition has been completed) at the Plough Hotel, Bridge Street	AWAITED
WNN/2021/0727 APP/W2845/W/22/3310602	DEL	New single storey dwelling with off road parking to front on land adjacent No 55 Church Way	AWAITED
WNN/2021/0777 APP/W2845/W/22/3304435	DEL	Development of 2no one-bedroom apartments within roof space of previously approved building for 7no one-bedroom apartments to provide 9 apartments in total at Land Adjacent to 204 Kingsley Road	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/2022/0181 APP/V2825/W/22/3306179	PC	Conversion of Dwellinghouse to House in Multiple Occupation (Sui Generis) for 7 occupants and 1no One Bed Ground Floor Flat (Use Class C3) with single storey flat roof rear extension, bin storage and alterations to fenestration at 141 Wycliffe Road	AWAITED
WNN/2022/0261 APP/W2845/W/22/3301918	DEL	Installation of dropped kerb at 567 Harlestone Road	AWAITED
WNN/2022/0499 APP/V2825/D/22/3304961	DEL	New balcony to rear (Retrospective) at 46 Eastern Avenue South	AWAITED
WNN/2022/0360 APP/V2825/W/22/3306400	DEL	Creation of 1no additional student accommodation room within existing building at 83 Abington Street	AWAITED
WNN/2022/0560 APP/W2845/W/22/3309760	DEL	Change of Use from Offices (Use Class E) to 4no Flats/Maisonettes (Use Class C3), including single storey rear extension and second floor rear extension over outrigger/ associated alterations at 306 Wellingborough Road	AWAITED
WNN/2022/0566 APP/W2845/D/22/3309476	DEL	Garden shed/outbuilding for storage purpose and installation of back gate at 21 Portland Place	AWAITED

WNN/2022/0579 APP/W2845/W/22/3304357	DEL	Placement of tables and chairs outside on pavement with retractable awning at 32 Gold Street	AWAITED
WNN/2022/0618 APP/W2845/W/22/3307942	DEL	Construction of additional storey to create 2no flats at Sazerac Restaurant, Charmark House, 20 Castilian Street	AWAITED
WNN/2022/0638 APP/W2845/D/22/3306967	DEL	Single storey rear extension at 31 Hamsterly Park	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

The Address for Planning Appeals is:

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:
Shaun Robson, Development Manager
Telephone 0300 126 7000
Planning Service
The Guildhall, St Giles Square,
Northampton, NN1 1DE



Planning Committee Report

Committee Date: 7th February 2023

Application Number: N/2020/1212

Location: Former Howdens Joinery, Liliput Road, Northampton

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: Hannah Weston

Ward: Nene Valley Unitary Ward

Title: Revocation of Hazardous Substance Consent

Report Of: Head of Planning Delivery

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

To **AUTHORISE** the making of an Order under Section 14(2) of the Planning (Hazardous Substance) Act 1990 for the revocation of the Hazardous Substance Consent (HSC) at the site of MFI Group (also known as Howdens), Lilliput Road, Brackmills, Northampton, subject to confirmation 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(2) 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 A report was previously put before Members at Planning Committee on 4th October 2023 whereby Members were minded to approve the Officer recommendation for the making of an Order to revoke the Hazardous Substance Consent.
- 2.2 The matter is brought back to Committee to correct an incorrect reference in the recommendation of the previous committee report to the relevant part of the Planning (Hazardous Substance) Act 1990. The revocation of the Hazardous Substance Consent should be sought by the making of an Order under Section 14(2) of the Act and not Section 14(1) of the Act as previously advised.
- 2.3 West Northamptonshire, as the statutory Hazardous Substances Authority, are responsible for the control of Hazardous Substance and associated applications.
- 2.4 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. A revocation order is subject to confirmation by the Secretary of State.
- 2.5 Alternatively, the Hazardous Substance Authority may also under Section 14(2) of the Planning (Hazardous Substances) Act 1990 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.
- 2.6 For the reasons set out below, it is considered appropriate that a revocation should be sought under Section 14(2) of the Act.

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 is nearing completion and the applicant is 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) Whilst the proposed use of the land remains as per the previous storage and distribution use, the 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 N/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 made subject to confirmation by the Secretary of State.



**West
Northamptonshire
Council**

Title: **Liliput Road - Howdens Joinery**

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Date: 18-01-2023

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Planning Committee Report

Committee Date: 7th February 2023

Application Number: WNN/2022/1310

Location: Thoroughfare, Francis Jetty, Northampton

Development: Installation of metal gates at each end of Francis Jetty to prevent access

Applicant: West Northamptonshire Council

Agent: West Northamptonshire Council

Case Officer: Andrew Mackriell

Ward: Castle Unitary Ward

Referred By: The report is referred by the Head of Planning Delivery

Reason for Referral: In the interest of transparency as the is made by the Council

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS, with delegated authority to the Head of Planning Delivery to approve any amendments to the recommended conditions as deemed necessary.

Proposal

Planning permission is sought for the installation of metal gates at both ends of Francis Jetty which links Bridge Street and Kingswell Street in Northampton town centre.

The reason for the proposal to gate the passageway is to prevent anti-social behaviour.

Consultations

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

- West Northants (Northampton) Conservation
- Northampton Town Centre Conservation Areas Advisory Committee
- Northampton Town Council (no response to consultation)

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

- N/A

One letter of objection has been received from a member of the public.

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 5 of the report.

The key issues arising from the application details are:

- Impact on the character and amenities of the area
- Impact on heritage assets, Conservation Area etc.

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. 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 comprises Francis Jetty a historical pedestrian alleyway which links Bridge Street and Kingswell Street.

2 CONSTRAINTS

- 2.1 The application site is located within All Saints Conservation Area. There is a Grade II listed building, No.32 Bridge Street adjacent to the site.

3 DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1 It is proposed to install metal gates at each end of Francis Jetty to prevent use of the alleyway for anti-social behaviour.

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.
- 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

- 5.4 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) (LLP1)

- 5.5 The relevant policies of the West Northamptonshire Joint Core Strategy Local Plan (Part 1) are:

- Policy S10 – Sustainable Development Principles
- Policy BN5 – The Historic Environment and Landscape

Northampton Local Plan 1997 (Saved Policies)

- 5.6 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

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

- 5.7 The Local Plan was submitted to the Planning Inspectorate for examination in February 2021. As part of the examination in public, hearings chaired by Government-appointed Planning Inspectors took place in November 2021. The Planning Inspectors have indicated that the plan is capable of being found sound subject to main modifications being made.
- 5.8 Consultation on main modifications took place in July and August 2022. In November and December 2022, consultation on further main modifications took place to address issues relating to two specific sites. Accordingly, the policies in the emerging plan are material considerations in the determination of planning applications and significant weight is attached to all of the policies - with the exception of Policies 41 and 43.
- 5.9 The relevant emerging policies are set out below.

Policy 1 – Presumption for sustainable development

Policy 2 – Placemaking and Design

Policy 6 – Health and wellbeing

Policy 31 – Protection and enhancements of designated and non-designated heritage assets

Policy 33 – Highway network and safety

National Policies

- 5.10 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 8 - Promoting healthy and safe communities.

Section 12 - Achieving well designed places

Section 16 - Conserving and enhancing the historic environment

Material Considerations

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

- Northampton Central Area Action Plan (CAAP) (2013) – Policy 1

6 RESPONSE TO CONSULTATIONS

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
J Ballinger	Team Leader – Built and Natural Heritage	There are no objections to the proposal to erect the gates at either end of the passageway from an historic fabric perspective. The gates are not physically attached to the adjacent buildings but are supported on free standing columns. The gates are of a suitable design, similar to that used on Jeyes Jetty elsewhere within the conservation area. It is understood that the need for the gates is due to anti-social behaviour in the alleyway. The passageway does appear to form part of the historic network of streets and routes within the town. It would be preferable for the gates to only be locked during the potential times of anti-social behaviour and to remain open during other times. It is, however noted that the gates are a reversible addition and could be removed in the future without detriment to the historic environment.
Northampton Town Centre Conservation Areas Advisory Committee		The Northampton Town Centre Conservation Areas Advisory Committee regrets the need to gate the historic jetty of the town centre but recognises that anti-social behaviour makes it necessary. It

		<p>appears that the proposals will not adversely affect any historic fabric and would be reversible. The Committee question whether the gates could be opened during the day. It was suggested that access would be needed to clear litter.</p>
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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 One letter of objection has been received from someone who works in Northampton town centre and objects to the proposed 24hr closure of the Jetty, commenting that the alleyway should remain open during the day.

8 APPRAISAL

Principle of the development

- 8.1 Francis Jetty is an historic pedestrian alleyway which connects Bridge Street with Kingswell Street in Northampton town centre. Due to its location in an area where there are a number of bars and night clubs associated with the night-time economy of the town-centre, the route attracts anti-social behaviour. Under the provisions of the Anti-Social Behaviour, Crime and Policing Act 2014 a PSPO (Public Spaces Protection Order) has been made to address the situation.
- 8.2 Metal gates with a powder-coated black paint finish are proposed at both entrances to the Jetty. The open railing design of the gates will allow line of sight along the existing alleyway. The gates themselves represent relatively minor development which will not have a significant impact on the character and amenities of the area. The installation of the gates will effectively close off the passageway for general public use and therefore will reduce opportunities for anti-social behaviour.
- 8.3 Appropriate measures would be in place to allow use of the gates in an emergency. The gate to Kingswell Street would have a push bar on the inside to allow its use as a fire exit. Emergency services would retain key for the gate onto Bridge Street.

Impact on Heritage Assets

- 8.4 Francis Jetty is located in the All Saints Conservation Area of Northampton town centre. Policy BN5 of the JCS and Policy 1 of the CAAP seek to ensure that heritage assets are preserved and enhanced. Policy 31 of the emerging Northampton Local Plan Part 2 relates to the protection and enhancement of designated and non-designated heritage assets.
- 8.5 Whilst concerns have been raised relating to the proposed 24 hour /7 days a week closure, in this case it is acknowledged that the proposals stem from the need to prevent opportunities for anti-social behaviour in the area. Therefore it is considered that the benefits of reducing opportunities for anti-social behaviour will outweigh any harm to the historic network of passageways in the town centre.
- 8.6 No issues have been raised regarding the adjacent listed building at 32 Bridge Street; the installation of the gates is not considered to result in any significant adverse

impact on the wider Conservation Area. In this context the proposals are considered acceptable, the visual impact in the street scene will be acceptable; the installation of gates is potentially reversible should it be possible to review the need for the gates in the future. Accordingly, it is not considered appropriate or expedient to impose conditions on the planning permission regarding the operation or use of the gates.

9 FINANCIAL CONSIDERATIONS

9.1 CIL is not applicable to the development.

10 PLANNING BALANCE AND CONCLUSION

10.1 The proposed gates will have an acceptable impact in the street scene and will not have an adverse impact on the character of the Conservation Area or the setting of adjacent listed buildings. Installation of the gates will reduce opportunities for anti-social behaviour in the area at all times of the day, not just at night-time. The proposals therefore accord with the aims and objectives of the relevant planning policies set out in the above report.

11 RECOMMENDATION / CONDITIONS AND REASONS

11.1 Approve subject to the following conditions:

Time Limit

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

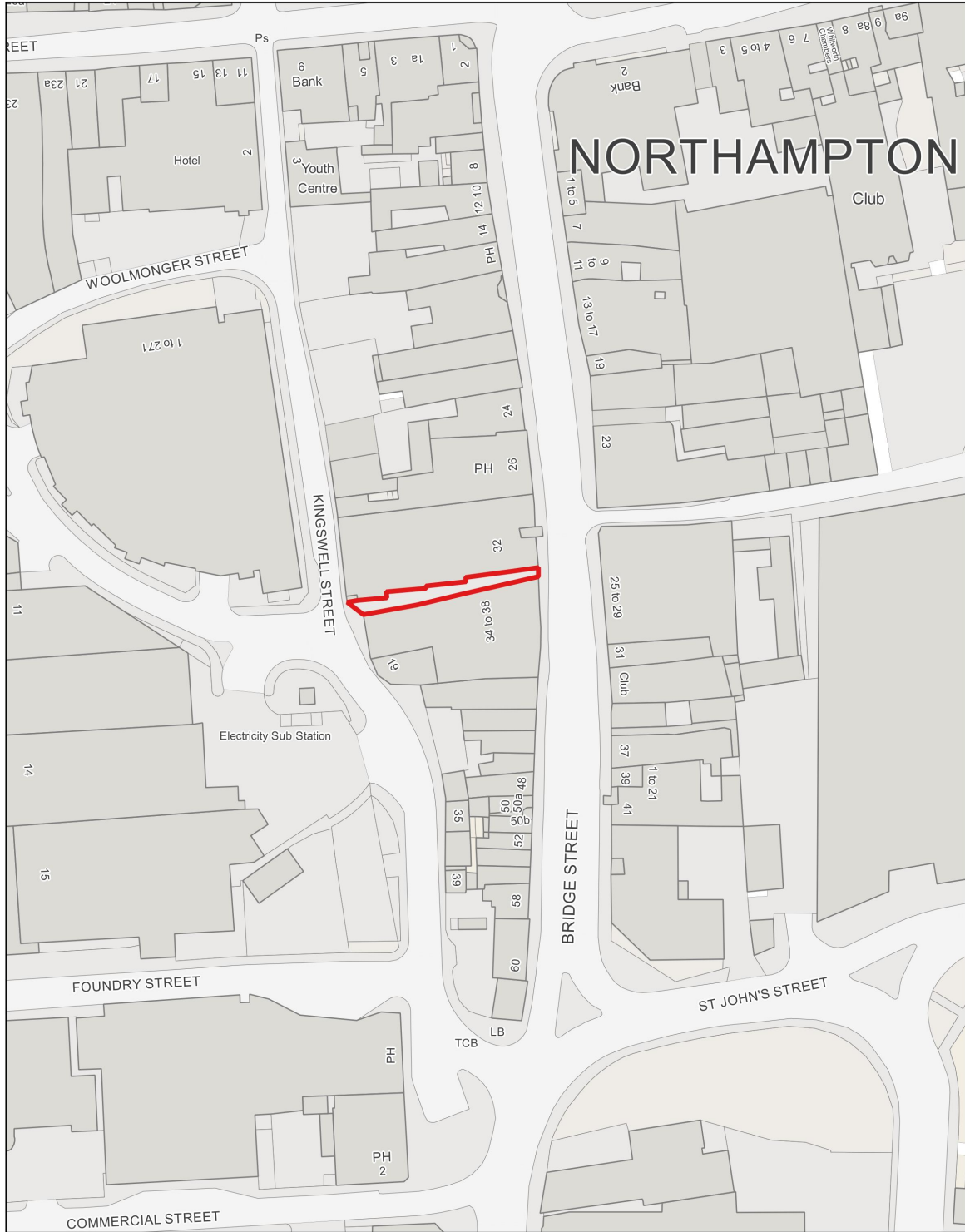
Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

Approved Plans

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

PSPO Map – Location Plan
CS-001 Proposed gates elevations and block plan

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



NORTHAMPTON



West Northamptonshire Council

Title: **Thoroughfare at Francis Jetty**

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Planning Committee Report

Committee Date: 7th February 2023

Application Number: WNN/2022/0847

Location: Opus House, Anglia Way, Northampton, NN3 6JA

Development: Erection of buildings for Use Classes E(g)(iii), B2 and B8 with ancillary offices, together with means of access, servicing, car parking, landscaping and associated works

Applicant: WD (Anglia Way) Ltd

Agent: Delta Planning

Case Officer: Christopher Wentworth

Ward: Boothville and Parklands Unitary Ward

Referred By: The report is referred by the Head of Planning Delivery

Reason for Referral: Major application with requires a Section 106 Legal Agreement

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: APPROVAL IN PRINCIPLE subject to the completion of a Section 106 Agreement to secure the following:

- Construction Futures financial contribution.

And subject to the conditions set out below with delegated authority to the Head of Planning Delivery to approve any amendments to those conditions as deemed necessary.

Proposal

Full planning permission is sought for the erection of two no. buildings for Use Classes E(g)(iii), B2 and B8 with ancillary offices, together with means of access to each unit, servicing areas, car parking, landscaping and associated works.

Consultations

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

- Environmental Health.
- Tree Officer.
- Ecology.
- Development Management.
- LLFA.

No letters of objection have been received and no 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
- Environmental Matters
- Neighbour Amenity
- Drainage

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 site comprises an area of previously developed land covering an area of 0.9 hectares within an existing business area in Moulton Park as defined by the Northampton Local Plan (1997). The site is currently vacant land with the previous two storey office buildings demolished under a previous prior approval application. The site is accessed from two access points on Anglia Way to the site's southern boundary. The area nearby consists of modern office buildings and other commercial uses to north, west and east generally being in Use Classes B1, B2 and B8.
- 1.2 To the south is Anglia Way with large industrial warehousing beyond, to the north are office and commercial units, to the east Summerhouse Road with further commercial units beyond and to the west lies surface level car parking associated with the wider Nationwide Building Society site. The site is well served by public transport with the nearest bus stops (4 in total) being on Anglia Way. The site is in a low risk flood zone (Flood Zone 1) and is not near any conservation areas or any listed buildings.

2 CONSTRAINTS

- 2.1 None relevant.

3 DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1 Full planning permission is sought for the erection of two no. buildings for Use Classes E(g)(iii), B2 and B8 with ancillary offices, together with means of access to each unit, servicing areas, car parking, landscaping and associated works.

3.2 The proposed buildings would be Slate Grey external cladding with a corner/front element of lighter Silver Metallic cladding with blue detailing for unit 1 and red detailing for unit 2 with a shallow gable pitched roof. The 2 no. buildings would be of similar design, scale and appearance.

- Unit 1 would measure approx. 11.2m high, 48.1m wide and 39m deep with 1 no. loading dock.
- Unit 2 would measure approx. 11.2m high, 59.1m wide and 38.7m deep with 2 no. loading docks.

3.3 The overall development proposal would provide the following;

- Unit 1- total GIA of 2,096sq.m with 42 car parking spaces and 10 cycle spaces.
- Unit 2 - total GIA of 2392sq.m with 49 car parking spaces and 10 cycle spaces.

3.4 Vehicular access to the site would be gained from two existing access points, off Anglia Way to the site’s southern boundary (one access point per unit). The application also includes boundary treatment in terms of 2.4m high fencing although the design of such has not been specified. The proposed development would operate 24 hours per day, 7 days week.

3.5 The application is supported by a suite of supporting information as follows:

- Planning application forms and ownership certificates;
- Planning application drawing package prepared by UMC Architects;
- Design and Access Statement prepared by UMC Architects;
- Planning Statement prepared by Delta Planning;
- Transport Assessment and Framework Travel Plan prepared by ADC;
- Indicative External Lighting Plans prepared by Kingfisher Lighting;
- Site Investigation Report prepared by Crossfields;
- Landscape Proposals prepared by Kirsten Bowden;
- Preliminary Ecological Appraisal and Bat Survey prepared by Midland Ecology;
- Arboricultural Impact Assessment and Tree Survey prepared by AGB Environmental; and
- Flood Risk Assessment and Drainage Strategy prepared by CDP.

4 RELEVANT PLANNING HISTORY

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

Application Ref.	Proposal	Decision
WNN/2022/0259	Prior Notification for the demolition of buildings relating to land at Anglia Way, to include Opus House, Envirotest House and Welton House.	Prior Approval Granted.

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) – Policies

- 5.3 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.

Policy S1 – The Distribution of Development.

Policy S7 – Provision of Jobs.

Policy S10 – Sustainable Development Principles.

Policy E1 – Existing Employment Areas.

Policy BN7 – Flood Risk.

Policy BN9 – Planning for Pollution Control.

Northampton Local Plan (1997) – Saved Policies

- 5.4 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.

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

- 5.5 The Local Plan was submitted to the Planning Inspectorate for examination in February 2021. As part of the examination in public, hearings chaired by Government-appointed Planning Inspectors took place in November 2021. The Planning Inspectors have indicated that the plan is capable of being found sound subject to main modifications being made.
- 5.6 Consultation on main modifications took place in July and August 2022. In November and December 2022, consultation on further main modifications took place to address issues relating to two specific sites. Accordingly, the policies in the emerging plan are material considerations in the determination of planning applications and significant weight is attached to all of the policies - with the exception of Policies 41 and 43.
- 5.7 The relevant emerging policies 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 7 – Flood risk and water management (Significant Weight)
 Policy 18 – Supporting new employment developments and schemes (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 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

Material Considerations

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

- Northampton Parking Standards Supplementary Planning Document
- Northamptonshire Parking Standards

6 RESPONSES 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
Tree Officer	No objection, subject to condition.	Condition – Arboricultural Method Statement and Tree Protection Plan.
Environmental Health	No objection, subject to conditions.	Condition – Noise associated with plant and machinery. Condition – CEMP. Condition – EV Charging Provision. Condition – Unexpected Contamination.
Ecology	No objection.	
Development Management	Comments received.	Broadband provision.
Highways	No objection, subject to condition(s).	Require that the development is tied to the submitted Framework Delivery Management Plan.
LLFA	No objection, subject to	Condition – Surface Water Drainage. Condition – Surface Water Drainage

	conditions.	Maintenance. Condition – Surface Water Drainage Verification.
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7 RESPONSES TO PUBLICITY

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

8 APPRAISAL

8.1 The main issues to consider are the principle of development, impact on the appearance and character of the area, highway safety, parking, the effect on neighbouring amenity, noise, drainage/ flood risk, ecology, security and the impact on the economy in terms of job creation.

Principle of Development

8.2 The application site is located within an “Existing Business Area” in the Northampton Local Plan where use classes B1, B2 and B8 are considered acceptable in principle. The site is located within an allocated employment site with other industrial and commercial uses in close proximity. This complies with E1 of the Joint Core Strategy and the Northampton Local Plan which seeks to support a vibrant, successful and developing local economy across West Northamptonshire. Although office uses should be ideally located in the town centre rather than in out of town locations, in this case the office use is ancillary to the main use only (use class B2 and B8).

8.3 A presumption in favour of sustainable development is an over-arching theme contained within national and local planning policy in terms of the following three dimensions:

- Economic role - contributing to building a strong, responsive and competitive economy by ensuring that sufficient land of the right type available in the place to support economic growth.
- Social role - supporting strong, vibrant and healthy communities.
- Environmental role - contributing to protecting and enhancing natural and built environment as part of this helping to improve biodiversity, use natural resources, limit waste and pollution and adapt to climate change.

8.4 The applicant confirms that the development would target a BREAMM “Very Good” rating as required by Policy S11 of the Joint Core Strategy. The applicant also maintains that the proposal can provide for careful and sustainable disposal of waste during, and post construction and modern methods of design would be employed using pre-fabricated units, keeping waste to a minimum.

8.5 Policy E1 of the Joint Core Strategy builds upon Policy S8 which seeks to concentrate new job growth in the urban area through regeneration and development. The NPPF states Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt.

8.6 Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. The application proposal would provide local employment opportunities to Northampton, and this should be afforded significant weight in decision making and in accordance with the

NPPF which requires consideration of economic benefits as one of the three threads of “sustainable development”.

Design and Appearance

- 8.7 The site can also be seen from views from the north within the wider employment area at Moulton Park. The site is located within an established commercial area surrounded by other employment uses including modern office buildings and commercial/warehousing buildings of varying heights and scale.
- 8.8 The previous buildings on site have now been demolished, which were two stories in height and were office complex buildings. The proposed buildings would each be erected to a height of 11.2m and would be screened from wider views by existing commercial and office buildings within the Moulton Park estate.
- 8.9 The NPPF states "The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities". Paragraph 127 states that decisions should ensure the development;
- Will function well and add to the overall quality of the area
 - Are visually attractive as a result of good layout and effective landscaping
 - Are sympathetic to the local character and surrounding built form
 - Establish a strong sense of place
- 8.10 The proposed building design is considered to be in keeping with a commercial area and the materials and finishes, appropriate for the locality where there are other metal clad buildings in the area. Materials are to be secured by condition. Whilst the height of the proposed boundary fencing of 2.4m high is considered appropriate within the site's context, no details of the design and appearance of the fencing has been proposed at this stage. As such, it is considered that these details can be secured by planning condition to secure an appropriate standard of development.

Environmental Matters

- 8.11 The applicant has submitted a number of measures with their proposal including a Travel Plan and electric charging points to comply with the Northampton Low Emissions Strategy Document. The Council's Environmental Health Officers recommend that a condition is attached to any approval granted to secure the EV charging points prior to first occupation. This accords with Policy BN9 and S10 of the Joint Core Strategy.
- 8.12 Given the site is previously developed land, Environmental Health Officers recommend a standard planning condition for unexpected contamination in accordance with Policy BN9 of the Joint Core Strategy and to secure a Construction Environmental Management Plan (CEMP) so as to secure details regarding the construction process.
- 8.13 The applicant has submitted a Wildlife and an Ecological Report with their application which the authorities Ecologist has reviewed and considers to be acceptable. There are no planning conditions necessary. This accords with Policies BN1 and BN2 of the Joint Core Strategy.

- 8.14 The application has been submitted with an Arboricultural Impact Assessment. The development proposal will completely reconfigure the site, and in order to do so there will be widespread tree losses (from the photographs supplied of generally unremarkable or poor-quality trees) required to accommodate the proposal, to be mitigated in some small means by the implementation of a planting scheme. The assessment includes an Arboricultural Method Statement but acknowledges that it is incomplete and will need modification when all the details of the development are finalised. On this basis the authorities tree officer raises no objection subject to a condition to secure an updated method statement.

Neighbour Amenity

- 8.15 The adjacent properties are characterised primarily by other commercial uses including Class B1 offices and industrial. The closest residential occupiers are approximately 500 metres to the south of the site on Devon Way and Druids Way. Given neighbour separation (existing large industrial building and open parkland) and relationship, the proposed development would not be unduly overbearing or result in significant loss of outlook, light or privacy to the nearest potential residential occupiers. This accords with Policies BN9 of the Joint Core Strategy and E20 of the Northampton Local Plan.
- 8.16 The application is located within an existing industrial estate within close proximity of other commercial uses. It is considered appropriate to secure maximum noise levels for plant and machinery on site so as to ensure that other commercial activities can continue unaffected. Such matters can be addressed by planning condition, a view shared by Environmental Health.

Drainage

- 8.17 The NPPF seeks to ensure that proposals for new development are appropriately located away from areas with a high risk of flooding and to ensure that the development does not lead to an increase in flood risk elsewhere. Policy BN7 of the Joint Core Strategy requires that new development demonstrates there is no risk of flooding to existing properties and that the development is (or can be) safe, seeking to improve existing flood risk management.
- 8.18 The site lies within a low-risk Flood Zone (Flood Zone 1) and the application has been submitted with a Flood Risk Assessment and Drainage Strategy given the scale of the development proposal. The Lead Local Flood Authority has been consulted who have raised no objection subject to the imposition of planning conditions to secure surface water drainage details along with its maintenance and verification of installation. Such conditions are considered necessary and reasonable in this case.

Highway Matters

- 8.19 Paragraph 102 of the NPPF states that transport issues should be considered on development proposals so that:
- the potential impacts of development on transport networks can be addressed;
 - opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;
 - opportunities to promote walking, cycling and public transport use are identified and pursued;

- the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains; and e) patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places.

- 8.20 Vehicular access would be taken from Anglia Way to the south of the site. Each of the two vehicular access points would provide individual access to each unit and associated car parking and service yard area. Each site would also have a separate pedestrian access gate with access to unit 1 gained from its southern boundary onto Anglia Way and unit 2 accessed from a gate on its eastern boundary with Summerhouse Road.
- 8.21 Unit 1 (Warehouse) will have 42no. (including 4 accessible spaces, one of which has an electric vehicle charging space and five standard electric vehicle charging spaces. vehicle parking spaces on site along with 1no. HGV bays and sufficient manoeuvring space within the yard area to serve the building whilst unit 2 would have 49no. vehicle parking spaces (including five accessible spaces, one of which has an electric vehicle charging space and five standard electric vehicle charging spaces and four car share spaces. Unit 2 will also have 2no HGV bays and a service yard. Furthermore, each unit would be served by 10 no. cycle storage spaces. The Local Highway Authority have assessed the amended layout plans that take account of the highway boundaries and have stated that they raise no objection to the altered scheme subject to the imposition securing the Framework Delivery Management Plan as per the revised details.
- 8.22 It is considered that the proposed is acceptable on highway safety grounds, subject to imposition of planning conditions as outlined above.

Other Matters

- 8.23 The proposal includes a variety of security measures including proposed 2.4m high fencing and external lighting, although it is noted that the design of the fencing has not been specified at this time. The applicant has given consideration to the proposed layout to ensure personal safety and contends that natural surveillance of car parking is an important aspect of the design. The Northamptonshire “Planning out Crime SPG (2003) is relevant as is policy S10 of the Joint Core Strategy and the NPPF.
- 8.24 The NPPF states “development should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience”. The Northamptonshire Crime Design Advisor considers that the proposal is acceptable in terms of proposed security measures (boundary treatment/ lighting. CCTV cameras and boundary treatment can be secured by planning condition (prior to occupation). This accords with Policy S10 of the Joint Core Strategy and the Northamptonshire SPG on Planning Out Crime.

9 FINANCIAL CONSIDERATIONS

- 9.1 The development proposal is not CIL liable.

- 9.2 Development Management have requested financial contributions towards Broadband provision. However, the authority does not have a policy basis to secure such contributions and therefore such request is not considered appropriate.

10 PLANNING BALANCE AND CONCLUSION

- 10.1 The principle of development is considered acceptable in what is an established employment area in the development plan. The proposal would provide employment benefits which can be afforded significant weight in decision making. In addition, the site is fairly sustainable being close to bus routes, accessible to cyclists and pedestrians and seeking to meet BREEAM Very Good Standards. The proposal is compliant to national and local planning policy and subject to the following conditions, is recommended for approval.

11 RECOMMENDATION / CONDITIONS AND REASONS

- 11.1 Approve, subject to conditions and S.106 agreement to secure the following;
- Construction Futures financial contribution.

12 CONDITIONS

Time limit

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.

Approved plans

2. The development hereby permitted shall be carried out in accordance with the following approved plans:
- ADC2740-DR-003 P5 (16.5m Artic paths)
 - ADC2740-DR-004 P5 (11.2m Refuse paths)
 - ADC2740-DR-004 P6 (12.0m rigid paths)
 - 21177 P0001 – Location Plan (F)
 - 21177 P0002 – Site Layout (L)
 - 21177 P0003 – Unit 1 Site Context Plan (H)
 - 21177 P0004 – Unit 1 Ground Floor Plan (G)
 - 21177 P0005 – Unit 1 First Floor Plan (G)
 - 21177 P0006 – Unit 1 Roof Plan (F)
 - 21177 P0007 – Unit 1 Elevations and Indicative Section (D)
 - 21177 P0008 – Unit 2 Site Context Plan (G)
 - 21177 P0009 – Unit 2 Ground Floor Plan(G)
 - 21177 P0010 – Unit 2 First Floor Plan (G)
 - 21177 P0011 – Unit 2 Roof Plan (H)
 - 21177 P0012 – Unit 2 Elevations and Indicative Section (D)
 - 21177 P0014 – Site Materials Plan (G)
 - 21177 P0015 – Cycle Storage (G)
 - 21177 P0016 – Refuse Store (f)
 - 21177 P0017 – Substation Details (f)
 - 21177 P0018 – Cycle Storage – Internal (B)

- 2022 05 03 Anglia Way Landscape Proposal 001 Rev.Ccolour

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

Use restriction

3. The premises shall be used for B2 and B8 uses only and for no other purpose.

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

EV charging points

4. Full details of electric vehicle charging points for the buildings hereby approved shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development hereby approved. The approved charging points shall be provided on site in accordance with the approved details prior to first occupation of the development hereby approved.

Reason: To ensure the provision of adequate facilities in accordance with the Northampton Parking Standards Supplementary Planning Document.

Materials

5. The external materials and finishes of the development hereby approved shall be constructed as per those indicated on approved drawing nos. 21177 P0007 and 21177 P0012

Reason: In the interests of visual amenity and to ensure that the development will harmonise with its surroundings in accordance with Policy E20 of the Northampton Local Plan, S10 of the West Northamptonshire Joint Core Strategy and aims of the National Planning Policy Framework.

Highways

6. Prior to the occupation/operation of the development hereby approved, the Framework Delivery Management (ADC2740-RP-C) shall be implemented. The development should be carried out in accordance with the approved details thereafter.

Reason: To ensure that the proposed development does not prejudice the free flow of traffic or conditions of highway safety in accordance 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

Parking

7. The parking and turning, loading and unloading space shown on the submitted 21177_P0002 – Site Layout (L) shall be laid and marked out prior to the development being first brought into use and retained thereafter.

Reason: To ensure that the proposed development does not prejudice the free flow of traffic or conditions of highway safety in accordance with the National Planning Policy Framework.

Bicycle storage

8. Full details of facilities for the secure and covered parking of bicycles shall be first submitted to and approved in writing by the Local Planning Authority. Development 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 secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan, S10 of the Joint Core Strategy and aims of the National Planning Policy Framework.

Boundary treatments

9. Prior to the construction of the development hereby approved above ground floor slab level, full details of the method of the treatment of the external boundaries of the site together with individual plot boundaries shall be submitted to and approved in writing by the Local Planning Authority, implemented prior to the first occupation of the buildings hereby permitted and retained thereafter.

Reason: To ensure that the boundaries of the site are properly treated so as to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan, S10 of the West Northamptonshire Joint Core Strategy and aims of National Planning Policy Framework.

Use condition

10. The office accommodation as shown on the approved drawings shall remain ancillary to the warehouse buildings hereby approved and shall at no time form a separate planning unit.

Reason: For the avoidance of doubt to enable the Local Planning Authority to assess the implications of a separate planning unit to accord with the aims of the National Planning Policy Framework.

Drainage

11. Before any above ground works commence a detailed design of surface water drainage scheme for the site based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development should 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:

- i) 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
- ii) Details of the drainage system are to be accompanied by full and appropriately cross-referenced supporting calculations which will include a 10% allowance for urban creep (if required).
- iii) Cross sections of the control chambers (including site specific levels AOD) and manufacturers' hydraulic curves should be submitted for all hydro-brakes and other flow control devices.
- iv) Detailed scheme for the ownership and scheduled maintenance for every element of the surface water drainage system.

- v) Confirmation of site-specific soil conditions to confirm or exclude use of infiltration solutions.

Reason: To reduce the risk of flooding both on and off site in accordance with the NPPF and Policy 5 of the Core Strategy for North Northamptonshire by ensuring the satisfactory means of surface water attenuation and discharge from the site and to ensure the future maintenance of drainage systems associated with the development.

- 12. No development shall take place until a detailed scheme for the ownership and maintenance for 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.

Details are required of which organisation or body will be the main maintaining body where the area is multifunctional (e.g., open space play areas containing SuDS) with evidence that the organisation/body has agreed to such adoption. The scheme shall include, a maintenance schedule setting out which assets need to be maintained, at what intervals and what method is to be used.

A site plan including access points, maintenance access easements and outfalls. Maintenance operational areas to be identified and shown on the plans, to ensure there is room to gain access to the asset, maintain it with appropriate plant and then handle any arisings generated from the site. Details of expected design life of all assets with a schedule of when replacement assets may be required.

Reason: To ensure the future maintenance of drainage systems associated with the development.

- 13. No Occupation shall take place until the Verification Report for the installed surface water drainage system for the site based on the approved Flood Risk Assessment & Sustainable Drainage Strategy, ref document 10562566 FRA Flood Risk Assessment has been submitted in writing by Matthew Keen from CDP Ltd a suitably qualified drainage engineer and approved by the Local Planning Authority. The report 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 surface water drainage system is free from defects, damage and foreign objects
- f) Confirmation of adoption or maintenance agreement for all SuDS elements as detailed within the drainage strategy is in place

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

Lighting

- 14. Full details of all external lighting shall be first submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented prior to the first occupation of the development hereby permitted and retained thereafter.

Reason: In the interests of security and impact on ecology in accordance with Policy E20 of the Northampton Local Plan, BN2 and S10 of the West Northamptonshire Joint Core Strategy and aims of the National Planning Policy Framework.

Contamination

15. 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, and where remediation is necessary a remediation scheme must be prepared, 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, which is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that consideration is given to ground works to comply with Policy BN9 of the Joint Core Strategy and aims of the National Planning Policy Framework.

Landscaping

16. The development hereby approved shall be implemented in accordance with the submitted Landscape and Planting Proposals contained in drawing reference 001 Rev C date 03.04.2022.

Reason: In the interests of visual amenity to accord with Policies S10 and BN3 of the West Northamptonshire Joint Core Strategy and aims of the National Planning Policy Framework.

CEMP

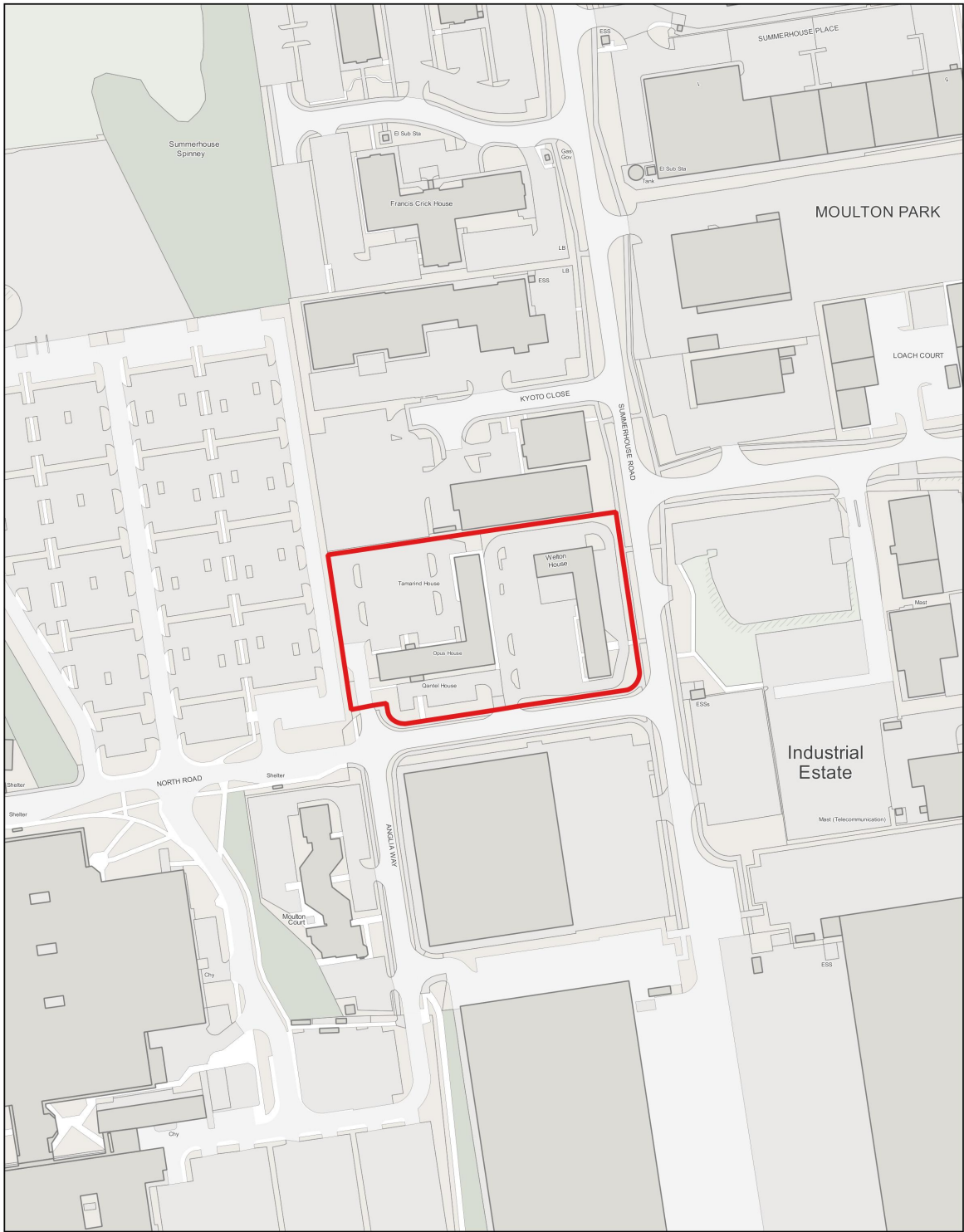
17. Prior to the commencement of development, a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period and the approved measures shall be retained for the duration of the construction

Reason: In the interests of residential and general amenity to comply with Policy BN9 of the West Northamptonshire Joint Core Strategy and the aims of the National Planning Policy Framework.

Noise

18. No external plant or equipment shall be installed until the full details, including acoustic data, have been submitted to and approved in writing by the Local Planning Authority. Development shall be implemented in accordance with the approved details.

Reason: In interests of reducing noise pollution to accord with Policy BN9 of the West Northamptonshire Joint Core Strategy and aims of the National Planning Policy Framework.



**West
Northamptonshire
Council**

Title: **Opus House, Anglia Way**

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Planning Committee Report

Committee Date: 7th February 2023

Application Number: WNN/2022/1109

Location: 58 - 58A Abington Street, Northampton
Northamptonshire

Development: Change of Use from vacant Retail Unit (Use Class E) to
Adult Gaming Centre (AGC) (Sui Generis)

Applicant: Chongie Entertainment Ltd

Agent: JMS Planning & Development Ltd

Case Officer: Jonathan Moore

Ward: Castle Unitary Ward

Referred By: Councillor D Stone

Reason for Referral: The development is inappropriate and does not fit with the vision for Abington Street as a safe, clean, green, family friendly environment

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS, with delegated authority to the Head of Planning Delivery to approve any amendments to the recommended conditions as deemed necessary.

Proposal

Permission is sought for conversion of former retail unit into adult gaming centre (sui generis use), there are no external works proposed. A separate application for advertisement consent and planning permission for a new shop front will follow

Consultations

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

- Environmental Health
- Highways
- Northamptonshire Police

1 letter of objection has been received on the grounds stated below in 7.1

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:

- Impact on viability and vitality of the shopping centre
- Economic benefits
- Highway Safety/parking
- Residential amenity and noise
- Security and Crime Prevention

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 a currently vacant shop unit located on the main shopping street in Northampton town centre.

1.2 The unit sits within a designated Primary Frontage as defined in the Central Area Action Plan. In the immediate vicinity of the application site there are a number of uses including retail units, cafés/restaurants, a bank, hair and beauty salons, charity shops, a florist and estate agents. The site is not in a conservation area and the building is not listed.

2 CONSTRAINTS

2.1 Outside conservation area

3 DESCRIPTION OF PROPOSED DEVELOPMENT

3.1 The proposal relates to the conversion of ground floor. The upper floors would be used for ancillary back of house purposes. No net increase of the existing floorspace is proposed. Overall, the proposed use would reinstate an active frontage on this part of Abington Street and bring a vacant unit back into use. The proposed AGC use will operate 24 hours a day, seven days a week, There will also be increased natural surveillance as a result. Any new shopfront would be applied for separately and would seek to maintain an active frontage at ground floor level on this part of Abington Street. No other changes are proposed – the application solely relates to the proposed change of use.

4 RELEVANT PLANNING HISTORY

4.1 There is no planning history directly relevant to the proposal since 1997.

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) – Policies

- 5.3 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:

S10 – Sustainable Development Principles
BN9 – Planning for Pollution Control

Northampton Central Area Action Plan (CAAP) (2013)

- 5.4 Policies of particular relevance within the Northampton Central Area Action Plan (CAAP) (2013) are:

Policy 1 Promoting Design Excellence
Policy 13 Improving Retail Offer

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

- 5.5 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 – Sustainable Development Principles- significant weight
Policy 2 – Place making and design-significant weight
Policy 4 – Amenity-significant weight
Policy 6 – Health and wellbeing- significant weight
Policy 8 – Town centres- significant weight

National Policies

- 5.5 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:

Paragraph 86 – Ensuring vitality of town centres

Paragraph 104 – Transport

Paragraph 130 – Amenity

Material Considerations

Northampton Parking Standards Supplementary Planning Document

Northamptonshire Parking Standards

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
Environmental Health	No objection to revised noise report, recommend condition for ventilation to be agreed with developer
Northamptonshire Police	No comments to make
Highways	No comments to make
Cllr Danielle Stone	Inappropriate form of development and does not fit in with Abington Street as being a cleaner green area near the Cultural Quarter

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 have one objection on following grounds:

- Contrary to policy in emerging local plan
- Detrimental impact on public realm
- Not necessary to diversify town centre offer
- Would undermine objectives to improve town centre

8 APPRAISAL

Impact on vitality and viability of town centre and shopping character of the area

- 8.1 The site is within a Primary Retail Frontage in the Town Centre as defined by the Central Area Action Plan (CAAP). Whilst Policy 13 of the CAAP seeks to retain 80% of retail uses within Retail Frontages, more recent changes to the National Planning Policy Framework recognise the need to support a wider range of uses within town centres to promote their long-term vitality and viability allowing them to diversify in a way that can respond to rapid changes in the retail and leisure industries.
- 8.2 Whilst it is acknowledged the proposed use would result in the loss of a retail unit within the town centre, the building occupies a prominent location though has been vacant since March 2020 (nearly 3 years). The proposal would bring the building back into use maintaining an active frontage to the street and the use would contribute to the vitality and viability of the town centre. Amusement establishments such as that proposed, are now found at the heart of virtually all shopping centres. They fit into the shopping scene and contribute to the enjoyment of the shopping experience for a proportion of the public. Like shops, establishments of this type require reasonable pedestrian flows in order to operate satisfactorily.

Economic benefits

- 8.3 Paragraph 81 of the NPPF cites that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. The applicant has confirmed that the proposal would provide additional jobs and it is considered this would make a positive contribution to employment provision in the area.

Parking and Highways

- 8.4 The site is within 5 to 10 minutes walking distance of the main bus station serving Northampton and close to town centre car parks. In addition, it is on a busy pedestrianised street which enjoys high pedestrian footfall. For these reasons it is considered that the site is highly sustainable in location and no objection can be raised on parking / transport grounds. This complies with the aims of paragraph 104 of the NPPF.

Effect upon neighbouring uses and noise

- 8.5 The site is located in a commercial street however there are some residential uses in close proximity. The Council's Environmental Health Officers have commented and observe that the submitted Noise Report is in general acceptable though suggest that a condition for details of ventilation be agreed with the applicant. Even though the use would be 24 hour this is not uncommon for a town centre use with other commercial uses opening similar times such as the recently opened Casino on the northern side of Market Square.

Security and crime prevention

- 8.6 Northamptonshire Police have commented on the security of the proposal and consider that there is no objection. This complies with the aims of Policy S10 of the Joint Core Strategy and the SPG on Planning out Crime.

9 FINANCIAL CONSIDERATIONS

- 9.1 The proposal is not CIL Liable

10 PLANNING BALANCE AND CONCLUSION

- 10.1 Weighing up the proposal against local and national policy the proposed use is considered acceptable in this town centre location and would add to the vitality of the shopping area. There are no reasons to resist the application on parking, security or residential amenity and is considered acceptable subject to the conditions below.

11 RECOMMENDATION / CONDITIONS AND REASONS

- 11.1 Approve subject to the following conditions:

Time limit

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.

Approved plans

2. The development hereby permitted shall be carried out in accordance with the following approved plan; P01

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

Noise

3. The development hereby permitted shall be implemented in accordance with the submitted Noise Impact Assessment Report 25383/NIA/01.

Reason; In the interests of residential amenity to comply with Policy BN9 of the West Northamptonshire Joint Core Strategy.

Ventilation

4. Prior to occupation of the premises, a detailed ventilation scheme shall be submitted to and agreed in writing with the Local Planning Authority and implemented in accordance with those agreed detail and retained thereafter.

Reason: In the interests of residential amenity to comply with Policy BN9 of the West Northamptonshire Joint Core Strategy.

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Planning Committee Report

Committee Date: 7th February 2023

Application Number: WNN/2022/0953

Location: Oriel House, 55 - 57 Sheep Street, Northampton

Development: Change of Use of existing building from Offices (Use Class E) to Residential Use for 18no Apartments (Use Class C3), together with 8no parking spaces to rear and areas for cycle parking and bin storage

Applicant: Chase Parker Holdings Ltd

Agent: br.33 Architectural Visualisations

Case Officer: Samantha Taylor

Ward: Castle Unitary Ward

Referred By: The report is referred by the Head of Planning Delivery

Reason for Referral: Major application

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS, with delegated authority to the Head of Planning Delivery to approve any amendments to the recommended conditions as deemed necessary.

Proposal

The application seeks full planning permission for the change of use from the existing offices to 18 residential apartments, with an extension to the building. There is an accompanying listed building consent application for the proposal.

Consultations

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

- Arboriculture, National Highways

The following consultees have responded and offer **comments** on the application:

- Conservation Officer, Anglian Water, Archaeology, Ecology, Environmental Protection, Town Centre Conservation Areas Advisory Committee

The following consultees have responded and offer **no comments** on the application:

- Environment Agency, Highways, Historic England, Northamptonshire Police, Fire and Rescue

2 letters of objection 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
- Design and Impact on Designated Heritage Assets and the Local Area
- Impact on Neighbour Amenity
- Amenity of Future Occupant and Internal Standards
- Highways Impacts
- Flood Risk and Drainage
- Other Matters

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 existing office block, on the western side of Sheep Street. The building is a Grade II listed building and forms part of the Holy Sepulchre Conservation Area. The listed building was originally an 18th Century town house, however, it is largely now the historic façade to a 1980s office building. The existing building is 5 storeys.
- 1.2 The surrounding area contains several different uses including offices, an educational facility, residential and other vacant buildings. The site is bound by Broad Street which acts as a ring road around Northampton Town Centre.

2 CONSTRAINTS

- 2.1 The application site is a Grade II listed building and is located within the Holy Sepulchre Conservation Area. The site also lies within the Central Areas as set out within the Northampton Central Area Action Plan.

3 DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1 The development The development proposes the conversion and extension of the existing office building to 18no. residential units. The proposal seeks to provide 8no. car parking spaces, cycle storage and bin storage.

4 RELEVANT PLANNING HISTORY

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

Application Ref.	Proposal	Decision
Oriel House		
N/2017/0712	Various Tree Works	Approved
N/2020/1630	Change of Use from Offices (Use Class E) to Residential (Use Class C3) to create 14no. Apartments	Approved
N2021/0007	Listed Building Consent for the Conversion of Office (Use Class E) to create 14no, Apartments including internal alterations and replacement double glazed windows	Approved
WNN/2022/0954	Listed Building Consent Application for the change of use of the existing building from Offices (Use Class E) to Residential Use for 18no. Apartments (Use Class C3) together with 8no. parking spaces to the rear and areas for cycle parking and bin storage	Under Consideration (on the Committee Agenda)
WNN/2022/1029	T5 and T6 London Plane Removed.	Approved
Northgate House		
PN/2015/0046	Prior notification for change of use of offices to 52 residential apartments	Approved
N/2016/1643	Prior notification for a change of use from offices (Use Class B1) to a free school (Use Class D1)	Approved
N/2018/0878	Minor alterations comprising localised repainting work, replacement of windows/glazing, privacy window film to changing rooms. Replacement waterproofing to flat roof, rooftop balustrade/handrail and 'man-safe' roof access system at Upper Ground to Fourth Floor Level	Approved
N/2018/1245	Variation of Conditions 2 and 3 of Prior Notification Permission N/2016/1643 (change of use from offices (Use Class B1) to a Free School (Use Class D1)) to improve permitted parking and drop off/pick up arrangement	Approved
N/2019/1595	Variation of Condition 2 of Planning Permission N/2018/0878 for minor alterations comprising localised re-painting work, replacement of windows/glazing, privacy window film to changing rooms, replacement waterproofing to flat roof,	Approved

	rooftop balustrade/handrail and 'man-safe' roof access	
49-53 Sheep Street		
N/2020/0447	Conversion of Offices (Use Class B1) to 14no Apartments (Use Class C3), including alterations to rear elevation and internal alterations	Approved
N/2020/0448	Listed Building Consent Application for the conversion of Offices (Use Class B1) to 14no Apartments (Use Class C3), including alterations to rear elevation and internal alterations	Approved
Land to the Rear of 49-53 Sheep Street		
N/2020/1565	Proposed new residential development of 4no apartments on land to the rear of 49-53 Sheep Street	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 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities in considering whether to grant listed building consent for any works 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 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.
- 5.4 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

- 5.5 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) – Policies

- 5.6 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:

S1 – The distribution of development
S2 – Hierarchy of Centres
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 Local Plan (1997)– Saved Policies

- 5.7 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
B14 – Non-business development

Northampton Central Area Action Plan (CAAP) (2013) – Policies

- 5.8 The relevant policies of the Northampton Central Area Action Plan (CAAP) are as follows:

Policy 1 – Conservation Area
Policy 15 – Safeguarded Employment Sites

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

- 5.9 The Local Plan was submitted to the Planning Inspectorate for examination in February 2021. As part of the examination in public, hearings chaired by Government-appointed Planning Inspectors took place in November 2021. The Planning Inspectors have indicated that the plan is capable of being found sound subject to main modifications being made.
- 5.10 Consultation on main modifications took place in July and August 2022. In November and December 2022, consultation on further main modifications took place to address issues relating to two specific sites. Accordingly, the policies in the emerging plan are material considerations in the determination of planning applications and significant weight is attached to all of the policies - with the exception of Policies 41 and 43.
- 5.11 The relevant emerging policies are set out below.

Policy 1 – Presumption for sustainable development (Significant Weight)
Policy 2 – Placemaking and Design (Significant Weight)
Policy 4 – Amenity and Layout (Significant Weight)

- Policy 13 – Residential and other residential led allocations (Significant Weight)
- Policy 14 – Type and Mix of Housing (Significant Weight)
- Policy 35 – Parking Standards (Significant Weight)

National Policies

5.12 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

Material Considerations

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

- Northampton Parking Standards Supplementary Planning Document
- Northamptonshire Parking Standards

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	Comments	<p>The removal of the top storey of the extension to the rear is welcome. The impact on the character and appearance of the conservation area and listed building will be much reduced.</p> <p>Some additional information regarding the features along the ridge of the building are required.</p> <p>Initial Comments - the Officer originally objected to the scale and design of the extension to the building, due to the impact on the character of the conservation area and the impact of the box dormers of the listed building frontage.</p>
Anglian Water	Comments	<p>No additional comments to add to previous response</p> <p>Initial Comments – conditions are</p>

		recommended in regards to securing foul water drainage works and surface water management strategy
Arboricultural Officer	No objections	Applications WNN/2022/0790 and WNN/2022/1029 considered the removal of trees from the site. These applications were considered acceptable. The planting proposals require the submission of a detailed landscape scheme.
Archaeology Officer	Comments	No material changes that alter first comments. Initial Comments – satisfied the proposed development will only effect the 1980s interior of the building and the historic façade will not be altered in a manner detrimental to its significance.
Environment Agency	No Comments	The EA does not wish to comment on this application
Ecology	Comments	No additional comments from initial comments made. Initial Comments – The proposal is unlikely to have features of interest to roosting bats
Environmental Protection Officer	Comments	The application has been reviewed and the Officer notes that the documents provided in respect of the current application regarding noise etc are those which were previously considered against the earlier application N/2020/1630, where fewer residential apartments without an extension were approved. As such, the documents provided in support of the current application require updating. Therefore, the Officer has suggested a number of conditions relating to noise, air quality, EV charging, waste storage, low Nox boilers, construction phase.
Highways Officer	No comments	The LHA have no comments to make on the application
Historic England	No comments	Do not wish to be consulted on this application
National Highways	No objections	No comments on the proposal
Northamptonshire Police, Fire and Rescue	No comments	No comments on the proposal.
NNC S106 Officer	Comments	Request for financial contributions towards Early Years Education of £29,792 and Libraries of £2,498.
Town Centre Conservation	Comments	Consideration to the impact of the altered frontage on the setting of the Holy

Areas Advisory Committee		Sepulchre Church, character and appearance of the conservation area and the listed building itself. It would be preferable to use secondary double glazing or like for like replacement of the windows.
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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 have been 2 objections received raising the following comments:

- Concern regarding the impact of the proposal on pupils through noise and general disturbance
- Proposal would result in overdevelopment of the site
- Proposal would cause harm through the provision of addition units, causing harm through an increase in activity, waste collection and number of occupants
- Comments that it appears works have ben undertaken without a planning permission having been issued
- Concerns regarding dust and noise during construction

8 APPRAISAL

Principle of Development

- 8.1 The application falls within the Central Area as designated within the CAAP, as such, Policy 15 is relevant to the consideration of this application. Policy 15 protects the loss of former use class 'B' within employment areas.
- 8.2 The application site is located in the town centre of Northampton. Residential new-build flats exist across Broad Street from this site, and properties along Sheep Street have also gained planning permission to be converted into residential flats, including 49-53 Sheep Street. The principle of residential development in this area is acceptable in principle under Policy S1 of the Joint Core Strategy.
- 8.3 It is also the case that the Council cannot presently demonstrate a five year housing land supply for the former Northampton Borough area. Therefore, in accordance with the presumption in favour of sustainable development in Paragraph 11 of the NPPF, development should be permitted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. The development of the site for housing would contribute, albeit on a small scale, towards the Council's housing supply with associated social and economic benefits and this therefore weighs in favour of the proposal.
- 8.4 Also of relevance to the consideration of the principle of residential use on this site is the earlier grant planning permission for conversion of the offices to 14no. residential apartments. This has established the use of the site for residential purposes, and could be implemented within the conditioned time limit.
- 8.5 In line with the above the loss of the former business use in this circumstance is considered acceptable and the principle of providing residential units is accepted.

Design and Impact on the Designated Heritage Assets and Local Area

- 8.6 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development to pay special attention to preserving a listed building or its setting. Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities in considering whether to grant listed building consent for any works 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.
- 8.7 Policies BN5 and S10 of the Joint Core Strategy and Policy 1 of the Northampton Central Area Action Plan require high quality design. All refer to heritage assets and that any new development or works should be sympathetic to the listed building in terms of its character and setting.
- 8.8 The application site is a Grade II listed building and is located within the Holy Sepulchre Conservation Area. There are a number of further listed buildings within the surrounding area.
- 8.9 The Conservation originally objected to the proposed development, due to the scale and design of the extension. The scale and design of the extension has been amended and the scheme reduced from 20 apartments to 18 apartments. The top storey has been removed along with the box dormers above the existing roof projection. The Conservation Officer has advised in their updated comments, that the removal of the top storey is welcomed, and the impact on the character and appearance of the conservation area and the listed building will be much reduced.
- 8.10 The Conservation Officer recognises that whilst the building is grade II listed, the existing building is a replica building that was granted consent for demolition and rebuilding in the 1980s. The front façade is likely to be original, with some alterations. The interior of the building is entirely modern following its reconstruction and therefore, there is no impact on the historic fabric for the internal configuration of the building. On the front elevation, the additional provision of two windows on the roof eaves lines are proposed. These would match the existing window, which is located at the same height position, in the centre of the eaves line.
- 8.11 In addition, the Officer has reviewed the earlier application, for the conversion of the building to 14no. apartments, where the replacement of the windows to the frontage was agreed, and notes the proposed slim lite double glazing is considered acceptable. The current proposal states that double glazed uPVC will be used on the windows in the rear elevation. Further details of this window type and material are considered necessary and a condition seeking these details is recommended.
- 8.12 Paragraph 196 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.
- 8.13 The significance of the building is considered to be largely limited to the original front façade of the listed building and the contribution this makes to the character and appearance of the conservation area. Whilst the building does make a positive contribution to the conservation area and has significance as a listed building, overall the significance of the building is limited, due to only the front façade being original with the other parts being of 1980s construction. The modern interior of the building and design of the existing modern extension to the rear are considered not to

contribute to the significance of the listed building, The existing rear extension, although modern, is of a scale and design that is in-keeping with conservation area and therefore, makes a minor positive contribution to the character and appearance of the conservation area, albeit not from a historical stance. The extension to the rear would be of a single storey, and would be clad in slate to match the existing roof. The existing mansard roof would be removed and replaced with new brick.

- 8.14 Following the receipt of amended plans, the scale of the proposed extension has been reduced, which has resulted in the proposal having a much-reduced impact upon the listed building and conservation area, especially when viewed from the rear of the site. The front elevation would remain largely as existing, albeit with the provision of two new windows at eaves level and the replacement of the windows, which has previously been approved. The rear elevation of the proposal seeks to replicate the existing form, albeit raising this by a storey, with a slate clad mansard roof to match the existing at the top floor, with brick provided below.
- 8.15 The proposal would bring the building back into use, ensuring its repair and long-term retention, securing a viable use for the currently vacant listed building. In addition, there would be a modest contribution to the Council's housing supply, which is of public benefit.
- 8.16 It is considered that there would be some limited harm to the significance of the listed building, due to the extension and the alterations to the façade. However, this harm has been limited through the amendments to the design and the minor changes to the façade including the provision of two new windows and replacement windows below.
- 8.17 In terms of the impact on the character and appearance of the conservation, the proposed addition of windows to the façade are considered to result in limited harm, through the introduction of new detailing to the historic façade. However, this is limited due to the small scale of the amendments. The rear extension is situated within the conservation area and the design is considered appropriate, replicating the existing built form through the use of similar scale and materials. The provision of an additional storey would be visible from public vantage points at the rear of the site, however, these views are limited due to the proximity of the site to Broad Street, a main road and that the proposal would not appear overly dominant from the rear. Overall, there would be harm caused to the character and appearance of the conservation area, through the introduction of additional development at the rear, however, this is considered to be limited harm to its significance due to the appropriate design and much reduced scale.
- 8.18 On balance, it is considered that securing a viable use for the vacant listed building and the contribution the development would make to the Authority's housing supply would be of sufficient public benefit to outweigh the harm caused to the significance of the Listed Building and Conservation Area. As such, it is considered that the proposal would have an acceptable impact upon the designated heritage assets.

Impact upon Neighbouring Amenity

- 8.19 It is acknowledged that concerns have been raised from the adjacent educational facility raising concerns with the impact of the proposal on the amenity of its pupils through noise and other pollution generated from the development.
- 8.20 The application site is separated from existing residential development to the west by Broad Street. Given the separation between these properties, the proposal would not have an unacceptable impact upon these neighbouring properties.

- 8.21 To the south 49-53 Sheep Street has been granted planning permission to be converted in to 14 flats and there is an additional planning permission for a new apartment block consisting of 14 flats fronting Broad Street.
- 8.22 To the north of the site is Northgate House, which operates as a free school. The property shares a vehicle access point with the application site. Whilst the proposal would have alterations to the north elevation, it is considered that the proposal would not have an unacceptable impact upon the school. The concerns regarding noise and other pollution such as dust are considered to be suitable controlled through planning conditions particularly through the Construction Management Plan.
- 8.23 Whilst the approved application at the rear of 49-53 Sheep Street does include windows in the east elevation facing towards Sheep Street (the rear of 49-53 Sheep Street), the windows are not directly overlooking those at the rear of Oriel House, the application site. In addition, the proposed conversion of the building to residential apartments which included windows serving habitable rooms at the rear, was considered acceptable. As such, it is considered that any harm would be caused by an existing relationship, should the conversion of Oriel House be carried out. Therefore, the proposal is considered not to cause additional harm to amenity of the occupiers of the Oriel House or the apartment building on the land to the rear of 49-53 Sheep Street, as approved under application N/2020/1565.
- 8.24 In terms of the impact of the proposal on Northgate House, it is considered that the wouldn't be a loss of privacy to the students using the free school through the proposal. The comments regarding noise and other pollution such as dust during construction are noted and reiterated by the Environmental Protection Officer in respect of the additional impact of the proposal, having increased from the approved 14 residential apartments to the proposed 18.

Amenity of Future Occupiers and Internal Standards

- 8.25 The application proposes residential accommodation. As such, it is important to consider whether the internal standards proposed are sufficient. The Nationally Described Space Standards are a good measure for ensuring acceptable internal standards.
- 8.26 The following table sets out the residential accommodation proposed and the require size se out under the Nationally Described Space Standards.

Level	Accommodation Provided	Proposed Size	Space Standard Required
Lower Ground	1no. 1 bedroom, 2 person	50.8m ²	50m ²
	1no. 2 bedroom, 4 person	77.2m ²	70m ²
Ground Floor	1no. 1 bedroom, 2 person	50.8m ²	50m ²
	1no. 2 bedroom, 4 person	77.2m ²	70m ²
	1no. 2 bedroom, 3 person	61.1m ²	61m ²
	1no. 1 bedroom, 1 person	41.9m ²	39m ²
First Floor	1no. 1 bedroom, 2 person	50.8m ²	50m ²
	1no. 2 bedroom, 4 person	77.2m ²	70m ²
	1no. 1 bedroom, 1 person	48.4m ²	39m ²
	1no. 2 bedroom, 3 person	65.9m ²	61m ²

Second Floor	1no. 1 bedroom, 2 person	50.8m ²	50m ²
	1no. 2 bedroom, 4 person	77.2m ²	70m ²
	1no. 1 bedroom, 1 person	45.9m ²	39m ²
	1no. 2 bedroom, 3 person	63.4m ²	61m ²
Third Floor	1no. 1 bedroom, 2 person	50.8m ²	50m ²
	1no. 2 bedroom, 4 person	80.2m ²	70m ²
	1no. 1 bedroom, 2 person	52.2m ²	50m ²
	1no. 1 bedroom, 1 person	41.9m ²	39m ²

- 8.27 As shown in the table, each of the proposed apartments meets the relevant space standard required set out in the Nationally Described Space Standards. As such, the proposal is considered to provide sufficient internal space for future occupiers, and provide an acceptable amenity in this respect.
- 8.28 The floorplans show that each of the habitable rooms (bedrooms and living spaces) are served by exterior windows, in most cases, by more than one exterior window. There is potential for overlooking between bedroom 1 of unit 4 and the living space of unit 6, bedroom 1 of unit 8 and the living space of unit 10, bedroom 1 of unit 12 and the living space of unit 14 and bedroom 1 of unit 16 and the living space of unit 18. In each of these cases the plans show that frost glass would be provided to the windows within each of the bedrooms to restrict overlooking. The plans also show that these bedrooms would be served by standard non-frosted windows on the side elevation, and not that overlooking the living space of the units. As such, the occupiers of each of these bedrooms would have an outlook from standard window and would not be reliant upon the frosted windows to provide outlook. As such, the proposed development is considered acceptable in terms of the privacy afforded to future residents, within the development itself. A condition securing the implementation of these frosted windows and their retention is recommended.

Highways Impact

- 8.29 The Council's Highways Officer has been consulted on the proposal and have confirmed they do not have any comments to make.
- 8.30 The site is located within close proximity to the facilities within the town centre and a range of alternate transport modes and is therefore considered to be within a highly sustainable location.
- 8.31 The application includes the provision of 8 car parking spaces, utilising the existing shared access at the side of the building. The plans show that the existing entrance with gates is to be reused. Electric vehicle charging points to each space are proposed. The application site is located with the town centre within a highly sustainable location, with relatively short walking distance to a range of facilities and easy access to a range of alternate transport modes. In line with this, the provision of parking spaces for the proposed development is considered acceptable and the Highways Officer has not objected to the proposal on this basis.
- 8.32 Cycle storage is proposed within the building at lower ground level. The plans show that a vertical bike rack to store 22 bikes would be provided with easy access to the exterior of the building.
- 8.33 Overall, the proposal is considered to have an acceptable impact on highway safety due to the provision of electric charging points for vehicles, provision of cycle

storage and sustainable location.

Flood Risk and Drainage

- 8.34 The site lies within Flood Zone 1, according to the Environment Agency's flood risk for planning mapping. The site is within a very low risk of surface water flooding, as defined by the EA. The applicant has provided details of drainage, stating that the existing proposal seeks to re-use the existing drainage and as the proposal would not result in the creation of to the footprint of the building, there would be no material change in the drained areas as part of the development. The Environment Agency's request in respect of conditions securing surface water drainage details and foul water are noted, however, this has been provided by the applicant within the drainage strategy. The strategy provided also includes details of a proposed schedule of maintenance for below ground drainage. Unfortunately, the Local Lead Flood Authority Officer has not responded to the application. As such, confirmation will be sought on the acceptability of the information provided prior to the Committee meeting and update provided on whether the document would be an approved document or whether further information is required and a condition securing the submission of the details is required.

Other Matters

Planning Conditions

- 8.35 The earlier applications N/2020/1630 and N/2021/0007 were granted subject to planning conditions requiring details to be approved for several matters. Applications to discharge condition 3 (Sample of Materials to be provided), condition 4 (Construction Environment Management Plan) and condition 5 (Glazing and Ventilation) were subsequently approved. The applicant has provided these details in support of their current applications.
- 8.36 In regard to Conditions 3 (Sample Materials to be provided) and 5 (Glazing and Ventilation) a decision approving these details in respect of the approved 14 unit scheme. This approval letter was dated 13th July 2022.
- 8.37 The Authority has not issued a decision regarding Condition 4 (Construction Environment Management Plan).
- 8.38 The Environmental Protection Officer has reviewed the submitted information in respect of the current application and has outlined in their response that the documents provided relate to the construction of 14no. apartments under the earlier scheme and not the current proposal for 20 no. apartments including a new extension. Therefore, has requested that conditions are imposed to ensure that suitable details are provided in respect of these matters. Whilst it is noted that the scheme has been reduced to 18 apartments and an updated report provided, the Environmental Health Officer has not amended their comments currently.
- 8.39 In terms of the details approved by condition 3 requiring the submission of the sample of materials, the approved Ibstock Tradesman Cheviot brick with grey pointing mortar is considered acceptable. The use of these bricks are not specifically identified on the submitted plans, therefore, it is necessary to secure a plan showing where these bricks would be used. In addition, the proposal includes the use of other new external materials such as the slate tiles. It is considered reasonable and necessary to secure details of these new materials.

- 8.40 It is noted that additional details have been provided for the heritage windows to the frontage, which are considered acceptable. However, the plans show that uPVC windows would be used at the rear of the building. Details of these have not been provided and are requested by the Conservation Officer.

9 FINANCIAL CONSIDERATIONS

- 9.1 The development is CIL liable. As the development is above the threshold of 15 units, the development is required to provide financial contributions towards early years education and the provision of 35% on-site affordable housing, under policy H2. and the proposal would meet the threshold of 15 or more dwellings, requiring the provision of 35% on-site affordable housing
- 9.2 The NNC S106 Officer acting on behalf of the West Northamptonshire Council Key Services have requested financial contributions of £29,792 towards early years education and library improvements of £2,498. The Planning Obligations SPD sets out a requirement for developments to contribute towards early years education, however, there is no such requirement for contributions towards library improvements.
- 9.3 As part of the submission, the applicant has indicated that the scheme would be financially unviable if it were require to provide a policy compliant affordable housing or other planning obligations relevant to the scheme. The submitted viability assessment has been independently assessed by the Authority's viability consultant, who has conclude that the scheme is unable to offer any form of affordable housing or any form of financial contributions.
- 9.4 The Authority accepts the findings of the independent viability assessment and is of the view that the redevelopment of the site to provide residential accommodation, albeit not in accordance with the affordable housing policy, and is acceptable on this occasion as the Authority is currently unable to demonstrate a 5 – year housing land supply and that the independently assessed viability details have concluded that this in this case, the scheme would be unviable.

10 PLANNING BALANCE AND CONCLUSION

- 10.1 The principle of residential development is accepted, the proposal would not have an unacceptable impact upon the listed building, the design is considered acceptable, it is not considered that the proposal would harm the setting of neighbouring historic buildings nor that of the Conservation Area, acceptable living conditions are provided and the scheme would not have an unacceptable impact upon neighbouring amenity. As such, subject to conditions, no objections are raised with regards to the requirements of the National Planning Policy Framework, Policies S1, S2, S3, S10, C2, H1, BN5 of the West Northamptonshire Joint Core Strategy, and policies 1 and 15 of the Northampton Central Area Action Plan 2013.

11 RECOMMENDATION / CONDITIONS AND REASONS

- 11.1 Grant permission subject to conditions as set out below with delegated authority to the Head of Planning Delivery for Planning and Environment to approve any amendments to those conditions as deemed necessary.

Time limit

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.

Approved plans

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

Location Plan 0002 Br.33 V1 00 DR 00000 SO Rev 01
Proposed Site Plan 0021 BR.33 V1 00 DR 10001 SO Rev 01
Proposed Lower Ground Floor Plan Br.33 00 01 DR 10110 Rev 02
Proposed Ground Floor Plan 0021 Br.33 00 GF DR 10111 Rev 02
Proposed First Floor Plan 0021 Br.33 00 01 DR 10112 Rev 02
Proposed Second Floor Plan 0021 Br.33 00 02 DR 10113 Rev 02
Proposed Third Floor Plan 0021 Br.33 00 03 DR 10114 Rev 02
Proposed East and North Elevation 0021 Br.33 00 XX DR 30100 02
Proposed West and South Elevations 0021 Br.33 00 XX DR 30101 02
Proposed Section West 0021 Br.33 00 XX DR 20100 Rev 02
Proposed Section East 0021 Br.33 00 XX DR 20101 Rev 02
Gate Elevation 0002 Br.33 V1 XX DR 30102 SO Rev 01
Sash and Case Drawing 00001 Rev A
Sturroks Joinery Proposed specification for traditional sash and case windows

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

Materials

3. Prior to the commencement of the development hereby approved a materials schedule providing full details of all proposed external facing materials (including new brickwork and external doors) showing the location of the proposed material shall be 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 the requirements of Policies S10 and H1 of the West Northamptonshire Joint Core Strategy.

Noise

4. Notwithstanding the submitted details, prior to the commencement of development the noise impact assessment must be updated to reflect the proposed development and should include details of an update glazing and ventilation scheme for the site. The submitted details must include verification from the manufacturer that the scheme meets the requirements of the updated noise impact assessment. The approved scheme shall be implemented prior to the first occupation of the residential units hereby permitted and thereafter maintained in the approved state.

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

Boundary treatments

5. Notwithstanding the submitted details, prior to first occupation of the development hereby approved full details of all proposed boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be provided on site prior to first occupation and retained thereafter.

Reason: In the interests of visual amenity and to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan 1997 (saved policy) and the requirements of the National Planning Policy Framework.

Security measures

6. Prior to first occupation of the development hereby approved a crime security measures strategy for crime prevention for the residential units shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme for crime security shall be implemented in full accordance with the approved details prior to first occupation of the residential units hereby approved and 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.

Waste condition

7. Prior to first occupation of the development hereby approved, a waste management plan providing full details of the storage and collection of waste (including a management plan for collection of refuse from the bin store and arrangements for moving the bins in and out before and after collection and a plan for cleaning and maintaining the bin store) associated with the approved development shall be submitted to and approved in writing by the Local Planning Authority. The Waste Management Plan and secure bin store as shown within plan 0021 Br.33 V1 00 DR 10001 SO Rev 01 shall be fully implemented as approved 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 and Policy H1 of the West Northamptonshire Joint Core Strategy.

Electrical charge points

8. Notwithstanding the submitted details, full details for the provision of the 8 electric vehicle charging points for the units as shown on the Proposed Site Plan 0021 BR.33 V1 00 DR 10001 SO Rev 01 hereby approved shall be first submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and fully implemented prior to the development being first brought into use.

Reason: To ensure the provision of adequate facilities in accordance with the Northampton Parking Standards Supplementary Planning Document (2019).

Landscaping condition

9. Notwithstanding the submitted details, prior to first occupation of the development hereby approved a detailed scheme of hard and soft landscaping for the site shall be submitted to and approved in writing by the Local Planning Authority.

All planting, seeding or turfing agreed within the approved scheme 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 of plants, shrubs and trees that may die are removed or become seriously damaged or diseased with others of similar size and species.

The approved hard landscaping scheme shall be carried out prior to occupation and retained thereafter.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policies H1 and S10 of the West Northamptonshire Joint Core Strategy.

Bicycle storage

10. The bike store as shown within Proposed Lower Ground Floor Plan Br.33 00 01 DR 10110 Rev 022 shall be provided prior to first occupation of the site and retained on site at all times thereafter for the secure parking of bicycles.

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.

Parking condition

11. The parking spaces shown on approved Proposed Site Plan 0021 Br.33 V1 00 DR 10001 SO Rev 01 shall be constructed prior to the first occupation of the development hereby approved and retained thereafter solely for the parking of vehicles associated with the development hereby approved.

Reason: To ensure that the proposed development does not prejudice the free flow of traffic or conditions of highway safety in accordance with the requirements of the National Planning Policy Framework.

Obscure glazing

12. The following windows shall be glazed with obscured glass to Level 3 or higher of the Pilkington scale of privacy or equivalent as may be agreed in writing by the Local Planning Authority, and shall be secured shut at a level below 1.7 metres above the internal floor level of the room the window serves, before the residential units hereby permitted are first occupied and thereafter retained in that form at all times:

Bedroom 1 of Unit 4, as shown on Proposed Ground Floor Plan 0021 Br.33 00 GF DR 10111 Rev 02

Bedroom 1 of Unit 8 as shown on Proposed First Floor Plan 0021 Br.33 00 01 DR 10112 Rev 02

Bedroom 1 of Unit 12 as shown on Proposed Second Floor Plan 0021 Br.33 00 02 DR 10113 Rev 02

Bedroom 1 of Unit 16 as shown on plan Proposed Third Floor Plan 0021 Br.33 00 03 DR 10114 Rev 02

Reason: To safeguard the privacy of the adjoining property in accordance with Policy E20 of the Northampton Local Plan and the National Planning Policy Framework.

Removal of PD rights

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any subsequent order revoking and re-enacting the provisions of the order, the units hereby permitted shall be used only for purposes within Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification and shall not be used as a House in Multiple Occupation.

Reason: In the interests of amenity and highway safety in accordance with Policies H1 and H5 of the West Northamptonshire



**West
Northamptonshire
Council**

Title: **Oriel House, 55 - 57 Sheep Street**

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Planning Committee Report

Committee Date: 7th February 2023

Application Number: WNN/2022/0954

Location: Oriel House, 55 – 57 Sheep Street, Northampton, NN1 2NE

Development: Listed Building Consent Application for Change of Use of existing building from Offices (Use Class E) to Residential Use for 18no Apartments (Use Class C3), together with 8no parking spaces to rear and areas for cycle parking and bin storage

Applicant: Chase Parker Holdings Ltd

Agent: br.33 Architectural Visualisations

Case Officer: Samantha Taylor

Ward: Castle Unitary Ward

Referred By: The report is referred by the Head of Planning Delivery

Reason for Referral: Major application

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS, with delegated authority to the Head of Planning Delivery to approve any amendments to the recommended conditions as deemed necessary.

Proposal

The application seeks full planning permission for the change of use from the existing offices to 18 residential apartments, with an extension to the building. There is an accompanying full planning application for the proposal.

Consultations

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

- Arboriculture, National Highways

The following consultees have responded and offer **comments** on the application:

- Conservation Officer, Anglian Water, Archaeology, Ecology, Environmental Protection, Town Centre Conservation Areas Advisory Committee

The following consultees have responded and offer **no comments** on the application:

- Environment Agency, Highways, Historic England, Northamptonshire Police, Fire and Rescue

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:

- Design and Impact on Designated Heritage Assets and the Local Area

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 existing office block, on the western side of Sheep Street. The building is a Grade II listed building and forms part of the Holy Sepulchre Conservation Area. The listed building was originally an 18th Century town house, however, it is largely now the historic façade to a 1980s office building. The existing building is 5 storeys.
- 1.2 The surrounding area contains several different uses including offices, an educational facility, residential and other vacant buildings. The site is bound by Broad Street which acts as a ring road around Northampton Town Centre.

2 CONSTRAINTS

- 2.1 The application site is a Grade II listed building and is located within the Holy Sepulchre Conservation Area. The site also lies within the Central Areas as set out within the Northampton Central Area Action Plan.

3 DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1 The application seeks listed building consent for the Change of Use of existing building from Offices (Use Class E) to Residential Use for 18no Apartments (Use Class C3), together with 8no parking spaces to rear and areas for cycle parking and bin storage

4 RELEVANT PLANNING HISTORY

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

Application Ref.	Proposal	Decision
Oriel House		
N/2017/0712	Various Tree Works	Approved
N/2020/1630	Change of Use from Offices (Use Class E) to Residential (Use Class C3) to create 14no. Apartments	Approved
N2021/0007	Listed Building Consent for the Conversion of Office (Use Class E) to create 14no. Apartments including internal alterations and replacement double glazed windows	Approved
WNN/2022/0954	Listed Building Consent Application for the change of use of the existing building from Offices (Use Class E) to Residential Use for 18no. Apartments (Use Class C3) together with 8no. parking spaces to the rear and areas for cycle parking and bin storage	Under Consideration (on the Committee Agenda)
WNN/2022/1029	T5 and T6 London Plane Removed.	Approved
Northgate House		
PN/2015/0046	Prior notification for change of use of offices to 52 residential apartments	Approved
N/2016/1643	Prior notification for a change of use from offices (Use Class B1) to a free school (Use Class D1)	Approved
N/2018/0878	Minor alterations comprising localised repainting work, replacement of windows/glazing, privacy window film to changing rooms. Replacement waterproofing to flat roof, rooftop balustrade/handrail and 'man-safe' roof access system at Upper Ground to Fourth Floor Level	Approved
N/2018/1245	Variation of Conditions 2 and 3 of Prior Notification Permission N/2016/1643 (change of use from offices (Use Class B1) to a Free School (Use Class D1)) to improve permitted parking and drop off/pick up arrangement	Approved
N/2019/1595	Variation of Condition 2 of Planning Permission N/2018/0878 for minor alterations comprising localised re-painting work, replacement of windows/glazing, privacy window film to changing rooms, replacement waterproofing to flat roof, rooftop balustrade/handrail and 'man-safe' roof access	Approved
49-53 Sheep Street		
N/2020/0447	Conversion of Offices (Use Class B1) to 14no Apartments (Use Class C3), including	Approved

	alterations to rear elevation and internal alterations	
N/2020/0448	Listed Building Consent Application for the conversion of Offices (Use Class B1) to 14no Apartments (Use Class C3), including alterations to rear elevation and internal alterations	Approved
Land to the Rear of 49-53 Sheep Street		
N/2020/1565	Proposed new residential development of 4no apartments on land to the rear of 49-53 Sheep Street	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 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities in considering whether to grant listed building consent for any works 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 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.
- 5.4 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

- 5.5 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) – Policies

- 5.6 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:

S1 – The distribution of development
S2 – Hierarchy of Centres
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 Local Plan (1997)– Saved Policies

- 5.7 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
B14 – Non-business development

Northampton Central Area Action Plan (CAAP) (2013) – Policies

- 5.8 The relevant policies of the Northampton Central Area Action Plan (CAAP) are as follows:

Policy 1 – Conservation Area
Policy 15 – Safeguarded Employment Sites

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

- 5.9 The Local Plan was submitted to the Planning Inspectorate for examination in February 2021. As part of the examination in public, hearings chaired by Government-appointed Planning Inspectors took place in November 2021. The Planning Inspectors have indicated that the plan is capable of being found sound subject to main modifications being made.
- 5.10 Consultation on main modifications took place in July and August 2022. In November and December 2022, consultation on further main modifications took place to address issues relating to two specific sites. Accordingly, the policies in the emerging plan are material considerations in the determination of planning applications and significant weight is attached to all of the policies - with the exception of Policies 41 and 43.
- 5.11 The relevant emerging policies are set out below:

Policy 1 – Presumption in favour of sustainable development (Significant Weight)
Policy 2 – Placemaking and Design (Significant Weight)
Policy 4 – Amenity and Layout (Significant Weight)
Policy 13 – Residential and other residential led allocations (Significant Weight)

National Policies

- 5.12 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 12 – Design

Material Considerations

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

- Northampton Parking Standards Supplementary Planning Document
- Northamptonshire Parking Standards

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	Comments	<p>The removal of the top storey of the extension to the rear is welcome. The impact on the character and appearance of the conservation area and listed building will be much reduced.</p> <p>Some additional information regarding the features along the ridge of the building are required.</p> <p>Initial Comments - the Officer originally objected to the scale and design of the extension to the building, due to the impact on the character of the conservation area and the impact of the box dormers of the listed building frontage.</p>
Anglian Water	Comments	<p>No additional comments to add to previous response</p> <p>Initial Comments – conditions are recommended in regards to securing foul water drainage works and surface water management strategy</p>
Arboricultural Officer	No objections	<p>Applications WNN/2022/0790 and WNN/2022/1029 considered the removal of trees from the site. These applications were considered acceptable.</p> <p>The planting proposals require the submission of a detailed landscape scheme.</p>
Archaeology Officer	Comments	<p>No material changes that alter first comments.</p>

		Initial Comments – satisfied the proposed development will only affect the 1980s interior of the building and the historic façade will not be altered in a manner detrimental to its significance.
Environment Agency	No Comments	The EA does not wish to comment on this application
Ecology	COmments	No additional comments from initial comments made. Initial Comments – The proposal is unlikely to have features of interest to roosting bats
Environmental Protection Officer	Comments	The application has been reviewed and the Officer notes that the documents provided in respect of the current application regarding noise etc are those which were previously considered against the earlier application N/2020/1630, where fewer residential apartments without an extension were approved. As such, the documents provided in support of the current application require updating. Therefore, the Officer has suggested a number of conditions relating to noise, air quality, EV charging, waste storage, low Nox boilers, construction phase.
Highways Officer	No comments	The LHA have no comments to make on the application
Historic England	No comments	Do not wish to be consulted on this application
National Highways	No objections	No comments on the proposal
Northamptonshire Police, Fire and Rescue	No comments	No comments on the proposal.
NNC S106 Officer	Comments	Request for financial contributions towards Early Years Education of £29,792 and Libraries of £2,498.
Town Centre Conservation Areas Advisory Committee	Comments	Consideration to the impact of the altered frontage on the setting of the Holy Sepulchre Church, character and appearance of the conservation area and the listed building itself. It would be preferable to use secondary double glazing or like for like replacement of the windows.

Whilst the above comments are noted, only those relevant to the assessment of the Listed Building Consent can be considered.

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 have been 2 objections received raising the following comments:

- Concern regarding the impact of the proposal on pupils through noise and general disturbance
- Proposal would result in overdevelopment of the site
- Proposal would cause harm through the provision of addition units, causing harm through an increase in activity, waste collection and number of occupants
- Comments that it appears works have been undertaken without a planning permission having been issued
- Concerns regarding dust and noise during construction

8 APPRAISAL

Design and Impact on the Designated Heritage Assets and Local Area

- 8.1 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development to pay special attention to preserving a listed building or its setting. Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities in considering whether to grant listed building consent for any works 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.
- 8.2 Policies BN5 and S10 of the Joint Core Strategy and Policy 1 of the Northampton Central Area Action Plan require high quality design. All refer to heritage assets and that any new development or works should be sympathetic to the listed building in terms of its character and setting.
- 8.3 The application site is a Grade II listed building and is located within the Holy Sepulchre Conservation Area. There are a number of further listed buildings within the surrounding area.
- 8.4 The Conservation originally objected to the proposed development, due to the scale and design of the extension. The scale and design of the extension has been amended and the scheme reduced from 20 apartments to 18 apartments. The top storey has been removed along with the box dormers above the existing roof projection. The Conservation Officer has advised in their updated comments, that the removal of the top storey is welcomed, and the impact on the character and appearance of the conservation area and the listed building will be much reduced.
- 8.5 The Conservation Officer recognises that whilst the building is grade II listed, the existing building is a replica building that was granted consent for demolition and rebuilding in the 1980s. The front façade is likely to be original, with some alterations. The interior of the building is entirely modern following its reconstruction and therefore, there is no impact on the historic fabric for the internal configuration of the building. On the front elevation, the additional provision of two windows on the roof eaves lines are proposed. These would match the existing window, which is located at the same height position, in the centre of the eaves line.
- 8.6 In addition, the Officer has reviewed the earlier application, for the conversion of the building to 14no. apartments, where the replacement of the windows to the frontage was agreed, and notes the proposed slim lite double glazing is considered acceptable. The current proposal states that double glazed uPVC will be used on the

windows in the rear elevation. Further details of this window type and material are considered necessary and a condition seeking these details is recommended.

- 8.7 Paragraph 196 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.
- 8.8 The significance of the building is considered to be largely limited to the original front façade of the listed building and the contribution this makes to the character and appearance of the conservation area. Whilst the building does make a positive contribution to the conservation area and has significance as a listed building, overall the significance of the building is limited, due to only the front façade being original with the other parts being of 1980s construction. The modern interior of the building and design of the existing modern extension to the rear are considered not to contribute to the significance of the listed building, The existing rear extension, although modern, is of a scale and design that is in-keeping with conservation area and therefore, makes a minor positive contribution to the character and appearance of the conservation area, albeit not from a historical stance. The extension to the rear would be of a single storey and would be clad in slate to match the existing roof. The existing mansard roof would be removed and replaced with new brick.
- 8.9 Following the receipt of amended plans, the scale of the proposed extension has been reduced, which has resulted in the proposal having a much-reduced impact upon the listed building and conservation area, especially when viewed from the rear of the site. The front elevation would remain largely as existing, albeit with the provision of two new windows at eaves level and the replacement of the windows, which has previously been approved. The rear elevation of the proposal seeks to replicate the existing form, albeit raising this by a storey, with a slate clad mansard roof to match the existing at the top floor, with brick provided below.
- 8.10 The proposal would bring the building back into use, ensuring its repair and long-term retention, securing a viable use for the currently vacant listed building. In addition, there would be a modest contribution to the Council's housing supply, which is of public benefit.
- 8.11 It is considered that there would be some limited harm to the significance of the listed building, due to the extension and the alterations to the façade. However, this harm has been limited through the amendments to the design and the minor changes to the façade including the provision of two new windows and replacement windows below.
- 8.12 In terms of the impact on the character and appearance of the conservation area, the proposed addition of windows to the façade are considered to result in limited harm, through the introduction of new detailing to the historic façade. However, this is limited due to the small scale of the amendments. The rear extension is situated within the conservation area and the design is considered appropriate, replicating the existing built form through the use of similar scale and materials. The provision of an additional storey would be visible from public vantage points at the rear of the site, however, these views are limited due to the proximity of the site to Broad Street, a main road and that the proposal would not appear overly dominant from the rear. Overall, there would be harm caused to the character and appearance of the conservation area, through the introduction of additional development at the rear, however, this is considered to be limited harm to its significance due to the appropriate design and much reduced scale.

- 8.13 On balance, it is considered that securing a viable use for the vacant listed building and the contribution the development would make to the Authority's housing supply would be of sufficient public benefit to outweigh the harm caused to the significance of the Listed Building and Conservation Area. As such, it is considered that the proposal would have an acceptable impact upon the designated heritage assets.

10 PLANNING BALANCE AND CONCLUSION

- 10.1 considered that the proposal would harm the setting of neighbouring historic buildings nor that of the Conservation Area, acceptable living conditions are provided and the scheme would not have an unacceptable impact upon neighbouring amenity. As such, subject to conditions, no objections are raised with regards to the requirements of the National Planning Policy Framework, Policies S1, S2, S3, S10, C2, H1, BN5 of the West Northamptonshire Joint Core Strategy, and policies 1 and 15 of the Northampton Central Area Action Plan 2013.

11 RECOMMENDATION / CONDITIONS AND REASONS

- 11.1 Grant permission subject to conditions as set out below with delegated authority to the Head of Planning Delivery for Planning and Environment to approve any amendments to those conditions as deemed necessary.

Time limit

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.

Approved plans

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

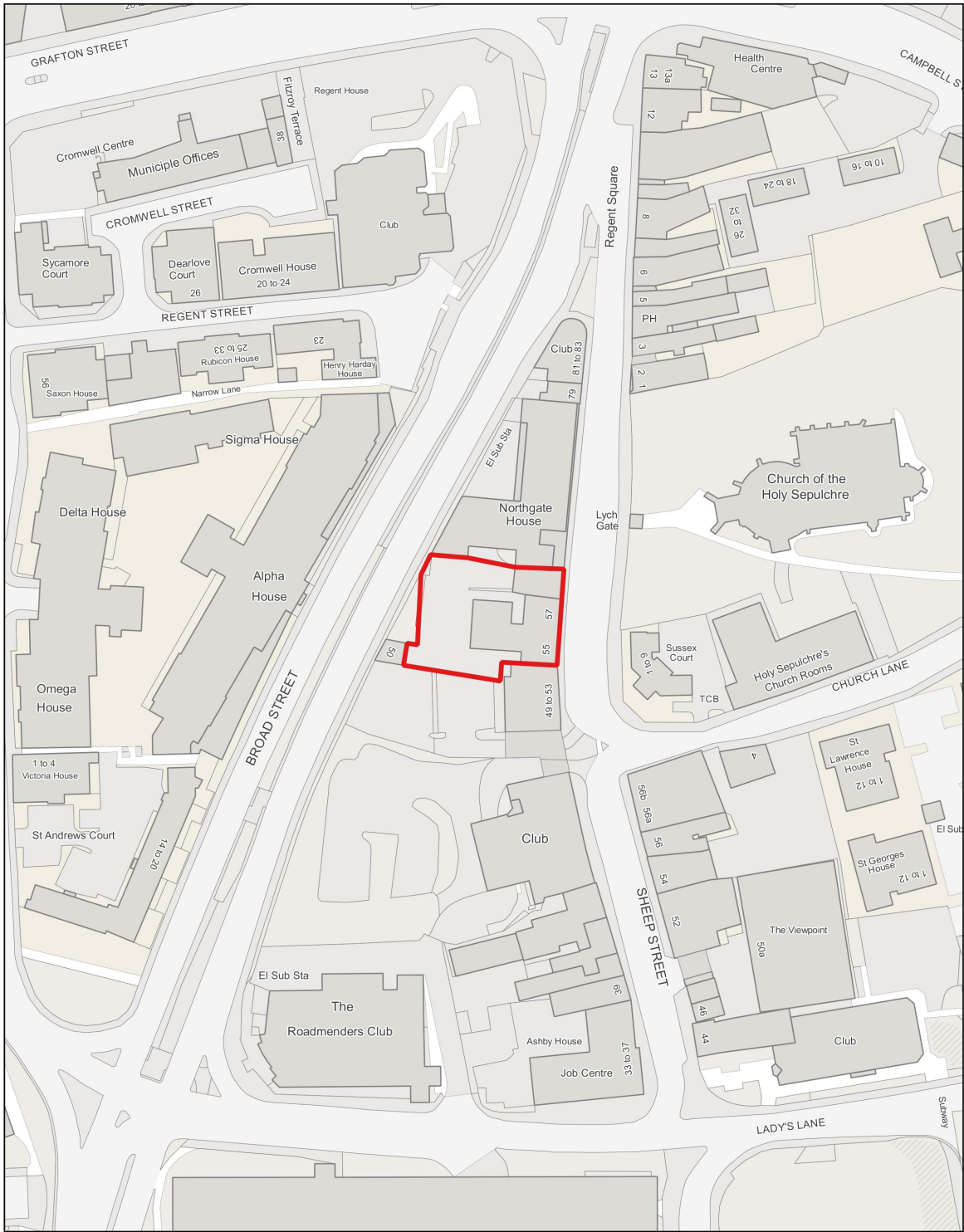
Location Plan 0002 Br.33 V1 00 DR 00000 SO Rev 01
Proposed Site Plan 0021 BR.33 V1 00 DR 10001 SO Rev 01
Proposed Lower Ground Floor Plan Br.33 00 01 DR 10110 Rev 02
Proposed Ground Floor Plan 0021 Br.33 00 GF DR 10111 Rev 02
Proposed First Floor Plan 0021 Br.33 00 01 DR 10112 Rev 02
Proposed Second Floor Plan 0021 Br.33 00 02 DR 10113 Rev 02
Proposed Third Floor Plan 0021 Br.33 00 03 DR 10114 Rev 02
Proposed East and North Elevation 0021 Br.33 00 XX DR 30100 02
Proposed West and South Elevations 0021 Br.33 00 XX DR 30101 02
Proposed Section West 0021 Br.33 00 XX DR 20100 Rev 02
Proposed Section East 0021 Br.33 00 XX DR 20101 Rev 02
Gate Elevation 0002 Br.33 V1 XX DR 30102 SO Rev 01
Sash and Case Drawing 00001 Rev A
Sturroks Joinery Proposed specification for traditional sash and case windows

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

Materials

3. Prior to the commencement of the development hereby approved a materials schedule providing full details of all proposed external facing materials (including new brickwork and external doors) showing the location of the proposed material shall be 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 the requirements of Policies S10 and H1 of the West Northamptonshire Joint Core Strategy.



West Northamptonshire Council

Title: **Oriel House, 55 - 57 Sheep Street**

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Date: 23-01-2023

Scale: 1:1,250 @A4

Drawn: M Johnson