



Planning Committee Report

Application Number: WNN/2022/0898

Location: 51 Gold Street, Northampton, NN1 1RA

Development: Part demolition and adaptation of existing first floor and addition of two further floors for 14no flats and retention of Class E ground floor and basement

Applicant: Spearhead Holdings

Agent: Stimpson Walton Bond Architects

Case Officer: Andy White

Ward: Castle Unitary Ward

Reason for Referral: Major application

Committee Date: 3 August 2023

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS as set out below with delegated authority to the Assistant Director for Planning and Development to approve any amendments to conditions as deemed necessary;

Proposal

Part demolition and adaptation of existing first floor and addition of two further floors for 14no flats and retention of Class E ground floor and basement.

Consultations

The following consultees **object** to the application:

- WNC Conservation Officer and Town Centre Conservation Areas Advisory Committee

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

- WNC Environmental Health, Anglian Water, WNC Archaeology, Environment Agency, WNC Ecology

One letter of support was received and three letters of objection.

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 6 of the report.

The key issues arising from the application details are:

- Principle of Development
- Impact on Character and appearance of the area

- Impact on Heritage Assets
- Living Conditions and Amenity
- Noise Impacts and the Agent of Change Principle
- Highway Safety
- Flood Risk and 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 THE PROPOSAL

- 1.1 The proposal for 51 Gold Street includes the part demolition and adaptation of the existing first floor and the addition of two further floors for 14no flats (Use Class C3) and the retention of Class E ground floor and basement with a private secure linear courtyard and thoroughfare to the first floor. The proposal includes 10no single bed 2 person flats between 50sq/m and 58sq/m and 4no two bed flats between 75sq/m and 77sq/m. Public access to the ground floor will continue to be from Gold Street. Some of the rear ground floor area will be used for bin storage and secure cycle storage.
- 1.2 The layout retains the basement and ground floor layout associated with the existing Class E use. Above ground floor level the east, west and south walls will be adapted for the new proposal. The existing roofs will be replaced and a new linear courtyard will be constructed behind the Gold Street facade which will include a first floor, second floor and third floor mansard roof profile which will step down in height towards the southern end of the site.
- 1.3 The staircase at the Gold Street end of the building will be retained to access the first-floor external courtyard and flats. A covered external staircase will access the courtyard from the southern Adelaide Place approach. Three other internal staircases will access the flats on the second and third floors.
- 1.4 There will be one flat on each of three floors facing Gold Street. At the south end there will be one flat on each of the three floors facing the south rear yard. The new linear building between the front elevation and the southern end will have three flats on the first and second floor and two flats on the third floor facing the proposed courtyard. There will be no windows in the west flank boundary wall. The east flank wall which previously supported the existing roof will be part reduced in height to 1.8m above the new courtyard level to provide natural lighting to the first-floor courtyard flats.

2 SITE DESCRIPTION

- 2.1 The site is located at 51 Gold Street within Northampton Town Centre. The building is a 1960's two storey building in the All Saints Conservation Area. The site is situated within a terrace of properties that front Gold Street whilst to the rear of the site is the Grade II listed building - the Former All Saints School Building. The existing use of No.51 is within Use Class E and has been vacant since 2020.

- 2.2 The building is located between the elegant tall three storey façade of No.47 to 49A Gold Street on the east side and a 3-storey building with a twin shop front and two modern sash windows to each floor above on the west side. The roof line steps down westward along Gold Street. The 51 Gold Steet frontage has a poorly proportioned front elevation with a long-glazed shop front, shop entrance and fire doors at one end and a projecting shop sign with another sign under it extending across the width of the building. It has brick walls at either end and a large glazed first floor area with blank infill panels above and a concrete parapet panel.
- 2.3 Behind the 51 Gold Steet facade the 2-storey building extends to the southern boundary of the Argos service/access road. The 2-storey building is in two halves with a slight change in angle and a change in height and floor level. The Gold Street end has a low-pitched corrugated asbestos profiled roof. The southern end has a 30° slate roof with a rendered south gable wall and a small rear yard that backs onto the Argos service yard. The rear yard has access to Adelaide Place and into Horseshoe Street. There is ironstone walling to the rear east and west flank walls both with gutters at eaves level. Halfway along the east side the flank wall changes to brick and the higher eaves level of the corrugated asbestos roof. The east elevation faces the rear yard of Gold Street Mews which has an external seating area for a cafe.
- 2.4 The pitched gable wall of No 47 to 49A Gold Street projects above the 51 Gold Street façade. The west side of the building abuts the gables of 53 Gold Street and the wider gable of a building at the back of 63 Horseshoe Street which also has a poor-quality painted timber framed structure abutting the ironstone west flank wall. Halfway along the west flank wall it changes to brick with a higher eaves level. The change in eaves level is masked by the buildings against the west wall. Opposite the west flank wall is a private car parking area with access from Adelaide Place and Horseshoe Street. The Former All Saints School is also located off Adelaide Place.
- 2.5 On the opposite side of Gold Street is a mixture of terraced building types ranging from 60 Gold Street which is an early 20th century, 5 storey brick building with stone detailing and 58 Gold Street which is a 1930-40's 4 storey building with 3 floors of bay windows. Opposite the site 50 and 52 Gold Street are brick 3 and 2 storey flat roofed buildings. Nos 46-48 Gold Street each have a shop front with rendered walls and different sized modern windows above. The diversity of buildings continues in both directions with the Poundstretcher building at 34 Gold Street having a slate mansard roof and dormer windows.

3 CONSTRAINTS

- 3.1 All Saints Conservation Area. The properties on Gold Street are within the conservation area but to the rear of the application site, the west side boundary and southern boundary of No.51 form the edge of the conservation area
- 3.2 Grade II, Building: Former All Saints School, Adelaide Place.
- 3.3 No. 47-49a Gold Street is a local heritage asset.

4 RELEVANT PLANNING HISTORY

- 4.1 N/1996/0400. Change of use to class A3 restaurant with or without a takeaway & class D2 assembly & leisure uses – Permitted - 51 Gold Street, Northampton.

5 RELEVANT PLANNING POLICIES AND CONSIDERATIONS

- 5.1 Statutory Duty
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 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.
- 5.4 Development Plan

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

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 Part 2 – Policies:

Policy SD – Presumption in favour of sustainable development
Policy Q1 – Placemaking and Design
Policy Q2 – Amenity and Layout
Policy HO1– Residential and other residential led allocations
Policy HO2– Type and Mix of Housing
Policy ENV6 – Protection and Enhancements of designated and non-designated heritage assets
Policy RS1 – Supporting Northampton’s Town Centre Role
Policy CRC2 – Residential Development on Upper Floors
Policy MO2 – Highway Network and Safety
Policy MO4 – Parking Standards

5.5 Material Considerations

- National Planning Policy Framework (NPPF)

Paragraph 199: When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 202: 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.

Paragraph 206: Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

Paragraph 207: Not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 201 or less than substantial harm under paragraph 202, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole.

Supplementary Planning Guidance

- Northampton Parking Standards Supplementary Planning Document
- Northamptonshire Parking Standards
- All Saints Conservation Area Appraisal & Management Plan 2007

6 RESPONSE TO CONSULTATIONS

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

Consultee Name	Position	Comment
WNC Conservation Officer	Objects	<p>The proposals have been the focus of detailed pre-app consultation, including some previous heritage advice about the principle of development.</p> <p>The key heritage-related points from the previous two pre-apps were:</p> <p>The rear of the proposed building has been revised to take into account the potential impact on the grade II listed All Saints’ School (listing entry below) – stepping down of roof to extension</p> <p>Mansard roof proposed for the extension was questioned because it is not a roof-type seen elsewhere in Gold Street, but not considered a reason for refusal – the DAS gives examples of mansard roofs within the locale</p>

		<p>The Heritage Statement does not fully assess significance of the site but the addendum does provide some form of background / history to the site which assists with understanding the context of the development.</p> <p>Impact on All Saints School (Listed Building) The proposed extension will have a detrimental impact on the setting of the listed building through its increase in height, change in roofing form and change in material from stone to render. The current building is 'read' as a vernacular barn, consistent with its rear of burgage plot position. The existing materials (ironstone walling and slate roofing) on the western elevation complements the materials of the listed building.</p> <p>Impact on Gold Street (Part of Conservation Area) The proposed development is in many ways an enhancement over the existing building which does not make a positive contribution to the streetscape, the revised plans with a balanced approach to fenestration is seen as an enhancement of both the existing streetscape and the previous proposed plans. But concern remains over use of Mansard roof. The effect of the mansard roof is exacerbated by the fact that it is in such close proximity to the distinctive roof form of 45-49 Gold Street. There is a mansard roof further down the street, but in a less sensitive area and at least maintains a consistent eaves line. There would be concerns about setting an additional precedent for this non-traditional roof form.</p> <p>The Mansard roof will be clearly visible in both direct, oblique and distance views from Gold Street and the junction with Marefair and Horsemarket. Consequently the setting of the locally listed building of 45-49 Gold Street (with its distinctive ornate gable roof) will be compromised from all these angles.</p>
WNC Environmental Health	No objection	No objection. Has concerns regarding proximity of residential units to night clubs without appropriate noise insulation to meet British Standard. Condition therefore suggested relating to noise insulation and

		means of ventilation. Condition required regarding potential odour and fume extraction from the class E use on the ground floor and a Construction Management Plan.
WNC Ecology Officer	Comments	No comments to make
WNC Highways Officer		No response received
NNC S106 Officer	Comments	Request for financial contributions towards Education - £14,896; Libraries - £1,794; and informative relating to digital infrastructure providers
Anglian Water	Comments	No objection subject to conditions to secure foul water drainage works and surface water management strategy
Town Centre Conservation Areas Advisory Committee	Objection	The re-use of the building is welcomed, with resultant improvements to the Gold Street frontage. The height of the proposal in relation to adjacent historic buildings including the effect on the setting of the listed former All Saints School building, and the poor quality development to the rear remain concerns following the amendments. The Gold Street building is a local heritage asset and it is felt that the Heritage Impact Assessment is inadequate. The Committee objects to the loss of the Victorian slate roof and its replacement with a mansard roof, which has a negative impact on the character of the conservation area.

7 RESPONSE TO PUBLICITY

- 7.1 Three representations were received in response to the publicity from businesses and residents in Gold Street/Horse Market, Adelaide Place and Guildhall Road. 2 objected and one supported the proposal.
- 7.2 Below is a summary of the two letters written on behalf a night club (which occupies the Grade II listed former school building) and the operator of a night club (which has its entrance on Horse Market and extends into a large building to the rear of Nos 53 to 59 Gold Street and to the west side of the application site) objecting to the proposed use.
- 7.3 Officer note, the following is a summary of responses that were received before the applicant submitted the amended noise assessment in February 2023.
- Noise assessment required with adequate information to address Agent of Change principle in paragraph 187 of the NPPF
 - The introduction of a noise sensitive use as proposed is entirely inappropriate and would result in future residents suffering from inadequate amenity, and exposed to excessive noise and vibration from amplified music.

- Given the surrounding uses whether suitable mitigation and a suitable living environment can be achieved is highly questionable, given these uses run until 6am. As such having experience of these matters, we would suspect that windows would have to be fixed shut which presents overheating issues and an inferior and inadequate living environment irrespective of mechanical ventilation which would also result in internal noise.
- The proposals in not providing adequate information and failing to even recognise [Para 187 of NPPF] and considerations should not be acceptable. The sites location means it would be exposed to noise, vibration and odour which would impact on the new use. The new use could not be integrated effectively as stated in paragraph 187 and as such permission should be refused.
- Noise survey data inadequate as it failed to address noise to rear of building and assessed Flat 4 at Gold Street end of building which is furthest from the nightclubs.
- Hot food takeaways are also present on Gold Street and directly neighbouring, as such an odour assessment should also be provided. The Gold Street Mews Cafe runs to the rear adjacent the proposals. The proposals seek to retain a class E use to the Ground floor however no details are provided of this and how additionally noise from this use may also reduce the amenity of residents. External plant units would generate noise etc. [Officer Note: The Environmental Health Team addressed the issue of odour from surrounding uses in its response and did not raise objection. It did require consideration of odour and fume extraction from the class E use on the ground floor].
- The plans clearly show apartments to the rear and side at first, second and third floors which would be situated directly adjacent the outdoor entertainment area. These include bedrooms which would be exposed to excess noise and activity.
- Windows to the rear would be exposed to excess noise as would all other windows and consideration needs to be taking account of other uses including hot food takeaways and supermarkets which have external extraction and refrigeration operating in some cases 24 hours a day.
- We seek guarantees from the Councils Environmental Team that the introduction of this use will not impact on my client and other businesses which surround the site.
- The site lies within the Conservation Area and directly adjacent to both locally listed and listed heritage assets. Heritage impact assessment has been submitted this is not by an accredited individual and in our view, does not follow a format recommended by Historic England. It should comprehensively cover the significance of heritage assets and the impact of the proposals on them and their setting - this hasn't been undertaken.
- The statement waters down the impact on the Grade II listed All Saints School Building which is clearly a prominent and visible building from Horseshoe Street. It is also notable that pre application advice highlighted concern in terms of this impact.
- The proposals are of a scale that will clearly dominate and impact on the listed building. At present the listed building has a higher ridge and comparable eaves levels and a traditional pitched roof. The proposals as per the sections submitted result in an "alien" mansard roof completely at odds and introduces an eaves height way above the former church and a ridge which now competes

with and impacts on the dominance of the listed building. The use of roof windows higher than the windows within the elegantly featured projecting curvilinear gables. The scale, massing and design overdevelop the site and impact significantly on the setting of the Conservation Area and surrounding listed buildings.

- The scale and design of development will have a clear and substantial impact on the setting of a listed building as well as the Conservation Area. The lack of professional heritage input into the proposals is highly evident. We ask the Councils Conservation Area consider this objection in full.

7.4 The neighbouring nightclub businesses appointed a different agent and following consideration of the updated noise assessment of February 2023 submitted an updated objection:

- Re-iterates the comments from the previous objection in relation to the Agent of Change consideration,
- Questioning whether the applicant had been aware of the two nightclubs to west and south, requesting that as the nightclub within the Former School Building was not operating on the night of the assessment that a further noise assessment be carried out, raising noise from other sources
- Both nightclubs operate throughout the week, and should not be considered as "short term individual noise events" as mentioned within the Noise Impact Assessment. Both these businesses are established and have been operating from these venues for a number of years and neither should be put at risk due to mitigating measures suggested that relate to "half" of what the noise levels may be in this location.
- LPA should consider the current amended proposals are not backed by adequate information and that they would introduce an "Agent for change" which would result in damage to adjacent business, and as such the Council should consider the legal implications open to my clients should permission be granted.
- Asks the Council to refuse the application.

7.5 A response supporting the proposal stated that there are plenty of apartments near to these clubs, there is no reason not to allow the residential use which is what the town needs. There is no need for nightclubs but there is a need for housing. Noise and volume limitation should be installed in the clubs not to disturb and cause nuisance to this development. Clubs bring crime and disorder to the area.

8 APPRAISAL

Principle of Development

8.1 The site is located within Northampton Town Centre within the Primary Shopping Frontage and within the All Saints Conservation Area. The existing building is currently vacant but was last in use under Class E as a bar/snooker club. The retention of the ground floor space for retail (Class E) use is acceptable in principle.

8.2 The policies within the recently adopted local plan seek to promote a mixture of uses within the town centre to support the town centre economy to create sustainable communities. Policy CRC2 supports residential uses above ground floor level within the town centre providing there is a separate access to the residential use. Therefore,

the provision of mixed-use development within the town centre is acceptable in principle. As part of a conservation area the preservation and enhancement of the location is a key principle that the application seeks to address through improvements to the character and appearance of the street frontage.

- 8.3 Additionally, the Planning Authority cannot demonstrate a five-year housing land supply for the area covered by the Northampton Related Development Area (NRDA). 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 towards the housing supply with associated social and economic benefits and this weighs in favour of the proposal.
- 8.4 Having regard to the above it is considered that the retention of the ground floor for retail purposes and conversion and extension of the upper floors to provide 14no. residential dwellings is acceptable in principle, subject to compliance with other relevant policies.

Impact on character and appearance of the area

- 8.5 The proposed development can be seen in public views in Gold Street (north/front), A508/Horse Market/Horseshoe Street (west), the parking/service area in Woolmonger Street (south/rear) and in more private view from the outdoor café terrace within Gold Street Mews.
- 8.6 The development would alter the front elevation of the building facing Gold Street, removing the existing fenestration on the ground and first floors and cladding the upper floors with a limestone coursed cladding and having well balanced windows on the floors above with a mansard slate roof with in-line roof lights. The ground floor retail frontage would have a new shopfront and access doors and would continue to be recessed and there would be a separate access to the east of the frontage for the residential use which would have a recessed door behind a limestone coursed clad entrance. The appearance of the street elevation of the building is improved by the proposed altered frontage which is considered to be a significant improvement to the character of the area.
- 8.7 From the junction of Horse Market /Gold Street/ Marefair the side elevation of the front mansard which is proposed to be constructed in brick will be visible beneath the backdrop of the slate rear gable of No 47 to 49a Gold Street. The view from Horseshoe Street would be a partial view of the upper side elevation which would be in retained ironstone with render above and slate hipped mansard which would be seen in the context of a 4-storey brick building, the parking and service area to the side of this property and rear of Gold Street properties and the Grade II listed Former All Saints School building on Adelaide Place. The proposed side elevation is considered to be in keeping with the character of the area to the west.
- 8.8 The appearance from the private parking/service area for the Argos Store and Former All Saints School on Woolmonger Street would be respectful of the appearance of the location. This elevation will be in render as per the existing rear elevation.
- 8.9 The appearance from Gold Street Mews would be considerably altered from the current. It would open a gap above wall height through the set back of the majority of the residential upper floors with a new boundary wall providing privacy screening, being 1.8m in height above the floor level of the access way to the flats. The back elevation would retain the ironstone with render above, with the step-in middle section

constructed in brick. The mansard roof which would progress from the front section into two levels of hipped mansard with slate roof planes. There would be a number of 2nd and 3rd floor windows within the proposed flats that would be set back from the boundary with the café terrace. The appearance of this elevation is considered an improvement on the brick wall of the property which currently exists.

- 8.10 A condition would be needed to ensure that the material details shown on the amended plans are adhered to.

Impact on Heritage Assets

- 8.11 Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that in carrying out its functions as the Local Planning Authority in respect of development in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
- 8.12 The responses from the Conservation Team, the Town Centre Conservation Area Advisory Committee and neighbouring businesses raise objection to the proposal on heritage grounds. Objection is raised to the loss of the Victorian slate roof and its replacement with a mansard slate roof and the impact of the proposed mansard roof and height of the roof on the character of the Former All Saints School building which is Grade II listed. The mansard roof is also considered to have a negative impact on the character of the conservation area and the impact of the proposed development on No 47 to 49a Gold Street, a local heritage asset. The Conservation Team also identifies the harm that would be done in views from the junction of Gold Street with Horse Market, Marefair and has concerns that the acceptance of the mansard roof form would set a precedent.
- 8.13 It is the planning officer view there is no harm to the setting of the conservation area or roof form of No 47 to 49a Gold Street. The distinctive ornate appearance of the front elevation of Nos 47 to 49a would be unchanged by the proposed development. The concrete edging support to the small side gable of Nos 47 to 49a can be seen to be sited significantly above the top of the mansard roof in the amended front elevation plan. The side elevation plan shows the ridge of the rear gable of Nos 47 to 49a displayed above the mansard roof. As such it is considered that the views of the rear gable roof, such as they are, would still be visible from the junction of Gold Street with Horse Market/ Marefair, as is the case at the present time. The rear gable of No 47 to 49a would remain unchanged in views from publicly accessible outdoor areas at Gold Street Mews. It is not considered that there are views of the rear gable roof in close proximity to the building as the heights of the existing buildings prevents a view from street level but as stated above the ornate detailing of the frontage of No 47-49a would not be impacted in any way by the proposal which is subservient to its neighbour.
- 8.14 In relation to the Former All Saints School building (Grade II), it is certainly true that the bulk of the rear of the building would increase and that this will be apparent from the view of the west-side elevation from Horseshoe Street along Adelaide Place. However the rear of the application site is to the north-east of the Former School Building and not directly facing it. Consequently, in the view described the increased bulk would be seen in the context of other taller buildings in the foreground and the Argos buildings in the background whilst the space to the front of the Listed Building itself would not be affected. In views from Horseshoe Street, the Former School Building would be prominent due to its siting close to the road and it is not accepted that the proposed alterations to the building would dominate this view as this would be a backdrop to the Grade II listed building, not dominate it. The view of the rear

structure of No.51 from within the private parking and servicing area for Argos (in Woolmonger Street) shows the location of the rear of the building is to the east of the Former School Building, where the appearance of the rendered gable with multiple satellite dishes will be replaced by a rendered wall with increased eaves height, well-proportioned windows and a mansard roof. The Argos building scale is very similar in scale and bulk to that proposed for the rear part of the development and the Argos building has a brick and render elevation opposite the east side of the Grade II listed building. So whilst the proposal will be seen in the context of the Listed Building it is not considered by Officers to be more harmful to the setting than the existing appearance of the rear elevation, rather it is considered to benefit the setting through positive new development.

- 8.15 The proposed mansard roof would replace the gable end and this change in proximity to the Grade II building is of itself considered harmful by objectors. The roof is bulkier than the current gable but is set further from the Grade II building than the existing gable. Given the variety of roof forms and heights in the buildings that surround the Grade II building the mansard roof is not considered to be harmful to the setting of the building. In the context of views into the conservation area from Horseshoe Street the mansard roof would be seen in the context of the built form of more modern buildings on Horseshoe Street, the car park area and the poor outdoor extension to the night club (at the back of the car park) as well as the Grade II listed building in the foreground.
- 8.16 There are objections to the mansard roof form because it is not considered to be a form of roof that is appropriate to the conservation area and the Conservation Team advised that "There would be concerns about setting an additional precedent for this non-traditional roof form". In another part of the Conservation Team's comments, it is stated that "Mansard roofs are a particular form of roof which originated in France and are often used on higher status residential buildings. The effect of the mansard roof is exacerbated by the fact that it is in such close proximity to the distinctive roof form of 47-49a Gold Street. It is appreciated that there is a mansard roof further down the street but is in a less sensitive area and at least maintains a consistent eaves line". The All-Saints Conservation Area centres around All Saints Church extends to the west along Gold Street up to Horse Market and the CA includes the Drapery, the Bus Station, Market Square to the north of the church and George Row and Bridge Street to the south of the church. There is a variety of roof forms within the conservation area and whilst there is one example of a mansard roof on Gold Street, there are many to be found elsewhere within the conservation area.
- 8.17 It is the view of officers that the mansard roof is an acceptable form of roof in the context of the of the location of this development within the conservation area, that the proposed development would conserve and enhance the character of the conservation area and is not harmful to the setting of the Listed Building or No 47 to 49a. As such it is not considered that less than substantial harm arises from the proposal. If such harm was considered to arise then that would require a balance to be considered in accordance with paragraph 202 of the NPPF as to whether the public benefit of allowing the proposal outweighed the harm to a degree that justified permitting the scheme. It is considered that in such a balancing exercise the benefit of the considerable improvement to the front elevation of the building within the conservation area, together with bringing back to beneficial use an empty, vacant and damaged property within the town centre and the provision of a mixed-use scheme providing potential class E use and 1 and 2 bed apartments to a highly sustainable location within the town, adding to housing supply and to the town centre economy would represent significant benefits that would outweigh less than substantial harm.

- 8.18 The proposal has been considered in relation to the legislation and policies that require the impact on designated and non-designated assets to be assessed. The proposal is not considered to result in less than substantial harm to the All-Saints Conservation Area, the locally listed neighbouring property (Nos 47 to 49a Gold Street) nor to the Grade II listed Former School Building.

Living Conditions and Amenity

- 8.19 Policy Q2 of the Northampton Local Plan Part 2 seeks to ensure that development proposals provide a satisfactory standard of amenity and an acceptable layout for existing and future residents. Policy Q4 seeks to ensure that development prevents negative impacts on residential amenity and wider public safety from, amongst other things, noise vibration and air quality. Policy H1 of the Joint Core Strategy seeks to ensure regard is given to the living conditions provided for future occupants. The Nationally Described Space Standards (NDSS) is considered an appropriate starting point for considering whether sufficient internal amenity can be achieved.
- 8.20 The NDSS sets out minimum internal space standards for 1- and 2-bedroom flats. In this scheme the size of the flats is above the minimum for 1-bed flats (39 sqm in NDSS) with the smallest 1-bed flat being 50 sq.m when measured on plan, such that the flat is capable of accommodating 2 persons. The 2-bed flats exceed the minimum 61 sq.m in the NDSS in providing flats of 75 to 77 sq.m, such that the four 2-bed flats are able to accommodate up to four people with adequate internal floor area.
- 8.21 In addition to the floor areas, access to light, outlook and amenity for each flat should be considered. The floorplans and elevations show that at least one window is provided to each habitable space, bedroom and living spaces. The living, kitchen and dining spaces are open plan within each flat. The first-floor properties have a courtyard space whilst on the second floor apartments three have balconies facing east which would provide space for table and chair to sit outside, whilst on the 3rd floor the larger flats would have no external space but the benefit of more internal space which enables a balcony of sorts to be created within the rooflight space.
- 8.22 With regard to outlook, flats 5, 10 and 14 have an outlook over Gold Street, Flats 2, 3, 4, 7, 8, 9 12 and 13 have outlooks from first floor level and above to the east across the rear elevation of the buildings on Gold Street and on the upper floors of the roof scape. The area to the east is relatively open for a town centre area, with only low buildings in the vicinity and as such the light and outlook is considered good. In addition, these apartments being to the south of the Gold Street buildings should provide good levels of sunlight for part of the day and good levels of natural light throughout the day. Flats 1, 6 and 11 have an outlook over the rear service area of Argos but from the first floor and above given the higher ground level there would be longer views of the town to the south. This is considered to be a reasonable outlook for the location within a high density area of the town centre. The applicant provided plans indicating that the new privacy wall to the east of the 'Thoroughfare' would be constructed to a height where the BRE 25 degree test is complied with from flats 2, 3 and 4 indicating that sufficient light will reach the windows within these dwellings and as with other flats the view of surrounding roof scape is considered reasonable for a high density town centre location.
- 8.23 It is not considered that there would be privacy issues arising from neighbouring uses given the siting of windows and the relationship with neighbouring buildings to the east and north. There is the potential for overlooking of the amenity space in the courtyard and of the balconies from windows in the flats at the north and south end of the proposed building, however given the location within the town centre in a high-

density area, this is considered to be acceptable. There is good separation between facing windows of over 25 metres which exceeds the minimum of 21metres of separation in the Residential Extensions and Alterations Design Guide SPD

- 8.24 As such, it is considered the standard of amenity proposed is acceptable and would comply with the requirements of Policy H1 of the Joint Core Strategy and Policy Q2 of the Northampton Local Plan Part 2.

Noise Impacts and the Agent of Change Principle

- 8.25 A key area of concern in introducing residential use into a high-density mixed-use area of the town centre is the impact on neighbouring businesses. In this regard the presence of a nightclub immediately to the west and within the Grade II building to the south, the café outdoor seating area to the east and other town centre uses are potential sources of noise and disturbance. As a consequence of the presence of these existing businesses, that benefit the economy and night-time economy of the town centre, it is not reasonable to permit a use that would put these existing businesses at risk. The NPPF para 187 describes this as the 'Agent of Change' consideration. Consequently, if it is not possible to mitigate the level of noise that would be experienced in the proposed flats to a level that is considered to be acceptable for the internal areas of the residential dwellings then planning permission should not be granted. To this end, the applicant completed a revised noise assessment in February 2023 that took account of the potential external noise levels from the night clubs. From this it was determined that without mitigation the levels of noise in the flats would not be acceptable. Flats 4, 6 and 11 would have windows on the south elevation to the north-east of the night club use within the Listed Building. However, it was calculated that façade noise insulation (to walls roof and ceilings) and mechanical ventilation would enable the internal noise within the flats to be within the requirements of BS 8233:2014 of between LAeq 27 to 31 dBA to be achieved. The mechanical ventilation system would itself need to be attenuated to achieve appropriate internal sound levels. The details of the acoustic treatments are set out in sections 6.1 to 6.3 of the ACA Acoustic report. The Environmental Health Officer considered that, with the imposition of a condition to ensure that the scheme of sound insulation is agreed, completed and post installation testing carried out prior to occupation of the flats, the flats may co-exist with the night clubs and other businesses without detriment to the surrounding businesses or occupants of the flats. Windows will be able to be opened at the flats throughout the day and up to ten o'clock at night, when the nightclubs open. The Planning Officer discussed the February noise assessment with the EHO to seek advice as to whether the fact that only one night club had been operating when the November 2022 noise assessment was conducted necessitated further noise work, despite the recommendation by the EHO that compliance with the recommended conditions would be able to achieve a suitable living environment in the flats without impacting on the surrounding land uses. When the latest objection was received on behalf of the neighbouring uses suggesting further noise work be carried out, a further discussion took place with the EHO who confirmed that the development was acceptable and that no additional survey work was required prior to determination of the application, as any noise mitigation scheme for the flats would have to achieve BS8233:2014 irrespective of the noise source.
- 8.26 Noise in amenity spaces. The main sources of noise during the day would be from traffic and surrounding uses. The amenity space is located to the east side of the building and as a town centre location there will be noise from the outdoor area of the cafe during the warmer months. The background levels recorded in the survey indicate that the existing LAeq 60 dBA would be mitigated in the amenity space

through walls and screening such that a level of LAeq 55 dB can be achieved (section 6.4 of the ACA Acoustic report). It is unlikely that the courtyard amenity spaces or balconies would be in use between 2300 and 0600 hours when the night clubs are operating and consequently there are no concerns about undue noise impacting upon the external amenity areas. The objection regarding potential harm to neighbouring businesses has been fully considered.

- 8.27 The potential for odour and fumes from neighbouring uses was not considered to be an issue of concern that could not be addressed via a condition in the assessment of the application by the Environmental Health Team. In addition, the potential for odour and placement of fume extraction equipment arising from the Class E use on the ground floor would be a concern. At present, there is no indication of an occupier for the ground floor use. As such the proposed condition suggested by the Environmental Health team, requiring the details of any ventilation system for the removal and treatment of cooking odours (including its appearance) and measures to mitigate system noise to be submitted and approved, is considered to be necessary. The EHO also considered that an hours of operation condition would be appropriate for the ground floor use given the residential use above and for consistency with other town centre uses.
- 8.28 Overall, whilst it is not ideal to have residential and noise producing uses in close proximity, the technology exists to enable an acceptable living environment to be created such that the proposed development would have an acceptable impact upon the amenity of neighbouring uses having regard to the 'Agent of Change' consideration, the floor areas of the flats would meet NDSS and the amenity of the residents of the flats would be acceptable with appropriate noise insulation and mechanical ventilation. It is difficult to envisage another form of development that would produce sufficient revenue to bring the building back into beneficial use and produce the enhancement to the All-Saints Conservation Area.
- 8.29 Consequently, having regard to the fact that the proposed development can be conditioned to ensure that neighbouring uses are not harmed, the proposal is considered acceptable in this regard.

Highway Safety

- 8.30 The application proposes no on-site parking for the scheme. The site is located within a highly sustainable location with good access to the range of services within Northampton Town Centre and within easy walking distance of the railway station to the west and bus station to the north. It is noted that the Highways Officer has not commented on the application, but it is considered that no highway safety issues would arise other than potentially during the construction phase where a construction management plan condition is proposed which will address issues of deliveries to the site. Having regard to the sustainable transport, the provision of the cycle storage for 18 bikes at the rear of the building with direct access from the rear of the site into Adelaide Place is considered to meet parking standards for the flats and Class E use.
- 8.31 The servicing for the retail use within the building would be to the front of the premises, as is the case now. The ground floor has commercial waste storage and refuse and recycling storage for the residential units to the rear of the building which can be collected from the service area to the rear of Argos or via Adelaide Place
- 8.32 As such the proposal would not have a severe impact on highway safety and would accord with Policies MO2 and MO4 of the Northampton Local Plan Part 2.

Flood Risk and Drainage

- 8.33 The application site falls within Flood Zone 1 as defined by the EA's flood risk maps, and consequently at low risk of flooding. Anglian Water has been consulted on the proposed development and advise that given the proposal would result in an intensification in the use of the site, there would be additional demands placed on existing foul and surface water drainage services within the local area. As such, it is reasonable and necessary for conditions to be imposed relating to the submission of foul water and surface water drainage and management.

Odour

- 8.34 The site is located in close proximity to odour sources from food outlets within the local area. As such, the Environmental Protection Officer advises an odour assessment is provided along within any mitigation necessary. This is considered reasonable and appropriate.

Construction Phase

- 8.35 Given the location of the site within a busy public shopping area, it is considered reasonable and necessary to impose a condition securing details of Construction Management.

Planning Obligations

- 8.36 The Planning Obligations SPD set out the requirements for development proposals to mitigate the impacts they have on a local area through providing planning obligations, where developments provide 15 or more residential units. Policy H2 sets out the requirement for development proposals of 15 or more residential units to provide 35% on-site affordable housing. Consequently, no affordable housing contribution is therefore applicable.
- 8.37 In respect of the request from NNC S106 Officer in respect of the former county functions of education and libraries and a request for contributions, the Northampton Planning Obligations SPD applies to developments of 15 or more residential units and therefore no contributions are sought in this regard.

Community Infrastructure Levy (CIL)

9. The development is CIL liable.

10 CONCLUSION

- 10.1 The proposed development represents an acceptable mixed-use proposal within the town centre that would provide investment to a vacant building. The proposal is considered to enhance the All Saints conservation area, would not be harmful to neighbouring designated and non-designated heritage assets, would contribute to the housing supply of Northampton, provide residential accommodation that meets nationally described space standards, (with an appropriate scheme of noise insulation) would be compatible with neighbouring uses and will not be harmful to highway safety. As a consequence, the proposal is in conformity with the requirements of the National Planning Policy Framework, Policies C2, H1, H14, BN9, S1, S3 and S10 of the West Northamptonshire Joint Core Strategy; and Policies SD1, Q1, Q2, Q4, ENV6, RS1, CRC2, MO2 and MO4 of the Northampton Local Plan Part 2.

11 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: 2021-081-128 Rev A Proposed East Elevation and Section, 2021-081-127 Rev B Proposed South Elevation and Section, 2021-081-126 Rev B Proposed West Elevation and Section, 2021-081-125 Rev B Proposed Street Scene/ Front Elevation and Section, 2021-081-124 Rev B Proposed 2nd and 3rd Floor plans, 2021-081-123 Rev B Proposed Basement, Ground and 1st Floor plans, 2021-081-200 block plan proposed ground floor and 2021-081-400 Location Plan

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

Materials

3. Prior to the construction of the development hereby approved above ground floor slab level, full details of all proposed external facing materials (stone, brick render and roof slate) as identified on the approved plans, supporting information and application form 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 Policy Q1 and ENV6 of the Northampton Local Plan Part 2.

Noise Levels Scheme/Insulation

4. A. The scheme for achieving the noise levels contained within BS8233:2014 as set out in the ACA Acoustics noise report revision B dated 24th February 2023 shall be implemented and a post installation validation report shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the residential units.

B. Thereafter the noise insulation scheme shall be maintained in the approved state and no alterations shall be made to the approved structure including roof, doors, windows and external facades, layout of the units or noise barriers without prior written approval from the Local Planning Authority.

Reason: In the interest of safeguarding residential amenity of the residents of the new flats through ensuring appropriate maximum internal noise levels in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy and Policy Q2 of the Northampton Local Plan Part 2. Post development alterations to roof, doors, windows, external facades or layout of the units could make the internal environment of one or

more of the flats undesirable for occupants and (having regard to the 'Agent of Change' consideration) impact neighbouring businesses.

5. No above ground new development shall commence until a scheme of noise insulation of party wall construction between the residential units and the non-residential uses, and between each residential unit, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before the first occupation of the residential units.

Reason: In the interest of safeguarding residential amenity and reducing pollution in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy and Policy Q2 of the Northampton Local Plan Part 2.

Mechanical Ventilation

6. Prior to the commencement of the conversion of the upper floor of the building to residential and prior to the construction of the extension to the roof of the existing building, details of the MVHR (Mechanical Ventilation with Heat recovery) system that accords with the recommendations of the ACA Acoustics noise report revision B dated 24th February 2023 shall be first submitted to and approved in writing by the Local Planning Authority which specifies the sources of noise on or near the site and the provisions to be made for its control and the approved scheme shall be implemented prior to the commencement of the residential use hereby permitted.

Reason: In the interest of safeguarding residential amenity and reducing pollution in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy and Policy Q2 of the Northampton Local Plan Part 2.

Drainage

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

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

8. No drainage works shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. No hard-standing areas to be constructed until the works have been carried out in accordance with the strategy.

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

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

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

Construction Management Plan

10. No development (including demolition) shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority.

Development shall then be carried out in accordance with the approved CEMP. The CEMP shall include, though not necessarily be restricted to the following details:

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

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

Finished Floor Levels and Roof Levels

11. Prior to the commencement of construction works on site, details of the existing and proposed finished floor levels and roof levels of the development in relation to the neighbouring properties in Gold Street, Adelaide Place, Horseshoe Street and Gold Street Mews shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details.

Reason: In the interests of residential and visual amenity in accordance with Policies Q1 and ENV6 of the Northampton Local Plan Part 2. This is a pre-commencement condition to ensure timely submission of details.

Refuse Storage

12. Prior to the first occupation of the development hereby approved, the separate commercial and residential refuse storage and collection facilities shown on the approved plans shall be made available for use. These facilities shall be retained at all times thereafter, unless otherwise agreed in writing with the Local Planning Authority.

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

Cycle Storage

13. The details of the facilities for the secure and covered parking of bicycles shown on the approved plans 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 ensure the provision of adequate facilities in accordance with Policy MO4 of the Northampton Local Plan Part 2.

Hours of Operation Ground Floor Class E Use

14. The ground floor Class E premises hereby approved shall be open only between the hours of 0800 and 2300 from Sunday to Thursday and 0800 and 2400 on Fridays and Saturdays.

Reason: In the interests of the amenities of the occupiers of nearby properties and businesses in accordance with Policy Q2 of the Northampton Local Plan Part 2.

Noise and Odour from Commercial Use

15. Prior to occupation of the non-residential unit hereby permitted with a commercial kitchen, details of any ventilation system for the removal and treatment of cooking odours from any commercial catering, including its appearance and measures to mitigate system noise, are to be submitted to and approved in writing by the Local Planning Authority. The measures shall have regard to and be commensurate with guidance and recommendations in:
- The current edition of publication "Specification for Kitchen Ventilation Systems", DW/172, Heating and Ventilating Contractors Association, or other relevant and authoritative guidance; and
 - Publication, "Control of Odour and Noise from Commercial Kitchen Exhaust Systems – Update to the 2004 report prepared by NETCEN for the Department for Environment, Food and Rural Affairs", Ricardo.com, 2018.

The approved details shall be fully implemented before the first use of the relevant non-residential unit and shall thereafter be permanently retained in an efficient manner.

Reason: In the interests of the amenity of the surrounding locality and to secure a satisfactory standard of development in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy and Policy Q2 of the Northampton Local Plan Part 2. This is a pre-commencement condition to ensure timely submission of details.

16. Prior to the commencement of works above slab level, an odour assessment that outlines the likely impact on any sensitive property and the measures necessary to ensure that odour does not affect the amenity of these residents shall be submitted to and approved in writing by the Local Planning Authority. Once approved, any mitigation necessary shall be implemented and completed prior to the first occupation of the development

Reason: In the interest of safeguarding residential amenity and reducing pollution in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy and Policy Q2 of the Northampton Local Plan Part 2.

Boundary Treatment

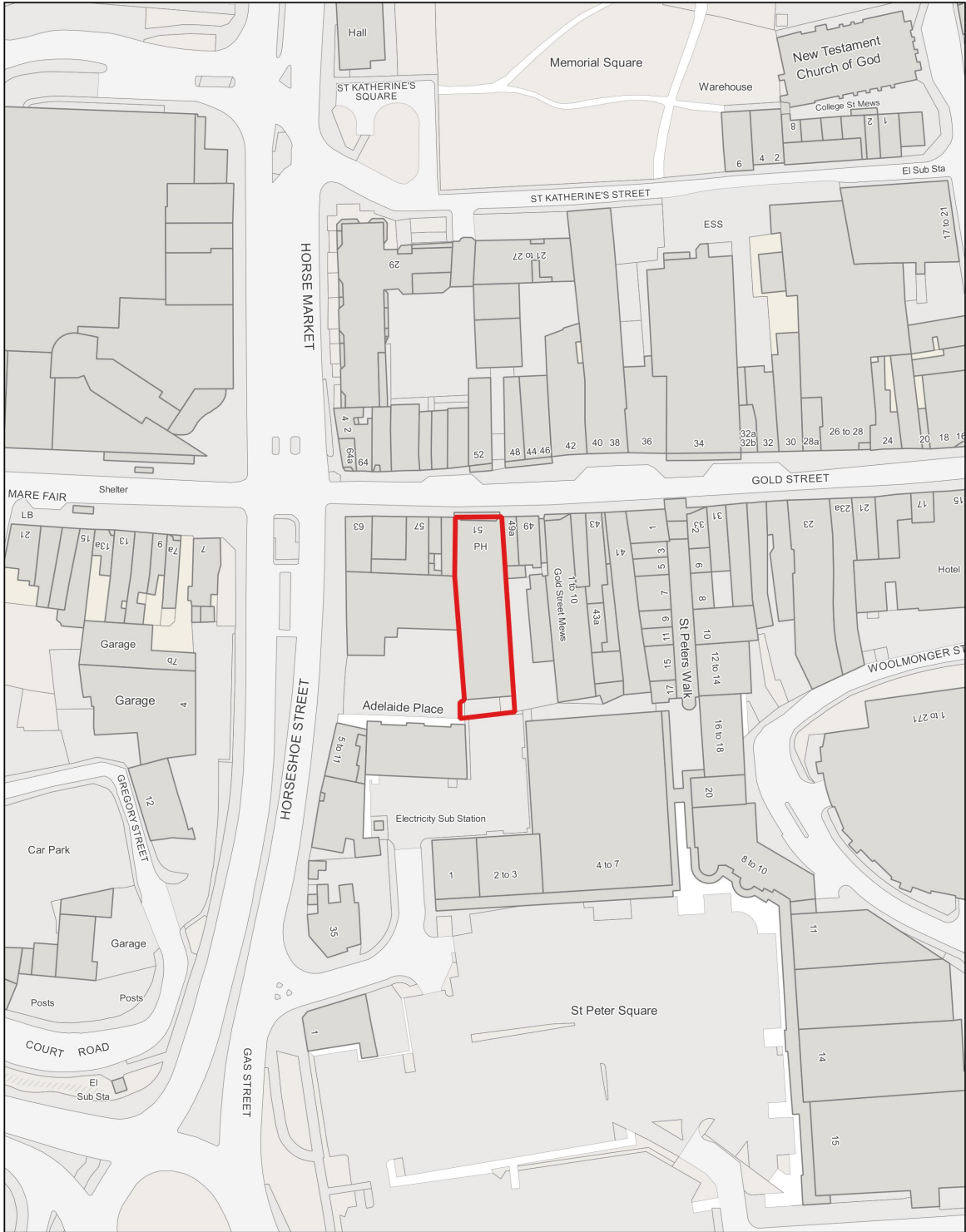
17. Prior to the construction of the development hereby approved above ground floor slab level, full details of the method of the treatment of the rear boundary of the site shall be submitted to and approved in writing by the Local Planning Authority, implemented prior to the first occupation of the development 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 Policies Q1, Q2 and ENV6 of the Northampton Local Plan Part 2.

Security

18. Prior to the commencement of development, a scheme for Security Measures for the site including the following details shall be submitted to the Local Planning Authority and agreed in writing:
- Full details of security gates to the west and south rear boundaries;
 - Details of the security locks for doors and windows and the communal access door;
 - Details demonstrating the front door, individual flat entrance doors and windows are compliant with a 3rd party accredited recognised security standard to PAS24:2016 or equivalent.
 - Details of an audio access control system with NO trades buttons for the communal access door.

Reason: In the interests of residential amenity and to secure a satisfactory standard of development in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy and Policy Q1 of the Northampton Local Plan Part 2.



West Northamptonshire Council

Title: **51 Gold Street. Northampton**

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