



# Planning Committee Report

**Application Number:** WNN/2022/1147

**Location:** Bective Works  
Bective Road  
Northampton  
Northamptonshire

**Development:** Redevelopment of Bective Works to create 97no dwellings, comprising full and partial demolition of existing buildings; erection of townhouses and apartments; refurbishment and change of use of listed building and other associated works including landscaping and access arrangements

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**Applicant:** Jardine Homes Ltd

**Agent:** Smith Jenkins Ltd

**Case Officer:** Samantha Taylor

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**Ward:** Kingsthorpe South Unitary Ward

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**Reason for Referral:** Major application

**Committee Date:** 8<sup>th</sup> November 2023

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## **EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION**

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

### **Proposal**

Redevelopment of Bective Works to create 97no dwellings, comprising full and partial demolition of existing buildings; erection of townhouses and apartments; refurbishment and change of use of listed building and other associated works including landscaping and access arrangements

### **Consultations**

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

- Kingsthorpe Parish Council, Strategic Housing

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

- Archaeology, Environmental Protection, NHS England, Anglian Water, Construction Futures, Northamptonshire Police, Highways England, Planning Obligations, Conservation, Highways, Historic England, Ecology, Northamptonshire Fire and

## Rescue Services

9 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 Character
- Impact on Designated Heritage Assets
- Highway Safety
- Impact on Residential Amenity
- Drainage and Flood Risk
- Ecology
- Housing Type and Tenure
- Planning Obligations

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

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

### **MAIN REPORT**

#### **1 APPLICATION SITE AND LOCALITY**

1.1 The application site is located within the Kingsthorpe area of Northampton, with frontages along Bective Road to the North and Yelvertoft Road to the South. The site is situated within a predominantly residential area, with neighbouring properties to the south, east and north. To the west lies the service area before the commercial units are reached, which front Harborough Road.

1.2 The site is a currently vacant industrial development associated with the Northampton shoe-making industry. The site contains 20<sup>th</sup> century industrial buildings comprising approximately to thirds of the site, to the west. These buildings are in poor condition and also contain some areas of scrubland. The remaining eastern portion of the site contains the Grade II listed building, Enterprise House, with a more contemporary two storey extension to the side. Enterprise House and the extension were used as the offices and workshop for the wider Bective Works Site. More recently the extension has been informally used as retail space and a youth gym, although this use has now ceased.

#### **2 DESCRIPTION OF PROPOSED DEVELOPMENT**

2.1 The development seeks full planning permission for the provision of 97 residential homes, in three distinct areas on the site. A total of 65no apartments are proposed within the contemporary new build apartment block, 11no. mix of apartments and townhouses within the conversion of the listed building and 21no. terraced houses.

- 2.2 Access to the site would be taken from Bective Road, into a central communal parking area and from Bective Road at the east of the site, on a one-way through road to Yelvertoft Road serving the undercroft parking area under the listed building.
- 2.3 The site layout includes provision for 97 parking spaces, together with both private and shared amenity spaces, pedestrian linkages through the site and bin and cycle stores.

### **3 RELEVANT PLANNING HISTORY**

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

N/2019/0612 - Erection of purpose-built student accommodation comprising 347no rooms with 356no bed-spaces , following partial demolition of existing buildings. Refurbishment and change of use of listed building to provide ancillary student hub, retail units, plant, storage and refuse areas, with associated landscaping and other works – Approved

N/2019/0613 - Listed Building Application for partial demolition of existing buildings, redevelopment of site to provide student accommodation. Refurbishment and change of use of listed building to provide ancillary student hub, retail units, plant, storage and refuse areas with associated works – Approved

N/2019/1450 - Lawful Development Certificate for existing implementation of Planning Permission N/2015/0419 (Demolition of Bective Works and Jebez House and erection of student accommodation comprising 293 study bedrooms and including retail unit accessed from Yelvertoft Road) – Approved 27/01/2020

N/2019/0449 – Non-Material Amendment of Planning Permission N/2015/0419 (Demolition of Bective Works and Jebez House and erection of student accommodation comprising 293 study bedrooms and including retail unit accessed from Yelvertoft Road) to amend the wording of Conditions 13 and 14 – Approved 16/04/2019

N/2017/0028 - Listed Building Consent Application for demolition of outbuildings and later extensions to the Grade II listed Enterprise House – Approved 15/03/2017

N/2015/0419 - Demolition of Bective Works and Jebez House and erection of student accommodation comprising 293 study bedrooms and including retail unit accessed from Yelvertoft Road – Allowed at appeal 14/06/2016

N/2012/1269 – Repairs to roof following fire damage – Approved 07/02/2013

N/2012/1093 – Demolition of Bective Works and Jebez House. Erection of a new student accommodation building, incorporating a retail unit and lower ground floor parking and service space, together with new vehicular access and pedestrian access and associated landscaping proposals, plus the alteration and restoration of the circa 1902 part of the Listed Building Enterprise House and its change of use to student community use – Dismissed at appeal 04/08/2014

N/2012/1092 - Application for Listed Building Consent for alteration and restoration of the circa 1902 part of the Listed Building Enterprise House and its change of use to student community use – Approved 04/09/2013

N/2011/1074 - Demolition of existing Bective works and Jebez House and the erection of 406 no. student accommodation building incorporating a 288sqm retail unit, 17 no. space lower ground floor car park and servicing space. New vehicular and pedestrian

access and landscaping. Alteration, restoration and extension of Enterprise House for student community use. (WNDC Consultation) – Refused 17/02/2012

N/2011/0844 - Temporary 5 month change of use for storage of materials for works to Harborough Road. Retrospective – Approved 27/10/2011

11/0065/FULWNN – Demolition of existing Bective Works and Jebez House and the erection of 406 student accommodation building incorporating a 288sqm retail unit, 17 space lower ground floor car park and servicing space. New vehicular and pedestrian access and landscaping. Alteration, restoration and extension of Enterprise House for student community use – Refused.

WN/2006/0028 - Demolition of existing Bective Works and Jebez House and the erection of 155 residential units with associated landscaping and underground car parking – Approved.

N/2005/1434 – Partial demolition and external and internal alterations to form B1 offices together with landscaped courtyard – Approved 20/01/2006

N/2004/0193 – Use of part of building as coffee shop – Approved 31/03/2004

N/2003/1267 – Change of use of first floor from factory unit to martial arts club – Approved 20/11/2003

N/1999/530 – Change of use from business (B1) to warehouse/distribution of car components (B8) – Approved 04/08/1999

N/1995/195 – Double storey office block car park and access plus associated work – Approved 01/06/1995

## **4 RELEVANT PLANNING POLICY AND GUIDANCE**

### **Statutory Duty**

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

4.2 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.

4.3 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.

### 4.4 Development Plan

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

Policy S1 – The distribution of development

Policy S2 – Hierarchy of Centres

Policy S3 – Scale and distribution of housing development  
 Policy S10 – Sustainable Development Principles  
 Policy C2 – New developments  
 Policy E1 – Existing employment areas  
 Policy H1 – Housing density and mix and type of dwellings  
 Policy BN5 – Historic Environment  
 Policy BN9 – Pollution control  
 Policy INF1 and 2 – Infrastructure delivery  
 Policy N1 – The regeneration of Northampton

Northampton Local Plan Part 2 – Policies

Policy SD1 – Presumption in Favour of Sustainable Development  
 Policy Q1 – Placemaking and Design  
 Policy Q2 – Amenity and Layout  
 Policy Q4 – Health and Wellbeing  
 Policy Q5 – Flood Risk and Water Management  
 Policy HO2 – Type and Mix of Housing  
 Policy ENV3 – Supporting and Enhancing Biodiversity  
 Policy ENV6 – Protection and Enhancements of Designated and Non-designated Heritage Assets  
 Policy MO1 – Designing Sustainable Transport and Travel  
 Policy MO2 – Highway Network and Safety  
 Policy MO3 – Transport Schemes and Mitigation  
 Policy MO4 – Parking Standards  
 Policy IFS2 – Infrastructure Delivery and Contributions

4.5 Material Considerations

National Planning Policy Framework (NPPF)  
 Residential Extensions and Alterations Design Guide SPD

Northampton Parking Standards Supplementary Planning Document

Northamptonshire Parking Standards

**5 RESPONSE TO CONSULTATION**

5.1 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.

<b>Consultee Name</b>	<b>Position</b>	<b>Comment</b>
Archaeology	No Objections	An archaeological assessment is required and recommends a condition is imposed to secure it  Recommends a condition is imposed requiring a historic building record of Enterprise House (Listed Building)
Environmental Protection	No Objections	Identifies the site may be contaminated because of previous historic uses and there may be asbestos present on site. The site is located adjacent to commercial units to the west.

		<p>Given the site's location, the Officer recommends a condition securing details of noise assessment and mitigation.</p> <p>The submitted air quality assessment is acceptable and demonstrates that there would not be unacceptable harm to air quality as a result. Recommends conditions securing details of mitigation are implemented.</p> <p>Recommends a condition securing site contamination potential, remediation and mitigation, including from ground pollutants and asbestos.</p> <p>Due to the proximity to existing residents, conditions are recommended for the construction phase including CEMP and control of hours of demolition and construction works.</p>
NHS England	No Objection	Recommends a financial contribution towards primary healthcare improvements, of £50,332.06 based on the original scheme for 99 homes
Anglian Water	No Objection	<p>Notes the existing sewerage system has capacity.</p> <p>Confirms the Flood Risk Assessment and Drainage Strategy for surface water disposal is acceptable.</p>
Construction Futures	No Objection	Recommends a financial contribution towards employment opportunities is sought, of £9603 based upon 99 dwellings.
Northamptonshire Police	No Objection	Additional information about security measures for crime prevention is required.
Strategic Housing	Objection	The application does not propose any affordable housing and a viability assessment has not been provided.
Highways England	No Objection	No further comments made
Planning Obligations	No Objection	Contributions are sought towards Early Years Education of £236,840, Primary Education of £151,446, Secondary Education of £148,593, Libraries of £16,361 based upon the original scheme for 99 dwellings.
Kingsthorpe Parish Council	No Objection	The development does not provide sufficient parking
Conservation	No Objection	The property, Enterprise House is a Grade II listed building and includes

		<p>the extension as a curtilage listed building. The significance of Enterprise House lies in its use as part of the shoe industry within Northampton, and it's retention of the single storey range.</p> <p>No objection is raised to the principle of a residential use for the site. The key issue is the impact of the proposal on the historic fabric and setting.</p> <p>The Officer considers there are 3 principal elements, the 1902 single storey section of the listed building, the 1924 two storey section of the listed building and the impact on the setting of the listed building,</p> <p>The Officer acknowledges there is harm caused to the significance of the listed building and its setting, however, this would be of moderate less than substantial harm. The Officer notes that there is public benefit arising from the development.</p>
Highways	No Objection	<p>Initially, the Highways Officer objected to the proposed development and requested amendments, including the provision of visibility splays from the access gates, a cross over at the entrance, doors to the refuse areas not to open over the highway.</p> <p>Amendments have been submitted and the Highways Officer accepts the width of the one-way through site route from Bective Road to Yelvertoft Road.</p>
Historic England	No Objection	No further comments made
Ecology	No Objection	Acknowledges that bat roosts are present and recommends a condition to ensure appropriate mitigation.
Northamptonshire Fire and Rescue	No Objection	Comments made on need for EV charging point plan

## 6 RESPONSE TO PUBLICITY

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

6.1 There have 9 number of objections/letters of support raising the following comments:

Material considerations, which can be assessed when determining the application

- The existing parking issues within the local area will worsen
- There would be harm caused during construction due to increase in traffic from construction workers.

- Harm caused to air quality
- Harm caused through noise pollution
- The scale of the development is not sympathetic to the local area
- The SPD discourages the use of parking courts
- Concerns raised regarding safety of new access
- Queries whether there is a need for housing in the area

Non-material considerations, which cannot be considered when determining the application

- Harm caused through increase in antisocial behaviour by new residents
- Potential House in Multiple Occupation use of the properties

## **7 APPRAISAL**

### Principle of Development

- 7.1 The site is not allocated for a specific purpose within either the West Northamptonshire Joint Core Strategy (JCS) or the Northampton Local Plan Part 2 (NLP Pt 2). The site fall within the Northampton Related Development Area (NRDA), with the NLP Pt 2 designate the site within a 'primarily residential' area.
- 7.2 Neighbouring the site to the west, as designated by the NLP Pt 2, lies a parade of shops which form part of a District Centre.
- 7.3 It is accepted that within the Northampton Area, the Authority is unable to demonstrate a 5-year housing land supply. As such the tilted balance set out at Paragraph 11D of the NPPF is engaged when considering the current proposal for residential accommodation.
- 7.4 The site is a brownfield site, comprising a currently vacant former industrial site associated with the shoe-making industry in Northampton and Grade II Listed Enterprise House. The wider site has been vacant for several years, albeit some ad hoc community uses have commenced recently within the listed building, although these have ceased. Section 11 of the NPPF applies substantial weight to the suitable use of brownfield land within settlements for homes.
- 7.5 Relatively recently, the site has been granted consent for a large-scale purpose-built student accommodation facility. This has established the principle of wider redevelopment on the site, and for a form of residential accommodation, albeit for specific student purposes. This development has not come forwards since the grant of planning permission and the University has since relocated to a purpose built campus.
- 7.6 Policy S4 of the WNJCS outlines that the need for employment and residential development within Northampton will primarily be met within the existing urban area and the sustainable urban extensions. As site is located within the NRDA, within the existing urban area of Northampton and a brownfield site within a primarily residential area, the principle of providing residential development is considered acceptable.
- 7.7 Given the proposal seeks to use a vacant brownfield site within the NRDA, for the purpose of providing residential accommodation in an area where the Local Planning Authority cannot demonstrate a sufficient housing land supply and where the proposed use would be situated within a predominantly residential area adjacent to a district



centre, Officers consider the principle of development is acceptable. The principle of development, subject to the assessment of other material considerations would accord with Section 11 and Paragraph 11D of the NPPF and S4 of WNJCS.

### Highway Safety, Access and Parking

#### *Highways Movements and Access*

- 7.8 Policy MO2 of the NLP Pt 2 seeks to ensure that development proposals provide a satisfactory impact on the local highway network, through ensuring that the residual cumulative impacts are not severe. Policy MO2 accords with the NPPF paragraph, which similarly seeks to ensure that development proposals would not cause severe harm to highway safety. Policy MO2 continues that safe and suitable access to the site, and site operation must be achieved.
- 7.9 The application proposes two vehicular access points from Bective Road, these are referred to the western access and eastern access.
- 7.10 The western access would provide access to the external parking area and the undercroft parking area for the apartment building. This access would serve the apartment building, terraced houses and the townhouses of the listed building. The eastern access would provide a oneway through site access from Bective Road to Yelvertoft Road for the 7 apartments within the listed building.
- 7.11 The Local Highways Officer has not raised concerns with the access points or the associated number of vehicle movements. A cross over was required at the main site access to the west and this has been amended. Further details of the visibility splays was requested and provided.
- 7.12 Overall, given that the LHA have not raised objections to the site access or the associated vehicle movements, the proposed development is considered to accord with Policy MO2 of the NLP Pt 2.

#### *Parking*

- 7.13 The larger communal parking area would provide spaces for 90 vehicles, 59 of these would be located within the undercroft parking area, underneath the apartment building. The remaining 31 spaces would be located within the external area, adjacent to the site access and rear of terraced properties which front Yelvertoft Road. These would take access from Bective Road, where a new two-way junction is proposed.
- 7.14 There is a smaller communal parking area located to the east of the site, within an undercroft parking area, under the two storey extension attached to the listed building. This provides 7 parking spaces, and would be access via the one-way through site access from Bective Works to Yelvertoft Road.
- 7.15 The parking areas would be access via gated access points, which allow vehicles to leave the main highway, Bective Road, before reaching the gates. This will allow vehicles to wait on the site for the gates to open, rather than on Bective Road.
- 7.16 In total, 97 spaces are proposed which would provide 1 space per residential home on the site.

- 7.17 Policy MO4 of the NLP Pt 2 requires new development proposals to meet the adopted Parking Standards. The Northamptonshire Parking Standards SPD sets out the required number of parking spaces per dwelling.
- 7.18 In this case, to meet the required parking standard, the proposed development would need to provide 267 parking spaces including visitors spaces. However, the proposed development seeks to provide 1 space per dwelling and no visitor spaces.
- 7.19 The LHA has not raised objection to the proposed development or raised concerns with underprovision of parking. The site is within the built limits of Northampton, within close proximity to a range of services within the district centre which includes public transport options.
- 7.20 Whilst parking courts are discouraged by the Parking Standards SPD, given the site's location with properties aligning the roads and on-street parking availability, in order to reflect the local character, the parking courts in this case are considered acceptable and the most suitable way of developing the site.
- 7.21 It is considered reasonable and necessary to secure via a planning condition, a car park management plan. This would ensure that each dwelling is allocated a space, for their personal use in association with their property.
- 7.22 Although it is accepted that there is a conflict with Policy MO4 of the NLP Pt 2, given the site's proximity to the district centre and a range of public transport options, the provision of 1 space per dwelling in this case is considered not to cause severe harm to highway safety. Therefore, in terms of parking provision, the proposed development would accord with policy MO2 of the NLP Pt 2 and Paragraph 111 of the NPPF.

#### *Sustainable Transport*

- 7.23 Policy S10 of the WNJCS requires development proposals to be located where services and facilities can be easily accessed by walking, cycling or public transport. Policy MO1 of the NLP Pt 2 requires development proposals to demonstrate they sufficiently achieve the sustainable development principles. These principles include promoting active lifestyles, reduced car usage and to maximise opportunities for integrated secure and safe walking and cycling routes.
- 7.24 The site is within the built limits of Northampton, adjacent to the district centre. The district centre includes a parade of shops, which currently includes a range of retail, food and drink and other service options. The district centre is also served by public transport into Northampton Town Centre and other areas within Northampton.
- 7.25 The site layout plan shows that several pedestrian access points would be included from both Bective Road and Yelvertoft Road. These access points would be via gated, leading into the central communal parking area and from Yelvertoft Road to the south of the site at the easternmost point. Within the site, pedestrian access routes are provided to provide internal permeability across the development. Externally, the pedestrian gates, provide access on to the existing pedestrian pathways along Bective Road and Yelvertoft Road, which lead to the district centre, just to the west of the site.
- 7.26 The proposed development incorporates cycle storage parking with the layout plan. Within the new apartment building, provision is made for 100 cycle spaces. This would be accessed via the undercroft parking area and is conveniently located near to a set of stairs and lift so that users can access the building. Similarly cycle storage is proposed within the undercroft parking area of the extension attached to the listed

building. This would provide 12 cycle spaces. It is considered reasonable and necessary to impose a condition requiring the details of the cycle stands and that these are provided prior to the occupation of the development.

- 7.27 Whilst the provision of cycle storage is not shown on the site layout plan for the 21 terraced houses accessed via Yelvertoft Road. There is a rear garden space serving each of the terraced houses, which is considered to be of sufficient size to provide covered cycle storage such as a garden shed with a cycle stand. It is considered this could be secured via a planning condition. This is consistent with other similar developments within Northamptonshire. A suitably worded condition, securing details of covered cycle storage for each of the terraced houses forms part of the recommendation.
- 7.28 Policy C2 requires new housing development to achieve the modal shift targets outlined within the WNJCS. This includes a target of a 20% shift away from private car trips from all new developments. This policy also requires development proposals to mitigate their effects on the highway network and be supported by a Travel Plan. The proposal also includes a travel plan which sets out the package of measures that would encourage the reduction in the use private car trips. These measures include personalised travel planning for residents, the provision of residential information packs and the encouraging the reduction of single occupancy vehicle movements.
- 7.29 In addition, in support of ensuring sustainable modes of transport, it is considered reasonable and necessary to impose a condition securing a minimum of 10% of the car parking spaces to be for electric vehicles.
- 7.30 Subject to the recommended planning conditions and given the site is located within a sustainable location, with access to a range of services and public transport, it is considered the proposed development would accord with Policy MO1 of the NLP Pt 2.

#### Design and Impact on the Character of the Area

- 7.31 Policy S10 of the WNJCS outlines the sustainable development principles that new development is required to adhere to, which includes creating a strong sense of place. Policy Q1 of the NLP Pt 2 requires development proposals to contribute towards placemaking through high quality, innovative and sustainable design. Policy Q2 reflects this, setting out criteria that new development should incorporate such as the use of high quality materials.
- 7.32 During the application process, amendments have been made to the scheme. These include:
- Reduction in the number of units permission is sought for from 99 to 97 units
  - Reduce the scale of the terraced properties
  - Create visual breaks within the apartment building, to reduce visual bulk and massing
- 7.33 Officers consider that are three distinct parts to this proposal, the apartment building, the terraced houses and the listed building with attached extension. This section considers each of the distinct parts in turn.

#### *Apartment Buildings*

- 7.34 The apartment building is of a contemporary flat roof appearance, which bears resemblance to the student building in terms of the design form and key features. Visual

breaks have been created in the elevations, through steps in the built form. This helps to break down the form of the apartment building when viewed from Bective Road.

- 7.35 Accommodation is provided largely over 3 floors, with two apartments provided at the ground floor on the south elevation. In total, due to the undercroft parking, the building would be 4 storeys in height. When compared to the previously granted student accommodation building, the overall height, when viewed from Bective Works would be similar. When viewed from Yelvertoft Road, as a result of the reduction in built form, only a small section of the apartment building would front Yelvertoft Road, which would appear as three storeys, with a step back before the fourth storey is reached. There would be additional development viewed along Yelvertoft Road, in the form of the terraced houses which is considered below.
- 7.36 In terms of visual interest, this has been created through the use of materials and patterns within the elevation treatment. The lower 3 storeys are proposed to be constructed from brick, with details used such as projecting brick pattern sections to create interest and detailing in the elevational design. Along Bective Road, to break down the visual form of the building, three distinct features have been created, extending the brickwork finish to the fourth floor. The fourth floor has a darker finish, with metal rainscreen cladding.
- 7.37 Officers do consider that the proposed apartment building does not wholly reflect the character of the residential area, however, the proposal would draw from the modern form of the district centre which is adjacent to the site. The proposal seeks to create a contemporary building utilising some key features such a brick work detail, regular fenestration patterns to reinterpret these into a contemporary form. The proposal introduces innovative design features with sympathetic materials reflective of the site's industrial history to assimilate into the local area. This is considered acceptable, and would clearly delineate the new apartment building from the traditional terraced properties within the local area and the adjacent listed building.
- 7.38 When considering the bulk and massing of the apartment buildings in particular, it is important to consider the planning history of the site. Most notably, the recent wider redevelopment of the site for purpose-built student accommodation. This included the provision of 347 student rooms across 6 blocks, albeit with 4 blocks forming one building visually and the remaining 2 blocks, forming another building visually. The approved accommodation. The blocks were proposed to be 3 storeys in height, with the larger 4 block building stretching between Bective Road and Yelvertoft Road, with accommodation arranged around 3 central courtyards between blocks. The smaller 2 block building, was also of 3 storey height, at the rear of the listed building, accessed via Yelvertoft Road. The listed building was proposed to be used a student hub area.
- 7.39 In the opinion of Officers, whilst the student accommodation proposal was considered acceptable, the current proposal does offer a more in-keeping and sympathetic proposal, suitable for the standard C3 residential accommodation sought. In terms of the visual appearance, the apartment building is proposed to be L-shaped in plan form, extending along Bective Road, to the access point adjacent to the listed building and along the western boundary, with the rear service area of shops within the district centre. When viewed from Yelvertoft Road, the 3 storey apartment building would be significantly reduced, and would just offer the south elevation of the smaller section rather than along the whole of the southern site boundary.

### *Terraced Houses*

- 7.40 The terraced houses would front Yelvertoft Road and comprise 21no. 3 bedroom properties. Accommodation is provided over three storeys, however, the properties appear as two storey, as accommodation is built into the roof form. The properties have a stepped roof form, which rises with the land level changes along Yelvertoft Road, which rises from west to east.
- 7.41 The terraced houses seek to reflect the character of the existing terraced properties, with simple form and the apartment building with references to the projecting brickwork between the groundfloor and first floor window. Each property would benefit from a shallow front garden and a larger rear garden. To provide light to the accommodation in the roof, rooflights are proposed on the front elevation, with dormer windows on the rear. The end property of each of the three terraces, is reversed, with the dormer window provided on the front elevation and rooflight to the rear, to create visual interest and a break down in the terrace form when viewed from Yelvertoft Road.
- 7.42 The previous student accommodation proposal, sought development which stretched along Yelvertoft Road, from Bective Road in blocks. The built form of the current proposal is not dissimilar to the approved student accommodation scheme. However, officers consider the proposed terraced properties to be more sympathetic and in-keeping with the terraced form of properties which form the largely residential area. The existing character along Yelvertoft Road is strong and repetitive, with fenestration patterns, materials and simple form.
- 7.43 Overall, the terraced properties are considered to successfully reflect the character of the existing properties along Yelvertoft Road, whilst introducing key design features from the apartment buildings to assimilate between them.

### *Listed Building and Extension*

- 7.44 The impact of the proposed development on the heritage assets is considered in more detail below with the focus of this section being the impact on the wider area.
- 7.45 The proposed development seeks to convert the former office and workshop space, into residential townhouses within the single storey element and apartments within the two storey element of the listed building.
- 7.46 Four two storey townhouses would be provided within the existing form of the listed building, that would be accessed via Bective Road and each benefitting from a rear amenity space. The exterior of the listed building would largely remain unaltered, with the creation of doors at ground floor level. The communal area at the rear of the amenity spaces for these properties.

### *Overall*

- 7.47 It is considered reasonable and necessary to impose conditions relating to external materials and appearance of the building, and hard and soft landscaping in order to ensure the proposal integrates well with the surrounding area.
- 7.48 Officers have assessed that subject to the recommended conditions the proposed development would provide a contemporary development, which seeks to distinguish from but use complementary design features to assimilate into the local area. Officers consider that the proposed development would provide a satisfactory design and

impact on the character of the area, and would therefore accord with Policy S10 of the WNJCS and Policies Q1 and Q2 of the NLP Pt 2.

#### Impact on Residential Amenity

- 7.49 Policy Q2 of the NLP Pt 2 requires development proposals to provide acceptable standard of amenity through their impact on existing occupiers and their internal layouts by ensuring that development proposals do not cause unacceptable harm through a loss of privacy, loss of light or by being overbearing.

#### *Impact on adjacent existing properties*

- 7.50 The application site is bordered by residential properties to the north, east and south with commercial services areas and properties located to the west. The proposed development is separated from the residential properties to the north and south by Bective Road and Yelvertoft Road. In the case of the properties to the north and south, these would have a typical front to front relationship between the application site and existing neighbouring properties to the north and south. Given the separation distance and the front to front relationship, it is considered that there would not be an unacceptable loss of light or harmful overlooking between properties. With the proposal being a three storey flat roofed building, it is considered that there would not be harm caused by being overbearing to neighbouring residential occupiers, being a similar height to these existing properties.
- 7.51 To the east of the application site, at Bective Road, the property no. 2 Bective Road would be situated adjacent to the shared boundary. There would be some separation via the through site, one way access road. The proposed development would introduce new windows at first floor level. Officers consider that there would be some harm arising to the occupants of no. 2 Bective Road as a result of new overlooking created by the development. As such, it is reasonable and necessary to impose a condition restricting the opening of windows and for any windows on the eastern elevation of the listed building to be non-opening and obscurely glazed to above eye level.
- 7.52 To the east of the application site, at Yelvertoft Road, the property no. 55 Yelvertoft Road would be situated directly adjacent to the shared boundary of the site. The proposed development at this part of the site would incorporate the exit from the through site road, and the side elevation of an end-of-terrace property. There are no windows in the side elevation of the terraced house. As such, Officers consider that there would not be unacceptable harm caused to the amenity of the existing or future residents as a result of the proposal adjacent to no. 55 Yelvertoft Road.

#### *Impact on future residents through internal amenity standards*

- 7.53 When considering the internal space standards of a proposed development, the Nationally Described Space Standards set out the minimum space requirements for a property depending on the number of bedrooms and the number of occupants. In the case of this development, the proposal satisfactorily provides an internal space which meets the requirements for each apartment in accordance with the Nationally Described Space Standards.
- 7.54 In terms of access to light and outlook, in regards to the new apartment building and terraced properties aligning Yelvertoft Road, the development provides sufficient access to light with all habitable rooms benefiting from a window providing access to light.

- 7.55 In regards to the listed building and curtilage listed building, there are constraints to the conversion which results in the properties not providing the usual standard of outlook. In regards to the listed building, direct outlook onto Bective Road and into the rear garden spaces at the rear. At first floor level, there are obscurely glazed translucent windows which provide access to light, but not outlook. In this case, as outlined above, the retention of these fenestration details are important to the listed building and positively contribute to the significance of the property.
- 7.56 Overall, it is considered the terraced properties and apartment building provide a satisfactory standard of amenity for future residents, however, it is accepted that the conversion of the listed building, would not provide an acceptable outlook, however, this is due to difficulties with retaining the significance of the listed building whilst securing a viable use for the property. This is considered further in the Planning Balance section of this report.

#### Impact on Heritage Assets

- 7.57 Section 66 of The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the duty of Local Planning Authorities (when considering whether to grant planning permission for development which 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.
- 7.58 In assessing impact, refer to NPPF and go through the following steps:
- State what is significant about the heritage asset
  - State whether it will be harmed and how
  - State the level of the harm (substantial or less than substantial)
  - State whether there are any public benefits to offset the harm (refer to para 196 of NPPF and the advice in PPG as to what public benefits are)
- 7.59 The significance of the Grade II Listed Enterprise House lies in its history as a former shoe factory contributing to the Northampton boot and shoe industry and in the survival of the unusual single storey range of the early 20<sup>th</sup> century.
- 7.60 The Conservation Officer has accepted that there are no objections to the use of the site for residential purposes and that the key issue is the impact the proposed development would have on the historic fabric of the listed building and its setting. The Conservation Officer considers that there are three principle elements that are affected by the proposal, the 1902 section of the listed building, the 1924 two storey section of the listed building and the impact of the development on the setting of the listed buildings. This report assesses each of these in turn.

#### *1902 Single Storey section of the Listed Building*

- 7.61 The application seeks permission to convert this part of the building into 4 townhouses. The proposal would restore the frontage of the building, and add conservation rooflights, create a single entrance door on the front façade. The existing north-lit sawtooth roofs would be retained as the roof to the listed building but would be gradually removed over the rear amenity spaces. The sawtooth roof would be removed gradually moving away from the building and would create a unique amenity space, creating a 'pagoda' style cover, with the columns retained furthest to the south.
- 7.62 The interior of the building has been subject to some alteration historically. This includes the insertion of modern ceilings and sliding glass reception windows which has reduced the ability to view the spatial quality of the office. The accommodation

associated with the workers has maintained much of its original appearance, which includes a wooden stair to the first floor accommodation. This benefits from an original door and window surround, with wooden enclosure. Much of the remaining timber panelling is in a poor condition.

- 7.63 The application would require the creation of new internal walls and ceilings in order to convert this part of the listed building to residential. It is appreciated that much of the internal layout has been altered over time. Following the receipt of amended plans, the wooden stairs and wooden enclosure have been retained and form part of the first floor bedroom and bathroom serving a townhouse. In order to retain as much of the original fabric as possible, lightwells from the first floor to ground have been incorporated, to account for the unique north-lit sawtooth roof and use it to the advantage of the proposal.
- 7.64 There would be harm caused to this part of the listed building through the alterations to the fabric and the removal of part of the sawtooth roof. However, the proposal has sought to limit the harm caused through the retention of as much of the original fabric as possible, include the retention of the sawtooth roof and incorporation of lightwells, creation of a single shared access on the Bective Road facing elevation, retention of the wooden stair enclosure and graduated retention of the sawtooth roof over the rear amenity space. Overall, it is considered in respect of the conversion of this part of the listed building, the harm caused would be over a limited to moderate level of less than substantial harm.

#### *1924 Two Storey section of the Listed Building*

- 7.65 The Conservation Officer notes that there are no objections to converting the two-storey factory block to 7 apartments with ancillary features including undercroft parking, bin and cycle storage. The conversion would require the alteration of some of the windows and doors, albeit further details of the repair works and alterations are required.
- 7.66 The proposal requires the removal of some of the existing rooflights and their replacement with slate. This is considered acceptable subject to the details of the proposed slate.
- 7.67 The proposal would require the removal and installation of new walls and ceilings. The Conservation Officer has not raised concerns with the alteration of the interior of the building in order to allow the subdivision into apartments.
- 7.68 In regard to this part of the proposal, it is considered that there would be limited less than substantial harm caused as a result of the conversion and alteration of this section of the listed building to provide residential apartments.

#### *Impact of the development on the setting of the Listed Buildings*

- 7.69 The provision of the apartment block, terraced housing and wider site changes include provision of a communal parking area and garden are considered to impact upon the setting of the listed building.
- 7.70 Officers consider that there would be the loss of the historical relationship between the listed building and wider Bective Works site as a result of the redevelopment of the wider site. The Conservation Officer has raised concerns with the scale of the proposed apartment block and the provision of the metal clad roof feature. The Officer considers that this will detract heavily from the setting of the listed building, and cause moderate



less than substantial harm. The design of the apartment building has been amended, to step in the metal clad top floor, away from the listed building.

- 7.71 In addition, concerns were raised with the scale of the townhouses, which were originally proposed to be a full three storeys. However, the scale of townhouses has been amended during the process of the application, such that these are now two storey, with accommodation in the roof and in-keeping with the scale of the existing terraces.
- 7.72 In regard to the setting of the listed buildings, the wider redevelopment of the Bective Works site is considered to cause moderate less than substantial harm to the setting of the listed building.

#### *Assessment of Harm and Public Benefits*

- 7.73 As required by Paragraph 201 of the NPPF, when determining a planning application which affects a designated heritage asset and/or its setting, consideration must be given to the public benefits of the proposal. These must be weighed against any less than substantial harm caused to the designated heritage asset and/or its setting when forming a recommendation.
- 7.74 The Conservation Officer has noted in their response that there is public benefits arising from the proposed development. Officers consider the following are public benefits of the proposal:
- Provision of new residential development within the Northampton Area where there is insufficient supply
  - Bringing into use a vacant brownfield site
  - Securing an optimum viable use of the listed building and it's ongoing maintenance and restoration
  - Economic benefits of the proposal during construction
  - Economic benefits of the proposal during operation
  - Ecological benefits arising from the proposal
- 7.75 Officers note that recent planning history for the site granted consent for a student accommodation scheme to redevelop the site. However, this has not come forwards and it is understood that the University has since relocated onto a new site and therefore, the Authority considers that the student accommodation proposal is unlikely to come forwards. The site does not conform to modern day warehousing or industrial standards and bringing the site into such uses is considered unlikely. Therefore, the residential use on the site is considered to be it's optimum viable use.
- 7.76 Officers consider that there is great public benefit arising from providing residential development within the Northampton Area, where there is an insufficient supply currently. Together with bringing the currently vacant site, including the listed building which requires restoration and maintenance is the long-term optimum viable use and also carries great public benefit. There are also economic and ecological benefits arising from the site which are considered to result in limited to moderate public benefit.
- 7.77 The public benefits arising from the proposal, are considered to be great for the reasons set out above.
- 7.78 Overall, Officers have assessed that the proposed development would result in moderate less than substantial harm to the listed building and it's setting for the reasons set out above. As required by paragraph 196 of the NPPF, where less than substantial

harm arises, consideration must be given to the public benefits of the proposal. The above assessment sets out that there is great public benefit arising from the proposed development. In this case, the public benefits of the proposal are considered to outweigh the moderate less than substantial harm caused to the listed building its setting. Therefore the proposal is considered to accord with Section 16 of the NPPF, Policy ENV6 of the NLP Pt 2 and BN5 of the WNJCS.

#### Drainage and Flood Risk Assessment

- 7.79 Policy S10 of the WNJCS requires that new development promotes sustainable drainage. Policy BN7 of the WNJCS states that new development proposals must ensure that adequate and appropriate water supply and wastewater infrastructure is available to meet the additional requirements generated by the development. This policy also requires development proposals to use sustainable drainage systems (SuDS) where practical. Policy Q5 of the NLP Pt 2 requires new major development to ensure that flood risk is not increased elsewhere. These local policies reflect Section 14 of the NPPF, which requires new development proposals to incorporate sustainable drainage systems where appropriate.
- 7.80 The site lies within Flood Zone 1, according to the EA's Flood Risk Maps for Planning, which is the lowest risk of flooding.
- 7.81 The application has been supported by a Flood Risk Assessment, which states the development will be supported by in the provision of a SuDS scheme to ensure appropriate surface water drainage such as through underground crating. Both the surface water and foul water would drain into the public sewer which is considered a suitable option, given the sites location and existing conditions. The FRA concludes that the proposed development would not result in an unacceptable flood risk to occupiers, increase flood risk elsewhere or be detrimental to the existing drainage infrastructure.
- 7.82 It is considered reasonable and necessary to impose conditions requiring the submission of a drainage scheme, it's implementation and verification of it's installation.
- 7.83 Subject to the recommended planning conditions, it is considered that the proposed development would be acceptable in regard to flood risk and drainage. Therefore, the proposed development would accord with Policies S10 and BN7 of the WNJCS and Policy Q5 of the NLP Pt 2.

#### Housing Type and Tenure

- 7.84 Policy H1 of the WNJCS requires development proposals to provide for a range of house types, sizes and tenures to cater for a different accommodation needs.
- 7.85 The development would provide a range of housing types and sizes, comprising a mix of apartments, townhouses and terraced properties. In total 97 residential homes are proposes.
- 7.86 Within the new build apartments, a total of 19 no. 1 bedroom 2 person, 15no. 2 bedroom 3 person and 31 2 bedroom 4 person homes are proposed. In total, the apartment building would provide 6no. apartments.
- 7.87 The terraced houses are of the same internal layout and would provide 21no. 3 bedroom 5 person homes.

- 7.88 The listed building would provide a total of 4 no. townhouses comprising 1 no 2 bedroom 3 person and 3 no. 2 bedroom 4 person homes together with 7 no. apartments comprising 1 no. 1 bedroom 1 person, 2 no. 1 bedroom 2 person and 4 no. 2 bedroom 4 person apartments.
- 7.89 The application would provide a market housing scheme given the viability constraints which are set out within the Planning Obligations section of this report. The application includes varying house types and sizes, which are considered to accord with Policy H1 of the WNJCS.

### Ecology

- 7.90 Policy BN2 of the WNJCS requires development proposals to maintain or enhance existing designations and assets, and supports the delivery of a net gain in biodiversity. Policy ENV3 of the NLP Pt 2 requires all new major development to offset the loss of biodiversity and secure a net gain. These local policies reflect Section 16 of the NPPF, which requires development proposals to contribute and enhance natural and local environments by providing net gain in biodiversity.
- 7.91 The application has been supported by an Ecological Impact Assessment. The Assessment has identified that the site currently provides low levels of foraging and nesting opportunities for bats and birds. Some roosts were identified within buildings that are proposed to be demolished or partly demolished. However, the Assessment demonstrates that subject to the implementation of a mitigation strategy, the proposal could have an acceptable impact on birds and bats. It is considered reasonable and necessary to impose conditions to secure an acceptable mitigation and its implementation.
- 7.92 In regard to biodiversity net gain, the proposal includes the provision of landscaping within the communal garden area and features across the site through the mitigation strategy such as replacement roosting habitats such as bat access tile tiles or boxes.
- 7.93 Subject to the recommended conditions is concluded that the proposed development could provide an acceptable impact in regard to protected species, their habitat and biodiversity. Therefore, the proposal would accord with policy BN2 of the WNJCS, Policy ENV3 of the NLP Pt 2 and Section 16 of the NPPF.

### Planning Obligations

- 7.94 Policy IFS2 of the NLP Pt 2 and the Planning Obligations SPD sets out the requirements for development proposals to mitigate the impacts they have on a local area through providing planning obligations, where necessary and where developments exceed the provision of 15 units. Policy H2 of the WNJCS sets out that developments of 15 or more residential homes are required to provide a minimum of 35% on-site affordable housing.
- 7.95 The applicant has provided a financial viability appraisal which has been reviewed by an independent advisor on behalf of the Local Planning Authority. The review has confirmed that the scheme as presented would be unviable in relation to a policy compliant scheme. The advisor sets out that the scheme cannot provide any financial contributions or affordable housing.
- 7.96 Officers accept the findings of the independent viability assessment and are of the view that the redevelopment of the site to provide residential accommodation, without the provision of affordable housing or planning obligations, is acceptable in this case

because of the findings of the review and because the Authority is unable to demonstrate a 5 year housing land supply in respect of the Northampton Area. Officers therefore consider that the proposed development would be acceptable, despite not being able to accord with Policy IFS2 of the NLP Pt 2 or Policy H2 of the WNJCS.

## **8 CIL**

8.1 The development is CIL liable.

## **9 PLANNING BALANCE AND CONCLUSION**

9.1 The proposed development represents an acceptable land use that would have an acceptable impact upon the character and appearance of the surrounding area, the highway network, drainage and flood risk, ecology and provide an acceptable housing mix.

9.2 Moderate less than substantial harm has been identified as a result of the proposal of the Grade II Listed Enterprise House and it's setting, however, the public benefits of the proposal have been assessed. Officers consider that the public benefits of the proposal outweigh the harm caused the Listed Building and it's setting.

9.3 Officers acknowledge that whilst the new build developments of the apartment building and terraced houses provide a satisfactory standard of amenity for existing and future residents, the conversion of the listed building presents difficulties with achieving an acceptable outlook for future residents. For this reason, there is deemed to be a conflict with Policy Q2 of the NLP Pt 2, in respect of the conversion. However, in considering the acceptability of this, weight has been given to securing the optimum viable use of the listed building, bringing it back into a use that would support its restoration and long-term maintenance. On balance, it is considered that the harm caused to the future occupiers of the listed building, would be outweighed by the benefits of bringing the building into a long-term viable use.

9.4 It is also accepted that following the independent review of the viability assessment, the development is not capable of providing affordable housing or financial contributions which mitigate the impacts of the development. In this case, as the assessment has been independently assessed, this position is accepted.

9.5 Overall, despite the conflict with Policy Q2 of the NLP Pt 2 in respect of the outlook to the residential units within the listed building, Officers consider that on balance, the proposed development would be acceptable. On the whole, the requirements of Policy Q2 are met, along with the NPPF, WNJCS Policies and NLP Pt2 Policies.

## **10 RECOMMENDATION**

10.1 Grant permission 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 the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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2. The development shall not be carried out otherwise than in complete accordance with the approved plans and details unless a non-material or minor material amendment is approved by the Local Planning Authority under the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). The approved plans and details are: [insert plan nos and received date]

Reason : To clarify the permission and for the avoidance of doubt.

3. Prior to the occupation of the development hereby approved, a car park management strategy shall be submitted to and approved in writing by the Local Planning Authority. Any on-site markings, such as parking space numbering to be agreed as part of the strategy shall be implemented prior to the first occupation of the development.

Reason: In order to ensure the development provides suitable parking for each dwelling in accordance with Policy MO4 of the NLP Pt 2.

4. No development or other encroachment shall be placed within the visibility splays of the access and egress points as shown on the site layout plan Jo35a (SK)110 Rev I. The vision splays shall remain and be maintained in accordance with the site layout plan.

Reason: To ensure the proposed development provides sufficient visibility to ensure that the development would have an acceptable impact on highway safety in accordance with Policy MO2 of the NLP Pt2.

5. No doors or gates shall open over the public highway and instead shall openly inwards on the site.

Reason: To ensure that the development proposed does not cause harm to highway safety, in accordance with Policy MO2 of the NLP Pt 2.

6. Prior to the occupation of the development hereby approved, details of the cycle parking stands to be provided within the cycle stores serving the apartments within the new build apartment and undercroft parking are within the listed building, as shown on the site layout plan JO35a (SK)110 Rev I. The cycle stands shall thereafter be implemented prior to the first occupation of the development.

Reason: To ensure the proposed development satisfactorily provides sufficient cycle parking in accordance with Policy MO4 of the NLP Pt2.

7. Prior to the occupation of the development hereby approved, details of the storage for cycles to be provided within the private amenity space for each of the terraced houses and townhouses shall be submitted to an approved. The storage details should include details of covered storage and cycle stands. The approved cycle storage shall thereafter be implemented prior to the occupation of each relative terraced house and town house.

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Reason: To ensure that sufficient cycle storage is provided, in accordance with Policy MO4 of the NLP Pt2.

8. A schedule of materials and finishes to be used in the external walls and roof(s) of the buildings and conversion of the listed building shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of those works. The development shall thereafter be completed in accordance with the approved details.

Reason : To ensure that the materials are appropriate to the appearance of the locality and to ensure the satisfactory appearance of the completed development in accordance with Policies Q1, Q2 and EN6 NLP Pt2 and Government guidance contained within the National Planning Policy Framework.

9. A scheme for landscaping the site shall be provided to and approved in writing by the Local Planning Authority which shall include:-

(a) details of the proposed tree and shrub planting including their species, number, sizes and positions, together with grass seeded/turfed areas and written specifications (including cultivation and other operations associated with plant and grass establishment i.e. depth of topsoil, mulch etc),

(b) details of the existing trees and hedgerows to be retained as well as those to be felled, including existing and proposed soil levels at the base of each tree/hedgerow and the minimum distance between the base of the tree and the nearest edge of any excavation,

(c) details of the hard landscaping including hard surface areas, pavements, pedestrian areas and steps.

Such details shall be provided prior to the development progressing above slab level or such alternative time frame as agreed in writing by the developer and the Local Planning Authority. The approved scheme shall be implemented by the end of the first planting season following occupation of the development.

Reason : To ensure that a satisfactory landscape scheme is provided in the interest of well planned development and visual amenity and to accord with Policy Q1 and ENV6 of the NLP Pt2 Government guidance contained within the National Planning Policy Framework.

10. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building(s) [or on the completion of the development, whichever is the sooner,] [or in accordance with any other program of landscaping works previously approved in writing by the Local Planning Authority] and shall be maintained for a period of 5 years from the completion of the development. Any trees and/or shrubs which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent for any variation.

Reason : To ensure that the agreed landscaping scheme is maintained over a reasonable period that will permit its establishment in the interests of visual amenity and to accord with Policy Q1 of the NLP Pt 2 and Government guidance contained within the National Planning Policy Framework.

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11. The windows in the east elevation of the listed building as shown on site layout plan J035a (SK)110 Rev I shall be obscure glazed, using manufactured obscure glass, (not an applied adhesive film) before the development is first occupied and shall be permanently retained as such thereafter. They shall also be non-opening, unless those parts which can be opened are more than 1.7m above the floor of the room in which it is installed, and shall be permanently retained as such thereafter.

Reason : To ensure that the amenities of the adjoining occupier(s) are not adversely affected by loss of privacy in accordance with Policy Q2 of the NLP Pt2.

12. Prior to any works above lower ground floor slab level, a scheme providing details of the measures to be incorporated into the development demonstrating how the principles and practices of 'Secured by Design' have been included shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details.

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.

13. No part of the development hereby permitted shall take place until:

- (a) a desk study and site walk over to identify all potential contaminative uses on site, and to inform the conceptual site model has been carried out by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11', and
- (b) has been submitted to and approved in writing by the Local Planning Authority.

No development shall take place until the Local Planning Authority has given its written approval that it is satisfied that no potential risk from contamination has been identified.

Reason: To ensure that any ground and water contamination is identified and adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use to comply with Policy Q2 of the NLP Pt2, Policy BN9 of the West Northamptonshire Joint Core Strategy and Section 15 of the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

14. If contamination is found by undertaking the work carried out under condition 13, then no development hereby permitted shall take place until

- (a) a scheme of remediation and/or monitoring to ensure the site is suitable for its proposed use has been prepared by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and
- (b) has been submitted to and approved in writing by the Local Planning Authority.

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No development shall take place until the Local Planning Authority has given its written approval of the scheme of remediation and/or monitoring required by this condition.

Reason: To ensure that any ground and water contamination is adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with Policy Q2 of the NLP Pt2, Policy BN9 of the West Northamptonshire Joint Core and Section 15 of the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

15. If remedial works have been identified in condition 13], the development shall not be occupied until the remedial works have been carried out in accordance with the scheme approved under condition 14. A verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that any ground and water contamination is adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with Policy Q2 of the NLP Pt2, Policy BN9 of the West Northamptonshire Joint Core and Section 15 of the National Planning Policy Framework.

16. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the LPA) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. In accordance with Policy 11 of the NPPF.

17. Prior to any development commencing a full noise survey and assessment by a competent noise consultant must be prepared and submitted, with any proposed works, to the local planning authority for approval. The assessment must take into account potential noise emitted from road traffic noise using the local road transport network and noise sources from commercial activities from the commercial row of properties on

Harborough Road and associated customer car park at the rear (western boundary on the site) on future occupiers'. Typical noise sources that would be expected to be assessed from such commercial businesses would be operation noise from commercial kitchen extraction system, any external mechanical plant, noise from service areas/yards and customer car park at the rear. Any proposed mitigation must insure that the

internal noise climate for each habitable room should achieve compliance with noise levels specified in the BS8233: 2014 recommended internal ambient noise level guidelines.

Reason: To ensure the development provides a satisfactory amenity for future residents in accordance with Policy Q2 of the NLP Pt2.



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18. No above ground development shall commence until a noise attenuation scheme and CIBSE TM59 Overheating Assessment has been submitted to and approved in writing by the Local Planning Authority. The scheme and assessment shall have regard to the Noise Impact Assessment and any associated mitigation measures detailed the Noise Impact Assessment submitted to discharge condition 17.

The scheme shall include full details and specifications of the façade, windows, glazing, ventilation, internal floors and internal walls. The CIBSE TM59 Overheating Assessment shall include full details and calculations demonstrating what measures will be incorporated into the design of the buildings to ensure overheating caused by variations in the climate, particularly in the summer with allowances for climate

change, will not occur. Any proposed mitigation measures must ensure that the internal noise climate for each dwelling achieves the recommended internal ambient noise levels outlined in paragraph 7.7.2 and table 4 of BS8233:2014 and external noise climate for outdoor spaces outlined in paragraph 7.7.3.2 of BS8233:2014.

No dwelling shall be occupied until the approved noise attenuation scheme, and mitigation measures for noise attenuation and overheating, have been implemented in full for that dwelling. The approved noise attenuation scheme, and mitigation measures for noise attenuation and overheating, shall subsequently be maintained in perpetuity.

Reason: To ensure the development provides an acceptable standard of amenity for residents, in accordance with Policy Q2 of the NLP Pt2.

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

Reason: In the interests of air quality, in accordance with Policy BN9 of the WNJCS.

21. An odour assessment will be required to be submitted on a pre-determinative basis to assess the impact of cooking odours from the Dominos Pizza and Indian Restaurant/Takeaway both located on Harborough Road on the western side of the proposed development site. Any odour assessment should be undertaken in accordance with Guidance on the Assessment of Odour for Planning, IAQM, 2018.

Reason: to ensure the development provides an acceptable standard of amenity for residents in accordance with Policy BN9 of the WNJCS.

22. Prior to the commencement of development a demolition and refurbishment asbestos survey of the former listed factory buildings shall be submitted to and approved in writing by the Local Planning Authority including details of how and when any asbestos containing materials will be removed from the site. The submitted survey shall be fully intrusive and comply with the Control of Asbestos Regulations 2012.

Development shall be undertaken in accordance with the approved details.

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Reason: To ensure the provide development controls pollution in accordance with Policy BN9 of the WNJCS

23. In order to reduce the likelihood of local residents being subjected to adverse levels of noise annoyance during construction, work on site must not occur outside the following hours: -
- Monday – Friday 7.30 a.m. – 18.00 p.m.
  - Saturday 8.30 a.m. – 13.00 p.m.
  - NO WORK ON SUNDAYS & BANK HOLIDAYS.

If work at other times is required permission should be obtained from the local planning authority.

Reason: To ensure the amenity of adjacent residents is protected during construction in accordance with BN9 of the WNJCS.

24. Prior to the commencement of development a Demolition and 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 demolition and construction works

REASON: Details are required prior to the commencement of development in the interests of safeguarding highway safety and residential amenity in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

25. At all times during the carrying out of operations authorised or required under this permission, best practicable means shall be employed to minimise dust. Such measures may include water bowsers, sprayers whether mobile or fixed, or similar equipment. At such times when due to site conditions the prevention of dust generation by these means is considered by the Local Planning Authority in consultations with the site operator to be impracticable, then movements of soils and overburden shall be temporarily curtailed until such times as the site/weather conditions improve such as to permit a resumption.

Reason: To ensure sufficient control of air pollution in accordance with Policy BN9 of the WNJCS.

26. No demolition products (concrete, bricks, soil, etc) shall be processed (crushed or sorted) on-site, unless otherwise agreed in writing with the Local Planning Authority.

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.

27. There shall be no external illumination on the site at any time other than in accordance with a detailed scheme which shall first have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the level of illumination, angling and cowling of the light sources, an assessment of the impact of the lighting on the vertical facades of sensitive properties and the measures

necessary to reduce the impact in accordance with The Institution of Lighting Professionals Guidance Note GN01/21 The Reduction of Obtrusive Light. Any lighting

shall thereafter be operated and maintained in accordance with the approved details at all times.

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

28. No development shall take place within the area of archaeological interest until, a programme of archaeological works has been carried out in accordance with a written scheme of investigation approved by the Local Planning Authority. This written scheme shall include the following components, completion of each will require the phased discharging of this condition.

(i) Approval of a Written Scheme of Investigation;

(ii) Fieldwork in accordance with the agreed Written Scheme of Investigation;

(iii) Completion of a Post-Fieldwork Assessment report and approval of an approved Updated Project Design: to be submitted within six months of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority;

(iv) Completion of analysis, preparation of site archive ready for deposition at a store (Northamptonshire ARC) approved by the Planning Authority, production of an archive report, and submission of a publication report: to be completed within two years of the completion of fieldwork, unless otherwise agreed in advance with the planning Authority;

Reason: To ensure that features of archaeological interest are properly examined and recorded and the results made available, in accordance with NPPF Paragraph 205

29. The refuse stores as shown within plans Site Layout Plan J035a (SK)110 Rev I shall be provided on site prior to the first occupation of the development hereby approved and retained at all times thereafter for bin storage.

Reason: In the interests of residential amenity in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

30. No building hereby permitted shall be occupied until details of the implementation, maintenance and management of the sustainable drainage scheme are submitted to and approved in writing by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

ii) a timetable for its implementation, and

ii) a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason : To ensure that the development/site is served by sustainable arrangements for the disposal of surface water, to comply with Policy Q5 of the NLP Pt 2 and Policy BN7 of the West Northamptonshire Joint Core Strategy and Government advice in the National Planning Policy Framework.

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31. 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 surface water strategy so approved unless otherwise agreed in writing by the Local Planning Authority.

Reason : To prevent environmental and amenity problems arising from flooding and to accord with Sections 14 and 15 of the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

32. Prior to the commencement of the development hereby approved, including any demolition and any works of site clearance, a mitigation strategy for bats, which shall include timing of works, and the location, design and timing of any alternative roosts to be provided, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the mitigation works shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not cause harm to any protected species or their habitats in accordance with Policy BN2 of the West Northamptonshire Joint Core Strategy and Government guidance contained within the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.