

Planning Committee Report

Committee Date: 8th February 2022

Application Number: N/2021/0342

Location: The Hawkins Building, Overstone Road, Northampton

Development: Conversion and alterations of factory premises to form 43 no apartments

Applicant: Clayson Country Homes Ltd

Agent: CC Town Planning Ltd

Case Officer: Nicky Scaife

Ward: Castle Unitary Ward

Referred By: Assistant Director of Place and Economy

Reason for Referral: Major application

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

Planning Application N/2021/0342

RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS

Listed Building Application N/2021/0343

RECOMMENDATION: GRANT CONSENT SUBJECT TO CONDITIONS

Proposal

The proposal comprises planning and listed applications for the conversion of part of the Hawkins Building to 43 apartments (Phase 3).

A separate planning and listed building application were approved by Committee on 11th January 2022 for the conversion of the adjacent section of the Hawkins building to 46 apartments (Phase 2).

Consultations

The following consultees have raised **no objections or advised no comment to make** to the application:

- Conservation
- Historic England
- Archaeological Advisor
- Town Centre Conservation Advisory Group
- Environmental Health
- Highways

- Ecology
- Environment Agency
- NHS England

The following consultees - **no comments received** on the application:

- National Amenities Society, Lead Local Flood Authority, Construction Futures, North Northants Development Management

No letters of objection or support have been received.

Conclusion

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

The key issues arising from the application details are:

- Principle of Development
- Impact on Heritage Assets, Character of Area and Design
- Residential Amenity
- Highways and Parking
- Affordable Housing and Section 106 Matters

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

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

MAIN REPORT

1. APPLICATION SITE AND LOCALITY

- 1.1 The application site comprises part of the former G T Hawkins Factory, a Grade II listed building, and specifically relates to part of the building fronting onto St Michael's Road with a section of the site extending onto Dunster Street. The site forms part of a prominent group of buildings fronting onto St. Michael's Road, Overstone Road and Dunster Street situated within the Boot and Shoe Quarter Conservation Area on the edge of the town centre. The Hawkins building and adjoining Nos. 4-12 Dunster Street range from three to four storeys in height.
- 1.2 Surrounding uses and building heights are varied with predominantly terraced residential terraced streets interspersed with some small scale commercial uses. Parking within the vicinity of the site is on street and controlled by permit. St. Michael's car park is situated opposite the site to the south.

2. CONSTRAINTS

- 2.1 Grade II listed building (G T Hawkins Factory & Nos 4-6 Dunster Street (former Globe Leather Works))
- 2.2 Boot and Shoe Quarter Conservation Area

- 2.3 Article 4 Directions: Non Immediate Article 4 Direction, Comments: Relates to houses in multiple occupation HMA

3 DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1 The application proposes the conversion of the existing building to provide 43 apartments comprising 13 x studio apartments, 28 x 1-bedroom units, 2 x 2-bedroom apartments. Parking would be provided at ground floor level with a separate access and egress onto Overstone Road from the Phase 2 development.
- 3.2 Planning permission for the residential development of the whole Hawkins building and adjacent 4-12 Dunster Street to provide 105 units was granted under planning permission N/2015/0673 and listed building consent N/2015/0674 approved on 26th July 2016. A subsequent planning and listed building application was then submitted and approved in 2019 under reference N/2018/1233 and N/2018/1234 to deliver a smaller section of the scheme for 39 apartments and referred to as Phase 1 comprising the buildings at Nos. 4-12 Dunster Street.
- 3.3 The Heritage and Design and Access Statement submitted with the current application advises that “notwithstanding the acceptance of residential conversions on the site as a whole by the Local Planning Authority over the last 20 years, no scheme has been fully completed in that time. It is considered, therefore, that the best way of ensuring the longevity of the buildings and this one is to ensure that they come forward separately and under separate phases.”
- 3.4 This application, referred to as Phase 3, seeks to separate this part of the application site from the earlier consent to provide a separate permission and effectively package the original proposal up into smaller consents to assist in disposal of the site. The proposal also seeks to amend the internal layout slightly from that previously approved but does not alter the proposed external alterations to elevations or parking arrangements previously approved.
- 3.5 A further planning and listed building application for 46 units (Phase 2), N/2021/018 & 319, is the subject of a separate planning and listed building application approved by Planning Committee on 11th January 2022.
- 3.6 Taking into account all three phases of the development, the total number of units across the site in its entirety, including the Hawkins and Dunster Street buildings, would increase from 105 to 128 in total.

4 RELEVANT PLANNING HISTORY

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

Application Ref	Proposal	Decision
N/1998/0803	Conversion to 25 flats	Approved November 2002
98/0922	Conversion to 44 flats and fitness club (Hawkins)	Approved 9/08/2000
N/2001/1092	Creation of 52 flats (Hawkins).	Refused 7/11/01
N/2001/1522	Conversion of 4-12 Dunster Street to 16 flats	Approved 18/09/02
N/2002/0083	Conversion to 52 flats – creation of additional 8 flats (Hawkins).	Approved 28/11/02

N/2005/1492	Listed Building Consent, 16 flats, 4-12 Dunster Street	Approved 24/04/07
N/2005/1517	Listed Building Consent, conversion of factory to flats, new mezzanine floor for car parking between basement and ground floor (Hawkins).	Approved 17/04/07
N/2008/0434	Conversion of 14 Dunster Street to form 3 storey building comprising one 1-bed and two 2-bed flats.	Approved 14/05/08
N/2015/0673	Conversion and alterations of factory premises to form 105 apartments with associated parking both on-site and on-street; replacement of windows and new roof lights; proposed infill extension on Dunster Street facade including new roof terraces.	Approved 26/07/16
N/2015/0674	Listed building application for conversion and alterations to form 105 apartments including replacement of windows and new roof lights; removal of 4 cast-iron columns, internal walls, north lights, internal and external staircase; modification of doors; proposed infill extension on Dunster Street facade including new roof terraces; provision of new glass screens, new staircases, steel guard rails, fire exits and lift.	Approved 26/07/16
N/2018/1233	4-12 Dunster Street Conversion and alterations of factory premises to form 39no apartments	Approved 5/8/19
N/2018/1234	4-12 Dunster Street Listed Building Application for the conversion and alterations of factory premises to form 39no apartments	Approved 5/8/19
N/2021/0318	Conversion and alterations of factory premises to form 46no apartments	Approved by Committee 11 th January 2022
N/2021/0319	Listed Building Consent Application for conversion and alterations of factory premises to form 46no apartments	Approved by Committee 11 th January 2022

5 RELEVANT PLANNING POLICY AND GUIDANCE

Statutory Duty

- 5.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 5.2 Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities in considering whether to grant listed building

consent for any works to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

- 5.3 Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 require Local Planning Authorities when considering development to pay special attention to preserving a listed building or its setting and to the desirability of preserving or enhancing the character or appearance of a conservation area.

Development Plan

- 5.4 The Development Plan comprises the West Northamptonshire Joint Core Strategy Local Plan (Part 1) which was formally adopted by the Joint Strategic Planning Committee on 15th December 2014 and which provides the strategic planning policy framework for the District to 2029, the adopted Northampton Local Plan (Part 2). The relevant planning policies of the statutory Development Plan are set out below:

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

- 5.5 The relevant policies of the LPP1 are:

- SA – Presumption in Favour of Sustainable Development
- S1 – Distribution of Development
- S10 – Sustainable Development Principles
- E1 – Existing Employment Areas
- H1 – Housing Density, Mix and Type of Dwellings
- H2 – Affordable Housing
- BN5 – The Historic Environment and Landscape
- BN9 – Planning for Pollution Control
- INF1 – Approach to Infrastructure Delivery
- INF2 – Contributions to Infrastructure Requirements
- N1 – The Regeneration of Northampton

Northampton Local Plan (Part 2) (LPP2)

- 5.6 The relevant policies of the LPP2 are:

- E20 – Design
- E26 – Conservation Areas

Material Considerations

- 5.7 Below is a list of the relevant Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Paragraph 11 advises presumption in favour of sustainable development.
- Paragraph 60 – ensuring sufficient land supply to address different housing need and that land with permission is developed without unnecessary delay
- Paragraph 130 – Create places with a high standard of amenity for existing and future users
- Section 8 – Promoting healthy and safe communities
- Section 9 – Promoting sustainable transport
- Section 11 – Making effective use of land
- Section 12 – Achieving well-designed places

- Section 16 – Conserving and enhancing the historic environment
- Northamptonshire County Parking Standards (November 2016)
- Northampton Parking Standards Supplementary Planning Document (November 2019)
- Planning out Crime in Northamptonshire SPG 2004
- Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990
- Boot and Shoe Quarter Appraisal and Management Plan (2011)
- **Northampton Local Plan Part 2 (2011-2029) (Emerging)**

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

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

- Paragraphs 7-12 - Presumption in favour of sustainable development
- Paragraph 60 - Housing needed for different groups in the community
- Paragraph 130 - Create places with a high standard of amenity for existing and future users
- Section 5 – Delivering a sufficient supply of homes
- Section 8 – Promoting healthy and safe communities
- Section 9 – Promoting sustainable transport
- Section 11 – Making effective use of land
- Section 12 – Achieving well-designed places
- Section 16 – Conserving and enhancing the historic environment

6 RESPONSE TO CONSULTATION

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

Consultee Name	Comment
Conservation	No objection The application relates to a prominent and significant building within the Boot and Shoe Quarter Conservation Area and listed grade II. It has been vacant for a number of years and is at risk of further deterioration. Planning & listed building consent has previously been granted for residential conversion for 105 apartments. The current applications revise and regularise the consents previously granted and the phases of the proposed conversion and exclude separate sections to the rear of the main building on Dunster Street. The proposal is in accordance with the previous consents. Harm to the character of the building through internal alterations and sub-division would be "less than substantial" and justified as a means of securing a

	<p>viable future for an important building. Conditions attached to previous consents, notably in respect of replacement windows, should be attached to the new permissions.</p> <p>No objection to the alteration to the lightwell, which will involve some loss of historic fabric but overall will have a limited but acceptable impact that is justified if it facilitates renovation of an important building in the conservation area.</p>
Historic England	Do not wish to offer any comments and suggest the views of the Council's specialist conservation officer are sought.
National Amenities Society	No comments received.
Archaeology	The building was recorded in connection with previous consents. No comments to make on current application.
Town Centre Conservation Area Advisory Group	No objection to the change of use. Would be pleased to see the building brought back into use and protected from further deterioration. Although Members regretted loss of original windows, providing replacements match the originals in profile and materials, the loss would be outweighed by the benefit of bringing the building back into use.
Environmental Health	<p>No objections subject to planning conditions in respect of:</p> <ul style="list-style-type: none"> - Updated Noise Assessment and updating of proposed mitigation measures as necessary; - Submission of a CIBSE TM59 Overheating Assessment; - Updated Air Quality Assessment; - Details of electric vehicle charging points; - Construction and Environmental Management Plan; - Contamination conditions; - Construction and site delivery times; and - Details of external lighting.
Highways	Request conditions for submission and approval of full engineering, drainage and constructional details of highway improvement works (as previously agreed) to construct build outs and parking bays adjacent to the Hawkins Building on St Michael's Road and a condition requiring approved works are carried out prior to occupation.
Crime Prevention Design Advisor	<p>Advises control over access is important. The building will require the following crime prevention measures:</p> <ul style="list-style-type: none"> - All entrance doors controlled with an audio visual access control system with no trade buttons and consideration of delivery of post with external letter boxes if possible. - Within building there should be compartmentalisation so each floor leading off stair core is fob controlled. The lift should be similarly treated. Access control measures also required on door into building from car park. - Bike storage within building should be in form of secure lockable stores or cages with individual stands for each bike. - Lockable bin store to prevent opportunities for arson. - All new flat entrance doors should comply with PAS24:2016 &

	3 rd party accredited products. - No information about management and maintenance of building.
Anglian Water	There is sufficient capacity for foul drainage from this development. Request condition in respect of scheme for foul water drainage works. No objection subject to a condition in respect of the submission and approval of a surface water drainage strategy and scheme for on-site foul water drainage works.
Lead Local Flood Authority	No comments received.
Environment Agency	No comments to make
NHS England	Request financial contributions towards healthcare provision associated with the proposed development.
Ecology	Following receipt of a Protected Species Survey, accept the findings of the submitted report and satisfied that nothing further is needed in respect of bats or nesting birds.

7 RESPONSE TO PUBLICITY

- 7.1 The applications were advertised in the local press, by site notice and neighbouring properties notified by letter.
- 7.2 Below is a summary of the third party and neighbour responses received at the time of writing this report:
- 7.3 No comments received.

8 APPRAISAL

Principle of Development

- 8.1 The principle of residential development of the site has been established under previous consents to develop the site, most recently planning application N/2015/0673 which has been implemented through the discharge of the relevant pre-commencement conditions and the start of groundworks associated with the approved development as confirmed by Building Regulations.
- 8.2 Whilst the development of the overall site as a comprehensive scheme would be preferable, it is accepted that this has been problematic in respect of the disposal of the site. The imposition of conditions in respect of materials and fenestration details in particular for all the phases of development will assist in ensuring that the development of the overall site retains a degree of cohesion with particular regard to the historic integrity of this group of buildings.
- 8.3 The NPPF has a presumption in favour of sustainable residential development and encourages the use of brownfield sites. The site is in a sustainable location, with good access to the town centre and public transport, the development of which would make a positive contribution towards the Council's 5 year housing supply and bring an existing prominent, derelict building within the Conservation Area back into use. Subject to the considerations below, the principal of conversion of the building to residential use remains acceptable.

Impact on Heritage Assets, Character of Area and Design

- 8.4 The NPPF advises on the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; consideration should be given to the wider social benefits that the conservation of the historic environment can bring and the positive contribution that conservation of the heritage asset can make to sustainable communities. Great weight should be given to the asset's conservation with any harm or loss through alteration requiring clear and convincing justification.
- 8.5 The NPPF further advises that where a proposed development would lead to substantial harm or total loss of significance of a designated heritage asset, consent should be refused, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Where a development would lead to less than substantial harm, this harm should be weighed against the public benefits, including securing its optimum viable use.
- 8.6 Policy BN5 of the JCS seek to ensure the conservation and enhancement of heritage assets and encourages the retention and sensitive re-use of disused or underused heritage assets in order to retain and reflect the distinctiveness of the environment, contribute to the sense of place and promote sustainable and prudent use of natural resources.
- 8.7 The Boot and Shoe Quarter Appraisal and Management Plan (2011) advises that St Michael's Road and Dunster Street were at the heart of the boot and shoe industry in Northampton, with the highest proportion of industrial buildings to domestic properties in the area. This part of the conservation area is dominated by the former G. T. Hawkins boot works, the structural condition of which was identified as potentially 'giving cause for concern' in the Council's 'Buildings at Risk' survey of listed buildings carried out August 1990 and updated in July 2010.
- 8.8 The G T Hawkins factory and the Globe Works building on Dunster Street were listed in December 2003. The significance of the buildings relates to their relationship to the Boot and Shoe industry and its significance to the town, the organic development over time and the individual architectural detailing of the buildings, which can still be appreciated. A significant feature of the buildings is their windows which form a key element of the fenestration and assist in defining the industrial use of the buildings and their building period.
- 8.9 The internal subdivision of the listed building to allow for the conversion to residential use has been previously accepted under the extant planning and listed building consents. The current proposal remains broadly consistent with the previously approved internal alterations with the exception of the addition of units in the basement, which would be served by existing large windows to the front of the property and the insertion of large lightwells in a rear courtyard area to provide additional light to these units. These alterations would not lead to any unacceptable increased impact on the fabric and historic integrity of the listed building to that previously approved.
- 8.10 A significant part of the development would involve the replacement of existing cast iron windows and timber windows throughout the building with a combination of aluminium powder coated and steel windows. This was a particular element of concern raised by a number of heritage bodies and the Conservation Officer in respect of the previous application. The replacement of windows to the building was acknowledged as impacting on the listed building's significance and external appearance but was

justified by the applicant on the basis that the existing windows are not fit-for-purpose and that replacement windows throughout are required to achieve adequate draft and sound insulation if the conversion is going to work commercially and provide 'attractive-to-market' flats.

- 8.11 It was acknowledged that the replacement of windows throughout the building would impact on the appearance of the listed buildings and the proposed alterations would result in a degree of harm to the significance of these heritage assets. However, it was considered that approving suitable replacement windows would assist in ensuring that impacts are less than substantial. This harm was weighed against the public benefits, including securing the optimum viable use of the building.
- 8.12 The previous application was subject to a condition requiring a windows condition survey and the submission and approval of details of replacement windows. The detail of the replacement windows has been subject to significant negotiation between officers and the applicant during the course of discharging the relevant planning condition in respect of window details for the previous consent. Although some window details have been submitted with this current application in accordance with details previously approved, a condition is proposed to agree the full extent and detail of replacement windows.
- 8.13 The former factory and associated buildings have been vacant for a number of years and are falling into a state of considerable disrepair to the detriment of the listed building, conservation area and overall character of the area. The redevelopment of the site for residential use as proposed would bring this redundant building back into use and lead to the enhancement of these visually prominent Grade II listed buildings with the Conservation Area, which would further enhance the surrounding environment both socially and physically. The conversion to residential use would also make a significant contribution towards housing need within the area. It is therefore considered, on balance, that the harm to the listed buildings would be outweighed by the public benefits whilst securing the optimum viable use for the building.

Residential Amenity

- 8.14 Saved Policy E20 of the Northampton Local Plan requires development to provide adequate standards of privacy, daylight and sunlight and Policy H1 of the JCS seeks to ensure new development has regard to the living conditions for future residents. Policy 4 of the emerging Local Plan requires development to create a high standard of amenity for occupiers, including ensuring satisfactory outlook and visual amenity from within buildings and communal garden areas, taking account of the relationship with neighbouring buildings and the wider street scene. These policies reflect paragraph 130 of the NPPF which advises of the need to ensure that developments create places with a high standard of amenity for existing and future users.
- 8.15 The application proposes the conversion of this part of the building to provide 43 apartments comprising 13 x studio apartments, 28 x 1-bedroom units, 2 x 2-bedroom apartments.
- 8.16 Policy 4 of the emerging Local Plan is a material consideration of moderate weight and seeks to ensure a high standard of amenity for proposed occupiers and that all new residential development meets as a minimum the Nationally Described Space Standards. In respect of 1-bedroom units for single person occupancy a minimum gross internal floor area (GIA) of 39m² is required (37m² if a shower room rather than bathroom is provided) increasing to 50m² for 2 person occupancy. For a 2-bedroom unit, the requirements are minimum 61m² for 3 person occupancy and 70m² for 4

person occupancy. The majority of 1-bedroom units meet the required standards for at least 1 person occupancy with some falling marginally under at approximately 36m². It must be noted, however, that a number of the proposed studio units fall considerably below this requirement, ranging from 24.62m² to 34m² in size. The proposed 2-bedroom units meet the required space standards for 3 person occupancy.

- 8.17 Whilst not all the units proposed meet the minimum space standards as set out above the layout is predominantly as previously approved under the extant consent. The previous scheme was approved prior to the Nationally Described Space Standards becoming a material consideration in respect of planning applications considered by the Council. As such, the development could be carried out in accordance with the previously approved details and it is not considered a refusal of the current scheme in respect of an under provision in space standards to some of the units could be upheld at appeal. Furthermore, this element must be weighed against the overall benefits of bringing a Grade II listed building which has been vacant for some considerable time and is in a state of dereliction back into a long-term viable use.
- 8.18 In respect of light and outlook for the proposed units, for those previously approved the light outlook remains acceptable and is also considered acceptable in respect of the new units proposed.
- 8.19 Sufficient refuse storage provision would be available on the ground floor and lift access would be provided to all floors.

Highways and Parking

- 8.20 The County and Borough Councils' Parking Standards provide guidance on the parking requirements for different use classes. In addition, Policy C2 of the JCS and Section 9 of the NPPF seeks to promote sustainable transport and modal shifts to non-car modes of travel. Furthermore, the guidance in the NPPF requires safe and suitable access for all developments and details that developments should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe.
- 8.21 Parking within the vicinity of the site is on-street and controlled by permit parking. The application proposes the provision of parking at ground floor level within the building footprint with a separate entrance and exit arrangement onto Overstone Road shared with Phase 2 of the development. Areas for secure cycle storage would also be provided at ground floor the provision of which would be required by condition. In addition, a condition is proposed to provide details of a scheme for the provision of electric vehicle charging points to accord with the requirements of the Northampton Parking Standards.
- 8.22 The existing feeder lane to St Michael's car park situated opposite the site on St Michael's Road would be removed with the two main traffic lanes from the existing pedestrian crossing being diverted to the south side of the carriageway in order to move the traffic away from the building and provide for some additional 16 parking space along St Michael's Road. The Highway Authority has no objection to the proposed alterations which would be subject to a Traffic Regulation Order.
- 8.23 It is acknowledged that parking provision is limited for the site. However, consideration must be given to the previous use of the premises as a factory and the potential number of employees associated with this previous use. In addition, the site is in a sustainable location within close proximity to the town centre and public transport provision. A large proportion of the flats would be one bedroomed, where car

ownership is generally lower. Parking within the area is controlled by permits and prospective occupiers would be aware of the restricted parking provision and the availability of parking within the adjacent car park. It is therefore considered that the benefits of bringing the building back into use would outweigh the limitations on parking which in themselves are not considered to provide sufficient justification for refusing the application. Furthermore, the Highway Authority raise no objection and the proposal is considered acceptable in this regard.

Other Matters

- 8.24 As requested by Environmental Health, conditions are proposed in respect of the submission of updated Noise and Air Quality Assessments and approval of mitigation measures as necessary to protect the amenity of proposed occupiers. Conditions are also proposed and considered appropriate in respect of a Construction Management Plan and contamination
- 8.25 In respect of ecology, the applicant has submitted a Protected Species Survey which provides details of an internal and external inspection of the building for evidence of use by roosting bats and nesting birds. Whilst no evidence of the presence of protected species was found on site, the report provides recommendations and mitigation measures with a precautionary approach to be taken during construction. The Council's Ecologist has been consulted and accepts the findings of the report. A condition is proposed to ensure the development is carried out in accordance with the recommendations of the submitted report.
- 8.26 The site falls within Flood Zone 1 (having less than 0.1% chance of flooding in any year). No objection has been raised by the Lead Local Flood Authority and the Environment Agency and a condition is proposed to approved surface water drainage details to ensure appropriate provision and mitigation.

Affordable Housing and Section 106 Matters

- 8.27 Policies INF1 and INF2 of the Joint Core Strategy seek to secure the provision of infrastructure needed to serve new developments, such as education, healthcare, open space provision and construction training, either directly on site or by a financial contribution secured through a Section 106 planning obligation.
- 8.28 In order to mitigate the impacts of the development the proposal would generate a requirement for financial contributions towards Early Years provision, healthcare, construction training, off-site open space provision and the Council's monitoring fee in respect of S106 monitoring. These requests would normally satisfy the tests as set out above and the payments as requested would be required to be made, to be secured through a legal agreement.
- 8.29 In addition, the NPPF details that major housing developments should be expected to provide at least 10% affordable housing. Policy H2 of the JCS seeking the provision of 35% affordable housing, subject to the assessment of viability, to be provided as an integral part of the development with a tenure to reflect local housing need.
- 8.30 Paragraph 58 of the NPPF advises it is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment. The weight to be given to a viability assessment is up to the decision maker, having regard to all the circumstances in the case.

- 8.31 The application is supported by a Viability Report which has been subject to independent assessment on behalf of the Council. The Council's consultant has reviewed the submitted details and concludes that the scheme would not be viable with a requirement to provide affordable housing or the Section 106 contributions required.
- 8.32 Given the conclusions of the Viability Assessment, it is acknowledged that the requirement for affordable housing and S106 contributions would result in the development being unviable and the site remaining undeveloped for a further period. The lack of affordable housing provision and Section 106 contributions must therefore be weighed against bringing a long-term vacant Grade II listed in the conservation area back into a viable use and the provision of housing and it is considered that this weighs in favour of the proposal. This was a position previously accepted by the Council in considering the previous application for the development of the overall site.

9 FINANCIAL CONSIDERATIONS

- 9.1 The development would not require CIL contributions as it proposed the conversion of the existing building only and does not propose any additional floorspace.

10 PLANNING BALANCE AND CONCLUSION

- 10.1 The proposal would bring about the development of a prominent and important listed building which forms part of a visually prominent group of Grade II listed buildings within the Conservation Area within a residential area, the renovation of which, would enhance and make a positive contribution to the character and appearance of the surrounding area and contribute towards housing need. The proposal would provide an appropriate level of amenity and would not adversely impact on surrounding amenity, highway conditions, drainage or ecology.
- 10.2 It is acknowledged that the proposed alterations, in particular, the extent of replacement windows, would harm the appearance of the listed building, however, a condition is proposed to agree the detail of replacement windows and building materials to ensure details are appropriate and sympathetic to the historic integrity of the buildings such that the development would cause less than substantial harm. The benefits of the re-use of the building outlined above and securing an optimum viable use for the building are considered to outweigh this harm.
- 10.3 It is considered that it has been satisfactorily demonstrated that the scheme would not be viable if any affordable housing or the level of S106 contributions required is applied. Again, this consideration needs to be weighed against the benefits of bringing a derelict building back into use outlined above. On balance it is considered that the heritage, environmental and social benefits of the proposal outweigh the harm identified above.

11 RECOMMENDATION / CONDITIONS AND REASONS

11.1 N/2021/0342 Planning Application

The proposal is recommended for approval subject to the conditions as set out below with delegated authority to the Assistant Director for Place and Economy to approve any amendments to those conditions as deemed necessary.

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 attached schedule of approved plans.

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

Materials

- 3) Notwithstanding the submitted detail, prior to the commencement of development, details of all proposed external facing materials including roof slates, replacement doors, 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 the historic integrity of the buildings and to ensure that the development will harmonise with its surroundings in accordance with Policies BN5, H1 & S10 of the West Northamptonshire Joint Core Strategy. Pre-commencement condition to ensure materials are appropriate to the integrity of the buildings.

Window Details

- 4) Notwithstanding the submitted details, prior to commencement of development, a schedule, detailed elevations, profiles, double glazing details, cross sections and material samples of the proposed replacement windows, which shall be, other than in respect of materials, of a type, layout and means of opening which shall match the existing windows to be removed, shall be submitted for approval by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of the historic integrity of the buildings in accordance with Policy BN5 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework. Pre-commencement condition to ensure materials are appropriate to the integrity of the buildings.

Contamination

- 5) No development shall take place until a desk top study, including a site walkover, in respect of possible contaminants within the site is completed and a site investigation has been designed. The scope and methodology of the desk top study and the site investigation report shall be submitted to and approved in writing by the Local Planning Authority. The site investigation and appropriate risk assessments shall be carried out and the results shall be used to produce a method statement for the necessary remedial works (and a phasing programme), which shall be submitted to and approved in writing by the Local Planning Authority. All remedial works shall be fully implemented in accordance with the approved method statement and phasing programme. Confirmation of the full implementation of the scheme and validation report(s) shall be submitted to the Local Planning Authority within 2 weeks of completion (or within 2 weeks of completion of each respective phase).

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

Air Quality Assessment

- 6) Notwithstanding the submitted details prior to commencement an updated air quality assessment shall be undertaken to assess the impact of the development on local air quality and the community against the National Air Quality Standards and Objectives. The assessment shall identify the impact of the existing and proposed development and any exceedance of the air quality objectives, including any proposed mitigation and shall be submitted to the Local Planning Authority for approval. Once approved the development shall be undertaken according to this approval and the use shall not commence until any agreed mitigation measures have been implemented. No changes shall be made to the development without the prior written approval of the local planning authority.

Reason: To ensure an appropriate standard of development and in the interests of residential amenity in accordance with the aims and objectives of the NPPF. Pre-commencement condition to ensure details are agreed in a timely manner.

Surface Water Drainage

- 7) Prior to the commencement of development, full details of a scheme for surface water drainage 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 flood prevention in accordance with Policy BN7 of the West Northamptonshire Joint Core Strategy.

- 8) Prior to the commencement of development, full details of a scheme for foul water drainage 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 flood prevention in accordance with Policy BN7 of the West Northamptonshire Joint Core Strategy.

Construction and Environmental Management Plan (CEMP)

- 9) Prior to the commencement of development a Construction Environment Management Plan shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved plan, which shall include:

- The control of noise and dust during the development process;
- Traffic management and signage during construction;
- Provision for all site operatives, visitors and construction vehicles loading, parking and turning within the site during the construction period;
- Arrangements during the construction period to minimise the deposit of mud and other debris on to the adjacent highway;
- The safe means of access of construction traffic to the site;
- Routing agreement for construction traffic.
- Hours of construction work including delivery times.

Reason: In the interests of securing a satisfactory impact upon the highways system and neighbour amenity in accordance with the requirements of the National Planning

Policy Framework and Policy BN9 of the West Northamptonshire Joint Core Strategy. This condition is required pre-commencement to ensure that such details are agreed in a timely manner.

Noise Assessment

- 10) Notwithstanding the submitted Environmental Noise Assessment undertaken by Joynes Nash Acoustics, dated 25th July 2015, prior to occupation of the development hereby permitted a revised and updated Noise Assessment shall be submitted for approval in writing by the Local Planning Authority. The updated Noise Assessment shall ensure that the ambient noise levels for each unit meet the requirements set out in BS8233:2014 'recommended Internal ambient noise level guidelines' and include mitigation measures as required. The development shall be carried out in accordance with the approved scheme prior to occupation and maintained thereafter.

Reason: In the interests of residential amenity in accordance with the requirements of Policies S10 and BN9 of the West Northamptonshire Joint Core Strategy.

Overheating

- 11) Prior to occupation of the development hereby permitted a CIBSE TM59 Overheating Assessment shall be submitted for approval in writing by the Local Planning Authority. The 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.

Reason: In the interests of residential amenity in accordance with the requirements of Policies S10 and BN9 of the West Northamptonshire Joint Core Strategy.

Waste Management Strategy

- 12) Notwithstanding the submitted details prior to the occupation of the development hereby permitted details of a waste management strategy for the disposal of refuse and recycling for site shall be submitted to the Local Planning Authority for approval in writing. Development shall be carried out in accordance with the approved details and retained thereafter.

Reason: In the interest of residential amenity and to secure at satisfactory standard of development in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

EV Charging Points

- 13) Prior to first occupation of the development hereby permitted a scheme for the provision of EV charging points on the basis of 1 charging point per 10 spaces (unallocated parking) shall be submitted for approval in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved scheme prior to first occupation.

Reason: In the interests of providing a sustainable development in accordance with the aims of the NPPF and in accordance with the requirements of the Northampton Parking Standards (2019).

Highway Works

- 14) The proposed highway works and parking restrictions to St. Michael's Road as detailed on drawing no. 1772/14 shall be carried and made available for use prior to the occupation of the development hereby permitted.

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

Access/ Parking/ Refuse & Cycle Storage

- 15) The vehicular access, car parking, cycle and refuse storage provision shall be laid out in accordance with the approved proposed ground floor plan prior to occupation of the development hereby permitted and retained as such thereafter.

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

Rooflights

- 16) Rooflights shall be conservation type rooflights and fitted flush to the roof.

Reason: In the interests of the historic integrity of the buildings in accordance with Policy BN5 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

Protected Species

- 17) The development shall be carried out in accordance with the recommendations and mitigation as detailed in the submitted Protected Species Survey by Philip Irving dated November 2021.

Reason: To ensure appropriate measures are in place in respect of the protection and preservation of protected species in accordance with the requirements of the NPPF and Policy BN3 of the West Northamptonshire Joint Core Strategy.

HIMO

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

Reason: In the interests of amenity and highway safety in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy and the guidance in the National Planning Policy Framework

11.2 N/2021/0343 - Listed Building Application

Grant listed building consent subject to the conditions as set out below with delegated authority to the Assistant Director for Place and Economy to approve any amendments to those conditions as deemed necessary.

Time Limit

- 1) The works hereby permitted shall be begun before the expiration of three years from the date of this consent.

Reason: To comply with Section 18 of the Planning (Listed Building and Conservation Areas) Act 1990.

Approved Plans

- 2) The development hereby permitted shall be carried out in accordance with the attached schedule of approved plans.

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

Materials

- 3) Notwithstanding the submitted detail, prior to the commencement of development, details of all proposed external facing materials including roof slates, replacement doors, 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 the historic integrity of the buildings and to ensure that the development will harmonise with its surroundings in accordance with Policies BN5, H1 & S10 of the West Northamptonshire Joint Core Strategy. Pre-commencement condition to ensure materials are appropriate to the integrity of the buildings.

Window Details

- 4) Notwithstanding the submitted details, prior to commencement of development, a schedule, detailed elevations, profiles, double glazing details, cross sections and material samples of the proposed replacement windows, which shall be, other than in respect of materials, of a type, layout and means of opening which shall match the existing windows to be removed, shall be submitted for approval by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of the historic integrity of the buildings in accordance with Policy BN5 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework. Pre-commencement condition to ensure materials are appropriate to the integrity of the buildings.

Rainwater Goods

- 5) Any new or replacement rainwater goods shall be in cast iron, of a profile to be submitted to and approved in writing by the Local Planning Authority prior to their

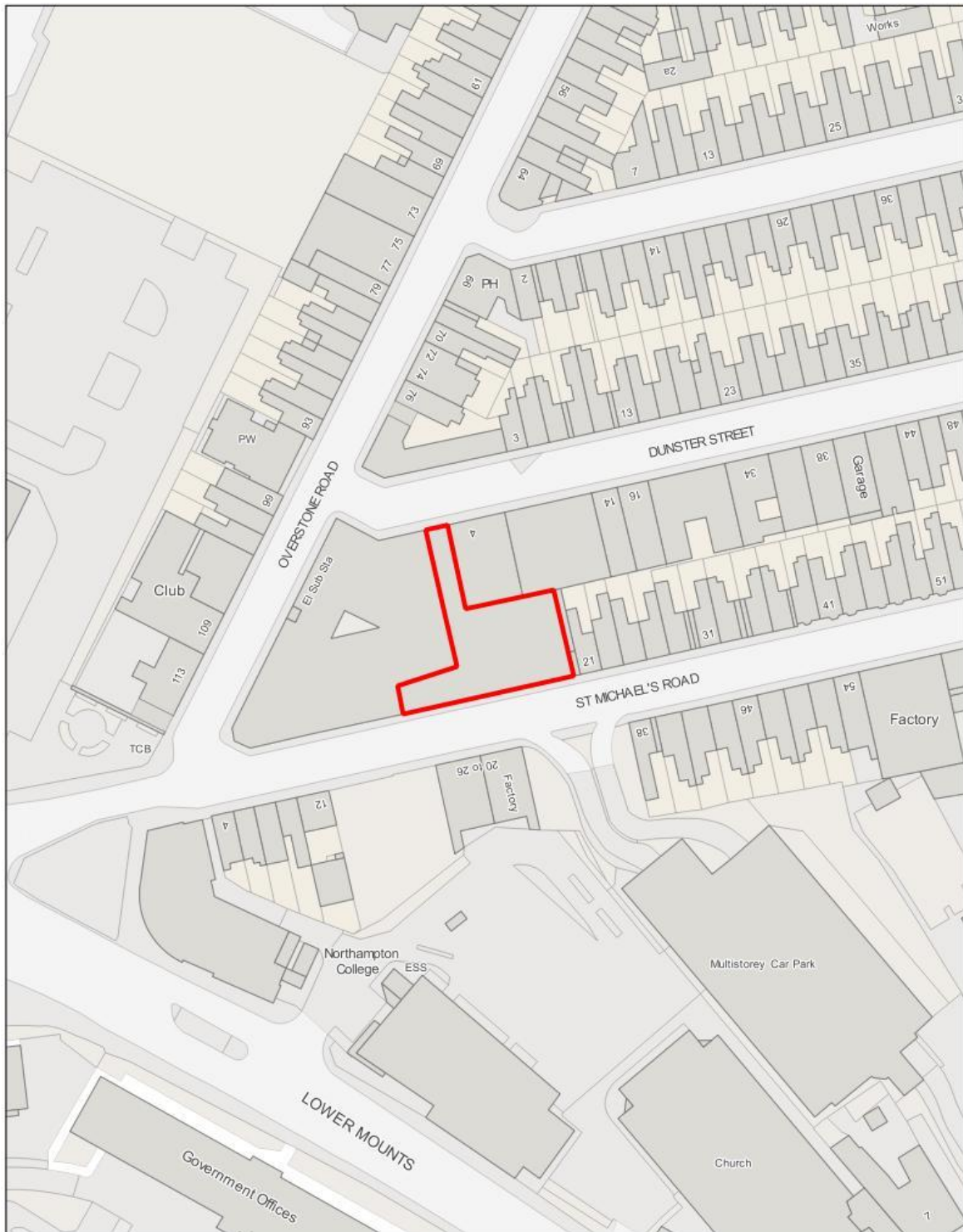
installation. The development shall be carried out in accordance with the approved details.

Reason: In the interests of the integrity of the listed buildings in accordance with the requirements of Policy BN5 of the West Northamptonshire Joint Core Strategy.

Details of vents, flues, extractor fans

- 6) Prior to installation, details of all vent, flues and extractor fans including locations, size, finish and colour shall be submitted for approval in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interest of the integrity of the listed buildings in accordance with the requirements of Policy BN5 of the West Northamptonshire Joint Core Strategy.



**West
Northamptonshire
Council**

Title: **Overstone Road**

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Date: 17-11-2021

Scale: 1:1,000 @ A4

Drawn: M Johnson