



Planning Committee Report

Committee Date: 7th March 2022

Application Number: WNN/2021/1011

Location: 98 - 102 Abington Street, Northampton

Development: Erection of part first and second floor extensions to provide 13no apartments, comprising 7no studios, 4no one-bedroom and 2no two-bedroom self-contained apartments with associated cycle store and refuse store, including formation of entrance lobby to apartments off St Giles Terrace and new doors off Abington Street (Resubmission of Application N/2018/0795)

Applicant: Sipp Real Estate Ltd

Agent: Valerie Scott Planning

Case Officer: Christopher Wentworth

Ward: Castle Unitary Ward

Referred By: Assistant Director of Place and Economy

Reason for Referral: Major application

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS.

Proposal

The development proposal seeks planning consent for the erection of part first and second floor extensions to provide 13 no. apartments comprising of 7 no. studios, 4 no. 1-bedroom and 2 no. 2-bedroom self-contained apartments with associated cycle store and refuse storage, including the formation of an entrance lobby to the apartments off St Giles Terrace along with new access doors off Abington Street in Northampton town centre. This proposal is a resubmission of approved scheme reference N/2018/0795 which is time expired.

Consultations

The following consultees have raised **objections or concerns** regarding the application:

- Conservation.
- Environmental Health.
- Town Centre Conservation Advisory Group

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

- Environment Agency.

- Fire and Rescue.
- Archaeology.
- Anglian Water.

No letters of objection have been received and no letters of support have been received.

Conclusion

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

The key issues arising from the application details are:

- Previous approval on site.
- Principle of Development.
- Design and Appearance.
- Heritage Impacts.
- Residential Amenity.
- Highway Safety.

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

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

MAIN REPORT

1 APPLICATION SITE AND LOCALITY

- 1.1 The application site consists an existing food outlet at ground floor level located in the town centre. As a consequence, the surrounding land uses are predominantly commercial in nature, with a particular predominance of retailing. A mix of commercial and residential uses are located along St Giles Terrace. In addition, the site is located in close proximity to the St Giles Conservation Area (which contains the Grade II listed St Giles church) and adjoins the listed St Giles Terrace to the south of the site.

2 CONSTRAINTS

- 2.1 The application site is located within Northampton Town Centre (CAAP).
- 2.2 St Giles Conservation Area boundary along southern edge of site.
- 2.3 Setting of Grade II listed buildings on St Giles Terrace and St Giles Church.

3 DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1 The development proposal seeks planning consent for the erection of part first and second floor extensions to provide 13 no. apartments comprising of 7 no. studios, 4 no. 1-bedroom and 2 no. 2-bedroom self-contained apartments with associated cycle store and refuse storage, including the formation of an entrance lobby to the

apartments off St Giles Terrace along with new access doors off Abington Street in Northampton town centre, both of which would serve apartments at first and second floor levels. The existing ground floor commercial units would be retained.

4 RELEVANT PLANNING HISTORY

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

Application Ref.	Proposal	Decision
N/2017/0049	Erection of part first and second floor extension to provide 7 x Studio and 7 x 1 Bed self-contained apartments with associated cycle store and designated refuse storage including formation of an entrance lobby to apartments off St. Giles Terrace and new doors off Abington Street.	Refused. 20/06/17 Appeal Dismissed 12/12/17.
N/2018/0795	Erection of part first and second floor extensions to provide 13 apartments comprising 7 x studios, 4 x 1-bedroom and 2 x 2-bedroom self-contained apartments with associated cycle store and refuse storage, including formation of an entrance lobby to apartments off St Giles Terrace and new doors off Abington Street.	Approved. 9/08/18

5 RELEVANT PLANNING POLICY AND GUIDANCE

Statutory Duty

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

5.2 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development that affects the setting of a listed building or its setting to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

5.3 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development to pay special attention to preserving or enhancing the character or appearance of a conservation area.

5.4 Development Plan

- West Northamptonshire Joint Core Strategy (Local Plan Part 1).
 - Policy BN5 – Historic Environment
 - Policy H1 – Housing
 - Policy S10 – Sustainable Development Principles
- Northampton Central Area Action Plan (CAAP) (2013).

- Policy 1 – Promoting Design Excellence
- Policy 16 – Town Centre living

5.5 Material Considerations

- National Planning Policy Framework (NPPF)
- Northampton Local Plan Part 2 (2011-2029) (Emerging)

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

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

- Policy 1 - Presumption in favour of sustainable development – Significant Weight.
- Policy 2 – Placemaking – Moderate Weight.
- Policy 3 – Design – Moderate Weight.
- Policy 4 – Amenity and Layout – Moderate Weight.
- Policy 8 – Supporting Northampton Town Centre's role – Significant Weight.
- Policy 14 – Type and mix of housing – Moderate Weight.
- Policy 21 – Residential development on upper floors – Significant Weight.
- Policy 31 – Protection and enhancement of designated and non-designated heritage assets – Significant Weight.
- Northampton Parking Standards Supplementary Planning Document
- Northamptonshire Parking Standards

6 RESPONSE TO CONSULTATION

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

Consultee Name	Comment
Anglian Water	No objection. Condition - Foul water drainage works. Condition –Surface water management strategy.
Archaeology	No comments to make.
Environment Agency	No comments to make.
Fire and Rescue	No objection. Refers applicant to standing advice.
Conservation	Objection. The application is a re-submission of N/2018/0795. I have nothing to add to the comments I made at the time of that application, in which I objected to the impact on the character and appearance of St Giles' Conservation Area and on the

	setting of the grade II listed Nos.1-8 St Giles' Terrace and on views of St Giles' Church.
Environmental Health	Objection. Maintain our existing concerns on the application as raised for N/2018/0795. No further information is presented to alleviate our existing and maintained concerns on noise and odour.
Town Centre Conservation Advisory Committee (TCCAAC)	<p>Objection. The TCCAAC has concerns about the proposal. Whilst members felt that the St Giles Terrace elevation was an improvement on the existing building and previous proposals, the committee was concerned about the impact upon the setting of the listed terrace of St Giles Terrace and on the Grade A listed St Giles Church.</p> <p>The impact on the setting and on the wider conservation area should be assessed., to ensure that there is not a substantial degree of harm and that the assessment would be aided by additional drawings of the massing from other viewpoints.</p> <p>Potential impact of a further high density residential development, particularly so close to other high-density developments already approved.</p>
Highway Authority	No objection. Condition – Construction Traffic Management Plan.
Development Management	No objection. Request obligations for fire hydrants and library provision.

7 RESPONSE TO PUBLICITY

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

8 APPRAISAL

Principle of Development

- 8.1 It is noted that this is the third application, for a comparable development, that has been submitted on this site. The first was dismissed on appeal on account of the development having an adverse impact upon the character and appearance of the heritage assets to the south of the application, including St Giles Terrace and St Giles Church.
- 8.2 A second application was submitted in 2018, reference N/2018/0795, and was subsequently approved as officer opinion was that the scheme had been amended to address the deficiencies outlined within the previous refusal and appeal dismissal. The 2018 consent that was approved is the same scheme which is subject to the current planning application. The 2018 consent expired in August 2021 and was not pursued due, in part, to the Covid 19 pandemic. The current planning application seeks approval for this previously approved consent without any changes proposed. It is considered that the principle of residential development in this location has already been established through the provision of the most recent planning consent.
- 8.3 The proposed development would create an additional 13 no. units of accommodation within a sustainable location. Whilst the authority can now demonstrate a five-year housing land supply, the development proposal would make a contribution to addressing this continuing need, which is considered to be of some benefit. It is noted that a strategic objective of the Central Area Action Plan (CAAP) is to re-populate the

town centre through mixed use development proposals such as that proposed. For these reasons, it is considered that the principle of residential development of the site remains acceptable.

Design and Appearance

- 8.4 The 2018 approved scheme provided a number of design changes to address the concerns of the previous refusal and dismissed appeal. This has resulted in a scheme that better harmonises within the existing building, which occupies a notable position on Abington Street. The proposed extensions have been designed in manner so that they step down from the highest point of the building fronting Abington Street, to the rear of the building where it meets the listed buildings of St Giles Terrace. This stepped down approach is considered to be a positive addition as it mirrors the downward gradient of St Giles Terrace in this location and better harmonises with the listed terrace buildings.
- 8.5 Furthermore, the extensions provide a number of windows to the St Giles Terrace elevation which have sought to provide a continuation of the elevation when viewed from the Abington Street elevation, including the provision of matching facing brickwork, the provision of projecting facing brick piers alongside the window reveals, matching rainscreen panels and window frames to match the existing building. These design features are considered to ensure that the proposal would have a much lower visual impact, and in this case, impact positively upon the existing building as it would result in the removal of a currently unremarkable single storey extension to the rear of the site.
- 8.6 In order to secure a good standard of development, a condition is recommended that would ensure that the Council approves details of building materials and windows frame details. The latter point is of particular importance as the scheme has been revised in order to ensure that these are recessed. This creates some relief in what would otherwise be a vertical, flat roof façade and also improves the relationship between the proposed development and the three storey section of the site that fronts onto Abington Street.

Heritage Impacts

- 8.7 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; 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.
- 8.8 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.
- 8.9 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.

- 8.10 It is appreciated that the Council's Conservation Officer has raised concerns regarding the loss of views of the St Giles Terrace and St Giles Church. This was raised during the assessment of the 2018 application. Whilst it is appreciated that the previous appeal was dismissed on this ground, the revised scheme which was approved under the 2018 consent and is the same as that submitted for assessment currently, has allowed for significantly more views southwards towards the church. The scheme was amended to reduce the section of building immediately adjoining St Giles Terrace to 2-storey reducing the impact on St Giles Terrace and affording views through to the church. Whilst some of the northernmost chimney stacks in St Giles Terrace would be obscured from certain vantage points, owing to the views of the remaining chimney stacks and the church being relatively unaffected, it was considered in 2018 that the harm arising from this would be less than substantial and it is still considered to be the case currently that the harm would be less than substantial.
- 8.11 In line with the requirements of the NPPF, such harm should be weighed against the benefits of the scheme. In this case, weight is given to the positive impacts on the visual amenity of the application building, the extension of which would significantly improve the appearance of this prominent corner plot, the positive impact on housing supply provision and the provision of residential accommodation in a highly sustainable location. Therefore, the proposal is considered to provide a number of positive benefits that outweighs the limited harm in this case.

Residential Amenity

- 8.12 The proposed scheme would now be assessed in relation to the nationally described space standards which provides minimum space standards for overall residential unit sizes along with minimum bedrooms sizes. In this case all of the proposed units, apart from unit 1, a studio unit would meet or exceed the minimum space standards for the unit in question. Unit 1 would provide 33.8sqm of internally floor space, 3.2sq.m below the outlined standard. However, the unit is served by 2 no. large windows fronting Abington Street and is a regular, useable space. On this basis it is not considered to be of a sufficiently poor standard to recommend refusal on this basis alone. Furthermore, the proposed bedroom sizes would meet or exceed the minimum space standards for both single and double bedrooms.
- 8.13 The outlook from the proposed units, specifically in relation to habitable rooms, would face onto either St Giles Terrace or Abington Street. These windows would provide an element of animation for future occupiers and would exceed the minimum separation distances to achieve appropriate levels of light and outlook. 5 no. windows to the rear elevation facing towards the Venton Centre are proposed. These windows, at first and second floor levels relate to bedrooms associated with units 5-7 and 12-13. These windows would also have sufficient outlook to the rear of buildings fronting Abington Street and over the Venton Centre with no built development restricting outlook in this case.
- 8.14 The proposal would provide two entrances to the proposed residential accommodation, one from the Abington Street elevation that would serve 10 no. apartments, along with a refuse store and cycle storage area for those residential units, and a separate entrance to the St Giles Terrace elevation that would provide access to 3 no. residential units along with a refuse store and cycle storage associated with those units. Commercial waste for the existing ground floor units would be kept separate from the residential facilities. Refuse storage provision would be required by condition.

- 8.15 It is appreciated that the Council's Environmental Health section have commented upon the potential for noise disturbance arising from the town centre location and cooking odours from the integral takeaway/restaurant below. These were matters that were addressed in the previous appeal. In the case of noise, it is considered that as a town centre location, residents would generally expect a degree of noise and activity, a view supported by the Planning Inspector. Furthermore, the development would contribute towards the delivery of a strategic objective of the CAAP and noise mitigation measures between the commercial element and the proposed residential properties would be addressed through the Building Regulations process as outlined by the Inspector, although it is noted that Environmental Health disagree with such an approach as a preferred method.

Highway Matters

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

Other Matters

- 8.17 In respect of the points raised by NCC Development Management, it is considered that there is insufficient policy basis to insist on the provision of library or fire services.

9 FINANCIAL CONSIDERATIONS

- 9.1 The development proposal would be subject to CIL liable in respect of new floorspace created.

10 PLANNING BALANCE AND CONCLUSION

- 10.1 The proposed development represents an appropriate land use and would not have a significant adverse impact upon the highway system, neighbour amenity and the character and appearance of the surrounding area. Furthermore, it is considered the impact upon the historic environment would be less than substantial and outweighed by the provision of new dwellings within a sustainable, town centre location. The proposal is therefore in general conformity with the requirements of the National Planning Policy Framework; Policies BN5, H1 and S10 of the West Northamptonshire Joint Core Strategy; and Policies 1 and 16 of the Northampton Central Area Action Plan.

11 RECOMMENDATION / CONDITIONS AND REASONS

- 11.1 The proposed development 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.

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, 11-501, 11-502, 11-503, 11-504, 12-505A, 11-506, 11-505, 12-501, 12-503A, 12-502A, 12-504A, 13-501, 13-502, 12-506A, 12-507, 02-501, 02-502, 02-503, 02-504, 02-505, 02-506, 02-507, 02-508, 02-509, 02-510.

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

3. Full details of all proposed external facing materials, including windows and doors, shall be first submitted to and approved in writing by the Local Planning Authority. The details of the proposed windows shall include recessed surrounds of a scale of 1:20 including details of cross-sections. Development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and to ensure that the development will harmonise with its surroundings in accordance with Policy 1 of the Northampton Central Area Action Plan.

4. Prior to commencement of development, a Construction Environment Management Plan (CEMP) shall be submitted to the Local Planning Authority for agreement in writing, after which any demolition, site clearance and construction shall be carried out in accordance with the agreed CEMP. The CEMP should include (but not be limited to):

- Details of the proposed construction access to the site
- Parking for site operatives and visitors.
- Storage areas for plant and materials.
- The erection and maintenance of security fencing/hoardings and lighting.
- Welfare and other site facilities.
- Working hours and delivery times.
- Measures to control noise, vibration, dust and fumes during construction
- Measures to prevent mud and other debris being deposited on the surrounding highway.

Reason: In the interests of securing a satisfactory standard of development, in accordance with the requirements of the National Planning Policy Framework. This a pre-commencement condition in order to ensure the agreement of such details in a timely manner.

5. No development 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. Development shall be carried out in accordance with the approved details prior to occupation of the development hereby permitted and retained as approved thereafter.

Reason: To prevent environmental and amenity problems arising from flooding in accordance with the requirements of Policy BN7 of the West Northamptonshire Joint

Core Strategy. This a pre-commencement condition in order to ensure the agreement of such details in a timely manner.

6. No development shall commence until a foul water drainage strategy has been submitted to and approved in writing the by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to occupation of the development hereby permitted and retained thereafter.

Reason: To ensure appropriate provision of foul drainage to serve the development in the interests of amenity, drainage and to secure a satisfactory standard of development in accordance with Policies S10 and BN7 of the West This a pre-commencement condition in order to ensure the agreement of such details in a timely manner.

7. The refuse and cycle storage as shown on the drawing 11-502 A shall be fully implemented prior to the first occupation of the development hereby permitted and shall be retained thereafter.

Reason: In the interests of creating a sustainable form of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy.

8. Prior to the commencement of development, a noise assessment and mitigation scheme for achieving the noise levels outlined in BS8233:2014 with regards to the residential units, shall be submitted to and approved in writing by the Local Planning Authority. Once approved the scheme shall be implemented before first occupation of the residential units and thereafter maintained in the approved state at all times. No alterations shall be made to the approved structure including roof, doors, windows, ventilation strategy, external facades, layout of the units or noise barriers.

Reason Details are required prior to the commencement of development in the interest of safeguarding residential amenity in accordance with Policy BN9 and S10 of the West Northamptonshire Joint Core Strategy.

9. Prior to commencement of the development, a ventilation strategy which includes an assisted mechanical ventilation proposal to allow residential windows to remain closed, should be submitted to and approved in writing by the Local Planning Authority. This scheme should cover the facades of the residential development where commercial extraction equipment to serve the ground floor use is located. The scheme shall be implemented at the development site prior to occupation of the residential units hereby permitted and maintained thereafter.

Reason: Details are required prior to the commencement of development in the interest of safeguarding residential amenity (Noise and Odour) in accordance with Policy BN9 and S10 of the West Northamptonshire Joint Core Strategy.

10. 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.

