



Planning Committee Report

Committee Date: 5th July 2022

Application Number: WNN/2021/0963

Location: Development land, Old Bedford Road, Northampton

Development: Reserved Matters Application pursuant to Outline Planning Permission N/2018/1034 for the erection of an Office Unit (Use Class E) and associated works including car and cycle parking (Non EIA)

Applicant: St Clair Land and Developments

Agent: CC Town Planning Ltd

Case Officer: Andrew Holden

Ward: Nene Valley 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 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.

Proposal

The proposal is a reserved matters application following outline approval, for the approval of appearance, landscaping, layout and scale. The proposal entails the construction of a two storey office building and associated car and cycle parking.

Consultations

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

- Parish Council

The following consultees have raised **no objections or have no comment to make** in respect of the application:

- Canal & River Trust

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- Environmental Health
- Environment Agency
- Emergency Planning
- Lead Local Flood Authority
- Police Crime Prevention Design Adviser
- Highways
- Ecologist
- Arboricultural Officer

One letter of objection has 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:

- Impact on the Character of the Area
- Impact on neighbouring occupiers
- Flood Risk and Emergency Egress

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 comprises an area of disused overgrown land adjacent to residential properties and the Nene Whitewater Centre and to a sports pitch. It is accessed by means of a spur road adjacent to the Bedford Road, via an established business park.

2 CONSTRAINTS

- 2.1 The application site is within Floodzones 2 and 3

3 DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1 The proposal is a reserved matters application following the outline approval detailed below, for the approval of the reserved matters of appearance, landscaping, layout and scale. The proposal entails the construction of a two storey office building of 832 square meters and associated car and cycle parking,

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4 RELEVANT PLANNING HISTORY

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

Application Ref.	Proposal	Decision
N/2018/1034	Outline Application (with all matters except access) for the erection of an Office Unit (Use Class B1) and associated works including car and cycle parking	Approved 01/11/18

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.

Development Plan

5.3 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 and the adopted Northampton Local Plan. The relevant planning policies of the statutory Development Plan are set out below:

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

5.4 The relevant policies of the LLP1 are:

- Policy E2 – New Office Floorspace
- Policy BN1 - Green Infrastructure Connections
- Policy BN8 - The River Nene Strategic River Corridor
- Policy S10 – Sustainable Development Principles

Northampton Local Plan (1997) – (Saved Policies)

5.5 No relevant saved policies.

Material Considerations

5.6 Below is a list of the relevant Material Planning 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

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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 5 – Carbon reduction, sustainable design etc (Moderate weight)
- Policy 33 – Highway network and safety (Significant weight)
- Policy 35 – Parking standards (Significant weight)

- 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	Comment
Canal & River Trust	Application falls outside scope for notification
Environmental Health	Comments remain the same as for the outline consent – conditions required regarding contaminated land, noise and electric vehicle charging points
Environment Agency	Following initial concerns confirm the floor levels proposed comply with the Flood Risk Assessment. And that whilst concerned about structural stability, emergency egress and the adequacy of the car park barrier, it is outside their remit to comment on these aspects. Emergency Planning and Building Control should instead be consulted.
Emergency Planning	Falls outside our remit – Lead Local Flood Authority should be consulted
Lead Local Flood Authority	The guidance on Emergency Flood Plans states we do not provide bespoke advice in relation to Emergency Flood Plans. We would however request that these plans are developed as part of the planning application process. This is to ensure that procedures are in place for occupants or users to retreat to a safe place of refuge, via a safe route, should a flood event occur. There is no statutory requirement for the Environment Agency (EA) or the emergency services to approve evacuation plans. The ultimate decision rests with the Local Planning Authority. The EA will not comment on the acceptability of an emergency flood plan.
Building Control	No response received.
Police Crime Prevention Design Adviser	Recommend measures to reduce the opportunities for crime are installed

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Highways	Cycle parking for staff needs to be contained within a secure structure to provide security from theft and protection from the elements.
Ecologist	Main concern with this application is that it has not demonstrated that a net biodiversity gain would be delivered. Would recommend a pre-commencement condition for an ecological Construction Environmental Management Plan (CEMP)
Great Houghton Parish Council	Most concerned about any additional traffic created by further development, especially when taken in conjunction with other developments proposed or being built in the local area.
Arboricultural Officer	The planting scheme from ES Landscape Planning proposes a good choice of tree species that when mature will be of significant scale and mass, and the positions which appear to have been well-positioned to avoid future conflict. The shrub mix, as well as the native hedgerow mix, are both good species choices and the shrub beds and new hedge seem to be well positioned. I have no objections to the landscape scheme as proposed.

7 RESPONSE TO PUBLICITY

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

7.2 There has been one objection, raising the following comments:

- Concerned will lead to flooding / affect drainage of neighbouring site.
- Will cause access problems for neighbouring site and has the potential to cause an accident due to additional vehicles.
- Building is of unsightly appearance.

8 APPRAISAL

Principle of Development

8.1 The proposed development has outline planning permission, therefore the principle of development has been established.

8.2 The current application is for reserved matters, relating to appearance, landscaping, layout and scale, which will be considered in this report.

Impact on the character of the area

8.3 The building as proposed is of a modern appearance, and is similar in its scale and massing to other office buildings in the area. Materials are stated as being also similar to these buildings, which are finished in brick. The design differs from these nearby buildings in the use of a flat roof and more areas of cladding, but as it is somewhat remote from these the building will be seen as a standalone development and an exact replication is not considered necessary or even desirable. It is considered that it would not appear out of character with the area. Full details of materials would be required by condition.

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- 8.4 Landscaping around the building would consist of trees and shrubs which are considered to be appropriate to this type of development. The Arboricultural officer has confirmed that this is an appropriate scheme.

Impact on neighbouring occupiers

- 8.5 The site is adjacent to dwellinghouses at The Limes and The Willows on Bedford Road, but otherwise the area is characterised by commercial and leisure uses. The site boundary is over 20m from the nearest of these neighbouring houses and the proposed building is at the far end of the development site from these, over 60m away. It is considered, therefore that no impact on these neighbouring residents would occur, which would not have been envisioned at the outline stage.
- 8.6 The access road is shared by the adjacent leisure premises of Northampton Canoe Club and Rowing Club. Both of these are a considerable distance from the site and it is not considered any adverse impact would result.

Flood Risk and Emergency Egress

- 8.7 The outline application was accompanied by a detailed Flood Risk Assessment (FRA) and a condition was attached to that permission requiring compliance with that assessment. The principal flood risk issues and the principle of using this site for offices has, therefore, been covered at that stage.
- 8.8 Nevertheless, the detail of the development now proposed at the reserved matters stage must also be considered in this respect. Part of this assessment is the proposed floor levels, and the Environment Agency (EA) have now confirmed that the development is acceptable in this regard.
- 8.9 Consideration must be given also at the detailed design stage to egress in the event of flooding. The EA initially raised concerns about the absence of an adequate egress plan but that this matter should be considered by emergency planning officers. The Lead Local Flood Authority take this role, but have indicated that do not “approve” such plans. Nevertheless, they have highlighted a document which provides clear guidance as to what such a plan should contain, including matters such as signing of clear and safe routes of egress. It is recommended, therefore, that a condition is attached to this reserved matters permission, requiring the full details of such a plan.
- 8.10 Further concerns raised by the EA were regarding the structural stability of the building in the event of a flood event, and the adequacy of barriers within the car park, to prevent vehicles floating away in a flood. Whilst raising these concerns, the EA however indicated that they were not able to comment on such matters, and that appropriate further consultation should be carried out.
- 8.11 In respect of structural stability, Building Control were consulted, but at the time of writing have not responded. Any response will be reported to the Committee by means of the Addendum, however it is considered that this is a matter properly dealt with at the appropriate time under a building regulations application and need not delay the granting of planning permission.
- 8.12 In respect of the adequacy of car park barriers, it can be noted that this is the subject of a condition on the outline permission, details of which will need to be provided before occupation. A further condition on this topic is not, therefore, necessary and this matter can also be addressed at the appropriate time.

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Highway and Parking Impacts

- 8.13 Whilst comments from Great Houghton Parish Council are noted, the highway impacts of the development were considered at the outline stage, at which time no objections were raised by the Local Highway Authority. The level of parking now shown is what was envisaged at that stage and complies with adopted standards.

Other Matters

- 8.14 Comments from Environmental Health refer to the need for conditions covering contaminated land and noise. These were imposed at the outline stage and need not be repeated. Environmental Health also refer to the need for electric vehicle charging points. At the time the outline application was approved, it was considered that the scale of the development did not warrant this and a condition to that effect was not imposed. Whilst changes in policy mean that these would now be required, as the condition was not imposed at the outline stage, it could not now be added at reserved matters stage.
- 8.15 The Police Crime Prevention Design Adviser has specified that measures for the reduction of crime are installed, whilst the Ecologist has requested a condition for an ecological Construction Environment Management Plan. Appropriate conditions are recommended.

9 FINANCIAL CONSIDERATIONS

- 9.1 The development is CIL liable

10 PLANNING BALANCE AND CONCLUSION

- 10.1 The principle of office development has already been accepted through the outline planning approval. The layout, appearance, scale and landscaping are considered acceptable and compliant with the aims and objectives of the National Planning Policy Framework, Policies BN1, BN2, BN3, BN5, BN7, E1, S1, S7, S8, S10 and S11 and E20 of the Northampton Local Plan.

11 RECOMMENDATION / CONDITIONS AND REASONS

- 11.1 The proposed development is recommended for approval subject to the conditions set out below with delegated authority to the Assistant Director of Place and Economy to approve any amendments to those conditions as deemed necessary:

Plans

1. The development hereby permitted shall be carried out in accordance with the following approved plans: Proposed Site Plan (1:1250) M-1802-P-01, Ground Floor Plan M-2150-P-01, First Floor Plan M-2150-P-02, Roof Plan M-2150-P-03, Elevations M-2150-P-04, Site Plan M-2150-SI-01B, Areas M-2150-SK-01, 10266L.HSLP.003, 180196-RGL-00-00-DR-D-101-0001 S2-P02.

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

Floor Levels

2. Prior to the construction of the development hereby approved above ground floor slab level, full details of all proposed external facing materials shall be submitted to and approved in writing by

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the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and to ensure that the development will harmonise with its surroundings in accordance with Policy E20 of the Northampton Local Plan
Flooding Measures

3. Prior to the occupation of the development hereby approved, an Emergency Egress Plan to be implemented in the case of flooding of the site shall be submitted to an approved in writing by the Local Planning Authority. The plan shall be implemented as shall be specified therein prior to or upon the occupation of the development and throughout the lifetime of the development.

Reason: To ensure the provision of a safe and secure development in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

Construction Environmental Management Plan

4. No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.
 - a) Risk assessment of potentially damaging construction activities.
 - b) Identification of “biodiversity protection zones”.
 - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
 - d) The location and timing of sensitive works to avoid harm to biodiversity features.
 - e) The times during construction when specialist ecologists need to be present on site to oversee works.
 - f) Responsible persons and lines of communication.
 - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
 - h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect and enhance the biodiversity of the site, in accordance with Policy BN2 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to ensure timely submission of details.

Security Measures

5. Prior to the occupation of the development hereby permitted, full details of security measures shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and fully implemented prior to the development being first brought into use and retained thereafter.

Reason: To ensure the provision of a safe and secure development in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy

Cycle Storage



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6. Notwithstanding the submitted details and prior to the occupation of the development, full details of facilities for the secure and covered parking of bicycles shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the development being first brought into use and retained thereafter.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policies H1, BN5 and S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.



West Northamptonshire Council

Title: **Old Bedford Road - Development**

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