



Planning Committee Report

Committee Date: 5th December 2022

Application Number: N/2020/1497

Location: 153 - 165 Bridge Street, Northampton, NN1 1QF

Development: Outline Planning application with all matters reserved except layout, scale and access for construction of up to 6 storey building providing up to 66no. one, two & three bed flats and apartments (Use Class C3), commercial development (Use Class E(a,b,c,d,e,f,g(i)) and associated ancillary infrastructure'

Applicant: Mr Collins

Agent: MHB Planning Ltd

Case Officer: Christopher Wentworth

Ward: Castle 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 outline planning consent with all matters reserved except layout, scale and access for the construction of up to a 6-storey building providing up to 66 no. one and two bed apartments (Use Class C3). The proposal also seek consent for the provision of commercial development (Use Class E(a, b,c,d,e,f,g(i)) at ground floor level and the provision of 38 no. parking spaces accessed from Cattle Market Road and Navigation Row.

Consultations

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

- Town Centre Conservation Area Advisory Committee (TCCAAC)
- Cllr Danielle Stone

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

- Environment Agency
- Environmental Health
- Conservation Officer

- Northamptonshire Police
- Lead Local Flood Authority (LLFA)
- Highways

The following consultees have **commented** on the application:

- Anglian Water
- Construction Futures
- Archaeology
- Ecology
- Housing Strategy
- NHS
- Development Management

10 no. letters of objection have been received and 1 no. letter of support 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:

- Principle of Development
- Highway Safety
- Flooding and Drainage
- Scale
- Heritage Impact
- Residential Amenity
- Noise Impacts

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

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

MAIN REPORT

1 APPLICATION SITE AND LOCALITY

- 1.1 The application site is approximately 0.21ha located on Bridge Street in Northampton town centre roughly 350m to the south of the All-Saints Conservation Area. It is a parcel of land with the Carlsberg Factory immediately to its west and 3 storey flats immediately to its east. Navigation Row forms the northern boundary and an Avis Vehicle Rental unit is located to the southern boundary.
- 1.2 It is currently occupied by a mixture of low rise, flat and pitched roof, predominantly brick built commercial units. These include Bradbury Equipment and Dunlop Garage Equipment both served by Bridge Street and Cattle Market Road. These roads which provide arterial connections to and from the south mean this is a prominent position on a main entrance to the town.

- 1.3 The southern part of Cattle Market Road is lined with 3 storey flats, their front doors are set behind a brick wall which lines the footpath on the eastern side of the road. The development site backs on to Cattle Market Road, and as such it is lined by the service yards and car parking of the businesses. Their boundary treatments include a mixture of metal railings and close board fencing.
- 1.4 Navigation Row at the northern boundary is a lightly used, one way, cut through, with no active frontages. The parcel of land to the north beyond Navigation Row comprises a mixture of commercial and restaurant businesses. Immediately adjacent to the application site is the Sakura Restaurant and its car park.

2 CONSTRAINTS

- 2.1 The application site is located within flood zone 3.

3 DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1 The development proposal seeks outline planning consent with all matters reserved except layout, scale and access for the construction of up to a 6-storey building providing up to 66 no. one and two bed apartments (Use Class C3). The proposal also seek consent for the provision of commercial development (Use Class E(a, b,c,d,e,f,g(i))) at ground floor level and the provision of 38 no. undercroft parking spaces accessed from Cattle Market Road and Navigation Row.
- 3.2 The proposal comprises of 53 no. 1 bed units and 13 no. 2 bed units.

4 RELEVANT PLANNING HISTORY

- 4.1 Application reference N/2020/1474 at adjoining site (123-135 Bridge Street) for outline planning application with all matters reserved except layout, scale and access for the construction of a 6 storey building providing up to 112no. one, two & three bed flats and apartments (Use Class C3), commercial development (Use Class E (a,b,c,d,e,f,g(i))) and associated ancillary infrastructure'.

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.

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.

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, the adopted Local Plan (Part 1 – saved policies) and adopted Neighbourhood Plans. The relevant planning policies of the statutory Development Plan are set out below:

West Northamptonshire Joint Core Strategy (Part 1) (LLP1)

- 5.4 The relevant policies of the West Northamptonshire Joint Core Strategy Local Plan (Part 1) are:
- Policy BN5: Historic Environment
 - Policy H1: Housing
 - Policy S10: Sustainable Development Principles

Northampton Local Plan 1997 (Saved Policies) (NLP1)

- 5.5 The relevant policies of the NLP1 are:
- E20: New development

Northampton Central Area Action Plan (CAAP) (2013) – Policies

- 5.6 The relevant policies of the CAAP are:
- Policy 1: Promoting Design Excellence
 - Policy 16: Town Centre living

Material Considerations

- 5.7 Below is a list of the relevant Material Planning considerations:

- **National Planning Policy Framework (NPPF)**

The National Planning Policy Framework (NPPF) sets out the current aims and objectives for the planning system and how these should be applied. In delivering sustainable development, decisions should have regard to the mutually dependent social, economic and environmental roles of the planning system. The NPPF should be read as one complete document. However, the following sections are of particular relevance to this application:

Paragraphs 7-12 - Presumption in favour of sustainable development.

Section 6 – Building a strong and competitive economy

Section 8 - Promoting healthy and safe communities.

Section 9 - Promoting sustainable transport

Section 11 – Making effective use of land

Section 12 – Design

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 RESPONSES 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	Position	Comment
Anglian Water	Comment	Condition to secure surface water drainage.
Construction Futures	Comment	Financial contribution sought - £4,620
Environment Agency	No objection	Condition to secure development in accordance with Flood Risk Assessment.
Environmental Health	No objection	In summary: <ul style="list-style-type: none">· It is agreed the site could be developed for residential with the correct noise mitigation package – This is confirmed and agreed· Clarity provided on noise levels at higher floors of the development, to the satisfaction of the LPA- It is agreed that further modelling at detailed design stages could provide this information to assist in

		<p>producing a full noise mitigation package, through the imposition of suitably worded planning conditions</p> <ul style="list-style-type: none"> · Further detailed design proposals for noise mitigation covering construction, glazing, ventilation and comfort cooling will need to be conditioned if these do not come forward for agreement ahead of the LPA decision on the site. Environmental Health would prefer to agree a scheme upfront of a decision based on environmental site constraints presented but can provide suggested conditions at a later stage pending the further noise assessment work and clarifications on the existing assessment that has been submitted. - <p>It is agreed that this information can be submitted at detailed design stages through the imposition of suitable worded planning conditions, although early engagement and agreement is preferred where practicable.</p> <ul style="list-style-type: none"> · Measures to control overheating and eliminate openable windows for thermal comfort should be submitted to the satisfaction of the LPA. – Ventilation should be by mechanical means as the solution will need to meet the requirements of both the Noise and Air Quality Sections of our earlier consultation responses. Comfort cooling measures will also need to be addressed at detailed design stages. · Balconies should be avoided unless enclosed fully given the noise level data presented. - It is understood that further refinements to the application not yet reviewed by Environmental Protection mean that this issue is not now relevant.
Northamptonshire Police	No objection	No objection principle of development subject to robust condition to secure security measures and management plan for block.
LLFA	No objection	Condition – Surface Water Drainage Scheme. Condition – Surface Water Drainage Maintenance.
Highways	No objection	Condition – Construction traffic management plan (CEMP)
Ecology	Comment	The site has negligible biodiversity interest, however due to the proximity to the river there is a very small possibility that bats could use the otherwise unsuitable buildings for roosting. In

		accordance with the ecologist's recommendations, I would suggest the roof materials be soft stripped under a method statement and would suggest that the method statement be conditioned pre-commencement.
Housing Strategy	Comment	<p>The provision of 20% affordable housing on this Build to Rent scheme appears consistent with the Planning Practice Guidance however I recommend confirming that this is correct with Planning Policy.</p> <ul style="list-style-type: none"> • The affordable units should be provided as Affordable Private Rent in accordance with the Planning Practice Guidance and should be secured in perpetuity through a S106 agreement. • The housing mix should be adjusted to increase the number of 2-bedroom units and decrease the number of 1-bedroom units. • The applicant commits to all units meeting the Nationally Described Space Standards. This is positive but cannot be confirmed in this outline planning permission. If possible, a condition should be added to the permission to secure this standard. • Consideration should be given to whether a more detailed Sustainability Statement is required at this stage.
NHS	Comment	Financial contribution sought – £33,554.70
Development Management	Comment	<p>Financial contributions sought.</p> <ul style="list-style-type: none"> - Early years Education – £48,412 - Primary Education – £20,982 - Libraries - £8,065 - 2 x no. Fire Hydrants.
Town Centre Conservation Area Advisory Committee	Objection	The proposal would affect views of key historic buildings including All Saints and Holy Sepulchre Churches, including longer views from London Road and from the south bridge riverside area.
Archaeology	Comment	Condition to secure an archaeological programme of work so as to ensure that appropriate investigating and recording can take place.
Cllr Danielle Stone	Objection	Call in request due to overdevelopment, pressure on services and lack of balance.
Conservation	No comment	The application does not lie within a conservation area and is not considered to have an impact on the immediate setting of a heritage asset. Therefore, there are no comments from the Conservation Team.

7 RESPONSES TO PUBLICITY

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

7.1 There have 10 no. objections/ comments raising the following:

- The proposal remains monolithic and bland.
- It would give future residents poor visual amenity as many of the flats would look into/at Carlsberg.
- Carlsberg has floodlighting so residents in the higher flats would be affected.
- Future residents' health would be compromised by the closeness to the main roads
- The tree planting proposed does nothing to mitigate the lack of green space around the proposed site.
- The proposal is too large.
- Insufficient communal space is proposed.
- Proposal results in over development.
- Would have unacceptable effects on the setting of All Saints Conservation Area and views of key listed buildings, such as All Saints Church, as identified by the Tall Buildings Strategy.
- The rear courtyard is the only exterior space for the pub, this proposal means it will lose all of its light/sun and impacted by noise from the plant room, and the possible smell and noise of the bins.
- No consultation between adjacent landowners and applicant.
- Access through to town from Far Cotton will be negatively impacted due to significant traffic congestion.
- There should be more variety in the type of units offered.
- Public realm improvements should be sought.
- Flooding and drainage may be an issue.
- Noise from the adjacent pub would adversely impact upon future residents.
- No need for further commercial units.
- 50% of units should be council run for low-income residents.
- Insufficient parking provision.

7.2 There has been 1 no. letter of support raising the following:

- The plans are fantastic.
- Development will serve to increase investment in this part of town.
- Town centre needs more high-density living options within walking distance to facilities.

8 APPRAISAL

Principle of Development

8.1 The proposed development would create an additional 112 no. units of residential accommodation within a sustainable location. The authority is currently unable to demonstrate a five-year housing land supply, and therefore the tilted balance assessment is engaged. The development proposal would make a significant contribution to addressing this continuing need, which is considered to be of benefit. Furthermore, the proposal would create new residential accommodation within the town centre in a highly sustainable location which is a strategic objective of the Central Area Action Plan (CAAP) which is to re-populate the town centre through

mixed use development proposals such as that proposed. The proposal also proposes ground floor commercial use (in this case Class E) along the Bridge Street frontage which is supported as it would seek to bring forward an active frontage in this location where there currently is not and would assist in supporting the general viability and vitality of the Town Centre as a whole.

8.2 The wider application site is designated within the CAAP as a strategic development site with a specific policy, policy 22, contained within the CAAP document. Policy 22 seeks to provide the following.

- Redevelop north and south of Navigation Row in a comprehensive manner.
- Deliver up to 8,000 square metres of office development in addition to residential with small scale retail, financial services and restaurant uses at ground floor.
- Introduce active frontages for the daytime and early evening along Bridge Street.
- Develop landmark buildings which must be provided at the northern and southern ends of the development site.
- Development proposals will need to be compatible with the existing brewery operation to the west, in terms of amenity, design, scale and land use.

8.3 In this case the proposal, alongside a separate planning application for residential development, seeks to develop a parcel of land alongside Navigation Row that would provide residential accommodation at the upper floor levels along with commercial space at ground floor level. The ground floor commercial space would face directly onto Bridge Street and would provide an active frontage along this section of Bridge Street. In this case, the proposal does not seek to develop the southern or northern portion of the wider strategic site and therefore a case for a landmark building as outlined by the above policy is not relevant to this application. However, the provision of such a landmark building is not precluded by the development proposal which is the subject of the current planning application. It is also noted that the development proposal would provide residential accommodation in close proximity to the nearby Carlsberg Brewery Operation. The provision of residential accommodation is not necessarily restricted near to the brewery operation but instead is subject to good design and amenity mitigation which is discussed elsewhere in this report.

8.4 The application site is also to be allocated within the emerging Northampton Part 2 Local Plan as safeguarded employment land. The site is currently used for variety of uses, including two no. vacant restaurants along with a surface level car park and a vehicle rental unit which also appears to be vacant. It is considered that the current use of the site offers very little in the way of ongoing employment opportunities, particularly with reference to employment land policy E1 within the Joint Core Strategy which states that existing employment sites will be retained in B1, B2, B8 and appropriate non-B employment generating uses. In this case the site currently does not accord with this policy in providing appropriate B class uses and so the effect of this policy is diminished somewhat. It is also noted that whilst the primary focus of the current proposal is to provide residential accommodation, it would provide commercial uses at ground floor level with the provision of 2 no. separate commercial units within the new 'E' use class.

8.5 Furthermore, the current application has been submitted for residential development and has been with the local authority for determination since late 2020. On the basis that the site is considered to be a catalyst for further regeneration within the Bridge Street area and fulfils the aims of the CAAP in bringing forward residential and commercial space within a town centre location, it is considered that this emerging

allocation can be set aside in securing the aims of the CAAP and housing provision within Northampton.

- 8.6 As such, the proposal would bring a prominent site in the town centre into a highly intensive use, contributing to the vitality and viability of the surrounding area, forming a catalyst for further regeneration works in the Bridge Street area and providing much needed housing at a time when the authority is unable to demonstrate a five-year housing land supply. As such, it is considered that in this case the tilted planning balance applies and that the principle of the development for residential purposes is accepted in this case.

Design and Impact on Character of Area

- 8.7 The site is not located within a Conservation Area nor is it located adjacent to any listed buildings. However, the site would be prominent in the approach to the town centre from Cotton End and the Rive Nene and views of the building in conjunction with wider backdrop views of the town centre conservation areas, such as All Saints and Derrnigate and listed and locally listed buildings within which they could be made. The existing buildings on site are not listed or locally listed.
- 8.8 Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that in carrying out its functions as the Local Planning Authority in respect of development in a conservation area: special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. Likewise, Section 66 of the same Act states that: In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority...shall 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. Therefore, significant weight must be given to these matters in the assessment of this planning application.
- 8.9 Conservation Areas and Listed Buildings are designated heritage assets, and Paragraph 202 of the NPPF outlines that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 8.10 In their original comments, the Council's Conservation Officer stated that "the site is prominent in approaches into the town centre and redevelopment to provide residential accommodation is welcome in principle and a good quality development would help to regenerate an important part of the town. However, although in outline form, I have concerns in respect of the bulk and massing of the indicated development and the overall quality of the design and consider that a revised proposal is required". Furthermore, they state that "the design of the buildings is poor and would fail to enhance this important gateway site. A good quality redevelopment that provides a landmark building is required that would provide a benchmark for new development in the town, but which does not dominate its surroundings". This view was also shared by the Town Centre Conservation Area Advisory Committee (TCCAAC) who raised concerns over the scale of the building and its impact upon heritage assets.
- 8.11 Since those comments were submitted the scheme has been significantly amended which has resulted in the following;

- A reduced building scale at 6 stories high, albeit with a significantly reduced footprint at 5th floor level.
 - Reduction in total number of units from 71 no. units to 66 no. units.
 - Projections to the building's elevations have been added.
- 8.12 The existing street scene comprises of a variety of single and two storey buildings with a variety of uses, albeit many of which are currently vacant. To the northern site boundary lies Navigation Row, beyond which are disused buildings and surface level parking which form the basis of another development proposal under planning reference N/2020/1474 which has yet to be determined.
- 8.13 The surfacing and landscaping of this area would be the subject of a separate reserved matters application, although the layout is secured as part of this current outline planning application. However, in this aspect it is considered that the proposal positively impacts upon the immediate streetscene along this section of Bridge Street with improved levels of overlooking from the residential accommodation at first floor and above. This accords with the general provisions of the development plan and also the design aspirations outlined within the CAAP, specifically with reference to policy 22.
- 8.14 The current application is for outline permission with a number of matters reserved, which include landscaping and appearance. A number of objections have been made regarding the appearance of the building and the lack of detail included within the submitted plans. However, matters related to the external appearance of the building, including colours, materials, detailing, windows, etc. would be determined at reserved matters stage and that the scope of the application at present relates to the scale and layout of the building only.
- 8.15 The proposed building as currently submitted would provide residential accommodation primarily over five floors of the six-storey building. The building would be set within the southern section of Bridge Street towards the road bridge over the Rive Nene within the Bridge Street/Cattle Market Road gyratory where a variety of buildings scales are found. Directly to the west of the site lies the Carlsberg factory building which comprises of the office buildings that face onto Bridge Street itself along with the wider site that contains the silos that are a dominant feature within the site and immediate area. In this context the proposed building would be set approx. 17m away from the Carlsberg building, separated by the public highway and would be erected to a height of 19.85m to the highest part of the flat roofed building, although it is noted that the predominant section of the building would be erected to a height of 16.7m. This is noted to be the uppermost floor that is set in from the buildings Bridge Street elevation whereby a height of 16.4m is proposed. The Carlsberg office buildings directly opposite the site measure approx. 16m high and provides 4 stories, although it is noted that the floor to ceiling levels are greater than that of the residential building proposed so the overall scale is viewed as similar when viewed in close proximity of the site, particularly along Bridge Street. In this regard it is not considered that the proposed scale of the building is inappropriate in this context and that the layout and positioning of the building help to reinforce the appropriateness of the scale in this context, albeit it is noted that this is significantly different from what is currently experienced along this section of Bridge Street.
- 8.16 To the eastern side of the site lies Cattle Market Road which is a two-lane highway and forms part of the gyratory road system and beyond that lies the Morrison's Supermarket which whilst a single storey structure internally, presents itself to the Cattle Market Road elevation as a two-storey building with a blank façade. This currently presents as a poor streetscape in terms of active frontage although it is

improved somewhat by existing residential development, in the form of three storey dwellings along Cattle Market Road. The proposal would introduce windowed elevations at first floor level and above to this elevation which is considered to be positive as it would introduce overlooking and surveillance to an area of public realm that is currently poor served by such measures. It is noted that the scale of the building would be substantially greater than that currently experienced on this section of Cattle Market Road with the existing supermarket building measuring 8.5m. However, it is considered that the expanse of public highway provides sufficient separation between built development so as to not result in an oppressive structure within the immediate streetscene.

- 8.17 The proposed building would be located to the southern extent of the town centre and views of the proposal would be made from various vantage points to the south of the site and from within the town centre. A variety of concerns have been received regarding the proposals adverse impact upon views within the wider area with particular reference to the loss of views of All Saints and Holy Sepulchre Church from Far Cotton, particularly from the locally listed bridge that crosses the River Nene and also from the town centre looking southwards towards London Road and Delapre Park. Concerns have also been raised regarding the lack of compliance with the Tall Buildings Strategy document.
- 8.18 With regards to the Tall Buildings Strategy document whilst it is not adopted planning policy, the document was commissioned to inform the preparation of the Central Area Action Plan (CAAP) and was also used to inform elements of the emerging Local Plan Part 2 and forms part of the list of documents submitted to the Planning Inspectorate as supporting evidence. As such, there isn't a requirement for applicants to follow the criteria within the document, but the proposal is assessed against the policies that the document helped to inform, e.g. The CAAP policy 22.
- 8.19 The applicant has provided photomontages of the proposed building that shows views of the proposed building in situ when taken from the bridge crossing the River Nene to the south of the application site and also looking south from two vantage points (Lloyds Bank and NB's) on Bridge Street within the town centre core and All Saints Conservation Area towards the application. It is noted that the views of All Saints Church Tower and St Sepulchre Church Spire would not be visible from the Far Cotton bridge at ground level, a distance of 150m from the application site. However, views of this structure would be made further back along London Road alongside from the Asda Supermarket and Delapre where the road rises up towards the Lancaster Way roundabout. It is noted that the photomontage shows the positions of the two church structures and shows they would only be viewable with a building on site at a height of 3 stories when viewed from Far Cotton Bridge and anything taller than that would obscure views at close distance. Whilst the loss of immediate views of the two structures at close quarters to the site is regrettable, this in itself is not considered a reason for refusal, particularly as longer distance views of the town centre core with prominent structures such as the church spire would still be maintained.
- 8.20 Furthermore, the views from the town centre (Bridge Street) as shown in the photomontage show that the building would not be visible from NB's nightclub and that only the upper floors (5th and 6th) would be visible within the wider roofscape looking southwards and would be seen in the context of other roofs within the urban area. This in itself is considered to be appropriate in terms of impact. On this basis, it is considered that the proposal would result in less than substantial harm to the wider conservation areas and the listed buildings within it and that the public benefits are the provision of significant levels of housing within a sustainable location, within an

area that does not currently benefit from a 5-year housing land supply, ensuring a long-term viable use of the site, maintaining the vitality and viability of the town centre and would help to regenerate a gateway area to the town centre, all of which are considered to be sufficient to set aside this limited harm.

- 8.21 The proposal still allows for a 'landmark' building as outlined within policy 22 of the CAAP to the southern edge of Bridge Street adjacent to the locally listed bridge over the River Nene which could act as a gateway to the town centre.
- 8.22 It is also noted that no external finish materials have been specified at this outline stage as the appearance of the building, along with landscaping, is a reserved matter that would be dealt with separately.

Residential and Neighbour Amenity

- 8.23 The application proposes the provision of 66 no. apartments which would comprise of the following: 53 no. 1 bed units, 13 no. 2 bed units arranged over 5 floors (the 6th floor being the ground floor level undercroft parking area and refuse/cycle stores). All of the proposed units would meet or exceed the minimum floorspace requirements as outlined within the nationally described space standards.
- 8.24 The proposal would provide a shared amenity space at first floor level within a central, open atrium that would provide approx. 300sq.m of floorspace. In addition, the site is located within the town centre and within walking distance of amenity space, such as Becketts Park and the River Nene. It is, therefore, considered that sufficient amenity space is provided in this case.
- 8.25 Two no. enclosed refuse storage areas are proposed for the building and would be accessed from the both the undercroft parking area and the service yard area accessed from Bridge Street. It is considered appropriate to attach a condition to ensure that separate, dedicated refuse storage is provided for both the residential and commercial uses. In addition, a condition is proposed to ensure the refuse storage areas are provided prior to first occupation and an additional condition requires the submission and approval of a Waste Management to ensure appropriate management of refuse storage and that there is no adverse impact on surrounding amenity. Environmental health raises no objection in this regard.
- 8.26 The application site is located within an edge of town centre location and as such the neighbouring units are commercial in nature with residential dwellings to the rear of the site along Cattle Market Road. Whilst the application site would add habitable room windows to all sides, although this would be dealt with reserved matters stage, it is not considered that the outlook from these windows would result in an unacceptable relationship for a town centre location, with sufficient distance retained between the building and neighbouring windows on the opposite side of Cattle Market Road
- 8.27 In respect of surrounding commercial uses, 3rd party comments have been received raising concern regarding the potential impacts arising from the proposed development in respect of the use of the Malt Shovel Public House, situated to the north of the application site, albeit separated by existing commercial buildings and the subject of further residential development, which has a license to hold late and live music events and which has an outside seating area adjacent to the proposed servicing area.

- 8.28 Paragraph 187 of the NPPF seeks to ensure that new development can effectively integrate with existing businesses, including pubs and music venues, and that these existing businesses should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business could have a significant adverse effect on new development in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development is completed.
- 8.29 An initial Noise Assessment and subsequent updated noise assessment to assess the Malt Shovel Public House has been submitted with the application (and associated planning reference N/2020/1474) and assessed by Environmental Health. The original Noise Assessment did not include an assessment of Malt Shovel Public House which it was understood was not trading/reduced levels of trading during the Covid-19 lockdown period. The updated assessment assessed the Malt Shovel in Summer/Autumn of 2022.
- 8.30 Public Protection has advised that there have been no noise nuisance/ public nuisance incidents on record in respect of the Malt Shovel Public House since 2014. It is however acknowledged that there is currently no particular concentration of residential uses within the immediate vicinity of the venue.
- 8.31 The development proposal includes residential accommodation with habitable rooms on all elevations. In order to ensure appropriate levels of amenity for proposed occupiers and that there are no unreasonable expectations placed on existing businesses it is considered necessary to impose a condition to secure a pre-occupation survey to ensure that the mitigation measures have been installed correctly so that they achieve the aims of reducing noise impacts upon future residents and adverse impacts upon nearby commercial uses.
- 8.32 It is therefore considered that any impacts arising from surrounding uses can be sufficiently mitigated such that there is no unacceptable adverse impact on proposed amenity or existing businesses within the area in accordance with policy requirements.

Highway Impacts

- 8.33 The application site is located within the CAAP area albeit in an edge of town centre location. The proposal would provide 38 no. onsite parking spaces within an undercroft location and would be accessed from the Navigation Row elevation using a new two-way access point. The Council's Highways department have been consulted on the proposal and have raised no objection to the proposal. It has been demonstrated that the estimated trip rates generated by the proposed development, when compared to the existing uses and trip distribution, would not have an undue impact on the local highway network. Furthermore, whilst the proposed 38 no. parking spaces is below the minimum standards, given the edge of town centre location, it is accepted that this is a reasonable level of parking provision. The highway authority does request the imposition of a planning condition to secure a Construction traffic management plan (CEMP) which is considered necessary and appropriate in relation to the scale and location of the proposed development.
- 8.34 In addition, the application proposes the provision of a cycle store encompassing a footprint of 47sq.m which would both be accessed from within the undercroft parking area, adjacent to the entrance lobbies. It is considered appropriate to attach a condition to secure the type of internal rack storage proposed and to also ensure that such provision is made prior to the buildings first occupation.

Crime Prevention

- 8.35 The Police Crime Prevention Design Advisor has been consulted on the proposal and whilst no formal objection has been raised, they have requested the imposition of planning conditions to secure security measures for the building and a management plan for the operation of the block. It is considered that such conditions are reasonable and necessary to ensure that future occupants are reside in safe and well managed accommodation.

Flooding and Drainage

- 8.36 The site lies within Flood Zone 3, albeit with flood defences, on the Environment Agency's Flood Map for Planning and is therefore at a high risk of flooding from main river sources. There is a watercourse approximately 150m to the south of the site (River Nene) and this is shown to flood and the Environment Agency Flood Map indicates that this does breach the site boundary. On this basis, the building has been designed so that all residential accommodation is at first floor level or above with parking and, servicing and commercial uses taking place at ground floor level only. The Environment Agency has been consulted and have raised no objections to the proposed development subject to a condition to secure that the development is undertaken in accordance with the submitted Flood Risk Assessment for the Bridge Street North scheme. It is considered relevant and necessary to secure such matters by planning condition.
- 8.37 The submitted drainage details outline that the current site (brownfield) is 100% impermeable with existing hard surfacing and buildings. The proposal seeks to provide a green roof to the proposed building which would improve permeable ground cover for surface water drainage. The applicant has also indicated that foul water drainage would be dealt with using existing infrastructure on Bridge Street and Navigation Row subject to a separate application direct with Anglian Water.
- 8.38 The Lead Local Flood Authority has been consulted on the application and no objections have been raised, subject to conditions to secure a detailed surface water drainage design and a detailed scheme for the maintenance of the approved surface water infrastructure.
- 8.39 Anglian Water have been consulted and no objections have been raised. The most recent response from Anglian Water recommends the imposition of a surface water drainage condition so as to ensure that the proposal does not adversely impact upon environmental or residential amenity. It is considered necessary and reasonable to secure such details by planning condition.
- 8.40 The application is considered to comply with BN7A and BN7 of the JCS, emerging Policy 7 of the emerging Local Plan 2 and guidance in the NPPF.

Other Matters

- 8.41 The Council's Archaeology officer requests a condition on archaeological works, which is considered reasonable to attach.
- 8.42 West Northamptonshire Council Key Services request conditions on fire hydrants and broadband. There is no planning policy basis to require such conditions and as such these are not considered reasonable to attach.

Financial Contributions

- 8.43 West Northamptonshire Council Key Services request a financial contribution towards libraries. There is no planning policy basis in the Northampton Area for the requirement of funds towards libraries and as such it is not reasonable for the Council to request such funding for this development.
- 8.44 Construction Futures request a contribution towards apprentice training and a training scheme on the site. This is considered reasonable to request through a S106 agreement.
- 8.45 The proposal currently proposes the provision of 66no. apartments. As such, the provision of affordable housing as outlined under policy H2 is relevant. This policy requires the provision of 35% affordable housing provision (equivalent to 23 no. units) which should be provided for onsite and if not possible off site (provision or financial contribution as a last resort). As part of the submission, the applicant has indicated that the scheme would be financially unviable if it were required to provide policy compliant affordable housing or any other planning obligations relevant to the scheme (i.e., Public open space, education, Construction Futures, etc). A financial viability assessment has been submitted to demonstrate that the scheme would be unviable if any contributions were sought, including any affordable housing provision. The submitted viability assessment has been independently assessed by the authority's viability consultant and who has concluded that the scheme is unable to offer any form of affordable housing or any form of financial contributions.
- 8.46 The authority accepts the findings of the independent viability assessment and is of the view that the redevelopment of the site to provide significant levels of residential accommodation, albeit not in accordance with affordable housing policy, is acceptable on this occasion as the authority is currently unable to demonstrate a 5 year housing land supply and that also sufficient justification, in the form of the independently assessed viability details, have concluded that the scheme would be unviable in this case.

9 FINANCIAL CONSIDERATIONS

- 9.1 The development is CIL liable and chargeable for residential development.

10 CONCLUSION

- 10.1 The proposed development represents an acceptable land use and would not have a significant adverse impact upon the character and appearance of the surrounding area, neighbouring amenity, the highway system, or crime and safety. Whilst the development will result in limited harm to the historic environment by virtue of the loss of views from far Cotton Bridge, this harm is assessed as being less than substantial and any harm would be outweighed by the public benefits of the scheme by ensuring a long-term viable use for the site and significant levels of housing within a sustainable location. As a consequence, the proposal is in conformity with the requirements of the National Planning Policy Framework, Policies C2, H1, H14, S1, S3 and S10 of the West Northamptonshire Joint Core Strategy; and Policies 1, 2, 5, 16 and 22 of the Northampton Central Area Action Plan 2013.

11 RECOMMENDATION

- 11.1 Approve, subject to conditions.

12 CONDITIONS

1. Approval of the details of the appearance and landscaping ("the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason: This permission is in outline only granted under Article 5(1) of the Town and Country Planning (Development Management Procedure) Order 2015 (as amended).

2. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

3. The development hereby permitted shall be carried out in accordance with the following approved plans: SK200 - Proposed Ground, 1st, 2nd & 3rd Floors - South Block Rev E, SK201 - Proposed Fourth & Fifth Floor - South Block Rev D, SK250 - Indicative Vehicular Access - South Block Rev C.

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

4. The works of demolition hereby permitted shall not be carried out until details of the scheme for the carrying out of the works of redevelopment of the site hereby permitted (including a timetable for these works) has been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and to protect the character and appearance of the Conservation Area in accordance with Policy BN5 of the West Northamptonshire Joint Core Strategy.

5. No development (including demolition) shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority.
Development shall then be carried out in accordance with the approved CEMP. The CEMP shall include, though not necessarily be restricted to the following details:
 - i) A Traffic Management Plan incorporating the routing of construction traffic and details of heavy vehicle movement patterns.
 - ii) Measures to minimise and control noise, vibration, dust and fumes during site preparation works and construction, including vehicle reversing alarms (including Best Practice Measures contained within Section 6 of the submitted Dust Impact Assessment undertaken by Accon UK Limited, dated 1st October 2020, Report Ref: A/3391/CMP/01).
 - iii) Details of the siting of all vehicles of site operatives and visitors.
 - iv) The unloading and loading arrangements for heavy plant and machinery.
 - v) The location, extent and duration of any temporary stockpiling areas.
 - vi) Measures to prevent mud being deposited on the surrounding highway.
 - vii) Hours in which development will take place.
 - viii) Demolition methods.

Reason: To minimise the impact of the development during the construction phase in accordance with the National Planning Policy Framework. This is a pre-commencement condition to enable timely submission of information.

6. No development shall take place until details of the existing and proposed ground levels and finished floor levels of the development have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details.

Reason: In the interests of residential and visual amenity in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to ensure timely submission of details.

7. No development shall take place until an investigation and risk assessment to assess the nature and extent of any contamination of the site has been completed, in accordance with a scheme that has been first submitted to and approved in writing by the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced which must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, pets, and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason: Pre commencement condition 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 paragraph 170 of the NPPF and Policy BN9 of the West Northamptonshire Joint Core Strategy.

8. Prior to the commencement of the development hereby permitted, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings, and other property and the natural and historical environment shall be prepared and submitted to and approved in writing by the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures and shall ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason: Pre commencement condition 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 paragraph 170 of the NPPF and Policy BN9 of the West Northamptonshire Joint Core Strategy.

9. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures

identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority.

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 paragraph 170 of the NPPF and Policy BN9 of the West Northamptonshire Joint Core Strategy.

10. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Condition 7 above, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Condition 8 above, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, shall be submitted to, and approved in writing by the Local Planning Authority in accordance with Condition 9.

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 paragraph 170 of the NPPF and Policy BN9 of the West Northamptonshire Joint Core Strategy.

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

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

12. No development shall take place until a programme of archaeological work in accordance with a written scheme of investigation has been submitted to and approved in writing by the Local Planning Authority. The written scheme will include the following components, completion of each which will trigger the phased discharging of the conditions:
- (i) Approval of a Written Scheme of Investigation.
 - (ii) Fieldwork in accordance with the agreed written scheme of investigation.
 - (iii) Completion of a Post-excavation assessment report and approval of an approved Updated Project Design (to be submitted within 6 months of the completion of fieldwork unless otherwise agreed in advance with the planning authority);
 - (iv) Completion of post-excavation analysis, preparation of site archive ready for deposition at a store (Northamptonshire ARC) approved by the local planning authority, completion of an archive report and submission of a publication report to be completed within two years of the completion of fieldwork unless otherwise agreed in advance by the local planning authority.

Reason: To ensure that features of archaeological interest are properly examined and recorded in accordance with the NPPF paragraph 199. This is a pre-commencement condition to ensure timely submission of details.

13. Before any above ground works commence full details of the surface water drainage scheme for the site, based on the approved Drainage Strategy dated 23/08/2022 will be submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include
- i) details (i.e. designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets and attenuation structures (if required).
 - ii) details of the drainage system are to be accompanied by full and appropriately cross-referenced supporting calculations.
 - iii) cross sections of the control chambers (including site specific levels mAOD) and manufacturers' hydraulic curves should be submitted for all hydrobrakes and other flow control devices
 - iv) Flows to be restricted to 2l/s.

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

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

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

15. Prior to first occupation of the residential accommodation hereby approved, the secure cycle storage, as shown on plan SK250 - Indicative Vehicular Access - South Block Rev C shall be provided on site and retained for the parking of bicycles by the occupants of the residential accommodation thereafter.

Reason: In the interests of promoting sustainable travel in accordance with the requirements of the National Planning Policy Framework

16. The residential refuse store as shown within plan SK250 - Indicative Vehicular Access - South Block Rev C shall be provided on site prior to the first occupation of the development hereby approved and retained at all times thereafter for bin storage.

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

17. Prior to first occupation the noise mitigation scheme outlined within the Noise Impact Assessment Addendum undertaken by Sweco, dated 14 December 2021 – Document Reference: 65201962-ACO.REP2 and document reference LR02-20123-R0 Dated 21 October 2022 shall be provided in full on the site. The noise mitigation scheme shall thereafter be retained in fully working condition.

Reason: In the interests of residential amenity in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

18. Before development commences an 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.

In addition to the above a point source emissions assessment should be undertaken from the adjacent Carlsberg Site located on Bridge Street. The assessment must have due regard to a recent application N/2019/1418 – Erection of 2no buildings to accommodate combined heat and power recovery units, 4 no coolers, 35-metre-high chimney, overhead gantry for services and relocation of existing car parking arrangements.

Reason: In the interest of residential amenity and to protect public health.

19. Above ground works on the Development hereby approved shall not commence until a scheme of sound insulation works has been submitted to and approved in writing by the Local Planning Authority. Such a scheme of works shall be capable of achieving the following indoor noise levels:

General Environmental noise ingress:

- Habitable rooms (daytime): LAeq,16 hour of 35dB (0700 to 2300 hours); and
 - Bedrooms (night-time): LAeq,8 hour of 30dB (2300 to 0700 hours) and LAFmax,5min of 45dB no more than 10 times a night (2300 to 0700 hours).
- Night-time entertainment noise ingress:
- Bedrooms (night-time): Night-time entertainment noise ingress shall not exceed any of the three site-specific entertainment noise criteria defined in Section 2.6 (Page 11) of the Sweco report “33-39 The Drapery, Northampton: Noise Impact Assessment Addendum”. These apply to noise from adjacent hospitality venues during the night-time.

The scheme of sound insulation works shall include a system of alternative acoustically treated ventilation to all habitable rooms where these indoor noise levels would otherwise be exceeded. The scheme of sound insulation shall also account for noise ingress through mechanical ventilation duct routes into habitable rooms where this would otherwise result in the above indoor noise levels being exceeded. The building shall not be occupied until the sound insulation works have been implemented in accordance with the approved scheme and shall thereafter be permanently retained.

Reason: In the interests of residential amenity in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.



Planning Committee Report

