



Planning Committee Report

Committee Date: 5th December 2022

Application Number: WNN/2022/0861

Location: Riverside House , Bedford Road, Northampton, NN1 5NX

Development: Change of Use from Existing Renal Units (Use Class E) to 12no Affordable Apartments (Use Class C3) including Bin Storage and Cycle Storage

Applicant: Northampton Partnership Homes

Agent: LMR Designs

Case Officer: Samantha Taylor

Ward: Delapre and Rushmere Unitary Ward

Referred by:

Reason for Referral:

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: 'APPROVAL IN PRINCIPLE' SUBJECT TO CONDITIONS as set out below with delegated authority to the Assistant Director for Place and Economy to approve any amendments to conditions as deemed necessary And **SUBJECT TO THE COMPLETION OF A S106 LEGAL AGREEMENT** to secure the following planning obligations:

- Early Years Education of £40,964
- Library Facilities of £2,045

Proposal

The application seeks full planning permission to convert the ground floor of Riverside House to 12no. residential apartments. The proposal retains the existing bin store, cycle storage and plant rooms.

Consultations

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

- Northamptonshire Crime Prevention Advisor, Environmental Protection, Anglian Water, Ecology, West Northamptonshire Development Management and Archaeology

Conclusion

The application has been assessed against the relevant policies in the NPPF, the adopted

Local Plan and other relevant guidance as listed in detail at Section 8 of the report.

The key issues arising from the application details are:

- Principle of Development
- Impact on the Character of the Area
- Highway Safety
- Impact on Residential Amenity

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 forms the ground floor to Riverside House, a six storey building on the periphery of the town centre. The ground floor has a healthcare use, with the upper floors previously been used for offices and more prior approval was not required for residential conversion under application N/2019/1420. Essentially, this means that the offices could be converted to residential apartments, without seeking full planning permission, using the office to residential conversion permitted development rights.
- 1.2 The surrounding land uses are varied, with a combination of commercial properties, hospital, University buildings, public open space and some residential accommodation.

2 CONSTRAINTS

- 2.1 There are no site specific constraints related to this proposal.

3 DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1 The proposed development includes the change of use of the ground floor of Riverside House, which is currently within a healthcare use, to 12no. residential apartments. The proposal includes the retention of the existing cycle store, bin store and plant rooms. The accommodation provided includes 11no. two bedroom units and 1no. 1 bed unit. The existing parking provision is to be retained. Other than blanking panels to the large windows, to reduce the number/area of opening, no other external changes to the building are proposed.

4 RELEVANT PLANNING HISTORY

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

Application Ref.	Proposal	Decision
N/2017/0753	Hybrid application comprising outline planning permission for development of	Approved

	up to 400 units of nurses/student accommodation in up to three	
N/2018/0136	Prior notification of change of use from Offices (Use Class B1a) to 192 Studio Apartments (Use Class C3)	Approved
N/2018/0865	Outline planning application with all matters reserved for the development of up to 400 units of nurses/student accommodation	Approved
N/2018/0247	Prior notification of change of use from Offices (Use Class B1a) to Residential comprising 60no. Units	Approved

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

- 5.2 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 Local Plan (Part 1) (LLP1)

- 5.3 The relevant policies of the West Northamptonshire Joint Core Strategy Local Plan (Part 1) are:
- BN7 – Flood Risk
 - BN9 – Pollution Measures
 - H1 – Housing
 - S10 – Sustainable Development Principles

Northampton Local Plan 1997 (Saved Policies) (NLP1)

The relevant policies of the Northampton Local Plan 1997 (Saved Policies) are:

- Policy S10 – Sustainable Development
- Policy BN7 – Flood Risk and Management
- **Northampton Central Area Action Plan (CAAP) (2013) – Policies**
- **Neighbourhood Development Plans - Policies**

Material Considerations

- National Planning Policy Framework (NPPF)
- Section 6 – Building a strong, competitive economy

Section 11 – Making effective use of land
 Section 12 – Achieving well-designed places

- 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 and Design – *Moderate Weight*.
 - Policy 4 – Amenity and Layout – *Moderate Weight*.
 - Policy 9 – Regeneration opportunities in the central area.
 - Policy 13 – Residential and other residential led allocations – *Significant Weight*.
 - Policy 14 – Type and Mix of Housing – *Moderate Weight*.
 - Policy 31 – Protection and enhancements of designated and non-designated heritage assets.
 - Policy 35 – Parking Standards – *Significant Weight*.
- Northampton Central Area Action Plan
 - 1 – Promoting Design Excellence
 - 2 – Tall Buildings
 - Northampton Parking Standards Supplementary Planning Document
 - Northamptonshire Parking Standards
 - Planning Out Crime in Northamptonshire SPG 2004

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	Position	Comment
Northamptonshire Crime Prevention Advisor	Comments	Request for information regarding the operation of the building and reception area. Request for apartments to be fitted with specialist doors, bike storage should be lockable/restrict access. Consideration of postal deliveries needed
Environmental Protection	Comments	Request for a noise and air quality assessment, notes that mitigation

		measures would be required, suggested conditions Conditions recommended in regards to noise mitigation, construction management plan, land contamination. Details of operational plant, secure bike storage and electric vehicle charging points needed.
Anglian Water	No Objection	Recommends a condition securing on-site foul water drainage works
Ecology	No comments	
West Northamptonshire Development Management	Comments	Request for financial contributions towards Early Years Education of £40,964 and Library Facilities of £2,045.
Archaeology	No comments	Of no heritage significance

7 RESPONSE TO PUBLICITY

- 7.1 No third party and neighbour response have been received at the time of writing this report.

8 APPRAISAL

Principle of Development

- 8.1 The principle of residential development on the site has been established through the earlier grant of prior approval for the conversion of the upper 5 floors from offices to residential and planning permission for residential development on the car park to the rear of the site. The planning history for the site is set out in Section 4 above.
- 8.2 The application seeks to convert the ground floor of the building, currently within a healthcare use, to residential. The principle of this change of use is acceptable, subject to other material considerations.

Impact on Character of Area

- 8.3 The area does not have an overall strong character, with a range of uses and building types/designs. Riverside House is prominent, due to its location adjacent to a A428, a main route into Northampton Town Centre and its 6 storey height. The building is L-shaped in form, with two wings to the building and a strong, almost brutalist character, finished with pebble-dash concrete, regular window details and strong, straight lines.
- 8.4 The ground floor has a simpler finish than the upper floors being finished with polished concrete and a more functional appearance with large, retail like windows and openings, in response to the existing public activity at ground floor level. The site provides parking at ground floor. There is a change in land levels, rising from the A428 towards the rear of the site.
- 8.5 The proposed development does not require any extensions or substantial alterations to the ground floor of Riverside House. The proposal does require the installation of blanking panels to the existing large window openings. The existing building does contain similar features with what appears to be reflective or black film to some of the

ground floor windows. As such, the proposed development would have a similar appearance to the existing.

- 8.6 The proposed floorplans show that the development would include the provision of 1no. one bedroom properties and 11no. two bedroom properties. This arrangement is considered to be an improvement to the prior notification application for the upper floors, which shows the provision of studio apartments.
- 8.7 Overall, subject to the finishing details of the blanking panels, the proposed alterations are considered not to cause harm to the character and appearance of the existing building or the surrounding area. A condition securing details of the finish to the blanking panels for the windows forms part of this recommendation. The development is considered to accord with policy S10 of the Joint Core Strategy.

Impact on Highway Safety

- 8.8 The application site is located within close proximity to the town centre and areas of public open space, therefore, it is considered that it is situated within a highly sustainable location. The potential parking and traffic generation for the existing lawful use must be taken into account. As such, it is considered that proposed development not have a significant adverse impact upon the highway system.
- 8.9 The previous prior approval applications for the conversion of the upper floors to residential development, included 192 apartments was considered acceptable on highway safety grounds. The current proposal is for 12no. apartments. The resultant highway movements are considered not to result in severe harm above the existing commitment through the prior approval applications or existing use.
- 8.10 There is some parking provided around the site at ground floor level. Given the highly sustainable location of the site and the relatively modest increase of 12no. apartments, the proposal is considered not to give rise to severe harm to highway safety as a result of insufficient parking.
- 8.11 Cycle storage is provided on the ground floor and accessed via the interior of the building. This is already provided within the healthcare facility as shown on the approved plans and would remain. Whilst it is noted that requests for details of the cycle store are provided, as the existing facilities will be utilised, it is considered unnecessary to impose a condition.
- 8.12 Policy S10 of the JCS considers the principles of sustainable development and the NPPF seeks consideration of the implications of traffic as part of new development proposals. It is considered that the proposal adequately addresses the highway implications in accordance with this policy.

Residential Amenity

- 8.13 There are no existing residential properties adjacent to the site.
- 8.14 The provision of blanking panels to some of the ground floor windows will create privacy and restrict views into the apartment from the public realm. The proposed development is considered not to result in unacceptable harm to the amenity of future residents through harm to privacy.
- 8.15 The request for a noise and air quality assessment from the Environmental Protection Officer is noted. Whilst there are neighbouring commercial uses such as car

dealerships and garages. However, consideration has previously been given to these matters under the preceding office to residential prior notification applications on the site, with no objections raised. As such, whilst the comments of Environmental Protection are noted, it is considered that a full noise and air quality assessment cannot be requested in regards to the current proposal.

- 8.16 It is noted that the Environmental Protection Officer has requested a full land contamination assessment and strategy, prior to the commencement of works. However, as the proposal does not require any external changes and it is considered that the conversion would require relative minor internal interventions, a full site contamination study and scheme is considered unreasonable. However, it is considered reasonable, in the order to protect the amenity of future occupiers and the surrounding commercial operations to impose a condition requiring the submission of a site contamination assessment and remediation strategy, should any unforeseen contamination be identified during construction. In the interests of the amenity of future occupiers.
- 8.17 As the proposed development is situated within an existing building which required operational plant to circulate heat/air and that the plant rooms are to be retained, as shown on the floor plans, it is considered reasonable to impose a condition securing details of any additional operational plant that may be required. This would include details of any mitigation required, should the provision of additional plant be necessary.
- 8.18 Each of the proposed units would accord with the nationally described space standards, with each room having windows to provide an outlook.
- 8.19 Overall, the proposed development is considered to have an acceptable impact on the amenity of existing commercial premises and future occupiers.

Other Matters

- 8.20 It is noted that a condition securing electric vehicle charging point details has been requested from the Environmental Protection officer. However, as the parking provision is to remain as existing, and there are not alterations to this, it is considered unreasonable to request the installation of charging points.
- 8.21 Riverside House is situated within Flood Zone 1, the lowest risk of flooding and the very low risk groundwater flood area. In addition, the existing building benefits from drainage and whilst a condition securing foul drainage details has been requested from Anglian Water, in this case, as the proposal is a conversion of the existing building only, it is considered unreasonable to request a foul wate drainage scheme.
- 8.22 The existing bin store for the building, as shown on the existing ground floor plans will be retained as bin storage for the proposed residential apartments.

9 FINANCIAL CONSIDERATIONS

- 9.1 The development is CIL liable, however, as no additional floorspace is proposed, there would be no CIL payment for this development.
- 9.2 West Northamptonshire Development Management have requested financial contributions towards Early Years Education of £40,964 and Library Facilities of £2,045. It is considered reasonable and necessary to secure these contributions through a S.106 agreement.

- 9.3 The proposal includes the provision of 12no. apartments, as such, Policy H2 of the Joint Core Strategy is not engaged, as the trigger point of x dwellings is not achieved. Therefore, whilst the proposal seeks to provide affordable accommodation, the Local Planning Authority cannot secure this through a S.106 agreement.

10 PLANNING BALANCE AND CONCLUSION

- 10.1 The proposed development, subject to conditions, would represent an appropriate land use that would support the continued viability and vitality of the town centre and would have a neutral impact on the character and appearance of the surrounding area and the amenity of future occupiers. The development is therefore in conformity with the requirements of the National Planning Policy Framework; Policies S10, S2, BN5, BN7 and BN9 of the West Northamptonshire Joint Core Strategy and Policies 1, 13 and 21 of the Northampton Central Area Action Plan and subject to a S.106 agreement to secure financial contributions as outlined above would represent appropriate development in this case.

11 RECOMMENDATION / CONDITIONS AND REASONS

APPROVAL IN PRINCIPLE' SUBJECT TO CONDITIONS as set out below with delegated authority to the Assistant Director for Place and Economy to approve any amendments to conditions as deemed necessary And **SUBJECT TO THE COMPLETION OF A S106 LEGAL AGREEMENT** to secure the following planning obligations:

- Early Years Education of £40,964
- Library Facilities of £2,045

12 CONDITIONS

Time

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

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

Approved Plans

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Location and Block Plan 022-035-009
Proposed Elevations 022-035-008
Proposed Ground Floor Plan (Corner Area and Lift Shafts) 022-035-006
Proposed Ground Floor Plan (North Wing) 022-035-005
Proposed Ground Floor Plan (West Wing) 022-035-004

Reason: For the avoidance of doubt and to accord with the terms of the planning application/listed building consent application.

Contamination

3. 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. A scheme for the mitigation of any unforeseen contamination should then be agreed with the Local Planning Authority and implemented. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: Contaminated land investigation is required prior to the commencement of development to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy 11 of the NPPF and in the interest of safeguarding residential amenity and reducing pollution in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

Noise

4. Should the proposed development require the installation of any additional operational plant, details of the plant required shall be first submitted to and approved in writing by the Local Planning Authority prior to its installation. The details should specify the sources of noise on the site whether from fixed plant or equipment or noise generated within the building and the provisions to be made for its control. The approved details shall be implemented prior to the occupation of the development permitted and retained thereafter.

Reason: To protect the amenities of nearby occupants from noise and vibration amenity in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

Material Details

5. Details of the proposed blanking panels to the windows shall be agreed in writing by the Local Planning Authority prior to their installation. They shall be fully installed before the development hereby permitted is first occupied and thereafter retained in that form at all times.

Reason: To safeguard the privacy of the adjoining properties in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

CEMP

6. Prior to the commencement of development, a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period and the approved measures shall be retained for the duration of the construction

Reason: In the interests of safeguarding highway safety, safeguarding residential amenity and reducing pollution in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.



Planning Committee Report

