



# Planning Committee Report

**Committee Date:** 5<sup>th</sup> December 2022  
**Application Number:** WNN/2022/1078  
**Location:** 31 Abington Square, Northampton, NN1 4AE  
**Development:** Additional storey to form 11no Apartments

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**Applicant:** Asset Bricks  
**Agent:** LMR Designs  
**Case Officer:** Christopher Wentworth

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**Ward:** Castle Unitary Ward

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**Referred by:** Assistant Director of Place and Economy

**Reason for Referral:**

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## 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 conditions as deemed necessary.

### Proposal

The development proposal seeks planning consent for the extension of the existing building to provide an additional storey (second storey) to provide 11 no. apartments. Access into the residential accommodation would be made from an access from the rear of the building. The proposal does not seek to provide any vehicle parking. Ground floor cycle storage spaces for residential purposes is proposed and dedicated residential refuse storage is proposed.

### Consultations

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

- None

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

- Conservation Officer
- Development Management
- Construction Futures
- Anglian Water
- Highways
- Archaeology
- Environment Agency

- Environmental Health
- Northants Police
- Fire and Rescue
- Ecology

Zero letters of objection have been received and zero letters of support have been received.

## **Conclusion**

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

The key issues arising from the application details are:

- Principle of Development
- Impact upon Conservation Area
- Highway Safety
- Residential Amenity
- Visual Impact

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 is located at 31 Abington Square which is positioned to the east of the town centre but within the CAAP area. The site is located within the Boot and Shoe conservation area.
- 1.2 To the south of the site lies Abington Square itself with commercial and residential uses and the public highway. To the north of the site is an open car park/yard area. To the west of the site is Chapel Place (highway) and two and three storey commercial buildings beyond. The building forms the western end of a parade of commercial properties. The building is two storeys in nature with a ground floor commercial use that fronts onto Abington Square and is a mid-20<sup>th</sup> century flat roof building that was previously used for office accommodation.

### **2 CONSTRAINTS**

- 2.1 The application site is located within Northampton Town Centre (CAAP).
- 2.2 Boot and Shoe Conservation Area.

### **3 DESCRIPTION OF PROPOSED DEVELOPMENT**

- 3.1 The development proposal seeks planning consent for the extension of the existing building to provide an additional storey (second storey) to provide 11 no. apartments. Access into the residential accommodation would be made from an access from the

rear of the building. The proposal does not seek to provide any vehicle parking. Ground floor cycle storage spaces for residential purposes is proposed and dedicated residential refuse storage is proposed.

#### **4 RELEVANT PLANNING HISTORY**

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

<b>Application Ref.</b>	<b>Proposal</b>	<b>Decision</b>
PN/2015/0010	Prior notification for a proposed change of use from office (use class B1) to 14 residential apartments.	Approved April 2015.
PN/2015/0056	Prior notification for a proposed change of use from Office (use class B1) to 15no residential apartments (use class C3) at first floor.	Approved October 2015.
WNN/2022/0713	11no apartments and associated refuse and cycle storage.	Approved October 2022.

#### **5 RELEVANT PLANNING POLICY AND GUIDANCE**

##### **Statutory Duty**

- 5.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 5.2 Section 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 15<sup>th</sup> 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)**

- 5.4 The relevant policies of the West Northamptonshire Joint Core Strategy Local Plan (Part 1) are:
- Policy BN5 – Historic Environment
  - Policy BN9 – Pollution Control
  - Policy H1 – Housing
  - Policy H2 – Affordable Housing
  - Policy S10 – Sustainable Development Principles

## **Northampton Local Plan (1997) – Saved Policies**

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

- E20 – New Development

## **Northampton Central Area Action Plan (CAAP) (2013)**

5.6 The relevant policies of the Northampton Central Area Action Plan (CAAP) are:

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

## **Material 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 within the emerging Northampton Local Plan Part 2 are therefore a material consideration in the determination of planning applications. The weight afforded to the policies relevant to this application are set out below:

- 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 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
Conservation Officer	No objection.	The plans are more aligned visually with those permitted in 2015 and therefore there are no objections. I still have concerns with the unusual fenestration at first floor level but accept that this has already been approved.
Development Management	Comments.	Library contribution sought.
Anglian Water	No objection.	Foul water drainage condition.
Archaeology	No comments.	
Environment Agency	No comments	
Environmental Health	No objection.	Condition – Scheme for achieving the internal noise levels. Condition – Scheme of noise insulation. Condition – Construction Management Plan. Condition – Cycle storage.
Northants Police	Comments.	External doors should be security rated and post boxes should be external.
Fire and Rescue	Comments.	Fire safety matters to be addressed at Building Regulations stage.
Ecology	No comments.	
Construction Futures	No comments.	
Highways	Comments.	Sufficient levels of cycle storage are required.

## 7 RESPONSES TO PUBLICITY

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

## 8 APPRAISAL

### Principle of Development

- 8.1 The proposed development would create an additional 11 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 contribute 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 retains a ground floor commercial use along Abington Square, which is supported. For these reasons, the proposal is considered acceptable in principle.
- 8.2 The site has previously been the subject of a prior approval application for the creation of 14 no. apartments on the site in 2015 at 1<sup>st</sup> floor level. Whilst work commenced on these units the scheme was not completed and therefore the prior approval consent was never fully implemented and therefore lapsed. A subsequent application in 2022 sought consent for 11 no. apartments at first floor level which was approved in late 2022. Furthermore, planning consent was granted in 2015 for the creation of a second storey (rooftop extension) to create 14 no. apartments. Whilst approval was granted, the scheme was not implemented and therefore the planning consent has lapsed. The current planning application seeks to mirror the 2015 planning consent for the rooftop extension, albeit with a reduced number of units, (11 no. apartments).

### Design and Appearance

- 8.3 The proposal seeks to add an additional storey to the existing building. The building itself has been the subject of a previous planning approval whereby the existing first floor level is to be refurbished with new windows and external treatments. The proposed extension would primarily be glazed with floor to ceiling windows when viewed from the front elevation (Abington Square) with a glazed balustrade with a front balcony area.
- 8.4 The proposed extension would be finished with anthracite grey cladding panels to the side and rear elevations and would mirror the appearance of a previously approved scheme in 2015 which was not implemented. The building is located within the Boot and Shoe Conservation Area and the building is not statutorily or locally listed. Given that the proposed changes to the front elevation are minimal, it is not considered that the proposal would adversely impact upon the character and appearance of the Boot and Shoe Conservation Area.
- 8.5 The Conservation Officer comments that the submitted plans are more aligned visually with those permitted in 2015 and therefore there are no objections raised on their part. Concerns are raised with the unusual fenestration at first floor level but accept that this has already been granted consent through a previous planning approval and does not form part of the current planning application.

### Highway Matters

- 8.6 Owing to the sustainable location of the development, it is considered that the proposal would not result in any harm to the traffic system. Whilst no on-site parking

provision is proposed, the site is located within a highly sustainable location, surrounded by main town centre facilities and a variety of public transport options within walking distance. The Highway Authority have been consulted on the proposal and have raised no objections to the proposal other than to state that the onsite provision of 12 no. cycle storage spaces is insufficient as this would only cater for the previously approved first floor accommodation. As such, further provision is required. However, such matters can be addressed by planning condition. On this basis, it is considered that the proposal is acceptable addition in this regard.

### Residential Amenity

- 8.7 The application site is located within Northampton Town Centre and is surrounded by a variety of commercial uses including retail and food and beverage outlets. Environmental Health have been consulted on the proposal and have requested the imposition of planning conditions to secure a scheme for achieving the internal noise levels, a scheme of noise insulation, a Construction Management Plan (CEMP) and the provision of Cycle storage. The provision of noise mitigation, CEMP and cycle storage conditions are considered appropriate in the context of a town centre location to ensure that residential amenity is secured.
- 8.8 The proposal would provide the main building entrance to the rear of the building from Chapel Place with access to all apartments from that entrance along with access to the internal refuse storage area and cycle storage area. The proposed scheme would also now be assessed in relation to the nationally described space standards which provides minimum space standards for overall residential unit sizes along with minimum bedrooms sizes. In this case all the proposed residential units would meet or exceed the minimum space standards for either 1 bed/1 person units (37sq.m or more) or 1 bed/2 person units (50sq.m or more) which is welcomed.
- 8.9 The outlook from the proposed residential units, specifically in relation to habitable rooms, would look over the front elevation to Abington Square, the side elevation facing over Chapel Place and to the rear elevation also looking over Chapel Place and car parking beyond. The outlook to each unit is considered sufficient and would offer sufficient natural light and a reasonable outlook over rooftops as expected within a town centre/urban environment.

### Other Matters

- 8.10 Northamptonshire Police have been consulted on the proposal and raise no objection subject to the provision of further details related to site security, specifically access door security, external mailboxes and details for the refuse store/cycle store area. It is considered reasonable and necessary to secure such details to ensure an appropriate standard of residential amenity for future occupiers and the imposition of a planning condition is considered appropriate in this case.
- 8.11 Northants Fire and Rescue have commented on the proposal and have stated that due to the distance of the second-floor apartments from Abington Square (Fire Appliances are unable to access Chapel Place, a dry riser would need to be installed. Such matters would be addressed under separate legislation and therefore would not form part of the current planning assessment.
- 8.12 The proposal represents a change of use of an existing building and does not seek to provide any further built development outside of what is already found on site. The application has been assessed by Anglian Water who has raised no objection but has

requested the imposition of conditions to secure drainage details for foul water drainage.

## **9 FINANCIAL CONSIDERATIONS**

9.1 The proposal is CIL liable.

## **10 PLANNING BALANCE AND CONCLUSION**

10.1 The development represents an appropriate land use and would not have a significant adverse impact upon the highway system, neighbour amenity and the character and appearance of the surrounding area. Furthermore, the provision of new dwellings within a sustainable, town centre location, therefore meeting the aims of the CAAP and providing a required need in relation the authorities lack of five-year housing supply, are all positive aspects to the proposal. On this basis it is considered that the proposal is therefore in general conformity with the requirements of the National Planning Policy Framework; Policies BN5, H1 and S10 of the West Northamptonshire Joint Core Strategy; and Policies 1 and 16 of the Northampton Central Area Action Plan.

## **11 RECOMMENDATION**

11.1 Approve, subject to conditions.

## **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: 022-060-103 Rev B, 022-060-102 Rev B, 022-030-104.

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

### Drainage

3. Prior to the construction above damp-proof course, a scheme for on-site foul water drainage works, including connection point and discharge rate to the public network, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To prevent environmental and amenity problems arising from flooding.

### Refuse

4. The refuse storage details as shown on drawing reference 022-060-103 Rev B shall be implemented prior to the first occupation or bringing into use of the building hereby permitted and thereafter retained.



Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

#### Noise

5. Prior to the occupation of the residential units a scheme for achieving the internal noise levels outlined in BS8233:2014 shall be submitted to and approved in writing by the Local Planning Authority. Once approved the scheme shall be implemented in full prior to first occupation of the residential units and thereafter maintained in the approved state.

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

6. Prior to first occupation of the approved accommodation a scheme of noise insulation of party wall construction between the ground floor non-residential uses and the first-floor residential units has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented prior to the first occupation of any of the approved residential units.

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

#### Access Details

7. Prior to first occupation a scheme for site security to include external mailboxes, door/access system and security details for communal facilities shall be submitted to and approved in writing by the local planning authority. Once approved, the scheme shall be implemented in full and retained thereafter.

Reason: To ensure appropriate residential amenity for future occupiers.

#### Bicycle Storage

8. Full details of facilities for the secure and covered parking of bicycles shall be first submitted to and approved in writing by the Local Planning Authority. The 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 adequate facilities in accordance with Policy C5 of the of the West Northamptonshire Joint Core Strategy.

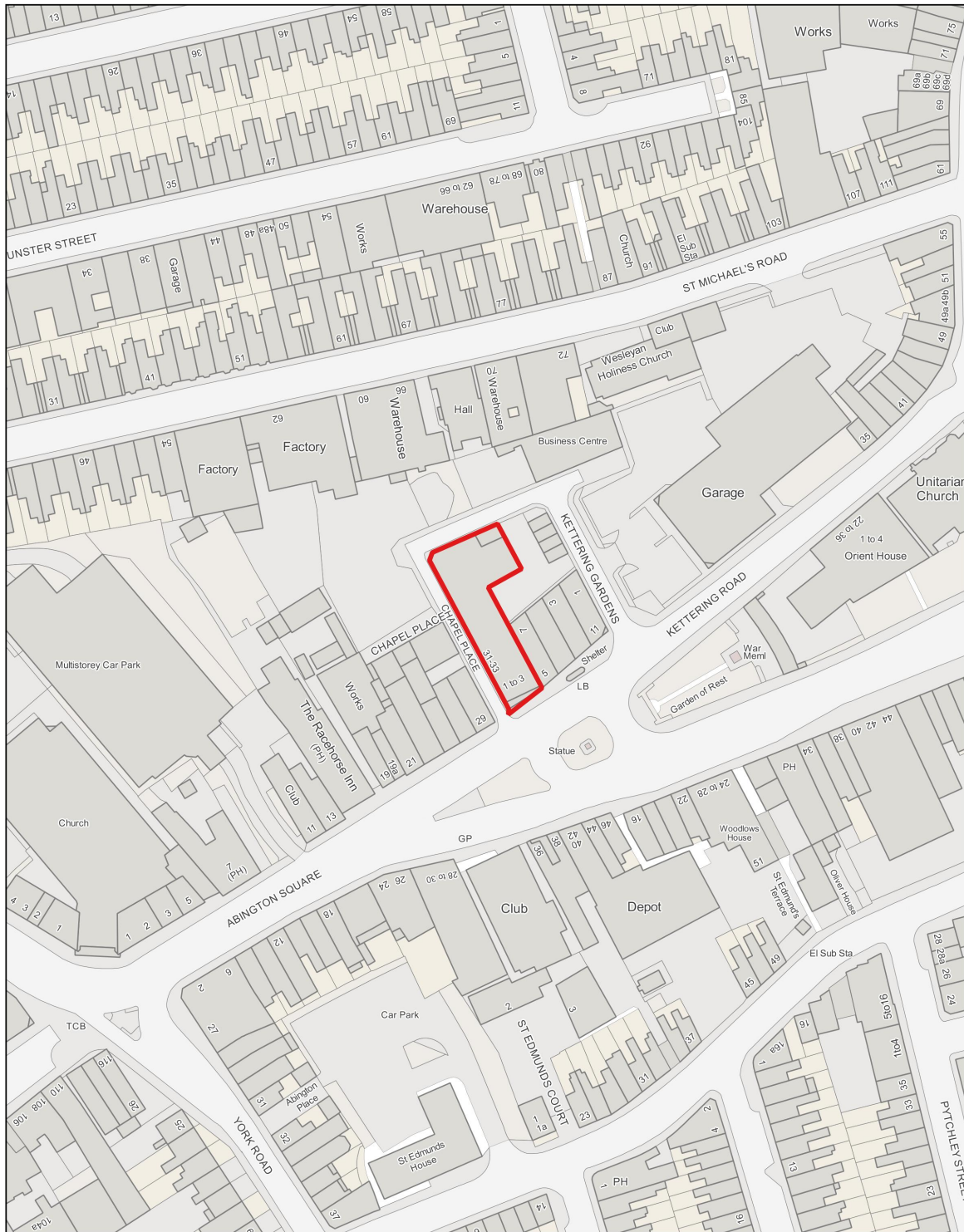
#### Materials

9. Prior to the construction of the development hereby approved, full details of all proposed external facing materials shall be submitted to and approved in writing by the Local Planning Authority. The 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 not adversely impact upon the character and appearance of the Boot and Shoe Conservation Area.



# Planning Committee Report



Title: **31 Abington Square**

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Date: 17-11-2022

Scale: 1:1,250 @A4

Drawn: M Johnson