



**NORTHAMPTON**  
**BOROUGH COUNCIL**

# **PLANNING AGENDA**

**Tuesday, 17 December 2013**

The Jeffrey Room, The Guildhall, St. Giles  
Square, Northampton, NN1 1DE

6:00 pm

**Members of the Committee**

**Councillor:** Penny Flavell (Chair), Councillor Matthew Golby (Deputy Chair)

**Councillors:** John Caswell, Iftikhar Choudary, Nazim Choudary, Jamie Lane, Matthew Lynch, Lee Mason, Dennis Meredith, Brian Oldham, David Palethorpe and Mohammad Aziz Rahman

**Chief Executive** David Kennedy

If you have any enquiries about this agenda please contact  
[democraticservices@northampton.gov.uk](mailto:democraticservices@northampton.gov.uk) or 01604 837722

# PLANNING COMMITTEE

## AGENDA

Meetings of the Planning Committee will take place at 6.00pm on 1 October, 29 October, 26 November and 17 December 2013, 14 January, 11 February, 4 March, 8 April, 6 May, 10 June, 1 July and 29 July 2014.

The Council permits public speaking at the Planning Committee as outlined below:

### Who Can Speak At Planning Committee Meetings?

- Up to 2 people who wish to object and up to 2 people who wish to support an individual planning applications or any other matter on the public agenda.
- Any Ward Councillors who are not members of the Planning Committee. If both Ward Councillors sit on the Planning Committee, they may nominate a substitute Councillor to speak on their behalf.
- A representative of a Parish Council.

### How Do I Arrange To Speak?

- Anyone wishing to speak (not including Ward Councillors who must let the Chair know before the start of the meeting) must have registered with the Council's Democratic Services section not later than midday on the day of the Committee.  
NB: the Council operate a 'first come, first serve' policy and people not registered to speak will not be heard. If someone who has registered to speak does not attend the meeting their place may be relocated at the discretion of the Chair.

Methods of Registration:

- By telephone: 01604 837237
- In writing to: Northampton Borough Council, The Guildhall, St. Giles Square, Northampton , NN1 1DE, Democratic Services (Planning Committee)
- By email to: [democraticservices@northampton.gov.uk](mailto:democraticservices@northampton.gov.uk) (if no acknowledgement is received please telephone)

### When Do I Speak At The Meeting

- A Planning Officer may update the written committee report then those registered to speak will be invited to speak.
- Please note that the planning officer can summarise issues after all the speakers have been heard and before the matter is debated by the Planning Committee Members and a vote taken.

### How Long Can I Speak For?

- All speakers are allowed to speak for a maximum of three minutes.

### Other Important Notes

- Speakers are only allowed to make statements – they may not ask questions of enter into dialogue with Councillors, Officers or other speakers.
- Consideration of an application will not be delayed simply because someone who is registered to speak is not in attendance at the time the application is considered
- Confine your points to Planning issues: Don't refer to non-planning issues such as private property rights, moral issues, loss of views or effects on property values, which are not a material consideration on which the decision will be based.
- You are not allowed to circulate new information, plans, photographs etc that has not first been seen and agreed by the Planning Officers
- Extensive late representations, substantial changes, alterations to proposals etc. will not be automatically accepted, due to time constraints on Councillors and Officers to fully consider such changes during the Planning Committee Meeting.

**NORTHAMPTON BOROUGH COUNCIL**

**PLANNING COMMITTEE**

Your attendance is requested at a meeting to be held:  
in The Jeffrey Room, The Guildhall, St. Giles Square, Northampton, NN1  
1DE

on Tuesday, 17 December 2013

at 6:00 pm.

**D Kennedy**  
**Chief Executive**

**AGENDA**

- 1. APOLOGIES**
- 2. MINUTES**
- 3. DEPUTATIONS / PUBLIC ADDRESSES**
- 4. DECLARATIONS OF INTEREST/PREDETERMINATION**
- 5. MATTERS OF URGENCY WHICH BY REASON OF SPECIAL CIRCUMSTANCES THE CHAIR IS OF THE OPINION SHOULD BE CONSIDERED**
- 6. LIST OF CURRENT APPEALS AND INQUIRIES**  
Report of Head of Planning (copy herewith)
- 7. OTHER REPORTS**
- 8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS**
- 9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS**
  - (A) N/2013/0214 - 82 TRESHAM GREEN: EXTENSIONS TO EXISTING RETAIL PREMISES (A1) TO FORM SELF-CONTAINED HOT FOOD TAKEAWAY (A5), WITH INSTALLATION OF EXTRACTION FUME SYSTEM**
- 10. ITEMS FOR DETERMINATION**
  - (A) N/2013/0912 - NUNN MILLS ROAD: OUTLINE PLANNING PERMISSION NEW CAMPUS FOR THE UNIVERSITY OF NORTHAMPTON**
  - (B) N/2013/1047 - BUILDING PLOT ADJACENT TO 15 WHITEHILL CRESCENT: ERECTION OF DETACHED BUNGALOW**
  - (C) N/2013/1142 - 49-53 ABINGTON STREET: CHANGE OF USE OFFICES (C2) TO RESIDENTIAL (C3) 4 ONE BEDROOM FLATS AND 2 TWO BEDROOM FLATS & ASSOCIATED WORKS**
- 11. ENFORCEMENT MATTERS**
- 12. ITEMS FOR CONSULTATION**



## NORTHAMPTON BOROUGH COUNCIL

### PLANNING COMMITTEE

Tuesday, 26 November 2013

**PRESENT:** Councillor Flavell (Chair); Councillor Golby (Deputy Chair);  
Councillors Aziz, Lane, Lynch, Mason, Meredith, Oldham, Palethorpe,  
Caswell, I. Choudary and N Choudary

**OFFICERS:** Sue Bridge, Head of Planning; Rita Bovey, Development  
Management Team Leader; Andy Holden, Principal Planning Officer;  
Reddy Nallamilli, Principal Planning Officer; Rosemary Lansdowne,  
Solicitor; Nathan Birch, Democratic Services Officer.

#### 1. APOLOGIES

None received

#### 2. MINUTES

On page 5, Item 10b: The description should read 7 no. occupants, not 8 as shown.

With this amendment the minutes of the meeting held on 29<sup>th</sup> October 2013 were agreed and signed by the Chair.

#### 3. DEPUTATIONS / PUBLIC ADDRESSES

**RESOLVED:** That the under the following items the members of the public listed be granted leave to address the committee.

- 10a; N/2013/0925 - 88 Churchill Avenue –  
Michael Ellis MP, Mrs Liz Whitlock, Mrs Irene Campbell and Mr Osa Eguavoen
- 10b; N/2013/0970 - 14 Trinity Avenue  
Mr Barry Waine and Mr Raj Miah
- 10d; N/2013/1048 - Sixfields Stadium –  
Mr Graham Croucher, Mr Simon Patnick and Mr Andy Clarke

#### 4. DECLARATIONS OF INTEREST/PREDETERMINATION

Councillor Palethorpe declared an interest in Item 10d, N/2013/1048 Sixfields Stadium, in that previously as Leader of the Conservative Group he had written a letter in support of developing Northampton Town Football Club facilities. This was however an expression of general support and he had in no way predetermined the application before the Committee.

Councillor Mason declared an interest in Item 10d, N/2013/1048 Sixfields Stadium, in that previously as Leader of the Labour Group she had written a letter in support of

developing Northampton Town Football Club facilities. This was however an expression of general support and she had in no way predetermined the application before the Committee.

Councillor Aziz declared a personal, non-prejudicial interest in Item 10b, namely that his wife, Councillor Begum was the local ward member and had called in the application for the Committee to consider. Councillor Aziz felt able to consider the application on its own merits.

**5. MATTERS OF URGENCY WHICH BY REASON OF SPECIAL CIRCUMSTANCES THE CHAIR IS OF THE OPINION SHOULD BE CONSIDERED**

None

**6. LIST OF CURRENT APPEALS AND INQUIRIES**

The Head of Planning submitted a List of Current Appeals and Inquiries and elaborated thereon.

The Development Management Team Leader explained the issues around the allowed appeals. Regarding application N/2013/0184 this had since been allowed, but the granting of a licence for the property would rest with Private Sector Housing.

**RESOLVED:** That the report be noted

**7. OTHER REPORTS**

None

**8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS**

None

**9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS**

None

**10. ITEMS FOR DETERMINATION**

**(A) N/2013/0925 - 88 CHURCHILL AVENUE, NORTHAMPTON: CHANGE OF USE FROM C2 (RESIDENTIAL CARE HOME) TO C3 (28 RESIDENTIAL FLATS)**

The Principal Planning Officer presented the report of the Head of Planning, as set out in the agenda, with a recommendation for approval in principle of the application. The circulated addendum explained that Fire and Rescue had no objection. There had also been a petition from the Lakeview Residents Association with 280 signatures and one further letter of objection to the proposal received.

The Chair explained that under the Constitution the MP for the area is entitled to address the Committee. Michael Ellis MP had registered to speak, but was unable to attend due to urgent parliamentary business. Due to the exceptional circumstances, Councillor Mike Hallam would be allowed to read a statement on Mr Ellis's behalf. In this case the Committee would not be able to question the speaker.

Councillor Hallam read a statement on behalf of Michael Ellis MP against the application.

Ms Whitlock, representing the residents association, spoke against the application.

Ms Campbell, representing the residents association, spoke against the application.

In response to questions from the Committee Ms Campbell stated that;

- the local residents association had not been consulted by the applicant
- the property was derelict
- the residents would prefer to see other options for development including a care home, sheltered accommodation or a reduced number of properties.

Mr Eguavoen, the agent for the applicant, spoke in favour of the application.

In response to questions from the Committee Mr Eguavoen stated that;

- consultations had taken place with individual residents, but not the residents association. This was because the developer believed the association had been hostile to the site's development.
- the proposal had been amended 15 times to meet concerns raised and the previous application for a hostel had been withdrawn due to residents' concern.
- the local infrastructure was adequate, as confirmed by the Highways Authority
- the developer would be likely meet their S106 requirement for 35% affordable housing as an off-site contribution. This was because it had proved difficult to engage with a housing association for part of this particular project
- there was a designated area for refuse storage within the development.
- concerns raised over potential noise would be dealt with by Building Regulations.
- while awaiting development the building had been vandalised and the developer had spent £60k to maintain the property.

In response to the points raised by speakers the Principal Planning Officer reiterated that it was his view that the application was acceptable in principle. He drew the Committee's attention to the Highways and Fire and Rescue observations. The use

of the site was within policy and that any potential alternative use of the site was not a material planning consideration.

In response to questions from the Committee the Principal Planning Officer stated that he believed Policy H6 had been met. He stated that other uses may be possible, but that current application needed to be considered on its own merits.

The Committee discussed the application.

Upon a proposal by Councillor Oldham and seconded by Councillor Lane the Committee voted by 6 for to 3 against, with 2 abstentions and therefore:

**RESOLVED:** The application be **REFUSED** on the following grounds:

The proposed development would be at a scale and density which would be detrimental to the character of the surrounding area and would result in an over intensive development of the site. The proposed development would also result in the loss of trees and land of significant amenity value. The proposal is therefore contrary to Policy H6 (A&D) of the Northampton Local Plan 1997.

**(B) N/2013/0970 - 14 TRINITY AVENUE, NORTHAMPTON: REMOVAL OF EXISTING FRONT WALL AND FENCE AND REPLACE WITH RAILINGS AND SLIDING GATES**

The Development Management Team Leader presented the report of the Head of Planning, as set out in the agenda. The Committee were directed to the addendum with additional information from the applicant and the Officer's response. In addition paragraph 2.1 line 3 of the report should read; "The plan also shows the provision", rather than "The scheme also shows the provision."

Mr Waine, agent for the applicant, spoke in favour of the application.

Mr Miah, the applicant, spoke in favour of the application.

The Committee discussed the application.

Upon a proposal by Councillor Meredith and seconded by Councillor Oldham the Committee voted by 7 for to 4 against and therefore:

**RESOLVED:** The application be **REFUSED** on the grounds contained in the recommendation.



In the absence of public speakers on Item 10c, the Chair moved that 10d be discussed next.

**(D) N/2013/1048 - SIXFIELDS STADIUM, WALTER TULL WAY,  
NORTHAMPTON: PART DEMOLITION OF THE EAST STAND AND  
ASSOCIATED WORKS**

The Principal Planning Officer presented the report of the Head of Planning, as set out in the agenda, with a recommendation for approval subject to conditions in the report and the addendum. The circulated addendum contained various new information. The withdrawal of the Sport England holding objection, subject to conditions and the Highways Authority proposal for an additional condition were highlighted. An additional condition regarding access for people with disabilities was also recommended.

Mr Croucher, St James Residents Association, spoke in support of the condition for a full transportation/traffic survey and report prior to work commencing.

Mr Patnick, agent for the applicant, spoke in favour of the application.

Mr Clarke, NTFC Supporters Club Representative, spoke in favour of the application.

In response the Principal Planning Officer agreed to liaise with the residents association regarding the transport assessment.

The Committee discussed the application, with unanimous support expressed for the proposal.

Upon a proposal from the Chair, the Committee agreed unanimously:

**RESOLVED:** That the application be **APPROVED** subject to the conditions,  
as set out in the report and addendum; delegated authority be granted  
to the Head of Planning to refine the Highways Authority condition.

**(C) N/2013/0972 - 9 ROYAL TERRACE, NORTHAMPTON: CHANGE OF USE  
C3 (DWELLING) TO C4 (HOUSE IN MULTIPLE OCCUPATION)**

The Principal Planning Officer presented the report of the Head of Planning, as set out in the agenda, with a recommendation for approval of the application, subject to the conditions set out.

In response to a question from Councillor Oldham, the Development Management Team Leader confirmed that the owner of the building was fully entitled to have workmen onsite to carry out maintenance to the property.

The Committee discussed the report.

**RESOLVED:** That the application be approved subject to conditions

**11. ENFORCEMENT MATTERS**

None

**12. ITEMS FOR CONSULTATION**

None

The meeting concluded at 8:15 pm

Directorate: Planning and Regeneration  
 Head of Planning: **Susan Bridge**



**List of Appeals and Determinations – 17<sup>th</sup> December 2013**

<b>Written Reps Procedure</b>			
<b>Application</b>	<b>Del/PC</b>	<b>Description</b>	<b>Decision</b>
<b>N/2013/0226</b> APP/V2825/H/13/2200032	DEL	Non illuminated display boards (8 at 5m x 4m) at first floor and infill panel together with mural at ground floor at The White Horse Public House, 25A Harborough Road	<b>AWAITED</b>
<b>N/2013/0297</b> APP/V2825/A/13/2200829	PC	Erection of single-storey dwelling including detached garage (as amended by revised plans and additional information received 21/05/2013) at land rear of 25 Penfold Lane	<b>AWAITED</b>
<b>N/2013/0371</b> APP/V2825/A/13/2207930	DEL	Replacement of front windows to UPVC sash windows at 4 Kingsley Road	<b>AWAITED</b>
<b>N/2013/0479</b> APP/V2825/A/13/2202065	DEL	Erection of 2no. one Bed apartments with associated parking at 102 Eastern Avenue North.	<b>DISMISSED</b>
<b>N/2013/0607</b> APP/V2825/A/13/2205274	DEL	Erection of terraced dwelling at 14 Semilong Road	<b>AWAITED</b>
<b>N/2013/0873</b> APP/V2825/A/13/2209030	DEL	Change of use from offices (Use Class B1) into house of multiple occupation for 13no. Occupants (Sui Generis) and installation of new window to rear roof at 85 St Giles Street	<b>AWAITED</b>
<b>N/2013/0874</b> APP/V2825/E/13/2209033	DEL	Internal alterations including removal of partition walls and toilets, block up doorways and installation of new doorways, alteration of third floor window to front elevation and installation of new window to rear roof and erection of boundary wall to rear at 85 St Giles Street	<b>AWAITED</b>
<b>Public Inquiry</b>			
		None	
<b>Hearing</b>			
		None	

The Address for Planning Appeals is: Mr Brian Rowe, Room 301, The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN.	Appeal decisions can be viewed at - <a href="http://www.planningportal.gov.uk">www.planningportal.gov.uk</a>
Local Government (Access to Information) Act 1985 Background Papers The Appeal Papers for the appeals listed	Author and Contact Officer Mrs Rita Bovey, Development Management Team Leader Telephone 01604 837237 Planning and Regeneration The Guildhall, St Giles Square, Northampton, NN1 1DE



**PLANNING COMMITTEE:** 17<sup>th</sup> December 2013  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**HEAD OF PLANNING:** Susan Bridge

**N/2013/0214:** Extensions to existing retail premises (Use Class A1) to form a store room and a self-contained hot food takeaway (Use Class A5) with installation of extraction fume system at 82 Tresham Green, Kings Heath

**WARD:** Kings Heath

**APPLICANT:** Mr P Singh

**AGENT:** Mr Rod Kilsby

**REFERRED BY:** Head of Planning  
**REASON:** Site within NBC Ownership

**DEPARTURE:** NO

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## **APPLICATION FOR DETERMINATION:**

### **1. RECOMMENDATION**

1.1 **APPROVAL** subject to conditions and for the following reason:

1.2 The proposal represents the expansion of existing local facilities and would not have any undue detriment to the character and appearance of the surrounding area or on adjacent residential amenity in accordance with Policy 20 of the Northampton Local Plan and National Planning Policy Framework paragraphs 17, 18, 19, 56 & 70.

### **2. THE PROPOSAL**

2.1 The application proposes single storey extensions either side of the existing shop, comprising of a 4m x 5.5m extension to provide a storeroom and toilet facilities and a further extension 2.5 m x 3m to provide a self-contained hot food takeaway. A chimney stack to contain a flue extraction system is proposed above the takeaway unit

extending approximately 0.6m above the ridge line of the existing building. The existing walled enclosure to the side of the shop would be removed. Proposed hours of opening would be 12-2pm and 4.30pm-9.30pm Monday to Saturday with two additional employees.

### **3. SITE DESCRIPTION**

- 3.1 The site comprises a neighbourhood shop with two separate flats on the first floor with independent access points and adjoining flats to the rear at two-storey. The shop and flats are owned by the Council. To the outside is a large paved area which extends to the front and sides of the building. Parking is available in the adjacent layby. The surrounding area is residential in character.

### **4. PLANNING HISTORY**

- 4.1 Planning permission was granted in 1999 for a similar proposal including a takeaway but not implemented (reference 99/0768) and has since lapsed.

### **5. PLANNING POLICY**

#### **5.1 Development Plan**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The current Development Plan comprises of the saved policies of the Northampton Local Plan 1997.

#### **5.2 National Policies**

National Planning Policy Framework  
Paragraph 17 – Core Planning Principles  
Paragraphs 18 & 19 – Economic growth  
Paragraph 56 - Design  
Paragraph 70 – Delivery of social, recreational and cultural facilities and services.

#### **5.3 Northampton Local Plan**

E20 – New development

#### **5.4 Supplementary Planning Guidance**

Northamptonshire County Parking Standards SPG 2003  
Planning out Crime in Northamptonshire SPG 2004

### **6. CONSULTATIONS/ REPRESENTATIONS**

- 6.1 **Environmental Health** - no objection following the submission of additional details of an extraction system and sound insulation between the development and the flat above subject to the proposal being carried out in accordance with the submitted details.
- 6.2 **The Crime Prevention Design Advisor** - no objection. The area has a low crime and anti-social behaviour rate and it is not considered that the proposal will adversely impact on the location.
- 6.3 **Asset Management** - no objection.
- 6.4 **Housing** – no comments received.
- 6.5 Neighbour properties were consulted and no representation received.

## 7. APPRAISAL

- 7.1 The main issues for consideration are the acceptability of the use in principle, the impact on the character of the existing building and surrounding area, impact on adjacent residential amenity and parking provision.

### **Principle**

- 7.2 The proposal is for the extension and improvement of an existing shop which provides a local facility within a residential area. In addition, a further extension is proposed to provide a separate unit to be used as a takeaway (Class A5). Whilst there is no relevant Local Plan policy, national planning policy seeks to encourage sustainable economic growth and ensure that established shops and services are able to develop and modernise in a way that is sustainable and retained for the benefit of the community.
- 7.3 The proposal would enhance an existing local shopping facility and provide additional facilities for local residents within walking distance. The principle is therefore considered acceptable subject to acceptable design and there being no adverse impact on adjacent residential amenity.

### **Design and Impact on Character and Appearance**

- 7.4 The proposed single storey extensions are small scale and subordinate to the existing building. The roof pitch is in keeping with the existing and a condition would ensure that materials used are appropriate and in keeping. The main visual impact would be from the proposed chimney to house the extraction system. Whilst chimneys are not characteristic of the surrounding area, the proposed chimney would only extend approximately 0.6m above the existing ridge height. It is not considered that the chimney or proposed extensions would have any significant adverse visual impact on the character of the existing

building or surrounding area and the overall design is considered acceptable.

### **Impact on Residential Amenity**

- 7.5 Considerable discussions have taken place with Environmental Health to agree a suitable extraction system including odour and noise issues on adjacent residential amenity, in particular the flats above and to the rear of the proposed takeaway. The details of the extraction system have been agreed and sound insulation is proposed to the ground floor ceilings to mitigate noise impacts to the premises above both of which can be conditioned. Environmental Health has no objection and the proposal is now considered acceptable in this regard.
- 7.6 The proposed hours of opening for the takeaway (12-2pm and 4.30pm-9.30pm Monday to Saturday) are not considered excessive within a residential area and can be controlled by condition. The area has a low crime and anti-social behaviour rate and it is not considered that the proposal will adversely impact on residential amenity in the locality.

### **Parking**

- 7.7 The site is not located on a heavily trafficked road and in addition to on-street parking a small parking area is located to the front of the shop which is considered sufficient to accommodate any additional traffic generated by the proposal.

## **8. CONCLUSION**

- 8.1 The proposal would provide additional local facilities within a residential area and subject to the installation of the extraction system and sound proofing measures as submitted, adjacent residential amenity would not be adversely affected. The design and appearance are considered acceptable and the application is therefore recommended for approval.

## **9. CONDITIONS**

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

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

2. The external walls and roof of the extensions and chimney shall be constructed with materials of the same type, texture and colour as the external walls and roof of the existing building.

Reason: In the interests of visual amenity to ensure the extensions harmonise with the existing building in accordance with Policy E20 of the Northampton Local Plan.

3. The development hereby permitted shall be carried out in accordance with the following approved plans: 13-105 Revision D & 13372801 received 25 November.

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

4. Prior to the hot food takeaway (Class A5 use) being first brought into use the extraction system as detailed in the letter from Encon Air Systems Limited dated 30 October 2013 and sound proofing measures as shown in the ceiling detail on plan 13-105 shall be implemented in accordance with the approved details and maintained in perpetuity.

Reason: In the interests of neighbouring residential amenity and in accordance with the National Planning Policy Framework.

5. The hot food takeaway (Class A5 use) shall only be open to customers between the hours of 12pm-2.30pm and 4.30pm-9pm Monday to Saturday and at no time on Sunday and Bank or Public Holidays.

Reason: In the interests of the amenities of the occupiers of nearby properties in accordance with National Planning Policy Framework.

## **10. BACKGROUND PAPERS**

- 10.1 Application file N/2013/0214.

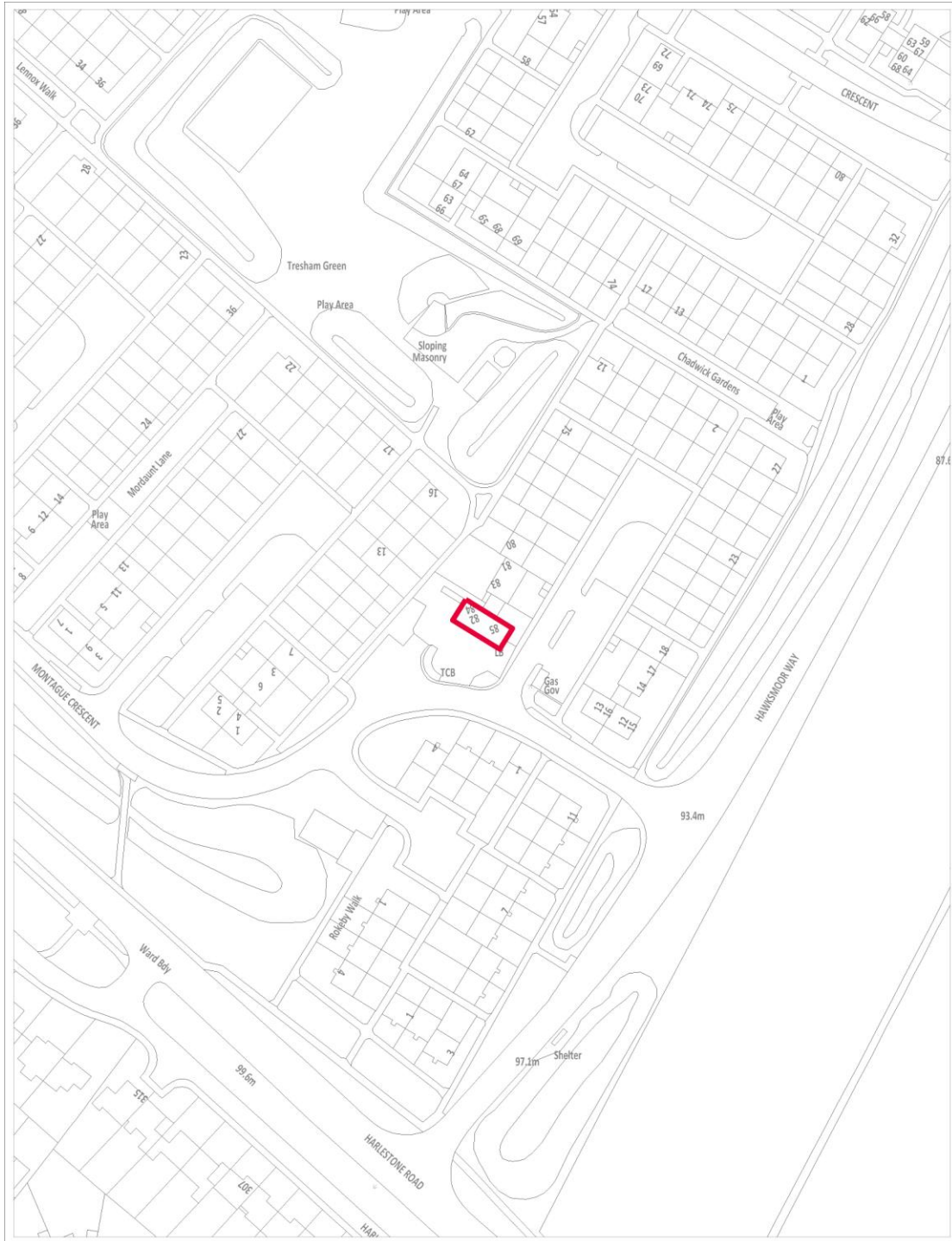
## **11. LEGAL IMPLICATIONS**

- 11.1 None.

## **12. SUMMARY AND LINKS TO CORPORATE PLAN**

- 12.1 In reaching the attached recommendations regard has been given to securing the objectives, visions and priorities outlined in the Corporate Plan together with those of associated Frameworks and Strategies.





Name: Planning  
 Date: 4th December 2013  
 Scale: 1:1250  
 Dept: Planning  
 Project: Committee

Title  
**82 Tresham Green**

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## Addendum to Agenda Items Tuesday 17<sup>th</sup> December 2013

### 9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

**9a**

**N/2013/0214**

Extensions to existing retail premises (use class A1) to form self-contained hot food takeaway (use class A5) with installation of extraction fume system at 82 Tresham Green

Although the site falls within NBC ownership, this is not a NBC application.

Please note that the dimensions of the extensions quoted in the committee report from the Design & Access Statement are incorrect. The **correct measurements** as shown on the plans on which the application was assessed are **3.6m x 6.8m** (storeroom extension) and **3.2m x 6.8m** (takeaway extension).

### 10. ITEMS FOR DETERMINATION

**10a**

**N/2013/0912**

Outline planning permission for redevelopment of the site as a new campus for the University of Northampton, including site clearance and enabling works comprising remediation and re-leveling of the site, demolition of all buildings on the site (except the Grade II listed structures). The proposal includes up to 40,000m<sup>2</sup> university floorspace (all floorspace is GEA); up to 15,000m<sup>2</sup> university expansion floorspace; up to 35,000m<sup>2</sup> commercial (B1) floorspace; up to 3,550m<sup>2</sup> of retail floorspace (up to 1800m<sup>2</sup> of A1, up to 150m<sup>2</sup> of A2, and up to 1600m<sup>2</sup> A3/A4); up to 1,500 beds of student accommodation; up to 760 car parking spaces for University use; up to 1,100 car parking spaces for commercial / leisure use; a hotel of up to 7,000m<sup>2</sup> (up to 150 bedrooms); floodlit sports facilities; reuse of listed locomotive shed (520m<sup>2</sup>) and curtilage listed office building; an energy centre of up to 600m<sup>2</sup>; a new road bridge and junction on to Bedford Road including reconfiguration of Midsummer Meadow car park; a new pedestrian foot bridge connecting the site to Becket's Park; a new secondary substation (adjacent to existing substation); and retention of the existing access via Nunn Mills Road

Please see the enclosed **revised location plan** to show the extent of the planning application.

Since the circulation of the report further comments have been received as follows:

- The **Wildlife Trust** has recommended further conditions are attached, to secure more survey work and to inform a much better mitigation plan to reduce the overall impact of the development in ecological terms.
- The proposal involves the remnants of a power station the northern façade of this structure survives. This structure would be removed to facilitate the new road. Whilst the University has committed to the re-use of any salvageable brickwork in the buildings or landscape features, the **County Archaeologist and NBC's Heritage** advise a condition be attached to observe and record of this existing façade prior to its demolition.
- **Sport England** has written to draw attention to the potential impact of the University proposed relocation to the town centre. Sport England recognise that the proposed development does not directly impact on existing playing fields at the proposed site, however they point out that the redevelopment of Park Campus would result in the loss of sporting facilities. In essence Sport England is concerned that insufficient evidence has been provided by the applicant to demonstrate how the existing facilities will be replaced. A sports impact statement has been requested.

**Officer's comment:** In response to Sport England's concerns the University Advisors have written to address matters relating to the loss of playing fields at Park Campus; the ability of the University to meet its sporting needs and the quality of its sporting provision. This information was submitted to Sport England and no further representations have been made. The University is to continue its dialogue with Sport England as the proposals for their existing campuses are brought forward.

- The **Environment Agency** has requested Condition 15 on the committee report be revised. Officer agrees to this suggestion and the Condition is amended below.
- Correspondence has been received the **River Nene Regional Park Project Officer** who supports the principle of the development and points out that the site provides an opportunity to showcase best practice in a sustainable way.
- A letter has been received on the 13 December from the occupier of **9 Pindar Rise**, Thorplands Brook who primarily comments on the lack of car parking for students and the lack of cycle storage and the implications arising from this. Parking facilities should be provided for mature students and for people for disabilities.

**Officer's comment:** The matters raised would be addressed through a green travel plan and other related planning conditions.

- Following the publication of the planning officers report the **Highway Authority** have subsequently submitted their formal response to the planning application. The assumptions and analysis contained within the revised TA are agreed, and the impacts of the development on the local highway and transportation network are acceptable to the Highway Authority.

**Officer's Comments:** Conditions are recommended relating to green travel plans, the monitoring of the impact of parking on surrounding neighborhood and the provision of a construction management plan. These issues are addressed in the main report. Other highway matters are to be addressed through informatives.

However the Highway Authority is requesting the University to contribute **£956,139** towards the following works.

- Inner ring road junctions;
- Green transport corridor (old railway line);
- Pedestrian/cycle crossing of green transport corridor ;
- Bus shelter maintenance contribution (2 x re-located stops of Bedford Road);

The University has been aware of the late representation from the Highway Authority and they have written in response to the Borough Council.

The applicants consider that the contribution requested by the County Council is neither necessary nor proportionate.

The applicant has submitted a financial appraisal. This viability assessment highlights that any additional financial demands could jeopardise the development and render it unviable. This has been independently considered and confirmed. The NPPF specifically prevents Councils from seeking contributions that would render the development unviable.

The University is prepared to consider a contribution to sustainable transport improvements on a 'without prejudice' basis of a maximum of £175,000.

It should be noted also that the Council has very high design standards and expectations for the material treatment of the road and public realm, as well as landscaping, which all have cost implications. There has also been a requirement to safeguard a route through to the adjacent development controlled by the HCA, (Ransome Road). Furthermore the applicants need to create two new road accesses and junctions (including a significant junction on the Bedford Road) and the need to construct new road and pedestrian bridges.

In these circumstances Committee is advised to accept the applicant's offer of £175,000. This is considered to be reasonable and proportionate and relevant to the current proposal.

- The **Highways Agency** has provided an update confirming that their position remains one of no objection in principle to the application, subject to the MoU being amended. Once all parties have confirmed that they support the amendment, the current holding direction can be lifted.
- **The University** has written to the Council asking for an amendment to Condition 1.

**Officer's Comment:** There are no objections to this and it is advised that the condition is amended accordingly as set out above. This will enable the applicant to prepare the site works.

**Amended Condition 1:**

Approval of the details of the appearance, layout, scale and landscaping of the site

(hereinafter called the reserved matters) shall be obtained from the Local Planning Authority before any development begins (other than site preparation, clearance or remediation) and the development shall be carried as approved.

Reason: This permission is in outline form only granted under Article 4 (1) of the Town and Country Planning Development Management Procedure) Order 2010.

**Amended Condition 15:**

Within six months of the commencement of development hereby permitted, a scheme for Hardingstone Dyke improvements shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include channel improvements for Water Framework Directive (WFD) enhancements. Provision for maintenance access shall be factored into the design. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme.

Reason: As per original report.

**Additional Conditions:**

34. At the earliest possible seasonal survey window, a Great Crested Newt survey shall be carried out by a suitably experienced ecological consultancy in accordance with the advice set out within their ecological submissions and a report of their findings shall be submitted to and approved in writing by the Local Planning Authority. The report will include, where the presence of Great Crested Newts are established, appropriate measures (including mitigation measures) to safeguard the protected species. Such measures shall be carried out in accordance with a programme to be incorporated in the report and agreed in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved scheme and thereafter maintained.
35. At the earliest possible seasonal survey window, an additional ecological invertebrate survey shall be carried out by a suitably experienced ecological consultancy and a report of the findings be prepared and submitted to and approved in writing by the Local Planning Authority. The extent, site area and scope of the invertebrate survey shall be agreed in advance with the Local Planning Authority. The survey report shall be accompanied by a strategy, which shall provide full details of timing, measures for mitigation and enhancement and the development shall be implemented in accordance with the approved details.
36. A habitat/nature conservation management plan (or similar) prepared by a suitably experienced ecologist which shall have the primary aim of ensuring that development complements and enhances the development site to ensure that there will be no adverse effect upon species and habitats listed under Section 41 of the Natural Environment and Rural Communities Act (2006) shall be submitted to and approved in writing by the Local Planning Authority within four months of the commencement of the development hereby permitted. The plan shall include:
  - o Description and evaluation of the features to be managed;
  - o Ecological trends and constraints on site that may influence management;
  - o Aims and objectives of management;
  - o Appropriate management options for achieving aims and objectives;

- Prescriptions for management actions;
- Preparation of a work schedule (including a 5 yr project register, an annual work plan and the means by which the plan will be rolled forward annually);
- Monitoring and remedial / contingencies measures triggered by monitoring.

Reason: In the interests of biodiversity to accord with the National Planning Policy Framework.

**37.** Before the development hereby permitted is commenced a written scheme of investigation for archaeological observation and brief for the recording (including photographs) of the remnants of the former power station shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details.

Reason: The site is of architectural and historical significance and it is important that remains are observed and recorded during the development and to accord with Policy 1 of the central Area Action Plan and accord with the aims of the National Planning Policy Framework.

**9b**  
**N/2013/1047**

Erection of detached bungalow on land adjacent to 15 Whitehills Crescent

Amendment to **Paragraph 6.4** of the Committee Report, which should read:

Letters of support received from **7, 9, 10, 11** and **12 Whitehills Crescent** and **14 Whitehills Way** and one letter without address stating that the development does not affect privacy levels, is visually acceptable and a good use of the land. The development has made the area more secure.

**9c**  
**N/2013/1142**

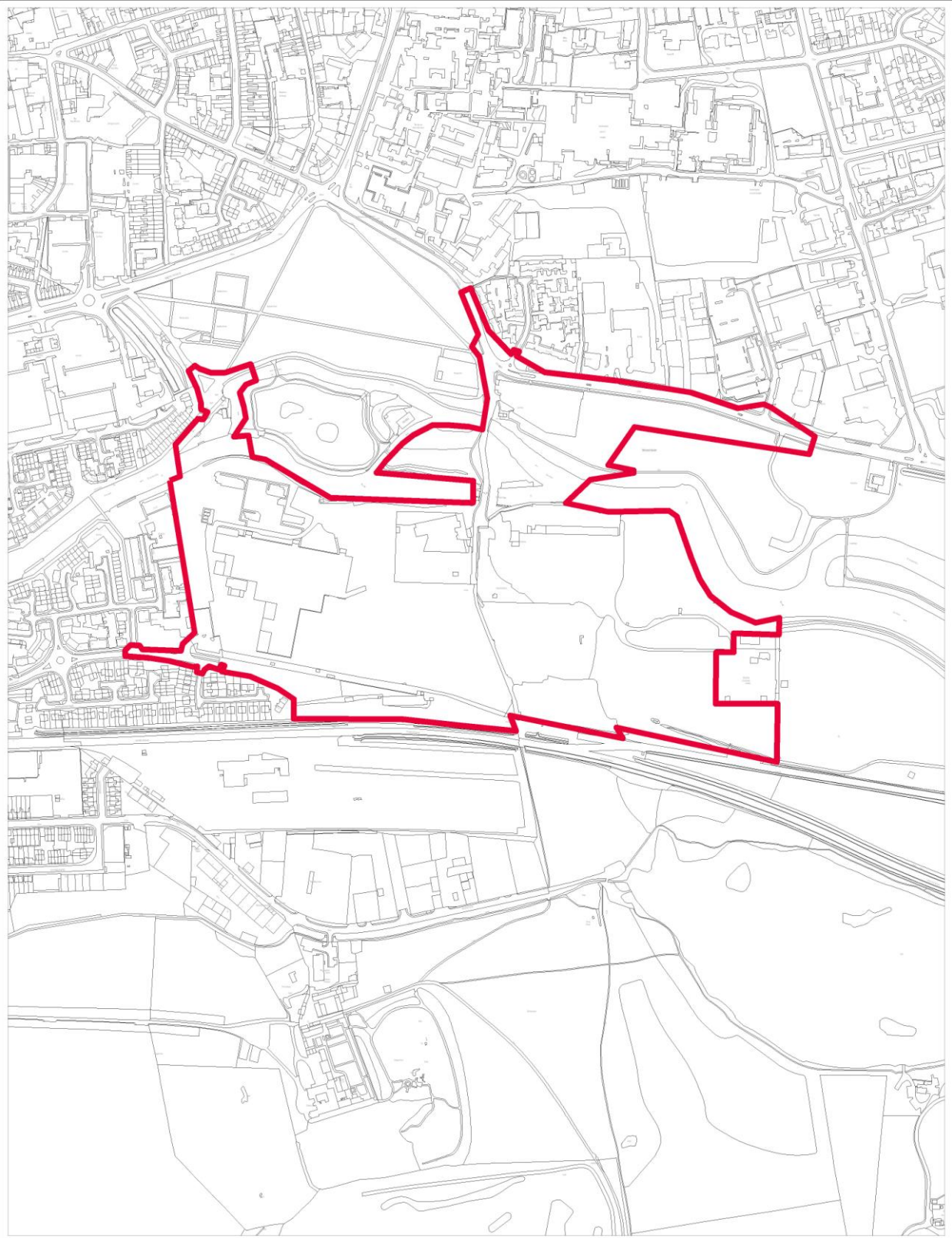
Change of use of first and second floor from offices to residential including 4no. one bedroom flats and 2no. two bedroom flats. Erection of extension to rear and replacement of windows at 49-53 Abington Street

Additional correspondence from **the applicant's agent** commenting on the lack of any local plan policies that determine 'overdevelopment'. It is considered that the scheme is not 'overdevelopment' as it proposes accommodation of an appropriate scale and size. Residential accommodation within the town centre is encouraged within Northampton.

The proposal would not increase demand on services above the existing requirements; building regulations would ensure that the building is adequately insulated from noise; and each unit has sufficient space which ensures that the density level is acceptable.

**Town Centre Conservation Areas Advisory Committee** have made representations and raise no objections.





**NORTHAMPTON**  
BOROUGH COUNCIL

Name: Planning  
Date: 17th December 2013  
Scale: NTS  
Dept: Planning  
Project: Committee

Title  
**Land for redevelopment, Nunn Mills Road**

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**PLANNING COMMITTEE:** 17<sup>th</sup> December 2013  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**HEAD OF PLANNING:** Susan Bridge

**N/02013/0912:** Outline planning permission for redevelopment of the site as a new campus for the University of Northampton, including site clearance and enabling works comprising remediation and re-levelling of the site, demolition of all buildings on the site (except the Grade II listed structures). The proposal includes up to 40,000m<sup>2</sup> university floorspace; up to 15,000m<sup>2</sup> university expansion floorspace; up to 35,000m<sup>2</sup> commercial (B1-offices) floorspace; up to 3,550m<sup>2</sup> of retail floorspace (up to 1,800m<sup>2</sup> of A1, up to 150m<sup>2</sup> of A2, and up to 1,600m<sup>2</sup> A3/A4); up to 1,500 beds of student accommodation; up to 760 car parking spaces for University use; up to 1,100 car parking spaces for commercial / leisure use; a hotel of up to 7,000m<sup>2</sup> (up to 150 bedrooms); sports hall and floodlit sports facilities; reuse of listed locomotive shed (520m<sup>2</sup>) and curtilage listed office building; an energy centre of up to 600m<sup>2</sup>; a new road bridge and junction on to Bedford Road including reconfiguration of Midsummer Meadow car park; a new pedestrian foot/cycle bridge connecting the site to Beckett's Park; and retention of the existing road access via Nunn Mills Road at land for redevelopment, Nunn Mills Road, Northampton.

**WARD:** Delapre & Briar Hill  
**APPLICANT:** University of Northampton  
**AGENT:** Savills Planning  
**REFERRED BY:** Head of Planning  
**REASON:** Major Project & Legal Agreement  
**DEPARTURE:** NO



## **APPLICATION FOR DETERMINATION:**

### **1. RECOMMENDATION**

#### **1.1 APPROVAL IN PRINCIPLE** subject to the following:

(1) Completion of a suitable legal agreement to secure:

- A financial contribution towards key infrastructure and sustainable travel related works;
- A financial contribution towards Monitoring – this is used to pay the costs of the monitoring compliance of the legal agreement.

(2) Subject to conditions as set out below and the issue being raised by the Highway Agency being addressed and for the following reason:

The proposal demonstrates that the scheme could be designed to respect the character of its locality and would not adversely impact upon residential amenity, visual amenity, heritage, transportation, biodiversity and flood risk and drainage related matters and is considered to be acceptable on its planning merits. For these reasons, the proposal would comply with Policies 1, 4, 3, 5, 6, 8, 9, 10, 15, 25, 28, 29, 30 and 36 of the Central Area Action Plan 2013, the West Northamptonshire Joint Core Strategy Submission and the National Planning Policy Framework.

**1.2** It is also recommended that in the event that an appropriate legal agreement is not signed and completed within six calendar months of the date of this Committee meeting, delegated authority be given to the Head of Planning to refuse or dispose of the application at her discretion on account of the necessary financial contribution not being secured in order to make the proposed development acceptable in line with the Policies in the Central Area Action Plan and National Planning Policy Framework.

### **2.0 THE PROPOSAL**

**2.1** This application forms part of a series of planning applications relating to the redevelopment of Avon Nunn Mills and its environs by the University of Northampton and as part of a wider regeneration strategy for Northampton, promoting a mixed used proposal and economic growth within the Waterside Enterprise Zone.

**2.2** Members should note this is an outline planning application. The purpose of an outline application is to establish whether or not a development is acceptable at a location. Outline applications are required to contain information about:

- Use (including the uses of any distinct zones within the site)
- Amount of each use
- Indicative layout (showing separate zones where appropriate)
- Scale parameters (upper and lower limits for the dimensions of each building)
- Indicative access points.

**2.3** With an outline planning application any of the following matters may be reserved for later approval: Layout; Scale; Appearance; Access; and Landscaping.

**2.4** A Design and Access Statement (DAS) has been submitted, it explains how the applicant has considered what is appropriate and feasible for the site in its context. This document plays a particularly important role in linking the outline permission and the consideration of the reserved matters.

**2.5** This outline planning application seeks to provide a new University Campus, new commercial offices, access arrangements, a hotel and sporting facilities at this site.

**2.6** Whilst the application is an outline form, details of access form part of this current planning application. The other issues are reserved for subsequent approval. These access details relate to details of a new road layout at Bedford Road Junction; vehicular access and bridge over the River Nene; the principle a new footbridge and vehicular access at New South Bridge Road. Matters relating to layout, scale, appearance and landscaping would be reserved and subject to separate reserved matters applications in the future.

**2.7** The proposal development involves the following key elements:

#### *The University Campus*

**2.8** The western and southern part of the site is intended to be occupied by the University of Northampton which would relocate from its existing campuses based at Park Campus and Avenue Campus. This proposal seeks to permit up to 40,000m<sup>2</sup> of university floorspace for its academic and social buildings and a further 15,000m<sup>2</sup> floorspace to allow for future university expansion.

**2.9** The overall University element incorporates the following key elements;

- Up to 40,000 m<sup>2</sup> of academic floorspace (including ancillary University Facilities: gym, sports hall, sports pavilion, Junior and Senior Common rooms);
- Up to 15,000 m<sup>2</sup> of University expansion floorspace;
- Up to 3,550 m<sup>2</sup> of retail floorspace (up to 1,800 m<sup>2</sup> A1, up to 150 m<sup>2</sup> A2 and up to 1,600 m<sup>2</sup> A3/A4);
- On-site student accommodation to serve up to of 1500 students;
- Up to 760 car parking spaces for University use;
- Change of use of listed locomotive shed (520 m<sup>2</sup> to a gym for the University and reuse of the curtilage listed office building;

#### *Commercial office space*

**2.10** Up to 35,000 m<sup>2</sup> of commercial (B1 offices) floorspace in separate or combined buildings;

#### *Hotel*

**2.11** A hotel of up to 7,000 m<sup>2</sup> (up to 150 bedrooms);

#### Sports facilities

**2.12** Applicant propose to provide a floodlit, full size Astroturf sports pitch to replace a facility at Park Campus. The pitch would provide the following:

- Provide training facilities for the University's sports team
- Provide a much wider range of training facilities in the evenings
- Facilitate a more intensive use
- Provide facilities for Lacrosse
- Pitch would be designed to accommodate football, rugby, American football or Hockey (dependent on surfacing)
- The facilities would be made available to the local community

**2.13** It should be noted that a gym would be provided within the former locomotive shed and four tennis courts are indicated but this facility could be accommodated by a new sports hall. Again these facilities would be available to the community.

#### Ancillary Uses

**2.14** Other uses include up to 3,550m<sup>2</sup> of retail floor space (up to 1800m<sup>2</sup> of A1(retail), up to 150m<sup>2</sup> of A2 (Financial & Professional Services), and up to 1600m<sup>2</sup> A3/A4 (Restaurants/cafes/drinking);

(All floor space figures referred to above are gross external area).

#### Highway Works and Access Details

**2.15** The Bedford Road towards its junction with Nunn Mills Road would be realigned and improved and made accessible by a traffic light controlled junction. A new road and pedestrian bridge would be provided cutting through part of Midsummer Meadow adjacent to the existing car parking area over the River Nene from Bedford Road.

#### New Road Bridge

**2.16** The main vehicular and pedestrian access to the site would be via a new road bridge with a new signal controlled junction from Bedford Road. This would be a new junction east of the existing car park on the edge of Midsummer Meadow. This would be the main vehicular access to the site and this part of the access arrangements is submitted in full. The proposed structure would be a reinforced concrete deck supported by a single span arch crossing the River Nene. The clear span between the arch springing points is 51 metres and the total length of the bridge would be 62 metres. The bridge would achieve a clearance of 3 metres above waterline. Details of the materials of the road bridge would be subject to condition.

**2.17** The existing Nunn Mills Road would remain as the entrance / egress serving the Avon Headquarters and improved to provide advanced pedestrian and cycle facilities to improve non – car access to the rest of the site.

#### New Pedestrian Footbridge

**2.18** A new pedestrian footbridge is proposed across the River Nene via the Marina at the north western edge of the site to Beckett's Park, which provides a direct link to the town centre and the nearby Morrison's. Details of the design of the foot bridge would be subject to condition.

#### Access at New South Bridge Road

**2.19** An existing vehicular access at New South Bridge Road would be reinstated and improved. This would provide a pedestrian and vehicular access to the south east corner of the site on to New South Bridge Road. This would provide access to 450 car parking spaces for University staff. There would be no through road for vehicles (apart from buses) between the new access off Bedford Road and New South Bridge Road. Details of this access are submitted in full.

#### Alteration to Midsummer Meadow Car Park

**2.20** This proposal would involve the reconfiguration of the Midsummer Meadow car park with a reduction from 220 to 170 spaces.

#### Energy Centre

**2.21** It is proposed to construct an energy centre of up to 600m<sup>2</sup> which would accommodate gas CHP engines, peak gas boiler plant and auxiliary components such as thermal storage, water pumps, gas supply and intake controls. The energy centre would be a double height space, with a ceiling height of 6 metres. Modular CHP plant and boilers would be installed, potentially consisting of two CHP engines and four gas boilers. Each unit may have an individual flue and, subject to detailed design considerations would result in a total of six flues. The flues could terminate at a height of not less than 3 metres above the height of adjacent buildings, however this would be subject to more detailed analysis of flue emissions. In the case of the largest thermal plant capacity, i.e. serving the whole site with potential for University expansion, the energy centre is expected to require a footprint area of 450 m<sup>2</sup> and a double-height space, with an estimated flue height of 16 m for the boilers and 14 m for the CHP unit.

#### Other related works

**2.22** The proposals would include site clearance and enabling works including remediation and re-levelling of the site and would facilitate the demolition of the façade of the remaining power station fronting onto the River Nene which is required to facilitate the new road bridge and vehicular access and the demolition of unlisted buildings adjacent to the locomotive shed.

#### Former Locomotive Shed

**2.23** Proposals do involve the retention and refurbishment and changes of use of a former listed locomotive shed, these considerations are the subject to separate applications, which would be considered at a later date.

#### New secondary substation

**2.24** Planning permission has recently been granted for the relocation of one the existing substation to a new secondary substation is adjacent to the existing substation on the south east corner of the site.

### Car Parking Provision

**2.25** The proposed car parking numbers for the proposed uses would be as follows:

#### University

**2.26** 760 spaces on two surface level car parking areas comprising: 650 staff spaces, 70 visitor spaces and 25 spaces for people with disabilities and 15 student halls of residence spaces.

#### Commercial

**2.27** 1,000 spaces are proposed on the east of the site within a 2 storey car park.

#### Hotel and leisure

**2.28** 100 spaces are proposed with a separate surface level car park.

**2.29** A parking facility for a coach would be provided in the vicinity of the sports pitch.

#### Cycle Parking

**2.30** With regard to cycle parking the following numbers are proposed:

University and student accommodation – 874 spaces

Commercial – 163 spaces

Hotel and leisure – 15 spaces

**2.31** As part of their planning strategy the Universities have identified the following key objectives for the new campus:

- To provide an open style campus where the community would be encouraged to visit the site and use the facilities;
- Create an accessible campus with pedestrian and cycle routes throughout the campus, linking the town centre with Delapré Abbey;
- Promote sustainable travel;
- Promote a sustainable low/zero carbon campus, with a Combined Heat and Power Plant that would deliver at least ten per cent of the campus' energy needs from renewables;
- Provide a landscaped setting with open green spaces using sustainable materials.

**2.32** The applicants have submitted a schematic masterplan which provides an indication of how the site could accommodate the proposed development. The precise details of scale, appearance, layout and landscaping of the development would be defined in subsequent reserved matters applications. This outline application seeks to establish the principle of mix of uses, height, maximum quantum of floorspace and the broad locations for these on the site.

**2.33** In terms of general layout, the existing Avon headquarters office is outside the redline boundary and located at the north and centre of the site and would remain unaltered. The River Nene forms a natural barrier across the northern perimeter of

the site. The applicants propose to site the academic buildings on the western and southern boundaries of the existing Avon building.

**2.34** The proposed student accommodation would be concentrated within the south west corner of the site. The commercial office floor space would be sited at the north eastern corner of the site. The hotel would be sited centrally in the eastern block and the sports facilities would sit to the south of the site.

### Environmental Statement

**2.35** The planning application is accompanied by an Environmental Statement. The process of Environmental Impact Assessment is governed by the Town and Country Planning (Environmental Impact Assessment) Regulations 2011.

**2.36** The application is also supported by the following additional documents:

- Planning Statement
- Heritage, Design and Access Statement
- Sustainability Statement
- Ecological Reports & Additional Reptile & Bat Surveys (Oct 2013)
- Revised Archaeological Strategy (Dec 2013)
- Revised Transport Assessment (Dec 2013)
- BREEAM Report
- Energy Statement

**2.37** The applicants have also submitted a number of detailed drawings with the application which show the maximum parameters of the development in terms of floorspace and height and also identify the mix of uses and their location across the site which include an illustrative Landscape Masterplan. The key plans for approval with this outline submission and are as follows:

- Parameter Plans:
- Access and Movement (drawing no. 0116-Z(01)002)
- Land Use (drawing no. 0116-Z(01)000)
- Building Heights (drawing no. 0116-Z(01)001)
- Site Levels (drawing no. 5695.203\_E )
- Green Infrastructure (drawing no. 5695.201\_F)

**2.38** A community consultation and engagement exercise has been undertaken by the University prior to submission of the planning application. A Consultation Report accompanies the planning application documentation.

### **3.0 SITE DESCRIPTION**

**3.1** The site is approximately 25 ha and is located on the south eastern edge of Northampton town centre, on the south side of the River Nene and opposite Beckett's Park (approximately two kilometres from Northampton train station). The site originally contained Avon's manufacturing, operation and distribution buildings. Following the cessation of manufacturing operations in 2003 the site became vacant with the exception of the Avon UK Headquarters offices. The Nunn Mills power station was also located on the site until the 1970's. The facade of the power station is the only part of that building remaining. A Grade II Listed engine shed is located adjacent to the railway line. A small office building near to the west of the engine shed is within the curtilage of the listed building.

**3.2** The application site comprises the majority of the two sites known as the Avon Nunn Mills site and the former Nunn Mills Power Station site, occupying land to the west and east of Nunn Mills Road. The main access into the site is via Bedford Road and over the River Nene to the north, with secondary access via Cotton End and New South Bridge Road to the west. The Nunn Mills Road runs north – south through the centre of the site. The River Nene forms the northern boundary of the site. The southern boundary is formed by a disused railway line and sidings running east west. To the further south lies Delapre Lake and Delapre Park Conservation Area. Within Delapre Park the former Abbey is listed Grade II\*.

**3.3** The site is adjacent to the Registered Battlefield of Northampton (1460) which bounds along the southern eastern. Midsummer Meadow, Nene Meadows and Barnes Meadow form areas of largely green open space and are located to the north across the site over the River Nene. Becketts Park accommodates a 78 berth Marina. The site is located within the Waterside Enterprise Zone.

### **4.0 RELEVANT PLANNING HISTORY**

**4.1** WN2006/0014 (2004) (within redline) Outline Application by Gallagher Estates and Avon Cosmetics. Mixed Use Development, incorporating residential, community facilities, local leisure and retail centre, plus access arrangements at Bedford Road and Southbridge Road for up to 1,250 dwellings.

Resolution to grant planning permission by WNDC given in 2007, subject to completion of a S106 Agreement. Scheme not progressed post 2007. Application lapsed.

**4.2** WN/2006/0016 (2006) (outside redline) Outline planning application by English Partnerships and Network Rail. Residential development for 800 residential units and community facilities, local leisure and retail centre. Resolution to grant planning permission given in 2007 subject to completion of a S106 Agreement. Scheme not progressed. Permission not granted.

Revised scheme being brought forward by the HCA in partnership with Kier. Pre-application discussions are currently underway planning application due for submission early 2014.

**4.3** WN2006/0171 (2006) (outside redline). Full application by Avon Cosmetics. Demolition of existing buildings and erection of a 5 Storey Office Building. Planning permission granted in 2007 and implemented.

**4.4** WN07/0406 (2007) (within redline) Full application by Avon Cosmetics. Construction of an access road from Bedford Road to the former Nunn Mills Power Station and Avon office sites. Included a signal-controlled junction.

George Wimpey Planning Permission (full application) granted in 2008 but has since expired, as not implemented by the applicant.

**4.5** WN2011/044 (2011) (within redline) Application by WNDC. New road to link Nunn Mills Road with Ransome Road. The proposal incorporated three new bridges (including a bridge over the existing rail crossing) improvements at the Bedford Road / Nunn Mills Road junction and a reconfiguration of the existing public car park adjacent to Bedford Road. - Permission (full application) granted 6 December 2011.

The proposal has not been implemented and does not form any part of the current application.

**4.6** N/02013/0440 EIA Scoping Report - Redevelopment of the existing site to provide up to 30 buildings to facilitate the relocation of the University of Northampton's facilities, including demolition of remaining redundant factory building and existing power station façade and relocation and extension of substation, to provide academic and student accommodation, provision of up to 30,000 sq m commercial (B1) floorspace, up to 3,250 sq m of retail floorspace, a hotel, leisure centre, sports pitches, an energy centre up to 600 sq m based on a centralised gas-fired combined heat & power plant (CHP) & site-wide heat network, the retention and refurbishment of listed engineering building and office for ancillary use, creation of new road bridge and pedestrian river crossings and associated landscaping and parking provision. Decision Letter issued August 2013.

**4.7** N/2013/0334 (2013) (within redline) Application by the University for change Of Use to Visitors Centre Including Exhibition Space and Café. Restoration of Former Locomotive Shed and Office and Replace Roof with Insulated Slate Tile Roof. Formation of Landscaping Access Road and Car Parking Spaces. Awaiting Determination.

**4.8** N/2013/0335 (2013) (within redline) Application by the University for Removal Of Outbuildings And Restoration Of Grade II Listed Former Locomotive Shed and Office Including New Internal Room And Mezzanine Floors. Roof To Locomotive Shed To Be Removed And Replaced With New Insulated Slate Tile Roof. Awaiting Determination

**4.9** N/2013/0333 (March 2013) (within redline) Outline Planning Application by Persimmon Homes Ltd, Taylor Wimpey PLC & Avon Cosmetics Ltd for Development Of Mixed-Use Neighbourhood Comprising: 12.7Ha Of Residential Land Comprising Up To 750 New Dwellings (Class C3) Of Mixed Type And Tenure Including Affordable Housing; 1.4Ha Of Employment Land. Awaiting Determination.

## **5.0 PLANNING POLICY**

### **5.1 Development Plan**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan comprises the Northampton Central Area Action Plan (2013), saved policies of the



Northampton Local Plan (1997) and West Northamptonshire Joint Core Strategy (Submission 2012).

## **5.2 National Policies**

National Planning Policy Framework (NPPF)

## **5.3 Central Area Action Plan (CAAP)**

Policy 1 – Promoting Design Excellence

Policy 3 – Public Realm

Policy 4 – Green Infrastructure

Policy 5 – Flood Risk & Drainage

Policy 6 – Inner Ring Road

Policy 8 – Safeguard Public Transport Route

Policy 9 – Pedestrian & Cycle Movement Framework

Policy 10 – Parking

Policy 15 – Office & Business Use

Policy 25 – The Waterside

Policy 28 – The Waterside: Avon/Nunn Mills/Ransome Road

Policy 29 – Becketts Park

Policy 30 – The Waterside Nene Meadows

Policy 36 – Infrastructure Delivery

## **5.4 West Northamptonshire Joint Core Strategy (Submission 2012)**

Policy C2 – New Developments

Policy E2 – New Office Floorspace

Policy E6 – Education Skills & Training

Policy S1 – Distribution of Development

Policy S7 – Provision of Jobs

Policy S10 – Sustainable Development Principles

Policy BN1 – Green Infrastructure Connections

Policy BN2 – Biodiversity

Policy BN5 – Historic Environment

Policy BN7 – Flood Risk

Policy BN8 – River Nene Strategic Corridor

Policy BN9 – Planning For Pollution Control

Policy RC1 – Delivering Community Regeneration

Policy INF1 – Approach to Infrastructure Requirements

Policy INF2 – Contributions to Infrastructure Requirements

## **5.5 Supplementary Planning Guidance**

Northamptonshire County Parking Standards SPG 2003

Planning Out Crime in Northamptonshire SPG 2004

Nene Meadows SPD – Consultation Draft

## **5.6 Other Material Considerations**

Northampton Growth Management Scheme Memorandum of Understanding  
26 March 2012

Nunn Mills Parameter Plans – 12 November 2012

## **6.0 CONSULTATIONS**

**6.1 Northants Police Crime Prevention Design Adviser** – has no objection to the application as proposed subject to conditions relating to Secured by Design principles which include CCTV and appropriate lighting.

**6.2 NCC County Archaeologist** – Provided initial comments on the Environmental Statement to the applicant. The revised Archaeology Strategy in conjunction with the Archaeology and Heritage chapter of the ES provides an appropriate basis for the evaluation and mitigation of the heritage assets both known and as yet to be discovered within the application area. It is envisaged that the Archaeology Strategy would form the basis for more specific and detailed Written Schemes of Investigation to be undertaken in advance of the specific impacts within the development area. No objection subject to conditions.

**6.3 NBC Heritage** – No objection to principle of development, relating to the listed locomotive shed and WW2 Pill boxes subject to safeguarding information. Matters relating to the Northampton Battlefield Site and Archaeology have been left to English Heritage and the County Archaeologist to advise on.

**6.4 NBC Environmental Services** – No objection to principle of development, subject to conditions requiring contamination noise and issues air quality, being addressed.

**6.5 NCC Planning Management** – request financial contributions towards fire hydrants and other similar provisions.

**6.6 English Heritage** – Initially advise that they are encouraged that the applicants Archaeological Advisors have taken on board advice given at pre application stage. The initial submitted Archaeological Strategy needs to form a very robust but flexible baseline to inform future decisions about their content of the Written Specifications of Investigation for the site. The impact on the Registered Battlefield and its setting would need to be carefully scrutinised to ensure that the battlefields is not put at further risk, whilst carefully targeted conservation mechanisms are the key to ensuring that the Archaeological Strategy and the subsequent Written Schemes of Investigation are appropriate and tailored specifically to knowledge held about this particular development site.

**6.7 Network Rail** – No objections.

**6.8 Natural England** – Raise no objections subject to conditions including a requirement for a Great Crested Newt survey to be carried out and request an updated version of the Management Plan for Biodiversity is submitted prior to any development covered within taking place. This should include details of how all of the biodiversity commitments made at the outline stage within the Environmental Statement, Design and Access Statement and other application documents would be implemented. This should include mitigation for bats and otters as well as mitigation and enhancements for other habitats and species. Collating all of these measures within the Management Plan for Biodiversity is appropriate as many of the commitments are already recorded here and it is intended for the document to act as a long term plan to inform site management.

**6.9 Environment Agency** – Has no objection to the proposed development, as submitted, and consider that the proposed development will meet the requirements of the National Planning Policy Framework (NPPF) if the measures detailed in the Flood Risk Assessment (FRA) and its addendum letter submitted with the application are implemented and safeguarding planning conditions are attached.

**6.10 Highways Agency** - Draws attention to the Scheme (NGMS) Memorandum of Understanding (MoU) agreed in March 2012, since which time the Highways Agency has been working with the relevant partners to enable growth in the area, by calculating contributions in accordance with the principles set out in the document. On being consulted on the current planning proposal the Highways Agency has applied the principles set out in the MoU has resulted in the Agency requesting a financial contribution of £1.6 million contribution to the A45 trunk road and a holding objection was raised. However due to the importance of the scheme towards the regeneration of the Town, and its effect on the viability, the Agency is now willing to put aside the financial request.

**6. 11 NCC - Natural Development Officer** advises that the site is within the Nene Valley Nature Improvement Area (NIA) and optimising the site's environmental, economic and social returns for true sustainability would require a very special development.

**6.12 NCC – Highway Authority** has initially advised that the principle of a signal controlled access junction onto Bedford Road is acceptable and there are no objections to the alterations to the end of New South Bridge Road. Would like to secure financial contributions towards highway works, TROs and a section of transport corridor on former railway land. Consent would be required for the use of non-standard highways street - furniture and materials. On the issue of Public Rights of Way, consideration needs to be given to which Public Rights of Way will be affected by the development proposals, and how these will be incorporated in to the development site.

Would also like a vehicular link to be provided to the boundary of the development with the former railway land, to include a temporary turning head, to be dedicated as public highway. Prefers the developer to design this vehicular link and the separate pedestrian connection across the former railway land, to include proposed ground levels on both sides, and to consider how the transport corridor proposed for the former railway land will cross these connections. The developer will be required to fund half the cost of providing these links, once they have demonstrated that the links can be provided, and that the proposed development will not be prejudicing the delivery of these schemes. The proposal to agree a 'Public Transport Service Level' to secure the provision of the required public transport services required to facilitate the proposed development is acceptable. Any further formal comments received will be reported.

**6.13 The Wildlife Trust** – Welcome the ecological survey reports in connection with the development and finds their scope and content to be both broadly acceptable. Recommend that all of the mitigation / compensation measures, and enhancement provisions, as set out by Betts Ecology, are made the subject of suitable and strongly-worded planning conditions and that their implementation is enforced by NBC in the future.

**6.14 NBC – Urban Design** – Supports the principle of the development and that it would accord with the design objectives of the Central Area Action Plan and good urban design principles set out in good urban design practice and guidance. The strategy for public realm and landscaping should be responsive to the site.

**6.15 CPRE Northants** – The proposal would enhance the Meadows Gateway entrance. There would be less traffic implications than if the site was used for housing. Flood risk issues are a concern and should be adequately addressed.

**6.16 Ramblers Association (Northants)** – Welcome emphasis given to pedestrian/cycle routes connecting to existing paths. A public right of way (Footpath HW30) approaches the site from the east side of the south bank of the river and ends the application boundary. Consideration should be given for this pedestrian route to be extended through the meadow area to link to existing routes. The applicant has been made aware of this issue.

**6.17 NBC – Arboriculturalist** - Has considered the tree survey prepared by Betts Ecology. Overall within the development site the proposals require the removal of mainly low quality trees and are therefore acceptable. The alterations to create the new vehicular access and bridge from Bedford Road would involve the loss of trees, however it is considered acceptable given the proposed replacement planting within the site. Advises that the mitigation measures within the overall landscaping strategy are acceptable as are the tree protection measures.

**6.18 – Nene Valley NIA River Restoration Advisor** – Suggests the developers should reach an agreement on construction and technical related matters, drainage related matters, prior to the works commencing.

**6.19 WNDC - Regeneration Team** – Support Proposal

## **7. 0 REPRESENTATIONS**

**7.1** A statutory press notice and 25 site notices were displayed and individual letters were sent to nearby occupiers/business. The development proposals were subject to extensive pre-application discussions, the details of which are set out in the Consultation Report submitted with the application.

**7.2** Letters of support for the proposal have been received from Taylor Wimpey, Persimmon Homes and Avon Cosmetics.

**7.3** A letter of representation has been received from a resident requiring the retention of the old power station facade to be retained and incorporated into the development. The applicants planning consultants have contacted the resident to explain the planning rationale for the removal of the power station façade and advised that where possible its materials would be salvaged and recycled and incorporated into the design of any final scheme including public realm works.

**7.4** A separate letter of representation has been received requesting that access issues for all people with disabilities are taken into account and that the relevant groups are consulted. The applicants have been made of this and full would be consider as the scheme develops to the next detailed design stage.

## **8.0 APPRAISAL**

**8.1** The key issues in connection with this application relate to the impact on visual amenity, heritage, transportation, biodiversity and flood risk. As part of the assessment of this application, mitigation measures were proposed in the Environmental Statement designed to limit or remove any significant adverse environmental effects of the development. The Environmental Statement has been carefully assessed to ascertain how the mitigation measures proposed in the Environmental Statement would be secured.

### ***Principle of Proposed Uses***

**8.2** The Central Area Action Plan Policy 28 supports a comprehensive mixed use development on the site which includes commercial and educational uses. One of the objectives of the Central Area Action Plan is to not only bring people into the town centre but also draw a more diverse mixture of people in to the centre and in particular make them remain for a longer period to consolidate and contribute to the success of the area.

**8.3** There is therefore no objection to the principle of the proposed uses and associated ancillary activities.

**8.4** The following core planning principles set out within the National Planning Policy Framework (NPPF) are considered of particular relevance;

- The promotion of mixed use development and the encouragement of multiple benefits of land, recognising open land can perform many functions including wildlife recreation and carbon storage;
- Conserving heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of the present and future generations;
- Actively managing patterns of growth to make the fullest possible use of public transport, walking and cycling and focus significant development in locations which are or can be made sustainable;
- Contribution of scheme towards the conservation and enhancement of the natural environment and the reduction pollution;
- The need to deliver high quality design solution;
- Encourage the effective use of land by reusing previously land;
- Take account of opportunities to improve health, social wellbeing for all; and
- Support to a low carbon future taking account flood risk and encourage the Use of renewable resources;

### ***Heritage***

**8.5** Protecting and enhancing the historic environment is an important component of the National Planning Policy Framework (NPPF). Any decisions relating to heritage related assets and their settings must address the statutory considerations of the Planning (Listed Buildings and Conservation Areas) Act 1990 as well as satisfying the NPPF and the Central Area Action Plan. The conservation of heritage assets whether designated or non-designated in a manner appropriate to their significance is a core planning principle. Heritage assets are viewed as an irreplaceable resource and effective conservation delivers wider social, cultural, economic and environmental benefits. Conservation is viewed as an active process of maintenance and managing change. It requires a flexible and thoughtful approach to get the best of assets as diverse as listed buildings, buried archaeological and historical interest. There is a need to ensure that heritage assets are conserved and where appropriate enhanced in a way that is consistent with their significance and thereby achieving sustainable development. The value of a heritage asset is because of its heritage interest, that interest may be archaeological, historical or architectural. It should be noted that significance derives not only from a heritages asset's physical presence but also its setting. Thus, heritage assets may be affected by direct physical changes or by changes to their settings. Those elements that make a positive contribution to better reveal the significance of the asset should be treated favourably. A key test for the applicants has been to be able to properly assess the nature, extent and importance of the significance of the designated and non-designated heritage assets

and also upon their setting to understand the potential impact and acceptability of development proposals.

### ***Archaeological Impact***

**8.6** In terms of evaluation, in order to gain a better understanding of the archaeological potential of the site, trial trenches have been dug and further trial trenches will be dug over the next few months. In order to prepare the site for the development a series of enabling works are proposed within the Archaeological Strategy. These include the following four key areas of activity/intervention:

- Archaeological Supervision during the site development;
- Palaeo-environmental sampling;
- Battlefield Archaeology; and
- Building recording of the power station façade.

**8.7** The revised Archaeological Strategy has pointed out that no known buried archaeological remains have been recorded within the application site. Furthermore a fundamental aspect of the application site has been its position adjacent to the River Nene. Whilst the development would focus on the southern bank of the river the proposed access road and bridge will cross from its northern bank. The River Nene has been identified by English Heritage as forming a focus of human activity for a significant period of time. It is therefore recognised that the river would provide opportunities for new information to be provided which should be reflected within the archaeological record.

**8.8** The Battle of Northampton was located in the area around Delapre Abbey south of the River Nene which took place on 10 July 1460. This battlefield is included on the English Heritage Register of Historic Battlefields. The Northampton Battlefield is a designated heritage site of the highest significance. A Conservation Management Plan for the Battlefield is currently under preparation.

**8.9** The proposed development site borders the registered battlefield area along its south eastern edge. The battle took place on plough land south of the Nene and south of Delapre Abbey. The northern edge of the battlefield is covered by the former railway sidings, however the majority of the battlefield remains open and appreciable. Much of the battlefield lies also within a Locally Important Landscape Area. The possibility that features and artefacts related to the battle survive on the site is recognised. It is known that a defensive camp was established close to the river and following the Lancastrian rout troops retreated to the river in an attempt to escape to the perceived safety of Northampton. It therefore lies within the setting, in visual, functional and historical terms, of the protected site and probably lies within the area where the fighting took place.

**8.10** The potential for battlefield archaeology on the site appears to relate mainly to evidence for the defensive encampment, artefacts of the period, especially weaponry or martial dress items and human remains. Any evidence on the site for the defensive encampment and human remains would be identified during the archaeological supervision works.

**8.11** The location of artefacts of the period will rely on the discovery of largely metal based material that might survive on or close to any buried land surfaces. Where surviving land surfaces would be revealed during the enabling works excavation these will be subject to a metal detector search as specifically required by English

Heritage. Should any features, deposits or artefacts that appear to relate to the battle be located, an appropriate expert, with experience and knowledge of late medieval conflict, will be called in to support and advise on recording and sampling strategies.

**8.12** Significant revised heritage information has been submitted by the applicant's Archaeology advisors relating to the archaeological implications arising from this application site particularly the designated battlefield site. The County Archaeologist and English Heritage have been proactively involved advising on this project and conditions are recommended to ensure further work is carried as set out within the Archaeology Strategy, including the provision of archaeological interpretation panels. English Heritage is satisfied that the applicant has taken account of the previous advice it has provided in relation to the formation of this Archaeological Strategy and that this now forms a robust basis for investigation of the development site.

### ***Other Archaeological Issues***

**8.13** A baseline survey has also identified the potential for deposits of Roman date, buildings formerly associated with a medieval watermill and post-medieval corn mill, the remains of a medieval road and post-medieval field boundaries. This matter would also be investigated through a programme of works identified in the Archaeology Strategy.

**8.14** The archaeological implications arising from this application site have been sufficiently addressed.

### ***Listed Locomotive Engine Shed***

**8.15** The southern side of the site includes a former locomotive engine shed of 1873 which is listed Grade II, there is also railway office building of similar date (curtilage listed) and the remnants of the railway infrastructure. Separate planning application and listed building consent applications relating to alternative the uses and alterations are to be considered separately. It is considered that adequate heritage information has been submitted relating to the proposed works and uses on the listed locomotive shed and its setting. The applicant has demonstrated a clear understanding of the significance of the heritage asset and its setting in developing their proposals to minimise harm. The University has committed to refurbishing and re-using the listed buildings within the site. The proposed alterations and uses of the locomotive shed have been subject to detailed discussions and the uses and alterations proposed are likely to cause the least harm to the significance of the asset, not just through initial changes but also as a result of subsequent wear and tear. There are no objections to the principle of the alterations and potential uses proposed for these buildings, the details of which will be the subject of a separate determination in due course.

**8.16** Consideration has also been given to the impact of the proposals on Delapre Park Conservation Area and the listed Delapre Abbey and ensure that the proposals do not have any negative impact on their setting or where appropriate these are enhanced.

### ***Non-Designated Assets***

#### ***Northern façade of former Power Station***

**8.17** The site includes the remnants of a power station the northern façade of this structure survives. This structure would be removed to facilitate the new road bridge

and would be occupied by the commercial office operator. A letter of representation received from a resident seeking to retain this structure. In response to this request the applicant has stated the design team had given consideration to whether the retention of the façade was feasible. In summary the long term structural integrity of the existing façade is uncertain and the façade is supported by temporary propping. The remaining power infrastructure needs to be removed as part of the primary substation relocation. Furthermore in order to successfully remediate the site to avoid sterilising a significant area of the River Nene frontage, the remediation strategy and wider site proposals recommend that the building be removed so that the ground underneath can be properly remediated.

**8.18** The existing facade is not listed or included on the local list. The applicant has also been advised that a high quality landmark design would be required for the commercial offices in whatever form they take that replace the former power façade with a particularly vibrant frontage and a sense of place along embankment of the River Nene.

**8.19** The University has committed to the re-use of any salvageable brickwork in the buildings or landscape features. Prior to the demolition of the Power Station façade a detailed record of the structure would be undertaken, subject to gaining safe access / egress. The reuse of the materials from the power station in a creative manner within the design or landscaping within the application area would achieve the objective of leading to a link with the past and sense of place and make a positive contribution to the historic environment's local distinctiveness.

#### *WWII pillboxes*

**8.20** A survey of the site has revealed the presence of three of WWII pillboxes at the eastern end of the proposal site, one of which lies within the application site boundary. The pill boxes would remain and would be enhanced through improvements to their condition and context. A condition is recommended to ensure that these are maintained.

**8.21** In summary a proper assessment of the impact of the sites heritage context has been taken into account by the applicant's advisors, it is proportionate to the significance of the heritage related assets and their relevant setting. This proposal would not result in the loss of or damage to these features. There is some potential to better reveal features and or artefacts related to them in the proposed site preparation works that would help explain their origin and function.

#### ***Biodiversity/Green Infrastructure***

**8.22** The National Planning Policy Framework seeks to encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value. This means that planning needs to take account of issues such as the biodiversity value which may be present on a brownfield site before decisions are taken as to its reuse. The National Planning Policy Framework also states that the planning system should protect soils from loss or pollution. Planning decisions have the potential to affect biodiversity outside as well as inside designated areas of importance for biodiversity. Planning authorities are also encouraged to seek opportunities to work collaboratively with Local Nature Partners, to develop and deliver a strategic approach to protecting and improving the natural environment based on local priorities and evidence. Equally, they should consider the opportunities that individual development proposals may provide to enhance biodiversity.



**8.23** The National Planning Policy Framework is clear that pursuing sustainable development includes moving from a net loss of biodiversity to achieving net gains for nature, and that a core principle for planning is that it should contribute to conserving and enhancing the natural environment. Biodiversity offsets are measurable conservation outcomes resulting from actions designed to compensate for significant residual adverse biodiversity impacts arising from a project such as development after mitigation measures have been taken. The goal of biodiversity offsets is to achieve no net loss and preferably a net gain of biodiversity. Planning Authorities are encouraged to take a pragmatic approach – the aim should be to fulfil statutory obligations in a way that minimises delays and burdens on developers.

**8.24** Nene Meadows is also located within the Nene Valley Nature Improvement Area (NIA). The NIA is an interconnected network of wildlife habitats intended to re-establish thriving wildlife populations, help species respond to the challenges of climate change and provide shared vision for better future for people and wildlife. It extends from Daventry to Peterborough and includes the River Nene and its main tributaries. NIAs are ecological networks recognised in the National Planning Policy Framework. The Nene Valley NIA project aims to create a resilient ecological network within the project area. The application site lies entirely within the NIA and in a key location for ecological connectivity, surrounded as it is by designated sites including the Upper Nene Valley Gravel Pits which is a site of Special Scientific Interest and a Special Protection Area. The proposal would not affect this site.

**8.25** Barnes Meadow Local Nature Reserve (LNR) is located to the north east of the site and straddles the River Nene which has resulted in the site being transformed into a complex of permanent pools and seasonal wet scrapes over time. This has been particularly attractive to wildlife. This area has low usage partly due to the need to protect the ecological interest of the area. The site is considered to be fragile and a diverse wetland site. In addition it should be noted that the LNR encompasses part of the designated Northampton Battlefield. The development proposals represent an opportunity to capitalise on the conservation and educational values offered by the wildlife of the LNR and its historic element within the registered boundary of the Battle of Northampton. The Wildlife Trust is responsible for the management of the LNR. The Central Area Action Plan supports requirements to provide green links between Becketts Park, the application site and Delapre Park. It also seeks the delivery of a continuous riverside path. The ornamental garden at Delapre Abbey, is a site of Acknowledged Nature Conservation Value, as are the margins of the lake. The old course of the Nene is a Local Nature Reserve.

**8.26** In considering how biodiversity benefits could be delivered through the planning system, it is useful to consider the following policy context:

- the policies and commitments in Biodiversity 2020
- the contents of existing biodiversity strategies local biodiversity action plans
- the potential effects of the development on the habitats or species on the Natural Environment and Rural Communities Act 2006 section 41 list (in Biodiversity 2020)
- Guidance on fulfilling statutory obligations in regard to international and national designated sites of importance for biodiversity
- the factors listed in guidance on local ecological networks that supports National Planning Policy Framework paragraph 117.

**8.27** Where Local Planning Authorities consider there is a reasonable likelihood of a protected species being present and affected by development they should require ecological surveys. Assessments should be proportionate to the nature and scale of proposed development and the likely impact on biodiversity. The applicants' Ecologists have carried out various ecological investigations and surveys. In summary bat surveys were carried out and, in particular, an underground void on the site was explored as it was considered that this could have been a potential bat roost. No evidence of use of the void on site by bats has been found. This void would need to be closed under licence as it has previously been used by bats. Mitigation measures are recommended included an updated Management Plan.

**8.28** The Environmental Statement referred to the use of River Nene and locality by otters, mitigation measures relating to the protection of riverbanks, otter passes being in the proposed bridges and the creation of otter holts are considered acceptable. Reptile surveys were carried out. During the initial first survey, only one juvenile common lizard was observed under an artificial refuge. No other reptiles of any species were found at that time of this survey.

**8.29** There are a number of water bodies in close proximity to the site which could possibly be suitable for Great Crested Newts. No survey can now be carried out until April 2014 to establish or discount the presence of this species on the site. Natural England has considered this issue and as the proposed development offers some degree of flexibility and there is adequate vegetation which if required could provide replacement habitat cover via natural landscaping have advised a condition be attached requiring the necessary survey work to be carried out.

**8.30** Locally designated sites (which include 'Local Wildlife Sites') make an important contribution to ecological networks and are overseen by Local Sites systems.

**8.31** Biodiversity enhancement in and around development was led by a local understanding of ecological networks and sought to include:

- habitat restoration, re-creation and expansion;
- improving links between existing sites;
- buffering of existing important sites;
- new biodiversity features within development; and
- securing appropriate management procedures for long term enhancement.

**8.32** An illustrative landscape plan has been submitted with the outline planning application, which sets out the approach to landscaping on the site. The redevelopment of the site is identified as offering an opportunity to enhance the landscaping on the site and this would form an integral part of the proposed scheme. The Design and Access Statement and illustrative landscaping material explain the landscaping strategy proposed. In summary, it is proposed that there will be three landscaping zones: Riverside, Campus core and Eco zone and these will reflect the different characteristics of the site. The Central Area Action Plan states development on the site to be complemented by the requirements to provide green links between Becketts Park the application site and Delapre Park. It also seeks the delivery of a continuous riverside path. The applicant's proposals would achieve these as part of their submission.

**8.33** It considered that a network of multi-functional green space can be created, which is capable of delivering a wide range of environmental and quality of life benefits for both the local community and wildlife. Sufficient green infrastructure would be designed into a development to make the proposal sustainable. This green

infrastructure would help to mitigate any significant harm to biodiversity. Key commitments have been made by the applicants to relating to the treatment of the Riverside, creation of an eco-zone as well as the use of green roofs. Various areas of new habitat would be created. Overall Natural England is supportive of the range of proposals in relation to biodiversity and green infrastructure information submitted as part of this application proposal.

**8.34** In summary significant harm to wildlife species and habitats has been minimised and mitigation is proposed where harm is unavoidable, through good design and the use of effective mitigation measures that can be secured by conditions. Information on biodiversity impacts and opportunities have been utilised to inform all stages of development design, particularly through the pre-application consultation process as well as the application itself. Significant pre-application discussions assistance was provided by Natural England, The Wildlife Trust and County Council's Natural Development Officer. Planning conditions would be appropriate in order to provide for monitoring, biodiversity management plans and further surveys where these are needed. Natural England recognises that the applicant's landscape and ecology advisors have embedded the principles of green infrastructure and ecology into a single entity to guide the development with finalised details being submitted for consideration at the reserved matters stage. Existing assets of ecological and landscape value would continue to be protected and enhanced.

### ***Transportation***

**8.35** Paragraph 32 of the National Planning Policy Framework (NPPF) seeks to achieve a balance of land uses and encourage multiple benefits from the use of land and also actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling and, in essence, states the aim of planning policies should be to encourage people to minimise journey lengths for employment, shopping, leisure, education and other activities. There is a requirement for planning authorities to be sensitive to existing circumstances and support appropriate development and economic growth. The NPPF goes on to state that development should only be prevented or refused on transport grounds *where the residual cumulative impacts of development are severe*.

**8.36** The need for the scale, scope and level of detail required within the Transport Assessment was established early in the development management process in order to positively influence the overall nature or the detailed design of the development.

**8.37** The key issues that were considered at the start of preparing the Transport Assessment included:

- the planning context of the development proposal;
- appropriate study parameters (i.e. area, scope and duration of study);
- assessment of public transport capacity, walking/ cycling capacity and road network capacity;
- road trip generation and trip distribution methodologies and/ or assumptions about the development proposal;
- measures to promote sustainable travel;
- safety implications of development; and
- mitigation measures (where applicable) – including scope and implementation strategy.

**8.38** The main points raised by the Highway Authority included the following:

- Parking accumulation study required

- Trip reduction justification for the relocation of the University
- Traffic flow clarifications
- Additional junction assessments

**8.39** Local planning authorities and developers are encouraged to consider the wider benefits of Travel Plans, Transport Assessments and Statements such as helping to promote the attractiveness of a district or site to new visitors and releasing land for development that would otherwise be taken up by required related parking.

**8.40** Transport Assessments should be proportionate to the size and scope of the proposed development to which they relate and build on existing information wherever possible; established at the earliest practicable possible stage of a development proposal; be tailored to particular local circumstances be brought forward through collaborative ongoing working between the local planning authority/ Transport Authority, transport operators, Rail Network Operators, Highways Agency where there may be implications for the strategic road network and other relevant bodies. Engaging communities and local businesses in Travel Plans, Transport Assessments and Statements are identified as being beneficial in positively supporting higher levels of walking and cycling (which in turn can encourage greater social inclusion, community cohesion and healthier communities). It is also important to give appropriate consideration to the cumulative impacts arising from other committed development (i.e. development that is consented or allocated where there is a reasonable degree of certainty will proceed within the next three years). The applicant has been asked to give consideration to other developments which have the potential to impact on the same sections of transport network including those with unimplemented planning approval.

**8.41** A Transport Assessment (TA) was initially included within the Environmental Statement that was submitted with the proposal. This was subsequently revised on the 5 December 2013, and a new document has been submitted. This amended document has been used for assessing the potential transport impacts of the proposed development and where appropriate proposes mitigation measures to promote sustainable development. Where that mitigation relates to matters that can be addressed by management measures, the mitigation has been used to inform the preparation of Travel Plans.

**8.42** It is envisaged the first students that would occupy the new campus in September 2018, therefore for the purpose of the TA this has been used as the opening year for the whole Waterside development including commercial and ancillary uses.

**8.43** The student and staff numbers for the proposed Waterside development are expected to remain consistent with the two existing campuses that it would replace. The numbers are summarised as follows: Student FTE Total – 8,165 (total of 9,665 minus the 1,620 residing on both Park and Avenue campuses); and the Staff FTE Total – 1,029. The Applicants Highway Consultants have envisaged that part-time staff and students are unlikely to access the site in peak periods, some part-time staff and students would not enter the site in both periods. It should also be noted that 1,500 students would reside within the Waterside Campus.

**8.44** With regard to car parking provision, government's policy on parking is set out in the National Planning Policy Framework. The existing Park and Avenue campuses have a total of 1,622 car parking spaces. The Avon / Nunn Mills site is proposing a total of 760 spaces dedicated for university use. It is proposed to make parking

available to staff only, and only students with disabilities or restricted mobility will be able to park on campus (it may be that student parking is allowed for certain evening lectures or evening classes, by arrangement). The Waterside car parking will be managed by the issue of parking permit/passes. It is also proposed that the tariff for staff parking will be set much higher than it is at present which is likely to encourage use of more sustainable forms of travel and car sharing. No formal parking is proposed for the ancillary uses to encourage sustainable travel and the integration of trips.

**8.45** The location of Waterside, adjacent to Northampton town centre, provides the university with a more sustainably connected site. The Waterside site is located within approximately 1.5km of both the train station and bus station which both provide opportunities for multi-modal travel. Whilst the University is served well by UoN buses and commercial buses, a town centre location is served by significantly more bus services. For example, staff/students that currently drive in the absence of a convenient bus service between their home and the university will be far more likely to use a bus that stops in the town centre and walk to the Waterside site.

**8.46** It is considered that a 'step change' in student travel patterns would be achieved via advertising to prospective students and the provision of viable sustainable alternatives as discussed above. It is considered that the nature of University operations easily enables this 'step change' to take place. The students enrolled at the University at the current time are not the students that would be at the University at the time of Waterside Campus opening in 2018. Therefore the University can influence change via its advertising and prospectuses. It can be made clear to students that they will not be able to park a car on campus before they join the University and, moreover, they will understand that they are joining a University within easy walking distance of the town centre (rather than the more remote existing locations), and with viable alternative modes of travel.

**8.47** The Northampton Car Parking Strategy prepared by the County Council has established that whilst there are pressure points within the town centre, generally there is an oversupply of car parking within the town centre. Given the existing parking excess identified in this Strategy by the County Council as the Highway Authority, there is little justification in seeking further parking provision. The applicants state that the proposed amount of parking would suffice for their needs. The CAAP advocates parking demand management measures to ensure that parking within the site is controlled and not abused. Conditions are recommended to secure a green travel plan, a parking management strategy, details of sight lines, vehicular access details and other measures to transportation related matters to ensure highway safety and that adequate parking provision has been secured. Appropriate conditions are recommended.

**8.48** Turning to local public transport provision, there are existing bus stops located on the edge of the site on Bedford Road and Cotton End/London Road. New bus stops within the site would be located at appropriate locations in order to maximise opportunity for safe and convenient access by pedestrians. The new stops would be sheltered and display timetable information. The provision and condition of existing bus stops will be evaluated for improvement. It is anticipated that the provision of the new stops would provide an incentive for existing commercial services to divert their buses through the site.

**8.49** Whilst it is recognised that 400m is the desired maximum walking distance to bus stops normally required by the Highway Authority, it is recognised that the Institution of Highways and Transport (IHT) Guidelines for Providing Journeys by

Foot (2000) advises that the acceptable walking distance for pedestrians for educational establishments is 1000m and preferred maximum of 2000m. On this basis, a common sense approach is advocated that assumes that students would walk distances greater than 400m. The Bedford Road bus stops to the north are approximately 300m from the edge of the site and the Cotton End/ London Road bus stop to the west is 400m from the site.

**8.50** The Highway Authority has considered the latest submitted technical highway information and raised no objection to the information that has been submitted subject conditions. The applicant proposes to develop and expand on the existing green travel plan to reduce the number of vehicle trips generated by the proposed development. Travel Plans are long-term management strategies. The primary purpose of a Travel Plan is to identify opportunities for the effective promotion and delivery of sustainable transport initiatives e.g. walking, cycling, public transport and tele-commuting, in connection with both proposed and existing developments and through this to reduce the demand for travel by less sustainable modes. Where there may be more effective or sustainable outcomes, and in order to mitigate the impact of the proposed development, consideration may be given to travel planning over a wider area.

**8.51** The TA concludes that it has been demonstrated that the Waterside development would not have a severe impact on transport in the area, therefore there is no transport or traffic reason why planning permission should be withheld. The applicant has an existing Green Travel Plan this would need to be updated and an appropriate condition to secure these details is recommended. This would continue to ensure that alternative measures to the private car are available for employees and students. In order to reduce the number of single occupancy car journeys, the key measures could include: the appointment of a travel coordinator; provision of an information pack giving details of public transport; limiting service deliveries including refuse collection to a minimum; promote car sharing, cycle / motor cycle usage and working in conjunction with the travel officers at the County Council.

**8.52** The draft Northampton Car Parking Strategy (2012) prepared by the Highway Authority established that whilst there are pressure points within the town centre, generally there is an oversupply of public car parking. Given the existing parking excess identified in this Strategy by the Highway Authority, there is little justification in seeking any additional on-site car parking provision to those proposed by the applicant. It is recognised that the availability of car parking does have a major influence on the means of transport people choose for their journeys. The Transportation Assessment concludes that the site is located within an area of good public transport accessibility, the development would not have a significantly adverse impact on the local highway network, and existing public parking facilities would be able to satisfactorily accommodate the proposed development.

**8.53** In November 2012, Network Rail was granted consent to delete the railway lines from the operational estate and to dispose of the land on the southern boundary of the site. The former railway line was subsequently acquired by the West Northamptonshire Development Corporation. This has provided an opportunity for this non-operational line to be delivered for sustainable transport options in accordance with CAAP Policy 8. The railway corridor sits adjacent to Ransome Road. It is a 23 hectare site allocated for residential purposes currently under the control of the Homes & Community Agency. Illustrative plans have been submitted which demonstrate how the two links can be effectively linked by cycle and pedestrian routes and a bus route to Ransome Road.

**8.54** The Highways Agency initially issued a holding objection and requested a financial contribution towards the development of the A45 corridor. The applicants responded by stating that the requested financial requested would undermine the scheme. A financial viability appraisal was submitted by the University and considered separately and assessed independently. Complex discussions and meetings took place with the Highway Agency, which has now accepted given the risks to the developments viability and its key regeneration role within the Northampton Enterprise Zone, pursuing a contribution towards the NGMS in this instance would not be appropriate. The Highway Agency has taken a pro-active stance so as not deter this important development from taking place.

### ***Flood Risk & Drainage***

**8.55** Policy 5 of the CAAP relates to flood risk and drainage highlights that parts of waterside are at risk of fluvial flooding. The overall aim policy aim of dealing with flood risk is to avoid inappropriate development in areas at risk of flooding. In areas at risk of flooding or for sites exceeding 1 hectare, developers are required to undertake a flood risk assessment. The general approach is designed to ensure that areas at little risk from flooding (Flood Zones 1) are developed in preference to areas at higher risk. In essence the aim should be to keep development out of medium and high flood risk areas (Flood Zones 2 & 3) where possible. A flood risk assessment has been submitted by the applicant to assess the flood risk to and from the site. This seeks to demonstrate how flood risk will be managed now and over the life time of the development, taking climate change into account and with regard to the vulnerability of its users. The objectives of the flood risk assessment are as follows:

- Whether the proposed development is likely to be affected by current or future flooding from any source;
- Whether it will increase flood risk elsewhere;
- Whether the measures proposed deal to deal with these effects and risks are appropriate;
- the evidence for the local planning authority to apply (if necessary) the Sequential Test, and;
- Whether the development will be safe and pass the Exception Test,

**8.56** The NPPF and the associated technical guidance require that all risks of flooding to and from the site are identified and their implications assessed. They encourage development to be located in areas of low flood risk and stress the importance of preventing increases in flooding risk off site to the wider catchment area. The Environment Agency has been involved in proactive detailed negotiations throughout the development of the proposal. Having assessed the latest information submitted by the applicant in November and having carried out a modelling exercise with the data supplied raise no objections to the principle of the surface water strategy and revised flood risk statement and are conditions recommended.

### ***Impact on Character, Design and Appearance***

**8.57** The NPPF seeks to ensure that developers provide attractive, usable, durable and adaptable places to live based on achieving and promoting sustainable goals and promotes high quality inclusive design in the layout of new development in terms of the quality of an area based on a sustainability approach. The submitted Heritage, Design and Access statement provides a reference to its surrounding context and demonstrates how the design has responded to the historic environment. Significant and complex discussions took place with the applicant's architects and the required

design standards are reflected in the submitted design and access statement.

**8.58** The proposals were required to have regard to the existing character of the locality urban grain, scale, massing, and materials of its surroundings and seek to make efficient use of land. In particular it was felt that there was an opportunity to:

- Minimise the detrimental impact on Beckett's Park
- Improve the environments for cycle and pedestrian access
- Enhance the landscape setting
- Improve the quality of the existing car park
- Improve the relationship with the Avon Cosmetics HQ
- Promote a design based on the principles of place making in addition to accommodating the necessary highway works and traffic movements. This in particular includes the 'gateway entrance' from the Bedford Rd and the southern edge of the site and relationship with Ransome Road.

**8.59** A key element of discussions with the applicants has been how to treat the highway works and its relationship in terms of the existing infrastructure particularly along the northern edge of the site from Bedford Road. The initial advice from the Highway Authority and the applicants was to promote a scheme dominated by a functional junction with traffic streams separated by unattractive ghost hatching and the remodelling of the Midsummer Meadows car park with an extremely standardised and functional layout and would have resulted in the loss of significant established trees on Bedford Road without any opportunity for appropriate mitigation. The applicant and the Highway Authority were encouraged to abandon this approach and take a bolder and responsive place led approach. The importance of this interface with Bedford Road has been recognised by the Highway Authority and they are willing to support the use of much higher quality materials in terms of the design street furniture, street lighting columns, traffic control signals, signage and road and pedestrian surfacing materials. Non-standard highways furniture/materials/signage is being therefore advocated. The new vehicular bridge over the River Nene serving the vehicular access from Bedford Road is to be of a single span after a number of alternative design solutions were considered and rejected. The agreed approach has been for an elegant design that would respect the riverside context and not compete with the quality of both existing and future buildings. The vehicular bridge from Bedford Road is considered to be of a simple design, a condition is recommended to encourage it to be appropriately illuminated not only form to a design feature but to minimise the use of intrusive street lighting. Further details of materials particularly the upper elements of the bridge including the parapet would be required. The soffit of the Bridge over the River Nene would have a minimum head clearance height of 3 metres above the normal retention level to meet with the Environment Agencies comments.

**8.60** In line with guidance relating to outline planning applications, the applicant has submitted parameter plans which indicate the siting, layout and the various land uses proposed. The parameter plans indicate the upper and lower limits for the heights for each building proposed on the site. The key University buildings and commercial offices sited to maximise the River Nene frontage would be designed to be up to five storeys with a maximum ridge height of 82m AOD. The proposed student accommodation would vary between 3 and 5 storeys with a maximum ridge height of 69m and 75m AOD. Consideration has been given to ensure adequate separation can be provided on the western perimeter between the existing residential accommodation off New South Bridge Road and the University to prevent loss of outlook, privacy and light. The multi storey car park on the eastern boundary could be



constructed to four storeys with a maximum ridge height of 72m AOD. These heights are considered to be acceptable and in line to the precedent set by the existing Avon Head Offices and as set out in the CAAP. No objections are raised.

**8.61** It should be noted that as part of the proposed works up to 25 trees could be removed from Bedford Rd and Midsummer Meadow to facilitate these works, NBC's Arboriculturalist has considered this aspect and has raised no objections. The applicant's proposals involve providing up to 100 replacement trees as part of the overall landscape management plan. The proposal would include seeking to extend the existing formal tree lined character of Beckett's Park along the Bedford Road Corridor, further leading to the creation of an enhanced attractive gateway.

**8.62** Beckett's Park would continue to perform a role as a formal town centre park. The proposals would significantly improve access and connectivity into and out Nene Meadows and protect and enhance the natural environment. As part of the illustrative masterplan for the Waterside site, the potential route would be safeguarded. The vehicular/pedestrian links to Ransome Road through the site towards Delapre are also provided for in line with the CAAP, however they would not be delivered directly as a result of this application. The importance and significance of ensuring that the Bedford Road gateway is of high quality has been recognised.

**8.63** Along the southern boundary of the site is the non-operational railway line which has been identified within the CAAP for sustainable transport measures in the form of public transport, walking and cycling. Policy 8 specifically refers to the need to safeguard the former railway corridor within the site as a future public transport/cycle/walking route. The decommissioning of the former railway line has allowed for future links between the application site and Ransome Road to be linked by potential pedestrian/cycle links and a bus route if required. The applicant has provided a layout plan demonstrating that links can be provided in the future when funding is made available.

**8.64** The Central Area Action Plan and Central Government guidance attach great importance to design. Good design is viewed as indivisible from good planning and should contribute positively to making places for people. It is considered very important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and the wider area. A robust process of design-led thinking has been demonstrated by the applicant that underpins the proposals to secure an inclusive high quality scheme by adding to the overall quality of the area and setting new standards for Northampton.

**8.65** The proposals demonstrate that a strong sense of place could be created, using streetscapes and the future buildings would create an environment that would be visually attractive as a result good architecture and appropriate landscaping and provide a comfortable place to study, work, live and visit. This outline application would optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses and incorporate green and other public space and support local facilities and transport networks. This in turn would lead to high standards of design being achieved at the reserved matters stage, which would be reflected in the public realm/landscaping works; the design of the individual buildings; recognition of the important heritage context of the site and its setting adjacent to the registered Battlefield Site of Northampton and the significance of the biodiversity of its surroundings.

***Secured by Design***

**8.66** The NPPF states planning authorities should plan positively for the provision and use of shared space and community facilities and planning decisions in turn, should aim to achieve places which promote opportunities for safe and accessible environments where crime and disorder, and the fear of crime, do not undermine the locality. The Police Crime Prevention Adviser has been proactively involved in the pre-application discussions and negotiations for this important planning application and the advice given has been accepted by the applicant to improve security measures, further changes would be required to reflect the guidance. The route through Beckett's Park leading to the new pedestrian footbridge would require external lighting and need to be covered by CCTV. An appropriate condition is recommended which has been agreed in principle and the University has confirmed their commitment to continue their dialogue with the Police as the design develops at the reserved matters stage.

### ***Sustainability***

**8.67** The energy centre would provide heat to all the University and student accommodation blocks on the site. The intention would be to provide adequate space in the energy centre to increase the capacity of thermal plant, such that the heat network can be extended to provide heat to any commercial space or future university expansion that may be developed on the site. Each plot will extract heat from the network via a heat exchange unit. Individual buildings will not require local boiler plant.

**8.68** The lead energy strategy option presented in the Energy Statement is for a self-sufficient energy system for the Waterside Campus, with adequate thermal capacity installed on-site to meet the heat demands of the University buildings (and potential expansion to meet further University and commercial / leisure development). The Energy Statement explains that the proposed energy strategy could fit into a wider network for the Enterprise Zone, should such a proposal come forward. The project is designed to reduce demand for energy to a minimum and an Energy Statement has been produced and accompanies the planning application documentation. The energy strategy is based on centralised gas-fired combined heat and power (CHP) plant and a site-wide at network.

### ***Contamination, Noise and Air Quality***

**8.69** NBC Environmental Health Officers have advised that there are no prevailing factors to prevent the development of the site. Conditions are recommended to assist to deal with potential contamination and noise matters. Comments are made that the height of flue stack associated with the CHP may require further scrutiny.

**8.70** On air quality matters, action to manage and improve air quality is largely driven by EU legislation. The 2008 Ambient Air Quality Directive sets legally binding limits for concentrations in outdoor air of major air pollutants that impact public health. As well as having direct effects, these pollutants can combine in the atmosphere to form ozone, a harmful air pollutant (and potent greenhouse gas) which can be transported great distances by weather systems. It is important that the potential impact of new development on air quality is taken into account in planning decisions. It should be noted that air quality can also affect biodiversity and may therefore impact obligations under the Habitats Directive. The NPPF requires planning policies to sustain compliance with EU limits or national objectives for pollutants and to take into account the presence of Air Quality Management Areas. Victoria Rd AQMA is located nearest to the application site. The relevant section of the air quality chapter within the Environmental Statement addresses this issue and concludes no cumulative air

quality impacts are expected to arise between the construction and operational phases of the development. The operational air quality impacts of the development would be minimised by implementation of a Travel Plan which seeks to reduce car parking for the University; encouraging public transport uses; encouraging car parking promoting sustainable travel. I consider the conclusions reached on air quality to be satisfactory and no further action would be necessary.

### ***Impact on the Economy***

**8.71** The site is within the designated Waterside Enterprise Zone and new jobs are expected to be created. The influx of additional visitors into the town would also have a positive benefit on the local economy and would reinforce the cultural offer of the town centre. Additionally the applicants are negotiating separately with social training agencies to provide training opportunities at all levels for young people. The University is committed to this.

### ***Other Issues***

**8.72** The financial contributions requested by the County Council towards fire infrastructure are noted but in this instance are not considered appropriate due to financial viability of the proposal. The applicant has submitted a viability assessment which highlights that any additional financial demands could jeopardise the development and render it unviable. It should also be noted that the proposal replaces the Universities existing facilities.

## **9.0 CONCLUSION**

**9.1** Overall, as an exercise of judgement, taking the development plan policies as a whole, and having given careful consideration to the application and supporting revised information, the consultation responses and other material considerations referred to above, it is reasonable to conclude that the proposed development is acceptable on and should be permitted subject to safeguarding conditions and a financial contribution to sustainable transport package measures.

## **10.0. CONDITIONS**

1. Approval of the details of the appearance, layout, scale and landscaping of the site (hereinafter called the reserved matters) shall be obtained from the Local Planning Authority before any development begins and the development shall be carried as approved.

**Reason:** This permission is in outline form only granted under Article 4 (1) of the Town and Country Planning Development Management Procedure) Order 2010.

2. Applications for approval of any of the reserved matters, relating to appearance, layout, scale and landscaping of the site shall be submitted to the Local Planning Authority before the expiration of five years from the date of this permission.
3. If the submission of reserved matters is to be phased, a phasing plan defining the area for each reserved matters application shall be submitted alongside the first reserved matters application. Further reserved matters applications shall be made in accordance with this phasing plan.

4. The development hereby permitted shall be begun either before the expiration of seven years from the date of this permission, or if later, before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

**Reason 2, 3 & 4:** This application is an outline submission only and to comply with Section 92 of the Town and Country Planning Act 1990.

5. The development shall be carried out in accordance with the following approved plans: 0116-Z(00) 000 A ; Z(01)000 A ; 0116-Z(01)001; (01)001 A ; Z(01)002 A ; 5695 201 F 5695 203 E; 0016-Z(00)002 Rev A; 0116-Z(00)003; 203239-DWG-00201 B; 203239-DWG-SK06 G ; 203239-SK30 B ; 2 203239-G02 G;2 203239-G03 G and G1H015-C-DWG-00200 01.

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

6. Prior to the commencement of the development hereby permitted, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. Development shall than be carried out in accordance with the approved CEMP. The CEMP shall include, though not necessarily be restricted to the following details:

- a) A Traffic Management Plan incorporating the routing of construction traffic and details of heavy vehicle movement patterns (including earliest and latest times and suspension of trips during local peak traffic times along Victoria Promenade/Bedford Road/ Nunn Mills Road/New South Bridge Road;
- b) Measures to avoid disturbance to bats, other wildlife and nesting birds;
- c) Measures to minimise and control noise, vibration, dust and fumes during site preparation works and construction, including vehicle reversing alarms;
- d) Details of the siting of all vehicles of site operatives and visitors;
- e) The unloading and loading arrangements for heavy plant and machinery;
- f) Details of the design, appearance, erection and maintenance of security hoardings to include informative displays and thereafter implemented and maintained;
- g) The location, extent and duration of any temporary stockpiling areas;
- h) Measures to prevent mud being deposited on the surrounding highway;
- j) A programme of implementation for items (a) – (h) above.

7. No construction activities shall take place outside the hours of 08:30 to 18:30 Mondays to Saturdays and outside the hours of 09:00 and 14:00 hours. on Sundays/Bank Holidays

**Reasons 6 & 7:** To minimise the impact of the development during the construction phase in accordance Policy 1 of the Central Area Action Plan and with the National Planning Policy Framework.

8. Prior to the commencement of any works on site, a desktop study in respect of possible contaminants within the site is completed and the need for a site investigation is determined. The scope and methodology of the desk top study and the site investigation report shall be submitted to and approved in writing by the Local Planning Authority.

**Reason:** To ensure that any unforeseen contamination encountered during development is dealt with in an appropriate manner and in accordance with objectives of the National Planning Policy Framework.

9. Any site investigation found to be required under Contaminated Land Condition 8 shall be carried out and the results shall be used to produce a method statement for any remedial works (and a phasing programme), which shall be submitted to and approved in writing by the Local Planning Authority.

**Reason:** To ensure that any unforeseen contamination encountered during development is dealt with in an appropriate manner and in accordance with the objectives of the National Planning Policy Framework.

10. All remedial works found to be required under Contaminated Land Condition 9 shall be fully implemented in accordance with the approved method statement and phasing programme. Confirmation of the full implementation of the scheme and validation report(s) shall be submitted to the Local Planning Authority within 2 weeks of completion (or within 2 weeks of completion of each respective phase).

**Reason:** To ensure that any unforeseen contamination encountered during development is dealt with in an appropriate manner and in accordance with objectives of the National Planning Policy Framework.

11. 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 8 and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Contaminated Land Condition 9, 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, which is subject to the approval in writing of the Local Planning Authority in accordance with Contaminated Land Condition 10.

**Reason:** To ensure that any unforeseen contamination encountered during development is dealt with in an appropriate manner and in accordance with objectives of the National Planning Policy Framework.

12. In relation to the proposed buildings adjacent to or affecting the setting of listed building (former locomotive shed and associated buildings within its curtilage), the Reserved Matters applications shall be supported by the following details:
  - a) Precise siting of the buildings where limits of deviation are indicated on the Parameter Plans;
  - b) All elevations within the adjacent to or affecting the listed building and curtilage buildings;
  - c) Roof treatments;
  - d) All external plant & equipment;
  - e) All public realm works associated with the proposed buildings and structures;
  - f) Information that demonstrates how the proposed design and appearance relates to the listed locomotive shed and affecting its setting.

**Reason:** In order to safeguard the special architectural and historic interest of the building and to ensure details accord with the assessment in the Environmental Statement and in accordance Policy 1 of the Central Area Action Plan and accord with the objectives of the National Planning Policy Framework.

13. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) CH2MHILL Halcrow GIH015-RPT-039 Version 002 dated October 2013 and its Addenda CH2MHILL Halcrow's letter dated 26 November 2013 and email of 29 November 2013 and the following mitigation measures detailed within the FRA:

- Land raising of ground levels adjacent to the River Nene flood defences to be above the 0.1% (1 in 1000) plus climate change modelled flood levels. Land raising to be completed in accordance with Appendix E cross-sections (set out in the FRA).
- Provision of a minimum of 5m maintenance easement adjacent to the River Nene and Hardingstone Dyke.
- The mitigation measures shall be fully implemented prior to occupation of the development hereby permitted and in accordance with the timing / phasing arrangements embodied within the development, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

**Reason:** To reduce the risk of flooding to the proposed development and future occupants and in accordance with objectives of the National Planning Policy Framework.

14. A surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is completed. The scheme shall also include:

- Full detailed surface water calculations to ensure adequate surface water drainage facilities on site including all events up to and including 0.5% (1 in 200) plus climate change.
- If the outfall of the attenuation facility is likely to be submerged in 0.5% (1 in 200) rainfall event then within 24 hours of top water level being attained in a 0.5% (1 in 200) probability flood event the regulation facility must be capable of storing 80% of the additional run-off arising from a 10% (1 in 10) probability flood.
- SUDs features on site to be in accordance with Table 12.1 of the Northampton Level 2 Strategic Flood Risk Assessment (SFRA). (CH2MHILL Halcrow Letter email 29 November 2013 states permeable paving with underground tanks as additional storage will be provided in line with Table 12.1).
- An assessment of overland flood flows.
- Details of how the scheme shall be maintained and managed after completion for the lifetime of the development.

**Reason:** To prevent the increased risk of flooding, both on and off site and in accordance with objectives of the National Planning Policy Framework.

15. Within six months of the commencement of development hereby permitted, a scheme for Hardingstone Dyke improvements shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the removal of culverts and channel improvements for Water Framework Directive (WFD) enhancements. Provision for maintenance access shall be factored into the design. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme.

**Reason:** To reduce the risk of flooding to the proposed development and to meet the requirements of the Water Framework Directive and enhance the natural environment and in accordance with objectives of the National Planning Policy Framework.

16. Prior to the commencement of development of each of the bridges proposed, full details for the new Avon Nunn Mills road bridge and the new footbridge and cycleway shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be clear span with soffit levels above the 0.1% (1 in 1000) with climate change allowance flood level and at least 3m above normal water level to meet navigation requirements. The approved scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme.

**Reason:** To reduce the risk of flooding to the proposed development and future users and in accordance with objectives of the National Planning Policy Framework.

17. No infiltration of surface water drainage into the ground at the site shall be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

**Reason:** To prevent the contaminant migration, to improve surface water drainage and protect water quality to ensure future maintenance in accordance with Policy 5 of the Central Area Action Plan and in accordance with objectives of the National Planning Policy Framework.

18. Before the development hereby permitted is occupied, a scheme shall be submitted to and approved in writing by the Local Planning Authority, which specifies details of the extract ventilation, flue stacks and odour control equipment, the sources of noise on the site, whether from fixed plant, external ducting or other equipment or noise generated within any building, and the provisions to be made for its control. The approved schemes shall be implemented prior to the uses hereby approved commencing.

**Reason:** In the interests of design and amenity protection and to accord with Policy 1 of the Central Action Plan and National Planning Policy Framework.

19. The proposed University buildings hereby permitted shall not be occupied until a parking management strategy (including a scheme for the management of the parking spaces for people with disabilities) has been submitted to and approved in writing by the Local Planning Authority. The car

parking areas shall thereafter only be operated in accordance with that approved strategy and shall be maintained thereafter for the parking of vehicles for staff and visitors.

20. The proposed commercial office use hereby permitted shall not be occupied until a parking management strategy for the multi storey car park (including a scheme for the management of the parking spaces for people with disabilities) has been submitted to and approved in writing by the Local Planning Authority. The car parking areas shall thereafter only be operated in accordance with that approved strategy and shall be maintained thereafter for the parking of vehicles for staff and visitors.

**Reasons 19 & 20:** To ensure that adequate parking facilities and satisfactory provision of facilities and access for people with mobility and sensory disabilities are provided in accordance with and to accord with Policies 1 & 10 of the Central Area Action Plan and National Planning Policy Framework.

21. Before the development hereby permitted is occupied, full details of the design, size and location of entry only and exit only signs at the vehicular entrance and exit points shall be submitted to and approved in writing by the Local Planning Authority. The approved signs shall be erected before the development hereby permitted is brought into use and thereafter retained.

**Reason:** To ensure that vehicles only access and egress the site through the designated entrances in the interests of highway and pedestrian safety in accordance with Policies 1 and 10 of the Central Area Action Plan and National Planning Policy Framework.

22. No development comprising the erection of any buildings shall take place until details of finished site and ground floor levels in relation to the existing site levels, adjoining land and buildings have been submitted to and approved in writing by the Local Planning Authority. The details shall include the proposed grading and mounding of land areas, cross sections through the site and relationship with the adjoining landform and buildings. The development shall be implemented in accordance with the approved details.

**Reason:** In order to secure the satisfactory development of the application site in accordance with Policy 1 of the Central Area Action Plan and National Planning Policy Framework.

23. The development hereby permitted shall not be occupied until a detailed Travel Plan has been submitted to and approved in writing by the Local Planning Authority in connection with the operation of the commercial operators. This should include clear objectives to influence and encourage reduced dependency on the private car by and for continuing support for staff use of alternative means of transport. Such proposals shall be agreed in writing by the Local Planning Authority and thereafter implemented.

**Reason:** In order to achieve a more sustainable development in accordance with in accordance with Policy 1 and 10 of the Central Area Action Plan and National Planning Policy Framework.

24. No development shall take place within the area indicated within Figure 1 of the Revised Archaeology Strategy, Cotswold Archaeology (Dec 2013) until the applicant, or their agents or successors in title, has secured the



implementation of a programme of archaeological work in accordance with the Revised Archaeological Strategy produced by Cotswold Archaeology (including enhancement and the long term management of the pillboxes) has been submitted to and approved in writing by the Local Planning Authority.

25. Prior to the occupation of the University buildings a scheme for the provision of up to ten archaeological and wildlife interpretation panels including the details of siting, content, appearance, design and size has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

**Reasons 24 & 25:** To allow investigations to be made and ensure that features of archaeological interest are properly examined and recorded, and the site is of significant Archaeological and Biodiversity interest and visitors need to be made aware of this and in accordance with objectives of the National Planning Policy Framework.

26. Prior to the development hereby permitted being brought into use, a scheme for the provision of a network of closed circuit television cameras, including the proposed location of the cameras (and also specifically covering the route on Beckett's Park towards the new pedestrian/cycle bridge), details of mounting columns, direction, proposals for the use and management of the system for its installation has been submitted to and approved in writing by the Local Planning Authority. The CCTV system shall be installed in accordance with the approved details prior to the development hereby permitted being brought into use and shall thereafter be maintained.

**Reason:** To provide an opportunity for crime deterrence and in the interests of the uncluttered appearance and to protect the privacy of nearby residential occupiers and accord with Policy 1 of the Central Area Action Plan of the Northampton Local Plan and in accordance with objectives of the National Planning Policy Framework.

27. The recommendations set out in the submitted Travel Plan in connection with the proposed University Campus hereby approved shall be implemented in accordance with a timetable to be submitted to and agreed in writing by the Local Planning Authority. The approved details shall be implemented in full and shall thereafter be maintained. Furthermore, Periodic Monitoring Reports (PMRs) shall be submitted to and approved in writing by Local Planning Authority after 6, 12, 24, 45 and 60 months of the date when the University and the commercial office developments hereby permitted are each first brought into use. The PMRs shall report, though not necessarily be restricted to the effectiveness of the following:
- a) The measures described in the agreed Travel Plan;
  - b) The measures taken to manage any off site car parking issues as a result of the operation of the University related development;
  - c) The measures taken to manage any off site car parking issues as a result of the operation of the Commercial offices when they become operational;
  - d) Low emission public transport and/or refuelling infrastructure
  - e) Provision of EV recharging
  - f) Measures to encourage occupiers to purchase motor vehicles that meet low emission standards;
  - g) Cycle infrastructure and secure cycle storage

Where necessary the PMRs shall propose mitigation measures to promote offsite parking, including if considered appropriate securing reasonable alternative parking provision together with an implementation timetable. This should include and have particular regard to any adverse implications arising from the operation of the commercial office development.

**Reason:** In the interests of highway safety and convenience and the safe functioning of the site and to continue to promote travel by modes other than by the private car, in the interests of sustainability and in accordance with objectives of the National Planning Policy Framework.

28. The reserved matter submission for 'Appearance' shall include details showing the external built form of the development, its architecture, materials, decoration, lighting, colour and texture. Development shall be carried out in accordance with the approved details.

The reserved matters submission shall include the following:

- a) Design of the pedestrian/cycle foot bridge (including lighting) from Beckett's Park;
- b) Design of the vehicular access bridge (including lighting) from Bedford Road;
- c) Design of the highway works along to Bedford Road and to the Midsummer Meadow car park;
- d) External finishes to all new buildings and sporting facilities & hall and pedestrian/public realm works/circulation areas;
- e) Street furniture including cycle storage, signage and seating areas;
- f) The positioning, height, design brightness, direction and control of all external lighting (including floodlights for the sports pitch);
- g) Enhancements of the cycle and pedestrian routes of Nunn Mills Road

**Reason:** To ensure a satisfactory appearance, minimising light pollution and to accord with Policy 1 of the Central Area Action Plan and accord with the aims of the National Planning Policy Framework.

29. The reserved matter submission for 'Landscaping' shall include a landscaping strategy incorporating the details indicated on drawing No. 5695.001 and include the following:

- a) The planting of up to a 100 semi mature trees within the application site outlined in red;
- b) Landscaping of the boundaries of the application site , including the car parking area, drop off area, vehicle and pedestrian access areas, circulation areas and external courtyard areas;
- c) Fully annotated planting plans showing locations of individually planted trees, shrubs and hedges and areas of grass. Within ornamental planted areas plans should be sufficiently detailed to show locations of different single species groups in relation to one another, and the location of any individual specimen shrubs. Other information shall include planting schedules, noting species, plant sizes and proposed numbers/densities, methods of cultivation and details of the proposed planting implementation programme.
- d) The types, heights and colour of all fencing;
- e) A scheme for biodiversity enhancement at the site which shall include but not necessary be restricted to the creation of habitats for amphibians, other

- wildlife and bats and include details of the number, design location of bird nesting boxes/bat boxes/tubes;
- f) The heritage, archaeological, and historical significance of the site shall be reflected in the landscaping proposals (including hard landscaping);
  - g) The landscaping of the public realm shall be accompanied by an urban design report which explains the underlying approach of the design and explain how it addresses each of the design principles set out with the Design and Access Statement;
  - h) The reuse where practical of materials salvaged and recycled from the former power station into the development;
  - i) Demonstrate where applicable the provision and application of green/brown roofs to each of the proposed buildings;
  - j) The landscape works shall include the details of the highway works to Bedford Road and to the Midsummer Meadow carpark;
  - k) The Landscape management and maintenance, which shall amongst other things shall provide for a replacement tree of the same species and size as that originally planted for any tree which, within a period of three years from its date of planting is removed, uprooted or destroyed or dies or becomes in the opinion of the Local Planning Authority to be seriously defective or damaged.

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

30. The landscaping details approved in Condition 29 above shall be implemented in full no later than the end of the first available planting season after each phase of the development hereby permitted is bought into used.

**Reasons 29 & 30:** In the interests of visual amenity to provide for biodiversity enhancement and archaeological interest and accord with Policy 1 of the Central Area Action Plan and accord with the aims of the National Planning Policy Framework.

31. The reserved matter submission for 'Layout' shall demonstrate the way in which the buildings, routes, playing fields/tennis courts/sports hall and open spaces, servicing within the application site shall be provided, situated and orientated in relation to each other and to buildings, floorplans and spaces outside the site and how the heritage significance of the site has been incorporated into the development. Development shall be carried out in accordance with the approved details.

**Reason:** To secure the satisfactory of the proposed development and in archaeological interest and to accord with Policy 1 of the Central Area Action Plan and accord with the aims of the National Planning Policy Framework.

32. The reserved matter submission for 'Scale' shall include details showing the height, width and length of each building and structure proposed within the development in relationship to its surroundings which shall fall within the illustrative parameters plan shown on drawing No. 0116-Z(01)001 and demonstrate how the heritage significance of the site has been incorporated into the development. Development shall be carried out in accordance with the approved details.

**Reason:** To secure the satisfactory of the proposed development and in archaeological interest and to accord with Policy 1 of the central Area Action Plan and accord with the aims of the National Planning Policy Framework.

33. Relevant applications for the approval of Reserved Matters shall be accompanied by details of:
- a) The construction timetable for those developments for which approval is sought;
  - b) How that construction timetable relates to the overall sequence of the development hereby permitted.

**Reason:** To ensure a comprehensive and sustainable development and to accord with Policy 1 of the central Area Action Plan and accord with the aims of the National Planning Policy Framework.

***Informatives:***

1. Under the terms of the Water Resources Act 1991, and the Anglian land drainage byelaw, prior written consent of the Environment Agency is required for any proposed works or structures, in, under, over or within 9 metres of the top of the bank or landward toe of a flood defence of the River Nene or Hardingstone designated as 'main rivers'.
2. Development hereby permitted shall not commence until all necessary highway consents, licenses, permits, footpath diversions or agreements have been completed or obtained in respect of such measures. The development shall not be occupied until all such measures have been completed in accordance with the approved details.
3. The Phase 2 Interpretive Report by Halcrow states that a total of three rounds of groundwater monitoring have been undertaken at the site to date, with four rounds of monitoring in total proposed. No groundwater monitoring results have been discussed in this report. Once the groundwater monitoring results have been interpreted, the Phase 2 report should be updated accordingly. A robust conceptual site model should be provided in order to fully assess the potential risks to controlled waters (i.e the secondary A aquifer below the site and adjacent River Nene and other surface waters). The report also recommends that further investigation is required in order to establish the source and extent of the localised hydrocarbon contamination encountered in soils at the site. Should significant contamination be encountered in groundwater below the site, further assessment may be required, which may include additional intrusive investigation and/or remediation. Any further work at the site should follow the risk management framework provided in CLR11 - Model Procedures for the Management of Land Contamination. The developer should also refer to the Environment Agency 'Guiding Principles for Land Contamination', for the type of information that we require to assess the risks to controlled waters.

**10. LEGAL IMPLICATIONS**

10.1 The Head of Asset Management is in negotiations with the University of Northampton property advisors to secure the principle of dedication of land under the Borough Council's ownership to allow for the highway related improvements to Bedford Road and to facilitate the new road access.

## **11. SUMMARY AND LINKS TO CORPORATE PLAN**

11.1 In reaching the attached recommendations regard has been given to securing the objectives, visions and priorities outlined in the Corporate Plan together with those of associated Frameworks and Strategies.



Name: Planning  
Date: 4th December 2013  
Scale: NTS  
Dept: Planning  
Project: Committee

Title

## Land for redevelopment, Nunn Mills Road

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**PLANNING COMMITTEE:** 17<sup>th</sup> December 2013  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**HEAD OF PLANNING:** Susan Bridge

**N/2013/1047:** Erection of detached bungalow (revision of previously approved application N/2009/0824) on land adjacent to 15 Whitehills Crescent

**WARD:** Spring Park

**APPLICANT:** Mr R. Cole

**REFERRED BY:** Cllr. J. Yates  
**REASON:** Concerned regarding the scale of the development and impacts on privacy

**DEPARTURE:** No

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## **APPLICATION FOR DETERMINATION:**

### **1. RECOMMENDATION**

#### **1.1 REFUSAL** for the following reason:

Due to its position and design, the proposed rear dormer window would lead to a negative impact upon the privacy of neighbouring properties, adversely affecting residential amenity. The proposal therefore fails to comply with the requirements of the National Planning Policy Framework and Local Plan Policies E20 and H6.

### **2. THE PROPOSAL**

- 2.1 The applicant seeks permission to retain a dormer bungalow, which includes two projecting gables to the front and back, two on-site car parking spaces with access from a private access way leading to Whitehills Way.
- 2.2 Planning permission N/2009/0824 has previously been granted for the erection of a bungalow on the site. Whilst construction works have commenced, it has become apparent that the building works are not in

accordance with the approved details. As a consequence of this, the developer has submitted this application to regularise the situation.

### **3. SITE DESCRIPTION**

3.1 The application site comprises a former area of wasteland that is located to the rear of the residential properties on Central Avenue, Sandhills Road and Whitehills Way. In addition there are various commercial and residential properties located within Whitehills Crescent, to the east of the site. A bungalow has previously been constructed on the adjacent land.

3.2 The application site is broadly level and is situated at a lower level than the residential properties at 4-14 Whitehills Way to the north. The rear boundary of the gardens of these properties abuts the application site. The site is accessed via a private service road that runs between Whitehills Road and Sandhills Road.

### **4. PLANNING HISTORY**

4.1 An initial outline application to erect a dwelling on this site was refused planning permission in 2008 (reference: N/2007/1579). The reasons for this were that the building would represent an incongruous form of development and would intensify the use of a private service road. The proposal was subsequently revised and resubmitted in 2009 (reference: N/2009/0824). This application was approved and included a condition removing permitted development rights for future extensions and additional windows to the side and rear elevations in order to prevent overdevelopment of the site and to maintain the privacy of existing properties.

### **5. PLANNING POLICY**

#### **5.1 Development Plan**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise.

#### **5.2 National Policies**

Paragraph 17 of the National Planning Policy Framework (NPPF) states that previously developed sites should be effectively reused, whilst ensuring that new developments are well designed that secure a good standard of amenity for the residents of the development and those that occupy existing properties.

#### **5.3 Northampton Local Plan**

E20 – New development



E40 – Crime and anti-social behaviour  
H6 – Residential development

#### 5.4 **Supplementary Planning Guidance**

Parking  
Planning out Crime

### 6. **CONSULTATIONS / REPRESENTATIONS**

#### 6.1 **Environmental Health** – No objections

6.2 **Cllr. J. Yates** – Requests that the application be determined by the Planning Committee due to the development having an adverse impact on the privacy levels of surrounding residents and that the size and height of the kitchen extension having an adverse impact upon neighbour amenity arising from an overdevelopment of the site. The proposal does not address the private service road issues or provide any contributions towards street lighting.

6.3 Objections from the occupiers of **15 and 17 Sandhills Road** and **6, 8, 10 and 12 Whitehills Way**. Comments can be summarised as:

- The proposal will lead to a loss of privacy.
- The increase in roof height creates an overbearing feature that would be detrimental to residential amenity.
- The development differs from that which previously gained planning permission.
- Usage of the substandard private service road would be increased by the development to the detriment of highway and pedestrian safety

6.4 Letters of support received from **7, 9, 10, 11, 12 and 14 Whitehills Way** including one letter without address stating that the development does not affect privacy levels, is visually acceptable and a good use of the land. The development has made the area more secure.

### 7. **APPRAISAL**

7.1 As there is an existing planning permission for a dwelling on this site, the principle of residential development is therefore considered acceptable. However, the proposed dwelling for this application is of a different design to that previously approved, it is important to assess the impact of this new development in the local context.

7.2 The most significant variations are that there has been an increase in dimensions of the rear projecting gable (increase by 2m in length and 0.9m in height), and the insertion of a dormer window within the rear roof slope. There is an increase in the height of the building and the front projecting gable by approximately 0.12m and 0.24m respectively. There is also a change to the general fenestration details.

- 7.3 The dormer window is situated in close proximity to the northern boundary of the site. As a consequence of this, combined with its size and window opening, it is considered that there would be a significant loss of privacy to the occupiers of the neighbouring properties to the north (situated within Whitehills Way). The areas most affected by this overlooking would be rear gardens, which are areas where existing residents could reasonably expect a greater degree of privacy. It is considered that the proposed development fails to comply with the requirements of Local Plan Policy E20, which requires that new developments to be designed and located in such a manner to ensure adequate levels of privacy.
- 7.4 Although the dwelling has a bigger rear projection than the previous approval and the height of the building has increased marginally, it is not considered that these would lead to an adverse impact upon visual amenity or the amenities of surrounding properties in terms of loss of light, outlook and privacy because of the separation distances between this element of the building and the site's boundaries. It is noted that this element of the development would reduce the garden area available to future occupiers; however, the development would retain a rear garden space of approximately 130m<sup>2</sup>, which is considered sufficient to meet the likely needs of the occupiers of a three bedroom dwelling as required by the NPPF and Local Plan Policy H6.
- 7.5 Representations received including comments upon the suitability of the use of the service road to access the site and the fact that it is currently unlit. Whilst these points should be noted, it is considered that they can be given relatively little weight given that a previous planning permission exists to develop this site for a bungalow.
- 7.6 The proposal includes the provision of two off street car parking spaces, which is sufficient to meet the needs of the development.

## **8. CONCLUSION**

- 8.1 Whilst the principle of developing this site for residential accommodation is acceptable, it is considered that the rear dormer window leads to an unacceptable loss of privacy to the gardens of the surrounding properties, which is contrary to national and local planning policies.

## **10. BACKGROUND PAPERS**

- 10.1 N/2007/1579, N/2009/0824 and N/2013/1047

## **11. LEGAL IMPLICATIONS**

- 11.1 None.

## **12. SUMMARY AND LINKS TO CORPORATE PLAN**

12.1 In reaching the attached recommendations regard has been given to securing the objectives, visions and priorities outlined in the Corporate Plan together with those of associated Frameworks and Strategies.



Name: Planning  
 Date: 3rd December 2013  
 Scale: 1:1250  
 Dept: Planning  
 Project: Committee

Title

### Building plot adjacent to 15 Whitehill Crescent

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**PLANNING COMMITTEE:** 17<sup>th</sup> December 2013  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**HEAD OF PLANNING:** Susan Bridge

**N/2013/1142:** Change of use of first and second floors from offices to residential including 4no. one bedroom flats and 2no. two bedroom flats. Erection of extension to rear and replacement of windows at 49-53 Abington Street

**WARD:** Castle

**APPLICANT:** Steinberger Developments Ltd  
**AGENT:** Mr R. Grant; Grant and Associates Ltd

**REFERRED BY:** Cllr. D. Stone  
**REASON:** Concerned regarding the impact on the surrounding area due to the scale of development, pressure on services and noise

**DEPARTURE:** No

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## **APPLICATION FOR DETERMINATION:**

### **1. RECOMMENDATION**

#### **1.1 APPROVAL** subject to conditions and for the following reason:

The proposed development would represent the satisfactory reuse of vacant units, would support the viability and vitality of the town centre and would, subject to conditions, secure a satisfactory standard of development. The proposal therefore complies with the requirements of the National Planning Policy Framework and Policies 1, 10, 15 and 16 of the Central Area Action Plan.

### **2. THE PROPOSAL**

#### **2.1** The applicant seeks permission to convert the first and second floors of the property to form six flats (comprising four 1 bedroom units and two 2 bedroom units). In order to facilitate this development, it is proposed that a second storey extension be constructed at the rear of the

property. Access to the flats would be directly from Abington Street. The staircase would also serve existing offices at 53 Abington Street. The proposal includes the replacement of the windows on the building.

### **3. SITE DESCRIPTION**

- 3.1 The application site contains a three storey, flat roofed building located within a primary shopping frontage in Northampton town centre. The ground floor of the site is occupied by various retailers including Blue, Greggs and Fab Shoes. The upper floors of the building have been used as ancillary facilities to the ground floor shops and standalone office units. The surrounding land uses comprise a variety of functions commensurate with a town centre location.

### **4. PLANNING HISTORY**

- 4.1 None relevant.

### **5. PLANNING POLICY**

#### **5.1 Development Plan**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise.

#### **5.2 National Policies**

Paragraph 17 of the National Planning Policy Framework (NPPF) states that previously developed sites should be effectively reused, whilst ensuring that new developments are well designed that secure a good standard of amenity for the residents of the development and those that occupy existing properties, whilst promoting mixed use developments.

#### **5.3 Northampton Central Area Action Plan**

- 1 – Promoting Design Excellence
- 10 – Parking
- 15 – Office and Business Uses
- 16 – Central Area Living

#### **5.4 Supplementary Planning Guidance**

- Parking
- Planning out Crime

### **6. CONSULTATIONS / REPRESENTATIONS**

- 6.1 **Environmental Health** - The location is within a potentially high noise environment due to the night time licensed trade and associated street noise. Replacement of windows on its own is unlikely to be sufficient to provide an adequate level of amenity for sleeping. Details regarding refuse storage are requested.
- 6.2 **Highway Authority** – No objections.
- 6.3 **Northamptonshire Police Crime Prevention Design Advisor** – As access to the flats would be shared with the existing offices details of a secure entry system are required, which should include details of doors.
- 6.4 **Cllr. D. Stone** – Requesting that the application be determined by the Planning Committee on the grounds that it is considered that the proposal amounts to overdevelopment by reason of the negative impacts on the neighbourhood because of the pressure on services, noise nuisance and the number of people that would be resident within the development.

## 7. APPRAISAL

- 7.1 The site's permitted use is for commercial purposes; however, the application details that the offices do not have an occupier and despite attempts by the land owner to market the property, it has not been possible to find new tenants. Policy 15 of the Central Area Action Plan (hereafter referred to the CAAP) seeks to promote the town centre as a location for office and business developments, but states that a deviation from such functions is permissible in instances when the loss of office space is outweighed by meeting the strategic objectives of the CAAP or that a mixed use development would be provided.
- 7.2 A strategic objective of the CAAP is to increase the level of residential accommodation in the town centre. In addition to this point, it is considered that as the building would include a combination of retail, office and residential accommodation, a mixed use development would be provided in line with the requirements of policy. Therefore, the use of part of this building for flats would not be contrary to the CAAP.
- 7.3 It is accepted that comments have been received from the Council's Environmental Health section regarding the potential for noise to impact on residential amenity. However, it is considered that the types of activity that take place within the vicinity of the site are consistent with a town centre location and as such any noise would be reasonably anticipated by potential occupiers of the residential development. Furthermore, weight should be given to the strategic objectives of the CAAP, which seeks to repopulate the central area.
- 7.4 The proposed development does not include any outside recreation space; however, given that the proposal does not involve the provision of family housing (as the proposal is for one and two bedroom flats), it

is considered that this situation is acceptable. In addition, the site is within walking distance to various areas of public open space.

- 7.5 The layout of the proposed flats has provided a satisfactory level of light, outlook and privacy for the occupiers of the proposed development. All units have separate windows to all bedrooms and living rooms, except for one of the flats that has an open plan arrangement with a through lounge and bedroom. Given that the application is for the provision of one and two bedroom flats, it is considered that the sizes of the proposed units are acceptable.
- 7.6 Entrance to the proposed development is from Abington Street. This will be shared with other offices and it is considered that this entrance would provide a good level of natural surveillance. The applicant has revised the scheme in light of the comments from the Crime Prevention Adviser and increased the number of secure doors from the communal stairwell. In addition, a condition is recommended that would require a secure entry system to be provided prior to the first commencement of the residential development. The measures are considered sufficient to ensure that a safe and secure form of development is provided.
- 7.7 The proposed rear extension at the second floor level would encompass an existing flat roof and would not project further than the existing rear elevation of the building. This element of the development would not adversely affect the amenities of the surrounding properties. A condition is recommended to ensure that the building materials used harmonise with its surroundings.
- 7.8 As the site is not situated within a Conservation Area, the replacement of windows with UPVC frames would be acceptable and unlikely to lead to adverse impact upon visual amenity. With the exception of the extension, no additional windows would be installed.
- 7.9 The proposal does not provide any car parking spaces, however, given its town centre location, the development is sustainably located and the future residents would be within ready access to various town centre facilities and public transport. The Highway Authority has been consulted and raised no objections to the application.
- 7.10 The flats are large enough to include an area for refuse storage, which is considered necessary given that they would be accessed from Abington Street. A condition to secure this storage area is recommended.
- 7.11 The application site is covered by an Article 4 Direction, which means that if planning permission were to be granted, a further planning application would be required if there were to be a future proposal to use the flats as houses in multiple occupation.

## **8. CONCLUSION**

- 8.1 The provision of residential accommodation represents an acceptable reuse of the building that would contribute towards meeting the core objectives of the CAAP. The development would have a neutral impact upon neighbour and visual amenity.

## **9. CONDITIONS**

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: Ex. 001; Ex. 002; 001; and 002.

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

3. Details and/or samples of all proposed external facing materials shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

4. Notwithstanding the details submitted, details of the provision for the storage of refuse and materials for recycling shall be submitted to and approved in writing by the Local Planning Authority, implemented prior to the premises being used for the permitted purpose and retained thereafter.

Reason: In the interests of securing a satisfactory standard of development in accordance with the requirements of Policy 1 of the Central Area Action Plan.

5. Notwithstanding the details submitted, full details of a proposed secure entry system shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the first occupation of the development hereby permitted and retained thereafter.

Reason: In the interests of securing a satisfactory standard of development in accordance with the requirements of Policy 1 of the Central Area Action Plan.

## **10. BACKGROUND PAPERS**

- 10.1 N/2013/1142



**11. LEGAL IMPLICATIONS**

11.1 None.

**12. SUMMARY AND LINKS TO CORPORATE PLAN**

12.1 In reaching the attached recommendations regard has been given to securing the objectives, visions and priorities outlined in the Corporate Plan together with those of associated Frameworks and Strategies



Name: Planning  
 Date: 3rd December 2013  
 Scale: 1:1250  
 Dept: Planning  
 Project: Committee

Title  
**49-53 Abington Street**

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