



**NORTHAMPTON**  
**BOROUGH COUNCIL**

# PLANNING AGENDA

**Tuesday, 29 July 2014**

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

6:00 pm

## **Members of the Committee**

**Councillor:** Brian Oldham (Chair), Matthew Lynch (Deputy Chair)

**Councillors:** Iftikhar Choudary, Nazim Choudary, Penny Flavell, Michael Ford, Matthew Golby, Jamie Lane, Lee Mason, Dennis Meredith, David Palethorpe and Mohammad Aziz Rahman

**Chief Executive** David Kennedy

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[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 2 September, 30 September, 29 October, 25 November, 23 December 2014. 28 January, 17 February and 24 March 2015.

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 837356
- 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, St. Giles Square, Northampton, NN1 1DE.

on Tuesday, 29 July 2014

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/2014/0695 - SIXFIELDS STADIUM, WALTER TULL WAY: NON-ILLUMINATED FREE STANDING HOARDING**
- 10. ITEMS FOR DETERMINATION**

- (A) N/2013/0912 - LAND FOR REDEVELOPMENT AT NUNN MILLS ROAD: 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 40,000M2 UNIVERSITY FLOORSPACE (ALL FLOORSPACE IS GEA); UP TO 15,000M2 UNIVERSITY EXPANSION FLOORSPACE; UP TO 35,000M2 COMMERCIAL (B1) FLOORSPACE; UP TO 3,550M2 OF RETAIL FLOORSPACE (UP TO 1800M2 OF A1, UP TO 150M2 OF A2, AND UP TO 1600M2 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 7,000M2 (UP TO 150 BEDROOMS); FLOODLIT SPORTS FACILITIES; REUSE OF LISTED LOCOMOTIVE SHED (520M2) AND CURTILAGE LISTED OFFICE BUILDING; AN ENERGY CENTRE OF UP TO 600M2; A NEW ROAD BRIDGE AND JUNCTION ON TO BEDFOR
- (B) N/2014/0475 - UNIVERSITY OF NORTHAMPTON PARK CAMPUS, BOUGHTON GREEN ROAD: OUTLINE APPLICATION (WITH ALL MATTERS RESERVED EXCEPT ACCESS) FOR THE DEMOLITION OF EXISTING UNIVERSITY FACILITIES AND ERECTION OF NEW BUILDINGS COMPRISING RESIDENTIAL ACCOMMODATION (C3) UP TO 800 UNITS AND ASSOCIATED DEVELOPMENT
- (C) N/2014/0600 - LAND AT FORMER HONDA CAR DEALERSHIP BETWEEN COMPTON STREET AND GRAFTON STREET: ERECTION OF 36 DWELLINGS COMPRISING 12 THREE BED HOUSES, 12 TWO BED HOUSES AND 12 TWO BED FLATS WITH VEHICULAR ACCESS FROM COMPTON STREET
- (D) N/2014/0607 - 1 SPYGLASS HILL: CHANGE OF USE FROM DWELLING (C3) TO MIX RESIDENTIAL AND NURSERY USE
- (E) N/2014/0617 - PIG AND WHISTLE PUBLIC HOUSE, BLACKTHORN BRIDGE COURT: CHANGE OF USE FROM PUBLIC HOUSE (A4 ) INTO CHILDCARE COMMUNITY NURSERY (D1) TO INCLUDE THE INSTALLATION OF ENTRANCE DOORS, NEW NORTH FACING WINDOW OPENINGS AND THE ADDITION OF SOLAR PANELS TO THE EAST FACING ROOF SLOPE
- (F) N/2014/0621 - 87 ST GILES STREET: CHANGE OF USE FROM OFFICES (B1) TO HIMO FOR 13 RESIDENTS (SUI GENERIS) AND INSTALLATION OF REAR CONSERVATION ROOFLIGHT

**AND**

**N/2014/0622 - 87 ST GILES STREET: INTERNAL ALTERATIONS INCLUDING REMOVAL OF PARTITION WALLS AND TOILETS, BLOCK UP DOORWAYS AND INSTALLATION OF NEW DOORWAYS AND NEW PARTITIONS, ALTERATIONS TO THIRD FLOOR WINDOW TO FRONT ELEVATION AND INSTALLATION OF REAR CONSERVATION ROOFLIGHT**

**(G) N/2014/0778 - DEVELOPMENT LAND, UPTON VALLEY WAY EAST:  
APPLICATION TO VARY SECTION 106 AGREEMENT IN RESPECT OF  
N/1997/128 IN RELATION TO THE PROVISION OF THE PARK & RIDE  
FACILITY**

**11. ENFORCEMENT MATTERS**

**12. ITEMS FOR CONSULTATION**

**(A) N/2013/1195 - OVERSTONE LEYS: NORTHAMPTON NORTH  
SUSTAINABLE URBAN EXTENSION (SUE), OUTLINE APPLICATION OF  
UP TO 2000 DWELLINGS, WITH ACCESS, APPEARANCE, LAYOUT AND  
SCALE UNRESERVED FOR THE FIRST PHASE OF 200 DWELLINGS;  
ASSOCIATED DEVELOPMENT**

**13. EXCLUSION OF PUBLIC AND PRESS**

THE CHAIR TO MOVE:

“THAT THE PUBLIC AND PRESS BE EXCLUDED FROM THE REMAINDER OF THE MEETING ON THE GROUNDS THAT THERE IS LIKELY TO BE DISCLOSURE TO THEM OF SUCH CATEGORIES OF EXEMPT INFORMATION AS DEFINED BY SECTION 100(1) OF THE LOCAL GOVERNMENT ACT 1972 AS LISTED AGAINST SUCH ITEMS OF BUSINESS BY REFERENCE TO THE APPROPRIATE PARAGRAPH OF SCHEDULE 12A TO SUCH ACT.”

**SUPPLEMENTARY AGENDA**

**Exempted Under Schedule  
12A of L.Govt Act 1972  
Para No:-**



# Agenda Item 2

## NORTHAMPTON BOROUGH COUNCIL

### PLANNING COMMITTEE

Thursday, 17 July 2014

**PRESENT:** Councillor Oldham (Chair); Councillor Lynch (Deputy Chair);  
Councillors N Choudary, Ford, Golby, Lane, Meredith and Palethorpe

Steven Boyes, Director Regeneration & Planning; Tracy Miller,  
Planning Development Manager; Theresa Boyd, Lawyer and Nathan  
Birch, Democratic Services Officer

#### 1. APOLOGIES

Apologies for absence were received from Councillors Flavell, Rahman, I.Choudary and Mason.

#### 2. MINUTES

The minutes of the meeting held on 10th June 2014 were agreed and signed by the Chair.

Councillor Ford asked it be noted that in line with his declaration he was only absent from the meeting for items 9a and 9b.

#### 3. DEPUTATIONS / PUBLIC ADDRESSES

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

- **N/2013/1143** – 24 York Road  
Rod Kilsby (Agent)

#### 4. DECLARATIONS OF INTEREST/PREDETERMINATION

None

#### 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.

The Development Management Team Leader introduced the written report and elaborated thereon.

**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/2014/0068 & N/2014/0545 - DEVELOPMENT LAND SOUTH OF BEDFORD ROAD OFF LILIPUT ROAD: DEMOLITION OF FARM HOUSE, ASSOCIATED FARM BUILDINGS AND TWO SEMI-DETACHED INDUSTRIAL UNITS. ERECTION OF A STRATEGIC WAREHOUSE AND DISTRIBUTION UNIT WITH ANCILLARY OUTBUILDINGS AND ASSOCIATED WORKS AND PERMANENT DIVERSION OF FOOTPATH**

The applications were withdrawn and the Committee were no longer required to consider them.

### **(B) N/2014/0519 - 24 YORK ROAD: INCREASE HIMO FROM 7 PERSONS TO 10 PERSONS, UPVC DOUBLE GLAZED REPLACEMENT WINDOW AND ALTERATIONS TO GROUND FLOOR FRONT (PART RETROSPECTIVE)**

The Planning Development Manager outlined the report of the Head of Planning, as set out in the agenda and the addendum. The Committee was asked to note that the application was for an increase in occupancy to 10 persons, not 10 bedrooms. The recommendation was for refusal for the reasons set as set out in the report.

The Chair invited Rod Kilsby, Agent for the applicant to address the Committee. Mr Kilsby explained that the application had been developed in conjunction with the Private Sector Housing Officer. He added that given that some rooms were designed to be shared by couples, it was unreasonable to assume that there would be one car per resident. Even allowing for the assumption there were two nearby car parks and there was an oversupply of parking in the town centre.

In response to questions from the Committee Mr Kilsby supplied the following information:

- When he visited the site he had always been able to park in nearby St Edmunds Road.
- There were no figures available regarding the number of vehicles owned by those who lived in Houses In Multiple Occupation.

In response to questions from the Committee the Planning Development Manager supplied the following information:

- The Highways Authority had also objected to the previous application.
- The existence or otherwise of a resident parking permit scheme was not a planning issue.



- The application was not conditioned as to the type/area of employment residents would be work in.

The Committee discussed the application.

Upon a proposal from Councillor Lane, seconded by Councillor Ford the Committee **RESOLVED**:

That the application be **REFUSED** on the grounds that:

The applicant has failed to demonstrate that the proposal would have satisfactory parking arrangements to cater for the 10 occupiers leading to increased parking pressure on nearby streets to the detriment of highway safety contrary to the aims of Paragraph 32 of the National Planning Policy Framework.

The vote on the resolution being - For: 6 Against: 1

**(C) N/2014/0482 - LAND AT CHAPEL PLACE: TEMPORARY USE OF LAND FOR CAR PARKING TO SERVE 50-60 ST MICHAEL'S ROAD**

The Planning Development Manager outlined the report of the Head of Planning, as set out in the agenda. The recommendation was for approval of the application subject to the conditions as set out in the report.

The Committee discussed the report.

**RESOLVED**: That the application be **APPROVED** subject to the conditions set out in the report and the addendum.

**(D) N/2014/0392 - JOHN AMBIDGE PENSIONERS HALL, ARLBURY ROAD: CHANGE OF USE OF AMENITY LAND TO GARDEN AREA AND ERECTION OF 1.8M HIGH BOUNDARY FENCE AND GATE**

The Planning Development Manager outlined the report of the Head of Planning, as set out in the agenda and the addendum. The recommendation was for approval of the application subject to the conditions as set out in the report and the addendum.

The Committee discussed the report.

**RESOLVED**: That the application be **APPROVED** subject to the conditions set out in the report and the addendum.

**11. ENFORCEMENT MATTERS**

None

**12. ITEMS FOR CONSULTATION**

None

The meeting concluded at 6:34 pm

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



**List of Appeals and Determinations – 29<sup>th</sup> July 2014**

<b>Written Reps Procedure</b>			
<b>Application</b>	<b>Del/PC</b>	<b>Description</b>	<b>Decision</b>
<b>N/2014/0126</b> APP/V2825/A/14/2218191	DEL	Repositioning of side boundary fence (2m high) adjacent to footpath at 40 Longford Avenue, Little Billing	<b>AWAITED</b>
<b>N/2014/0132</b> APP/V2825/H14//2220452	DEL	1no. vinyl illuminated sign at first floor front – retrospective application at 38 Derngate	<b>AWAITED</b>
<b>Public Inquiry</b>			
		None	
<b>Hearing</b>			
<b>N/2012/1093</b> APP/V2825/A/14/2214518	PC	Demolition of Bective Works and Jebez House. Erection of a new student accommodation building, incorporating a retail unit and lower ground floor parking and service space, together with new vehicular access and pedestrian access and associated landscaping proposals, plus the alteration and restoration of the circa 1902 part of the Listed Building Enterprise House and its change of use to student community use at Bective Works, Enterprise House and Jebez House, Between Bective Road & Yelvertoft Road	<b>AWAITED</b>
<b>Enforcement Appeal</b>			
<b>02/2014</b>		Installation of 3No. roller shutters and associated boxes to the frontage of 24-28 Wellingborough Road	<b>AWAITED</b>

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:** 29 July 2014  
**DIRECTORATE:** Planning and Regeneration  
**HEAD OF PLANNING:** Susan Bridge

**APP: N/2014/0695** Non-illuminated single sided free standing  
Enterprise Zone Sign, Walter Tull Way,  
Northampton

**WARD:** St. James

**APPLICANT:** NBC Regeneration  
**AGENT:** N/A

**REFERRED BY:** Head of Planning  
**REASON:** NBC Planning Application

**DEPARTURE:** NO

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## **APPLICATION FOR DETERMINATION:**

### **1. RECOMMENDATION**

1.1 **APPROVAL** subject to standard advert conditions.

### **2. THE PROPOSAL**

2.1 The application proposes to display a single sided non-illuminated sign with a width of 2.07m and a height of 1.46m, erected on 2 posts at a height of 2.1m above ground level to its underside giving a total height of 3.56. The proposed sign would have a white and green background, and black and grey lettering. The proposal is intended to publicise the Waterside Enterprise Zone and the local Football Club.

### **3. SITE DESCRIPTION**

3.1 The sign would be located on a grass verge facing towards the roundabout at the Walter Tull Way and Edgar Mobbs Way junction. The Northampton football stadium is located to the rear. The surrounding area comprises uses that are commercial in nature.

#### **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. The Development Plan for the purposes of this application comprises the Northampton Local Plan 1997 saved policies, and whilst not yet adopted, weight can be attributed to the Submitted West Northamptonshire Joint Core Strategy (as subsequently modified).

##### **5.2 National Policies:**

National Planning Policy Framework (NPPF). Paragraph 67 states that applications for advertisement consent should only be considered in terms of the impacts of amenity and public safety, as established by the Advertisement Regulations. Furthermore, the same paragraph states that poorly placed advertisements can have a detrimental impact upon the quality of the built and natural environment.

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

6.1 None

#### **7. APPRAISAL**

7.1 In respect of an application for advertisement consent, as set out above, the only issues which can be taken into consideration are amenity and highway and pedestrian safety.

7.2 Due to the nature of the area being commercial in nature it is considered that the proposed sign would not be out of character and would therefore not have an adverse impact on the street scene. The presence of this sign on the site will not cause street clutter that affects the amenity of the area.

7.3 In terms of impact on highway and pedestrian safety the sign is set back from the highway and is positioned to not impact on the visibility to highway users or pedestrians. Therefore it is considered that no highway safety impact would result.

#### **8 CONCLUSION**

8.1 Overall due to the character of the area and the position of the sign it is considered that the proposed advertisement is acceptable and should be permitted.

## **9. CONDITIONS**

### **9.1 The standard advert conditions:**

1. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission
2. No advertisement shall be sited or displayed so as to:
  - a) endanger persons using any highway
  - b) obscure or hinder the ready interpretation of any traffic sign
  - c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle
3. Any advertisement displayed and any site used for the display of advertisements shall be maintained in a condition that does not impair the visual amenity of the site
4. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public
5. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

## **10. BACKGROUND PAPERS**

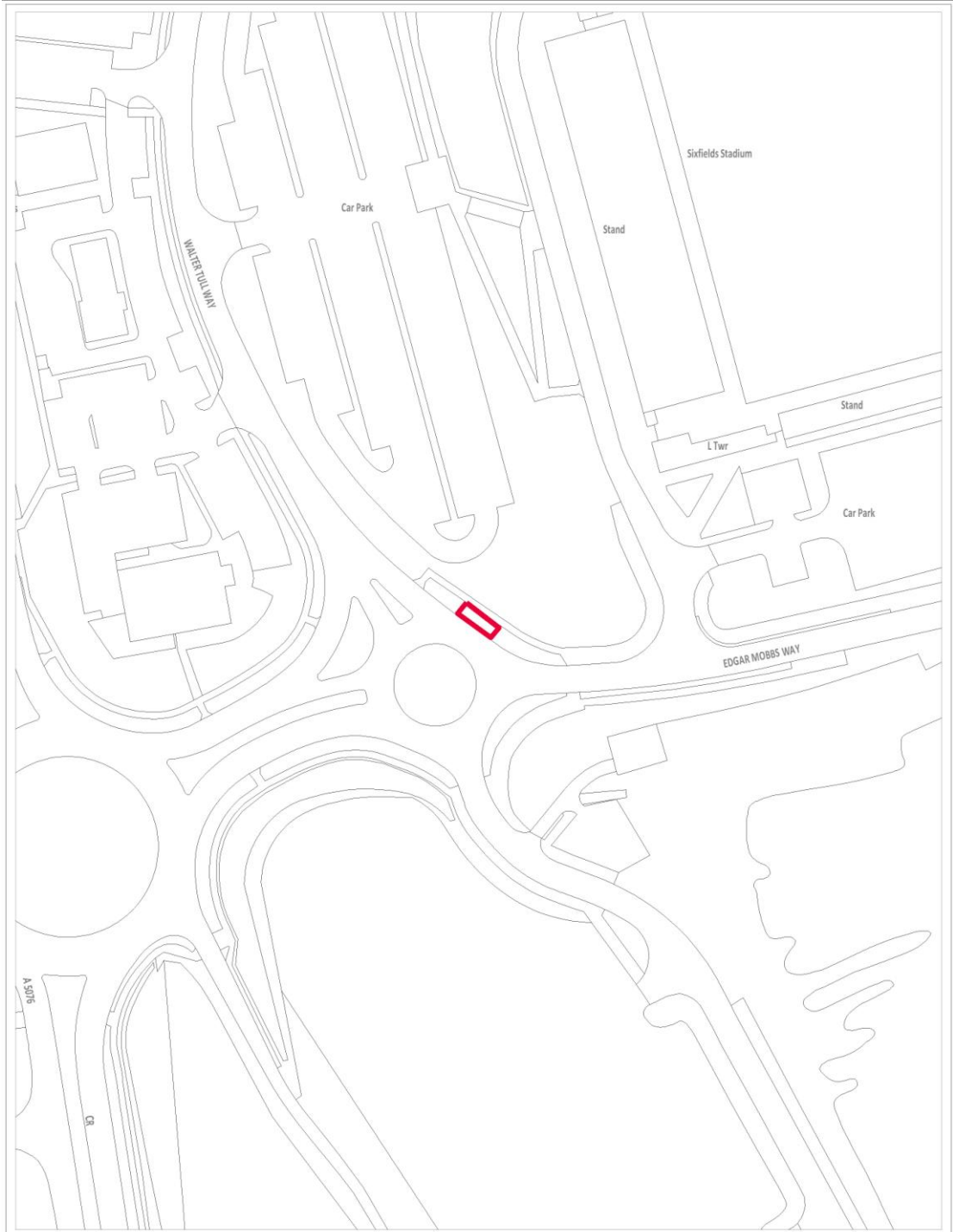
### **10.1 None**

## **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: **Location Plan**  
Date: **21st July 2014**  
Scale: **1:1250**  
Dept: **Planning**  
Project: **Committee**

Title

## Advert at Sixfields Stadium

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See Attached Appendix

**PLANNING COMMITTEE:** 29<sup>th</sup> July 2014  
**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-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; 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 (As Amended) 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

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## **APPLICATION FOR DETERMINATION:**

### **1. RECOMMENDATION**

- 1.1 **APPROVAL IN PRINCIPLE** subject to the previously agreed conditions and the following reason:

The proposal as revised 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 The prior completion of a Section 106 Legal Agreement to secure:

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

### **2. THE BACKGROUND**

- 2.1 Members will recall that this planning application was first considered by the Planning Committee at your meeting on the 17 December 2013, the original report and addendum is attached at Appendix A. At that Planning Committee meeting it was resolved that the above outline application be approved in principle subject to the completion of a suitable legal agreement. This legal agreement required a financial contribution being made towards key infrastructure and sustainable travel related works. Further matters relating to the proposal involving additional conditions were also subsequently agreed at your meeting in February 2014, this latter report and addendum is attached at Appendix B.

- 2.2 Since the initial consideration of the proposal, further discussions have taken place between the University's Advisors, the County Council's Highway Authority and Sport England. As a consequence of this further revised plans have now been submitted to the Borough Council in connection with the above development. The original submitted parameter plans and illustrative masterplan have been updated to reflect the change in use on part of the site. An addendum to the Design and Access Statement and a Technical memorandum relating to traffic implications have also been received and considered. The University of Northampton are requesting that these amendments be formally considered prior to the completion of the legal agreement and the decision notice for the outline planning permission being issued.



### **3. THE REVISIONS**

3.1 The key changes can be summarised as follows:

#### **1) Modifications to Planning Application Boundary**

3.2 Members will be aware that in the initial scheme 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. These principles would remain unaltered.

3.3 At the behest of the Highway Authority and in order to comply with subsequent Road Safety Audits, the proposed revisions now involve a new right hand turn being provided from Bedford Road into Riverside Way to improve the junction. In effect this change would allow traffic turning right to wait in a separate lane and for two existing traffic lanes to remain free from obstruction. In order to implement the right hand turn lane, the applicants would need to carry out some of the highway work outside of the previously considered redline plan. This would require a minor incursion into Midsummer's Meadow, and accordingly the redline plan has been enlarged to accommodate the proposed revision to the area. The site affected is a very small area along Bedford Road and on the northern corner of the site close to the skateboard park. It is not considered that there would be any significant impact on this area of open space.

3.4 In addition to the above Members should also be aware that as part of the original considered scheme a new pedestrian footbridge was proposed across the River Nene at the north western edge of the site to Beckett's Park, which provided a direct link to the town centre. It has emerged that additional minor works would need to be carried out outside the previous redline plan. The redline boundary has therefore been altered accordingly in order to accommodate the alterations and involves the inclusion of a small area of land. This alteration is required to enable some additional resurfacing works to be carried out on the approach to the footbridge and would require some additional tree removal. No objection is raised the loss of trees.

3.5 The total site area would increase by 0.19 hectares from the original site redline boundary which in the overall scheme is considered to be minimal.

#### **2) Revisions To The Road Bridge Over River Nene From Bedford Rd**

3.6 Members will be aware that the main vehicular and pedestrian access serving the development would be via a new road bridge from Bedford Road. The proposed road bridge structure would be a reinforced concrete deck supported by a single span arch crossing the River Nene. As the detailed work on the bridge progressed, it became evident that further improvements could be made. The proposed bridge has been altered to enable an improved foundation design, to avoid existing cables on the site and to increase the under span at either end of the bridge. These changes to the span reflect a desire from the Northamptonshire Police Crime Design Advisor for the spans beneath the bridge to be as open as possible to maximise visibility for users.

- 3.7 In assessing the revision, this is considered a positive amendment to the bridge design resulting in a safer and a more open setting thus allowing for an improved experience for pedestrians/cyclists using the footpath by the river. The bridge as approved would still achieve a clearance of 3 metres above waterline as required by the Environment Agency. The siting of the proposed bridge would remain unaltered.

### **3) Amendments To The Land Uses Proposed Within The Parameter Plan and Illustrative Masterplan**

#### **3.8 Commercial office space/Hotel**

The initial scheme involved up to 35,000m<sup>2</sup> of commercial (B1 offices) floor space being provided in separate or combined buildings within the north eastern corner of the site. The original proposal also sought to provide a hotel of up to 7,000m<sup>2</sup> (up to 150 bedrooms). The north eastern corner has been reconfigured to reposition the commercial offices into a smaller space and this would also include the hotel, which is to be re-sited from its previous position. The maximum commercial floorspace would remain unaltered. The hotel would only be developed if there was a specific commercial demand.

#### **3.9 University Lawn**

The area previously identified as forming part of the University Lawn to the west of the commercial area has been identified for future potential development opportunities should it be required.

#### **3.10 Sports Hub**

Under the original submitted scheme the sporting facilities were to be largely provided on the south-eastern part of the site and the former locomotive shed was to be utilised as a gym. The Universities Sports Consultant has advised that a single Sports Hub should be provided to consolidate all of the University's sporting facilities at one location. The area previously identified as a potential hotel is now proposed as a sports hall. This would contain indoor courts and it is also intended that the sports hall would provide flexible space that can also be used for teaching and exams and would be available for use by the Community. The sports hall seeks to complement the gym and playing field facilities originally proposed.

The proposed revisions would address and reflect the continuing dialogue and advice from Sport England and would ensure that there is sufficient space for the facilities proposed. It should be noted that the sports facilities are also shown as 'academic' uses in order to ensure flexibility in the future. The relevant parameter plan and illustrative master plan have been accordingly revised by the applicant to reflect the changes.

## **4. CONSULTATIONS RESPONSES**

- 4.1 **Network Rail** – No comments to make.
- 4.2 **The Ramblers Association** – No comments.
- 4.3 **NCC – Highway Authority** – No objections to principle of revised plans and the highway contribution being secured as originally advised by them.

- 4.4 **Canal and Trust River Trust** – Falls outside the notification area for its application scale.
- 4.5 **Western Power** – No objections.
- 4.6 **NCC – Archaeology** – No further comments to make.
- 4.7 **Natural England** – No objections.
- 4.8 **NBC – Corporate Asset Manager** (verbal) – No objection to principle of Borough Council owned land being utilised to facilitate the development. Appropriate discussions are taking in place.
- 4.9 **Environment Agency** - Refer to previous observations.
- 4.10 **English Heritage** – Advise that the alterations would need to be reflected in the Archaeological Strategy and the application needs to be determined in accordance with National and Local guidance.
- 4.11 **Sports England** – The revisions as far as Sport England are concerned is the creation of a Sports Hub, including 4 courts sports hall, multi-use games area and an artificial grass pitch. Sport England has been provided with additional information in the form of a sports facility strategy and further information on the role of an artificial grass pitch. The main elements from Sport England's objectives are a planned approach to the provision of facilities and opportunities for sport. The initial response raised concerns on the extent of the proposed sports provision at waterside to replace those being lost at existing University sites. The University strategy has addressed a number of issues but remain concerned whether the university will be able to provide adequate replacement facilities. They have advised that the applicant should provide the full range of sporting activities at the new site and adequately replace those facilities being lost at the existing university sites and not be over reliant on the artificial grass pitch. New facilities should be fit for purpose and available for community sport. The absence of an objection to this application does not commit Sport England to support for grant funding.
- 4.12 **Northants Police - Police Crime Prevention Design Adviser** – No objections to revisions.

## 5. REPRESENTATIONS

- 5.1 The revisions were advertised by site and press notices and nearby occupiers were notified. A letter of objection has been received from a commercial occupier operating from unit 20 Bedford Road. They point out that they have large lorries turning into and out their site off the Bedford Road and object to a traffic Island. This traffic Island forms part of the previously considered plans and is not affected by the current amended details.

## 6. APPRAISAL

- 6.1 The initial outline planning submission was accompanied by an Environmental Statement and Appendices which provided a comprehensive assessment of the potential environmental impacts arising from the proposed development. Where considered necessary appropriate mitigation measures

were recommended. It should be noted that the land use changes do not raise any additional impacts which have not already been assessed. The assessments undertaken previously covered this area and the built form was already proposed in this location and this does not therefore affect the conclusions previously presented to Planning Committee. The overall levels of floor space proposed are the same as those considered in the original assessment. There are no significant changes to the anticipated trip generation associated with the development. The previously submitted Environmental Statement had been carefully assessed to ascertain how the mitigation measures proposed within it would be secured.

- 6.2 In assessing the encroachment on existing Borough Council controlled land, the Corporate Asset Management has been in negotiation with the Universities Property Advisors and is currently in discussion on these matters separately. There are no planning objections to the principle of the amendments proposed on this issue. The alterations to the red line boundary are not considered to be significant and are considered acceptable. With regard to the design alterations to the bridge, these do not give rise to any additional environmental impacts over those assessed in the Environmental Statement and associated reports. The main consideration is the visual impact from the change to the under spans of the bridge and this is considered to be positive.
- 6.3 The environmental impacts of the development proposals affecting Becket's Park and Midsummer Meadow have been assessed in the initial scheme as part of the original Environmental Statement and the minor additional incursions into these areas are not considered to give rise to any additional significant environmental impacts. The National Planning Practice Guidance makes it clear that requests for further information should be limited to the "main" or "significant" environmental effects to which a development is likely to give rise. The key test therefore is whether the information contained in the Environmental Statement is sufficient to allow the main environmental effects to be identified. The main environmental impacts can be identified from the initial Environmental Statement submitted with the original application and appropriate mitigation measures were proposed where relevant. The current amendments do not give rise to significant environmental effects above those already considered. There is therefore no need for further information in line with the EIA Regulations.
- 6.4 In concluding, this is an underutilised brownfield site and the proposal seeks to provide a new consolidated University Campus. The application would secure the future of the University as a leading higher education institution and result in the development of a new centrally located campus with access to town centre amenities. This proposal would continue to be a landmark development with significant regenerative impacts with other wider benefits to the Enterprise Zone. The proposed amendments are minor in their nature and do not alter the main impacts identified in the initial Environmental Statement including ecological implications. The matters raised by Sport England have been considered previously. The development timeframe for the development would remain unaltered and it is anticipated that the University is seeking to be operational by September 2018.

## **7. ADDITIONAL & AMENDED CONDITIONS**

- 7.1 Condition 5 in the original attached report should be amended to reflect the updated drawings and should read as follows;

The development shall be carried out in accordance with the following approved plans: 0116-Z(00)000 Rev B; 0116-Z(00)002 Rev B; 0116-Z(00)003 Rev B; 0116-Z(01)000 Rev E; 0116-Z(01) 0001 Rev D; 0116-Z(01)002 Rev D 5695.201 Rev H; 5695.203 Rev F; 203239-DWG-00201 Rev B; 203239-DWG-SK06 Rev G; 203239 SK30 Rev C; 203239 G02 Rev J; 203239 G03 Rev J and CH2-H03-H2-DR-C-0001 S2 Rev P2.

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

- 7.2 An additional condition is recommended to enable the applicant to maintain and manage the landscaping proposals being provided at the Midsummer Meadow Car Park and this should read as follows;

The landscaping strategy considered as part of the approved details in Condition 29 above in connection with the development hereby permitted shall include a management plan setting out details of the future management and maintenance of the landscaping provided within the Midsummer Meadow car park located off Bedford Road. The development shall be carried out in accordance with the approved maintenance details.

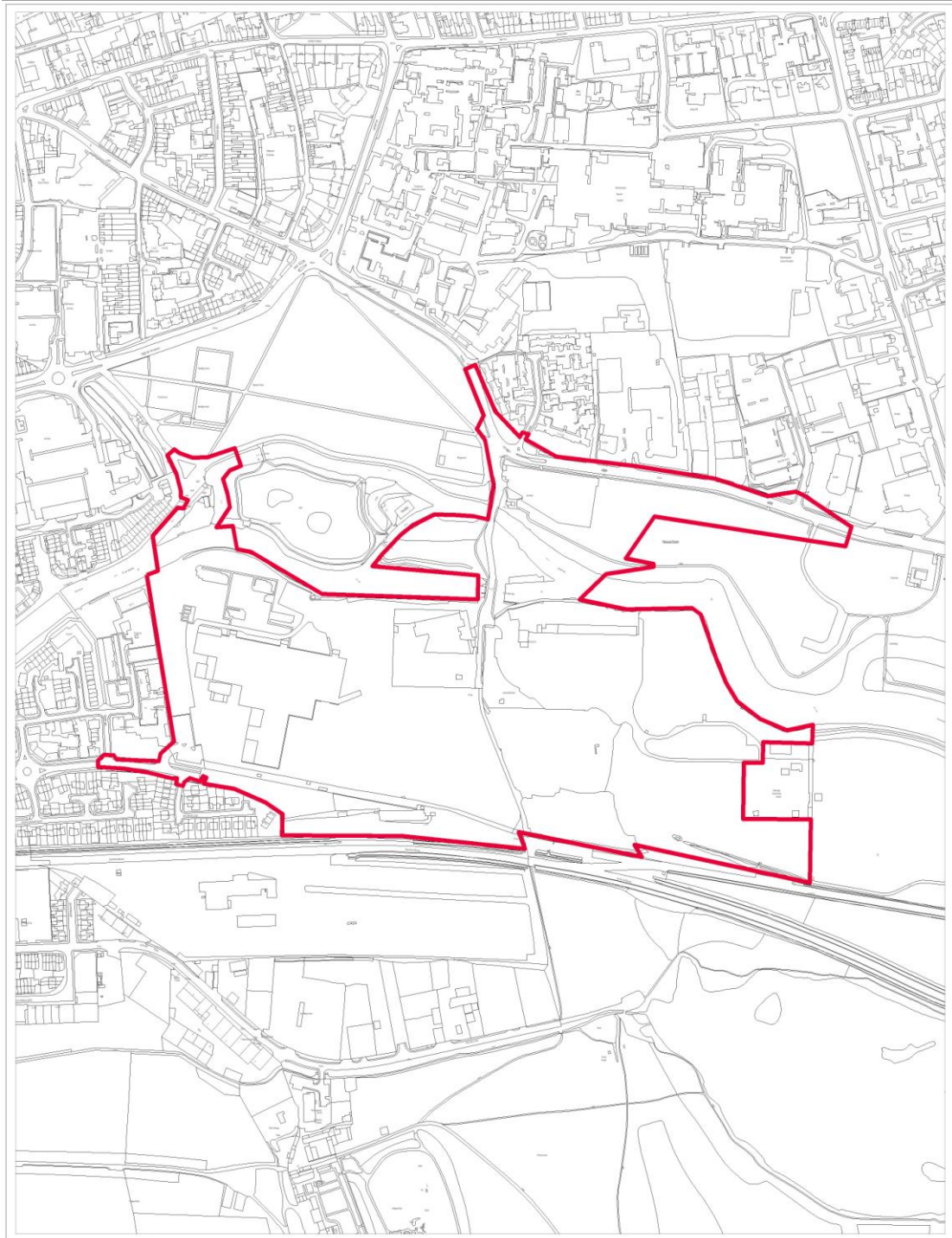
Reason: In the interests of visual amenity and objectives of the National Planning Policy Framework.

## **8. LEGAL IMPLICATIONS**

- 8.1 The Corporate Asset Manager is in negotiations with the University of Northampton to conclude an agreement for dedication of the additional land under the Borough Council's ownership, to allow for the highway related improvements along Bedford Road and the footway bridge crossing at Beckets Park.

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

- 9.1 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: **Location Plan**  
Date: **21st July 2014**  
Scale: **1:5500**  
Dept: **Planning**  
Project: **Committee**

Title

## Land for redevelopment at 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 bought 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 bought 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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## Addendum to Agenda Items

### Tuesday 17<sup>th</sup> December 2013

#### 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 Hardingsstone 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:

- Description and evaluation of the features to be managed;
- Ecological trends and constraints on site that may influence management;
- Aims and objectives of management;
- 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.



**PLANNING COMMITTEE:** 11<sup>th</sup> February 2014

**DIRECTORATE:** Regeneration, Enterprise and Planning

**HEAD OF PLANNING:** Susan Bridge

**REPORT TITLE:** Update on matters pertaining to Outline Planning Application N/2013/0912 (New university campus and commercial developments) at Avon/Nunn Mills, Nunn Mills Road

## **1. RECOMMENDATION**

- 1.1 That the additional consultation responses are noted and that members agree to an additional condition requiring a foul water management strategy.

## **2. BACKGROUND**

- 2.1 An outline application for the redevelopment of the Avon and Nunn Mills site for a new university campus, commercial facilities, a hotel, sports facilities and various works pertaining to vehicular and pedestrian movement was approved in principle at December's committee meeting. The precise description of the development and its scale is discussed in paragraphs 2.8 – 2.30 of the Committee report presented at that meeting.
- 2.2 By reason of the limited time that has elapsed since December's meeting, it is not necessary to reconsider the merits of the proposal as there has been no change in material considerations.

## **3. UPDATE**

- 3.1 The committee report and addendum reported a variety of consultation responses and by way of mitigation, recommended a number of conditions. Since the meeting it has transpired that the observations from Anglian Water, Construction Futures and the Northampton branch of the Inland Waterways Association were not included in the report.

- 3.2 Anglian Water had no objections to the proposed development, but recommended that in the event that the application was approved, it is subject to conditions requiring the submission to the LPA of strategies for managing foul and surface water. Whilst the list of conditions reported to Committee included one addressing the matter of surface water, a similar condition seeking the management of foul water was omitted. Therefore the agreement of members is requested to include the following condition in the formal decision notice:

*“A foul water strategy shall be submitted to and approved in writing by the Local Planning Authority simultaneously with the submission and approval of the first Reserved Matters application. Development shall be carried out in accordance with the approved details, be fully implemented prior to the first use of the development hereby permitted and retained thereafter.”*

*Reason: To prevent environmental and amenity problems arising from flooding in accordance with the National Planning Policy Framework.”*

- 3.3 Construction Futures requested Section 106 obligations for the funding and provision of training places; however, as discussed in the addendum, the scheme is marginal in viability terms. Officers have therefore concluded that that any available funds should be directed towards sustainable transport measures as agreed at the December committee meeting. Notwithstanding this, it is recommended that the University be requested to provide training and apprentice opportunities on the site through its approved contractors.
- 3.4 The representations from the Inland Waterways Association state that the organisation has no objections in principle to the development but comment upon the suitability of the bridges height; comment upon the layout; and enquire whether car parking could be made available for users of the marina.
- 3.5 The height of the bridges has been designed to ensure that there is sufficient clearance for water vessels and has been the subject of consultation with appropriate bodies, such as the Environment Agency. As this is an outline application, the layout of the development has been reserved for future consideration; however, it is considered that the combination of social facilities, academic buildings and commercial offices (including the existing Avon building) would attract a large and diverse number of people to use the riverside and has the potential to create a high quality and distinctive design. It would not be possible to secure the site's car parking for other uses beyond that proposed in the application. Furthermore, the parking requirements for the marina would have been considered at the time that that development gained planning permission.

#### **4. CONCLUSION**

- 4.1 The additional consultation responses do not affect the principle of the proposed development; however, their content should be noted. Accordingly, it is recommended that an additional condition relating to foul water drainage be included within the decision.

**5. BACKGROUND PAPERS**

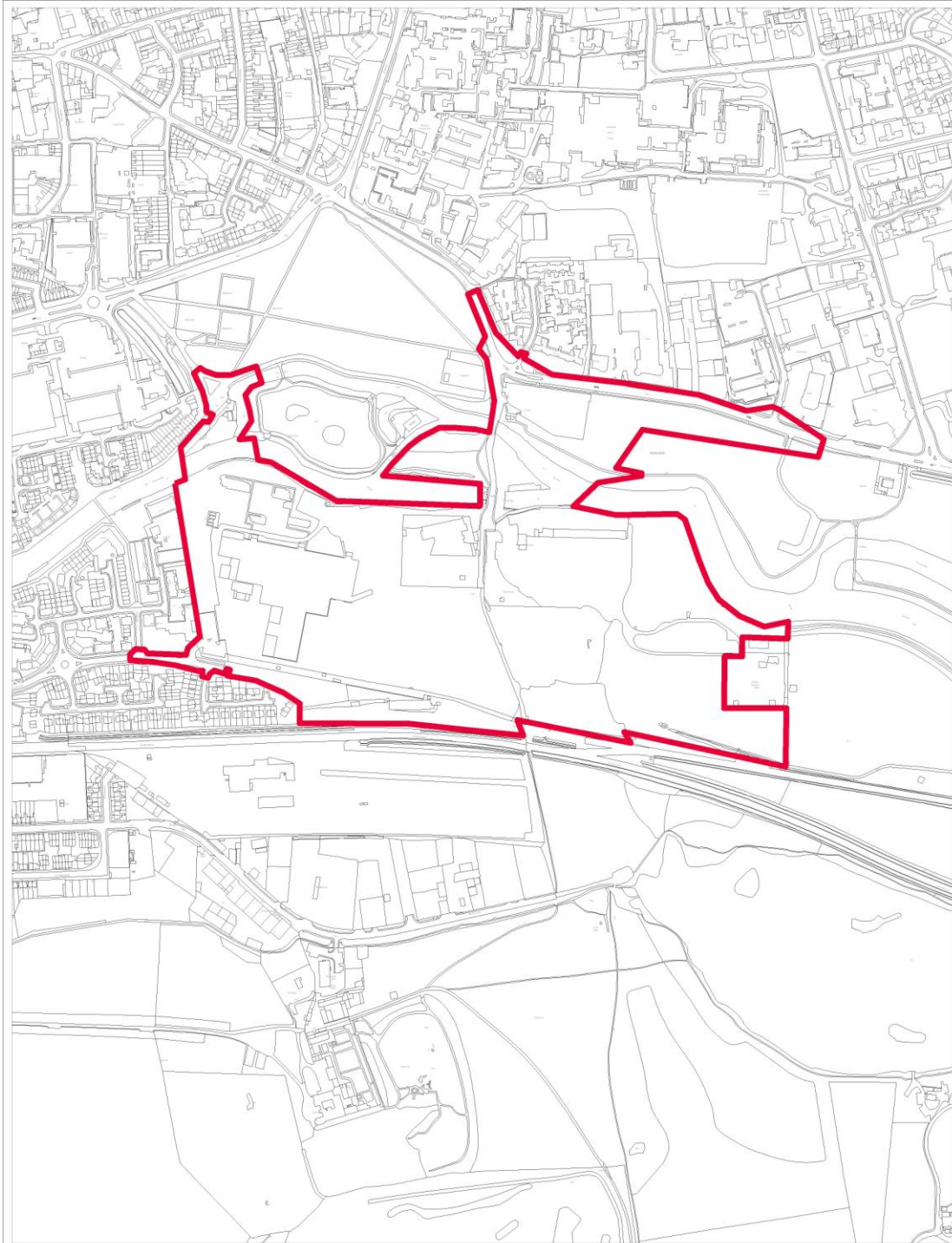
- 5.1 N/2013/0912; Item 10b from the agenda of the Committee meeting held on the 17<sup>th</sup> December 2013 and the associated addendum.

**6. LEGAL IMPLICATIONS**

- 6.1 None

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

- 7.1 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: 17th December 2013  
Scale: NTS  
Dept: Planning  
Project: Committee

Title

### Land for redevelopment, Nunn Mills Road

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## Addendum to Agenda Items

Tuesday 11<sup>th</sup> February 2014

### 7. OTHER REPORTS

7a

N/2013/0912

**Update on matters pertaining to Outline Planning Application N/2013/0912 (New University Campus and Commercial Developments) at Avon/Nunn Mills, Nunn Mills Road**

Following discussions with the applicant regarding the likely phased approach to the development, the proposed additional condition regarding foul water drainage has been redrafted as follows:

*A foul water strategy, to include a phasing scheme for implementation of that strategy, shall be submitted to and approved in writing by the Local Planning Authority simultaneously with the submission and approval of the first Reserved Matters application. Development shall be carried out in accordance with the approved details, and in accordance with the phasing scheme, and retained thereafter.*

*Reason: To prevent environmental and amenity problems arising from flooding in accordance with the National Planning Policy Framework.*



**PLANNING COMMITTEE:** 29<sup>th</sup> July 2014  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**HEAD OF PLANNING:** Susan Bridge

**N/2014/0475:** Outline application (with all matters reserved, except access) for the demolition of the existing University facilities and erection of new buildings comprising residential accommodation (Use Class C3) of up to 800 units, associated car parking, retail unit, landscaping and open space with accesses from Boughton Green Road at University of Northampton Park Campus, Boughton Green Road, Northampton

**WARD:** Obelisk

**APPLICANT:** University of Northampton  
**AGENT:** Savills

**REFERRED BY:** Head of Planning  
**REASON:** Major development

**DEPARTURE:** Yes

---

**APPLICATION FOR DETERMINATION:**

**1. RECOMMENDATION**

1.1 That the application is considered acceptable in principle for the following reason:

The proposed development would result in the satisfactory reuse of this previously development site on account of the proposal representing a sustainable residential development that would address the established need for housing within Northampton. Furthermore, the proposal has established a number of acceptable design parameters that would ensure that the proposed development would be of a satisfactory scale and design whilst ensuring a neutral impact upon the site's mature trees, heritage assets and neighbour amenity. The proposal is



therefore in compliance with the National Planning Policy Framework, Local Plan Policies E11, E19, E20, E40 and H7.

- 1.2 That determination of the application be delegated to the Head of Planning in order to resolve the outstanding objections as detailed within the report (including amending and adding to the list of Conditions as included within Section 9 of this report) and, if necessary, refer the application to the Secretary of State.
- 1.3 The prior completion of a Section 106 Legal Agreement to secure:
  - i) On site affordable housing;
  - ii) A payment towards education provision;
  - iii) The provision of on-site open space and sports facilities and for this space to be continually maintained and made available for public access; and
  - iv) The Council's monitoring fee.
- 1.3 It is also recommended that in the event of the Section 106 Legal Agreement not being completed within three calendar months of this Committee meeting, in addition to being able to grant planning permission as recommended above, the Head of Planning be given delegated authority to either refuse or finally dispose of the application (at her discretion) on account that the necessary mitigation measures have not been secured in order to make the proposal acceptable in line with the requirements of Northampton Local Plan Policy E19 and the National Planning Policy Framework.

## **2. THE PROPOSAL**

- 2.1 This is an outline application for the erection of up to 800 dwellings with associated car parking. The proposed development would also feature some retail facilities. The application is made in outline form, with all matters reserved for future consideration with the exception of access. The development proposes the retention of the two existing vehicular entrances from Boughton Green Road; however, the northernmost entrance would be reconfigured in order to change its layout from a roundabout to a junction. As part of these works a right hand turning lane would be installed within Boughton Green Road. These works necessitate the repositioning of part of the existing stone wall adjacent to Boughton Green Road.
- 2.2 As the application is in outline form, no specific layouts have been submitted; however, the indicative details indicate that the proposed development would be between two and three storeys in height (up to 11m to ridge height). In addition to the vehicular accesses as described previously, the site would include potential pedestrian accesses from Boughton Green Road (adjacent to the former Lodge building and utilising the original entrance avenue), the footpath to south west of the site and Scirocco Close (to the north east of the site).

- 2.3 The proposed development would include the provision of 1600 car parking spaces, which is a reduction of eight from the current provision.

### **3. SITE DESCRIPTION**

- 3.1 The application site consists of an area of approximately 30 hectares in area that is situated south of Boughton Green Road. The site was originally developed in the early 1970s in order to provide a teacher training college. This use developed over the ensuing years and is currently operated by the University of Northampton. The site forms one of two campuses within Northampton and features a number of buildings (of various styles and scales, although the general trend is that buildings are between one and three storeys in height) that support the academic function of the operator. The site also features residential accommodation of 1,300 students, sports facilities (which are predominantly only used by university students) students union and shops.
- 3.2 The application site is of a consistent level, although there are some minor variations in site levels to the north of the site (adjacent to the existing student accommodation buildings). The site is also distinctive in featuring a significant number of mature trees, many of which are covered by Tree Preservation Orders.
- 3.3 The site features two vehicular accesses that are both situated within Boughton Green Road. The site currently features 1608 car parking spaces. A footpath running from Boughton Green Road that links into the network of open space to the south and east of the site is situated adjacent to the south western boundary.
- 3.4 The surrounding area is characterised by a mixture of residential accommodation (typically of two storeys in height), which are generally situated north, west and south west of the application site. The area to the east of the site is in use for a variety of commercial purposes. These buildings are of a variety of scales and styles. The site is also adjacent to two other academic institutions: Kingsthorpe College and All Saints Primary School. The former is separated from the application site by the aforementioned footpath, whilst the latter is surrounded by the application site on three boundaries. Both institutions are accessed from Boughton Green Road. Gallagher Fields (situated to the south of the application site) is in use as playing fields and are currently leased to the University.
- 3.5 The site was originally the location of Moulton Park House; however, this was rebuilt during the late 1800s. The buildings were used for a variety of uses until they were demolished to accommodate the original university facilities in the 1970s. Despite this, a number of historic features remain, which comprise a ha-ha to the west of the site, the tree lined avenue from Boughton Green Road and the sections of the original stone wall adjacent to Boughton Green Road. None of the

historic built structures are listed or included within any Conservation Area.

#### **4. PLANNING HISTORY**

- 4.1 None relevant to this planning application.

#### **5. PLANNING POLICY**

##### **Development Plan**

- 5.1 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 for the purposes of this application comprises the Central Area Action Plan (hereafter referred to as the CAAP) and whilst not yet adopted, weight can be attributed to the Submitted West Northamptonshire Joint Core Strategy (as subsequently modified).

##### **National Policies**

- 5.2 Paragraph 47 of the National Planning Policy Framework (hereafter referred to as the NPPF) requires that Local Planning Authorities ensure that the planning process meets the full, objectively assessed needs for the area. Paragraph 49 requires that proposals for housing should be encouraged within the context of promoting sustainable development. The same paragraph also states that in instances where a five year housing land supply cannot be demonstrated (which is the case in Northampton), any relevant Development Management policies cannot be considered to be up to date. Paragraph 14 requires that in instances where the development plan is silent or out of date, the overarching aim of providing sustainable development should be used to determine planning applications.
- 5.3 In terms of providing additional housing, it is incumbent that planning decisions provide a variety of housing types in order to meet the wide range of differing needs for housing (paragraph 50). In design terms it is required that the planning decision proactively support sustainable development, mitigating impacts on amenity and facilitating mixed use developments (paragraph 17). Paragraph 35 states that, where practicable, developments should be designed with a safe and secure layout that reduced the potential for conflicts between pedestrians and traffic. Paragraph 50 requires that new developments provide a wide choice in new homes. The NPPF also requires that new developments be of a good quality design (paragraph 56).

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

- 5.4 Although exceedingly dated, which raises questions regarding the precise amount of weight that can be attached to each policy; the Local

Plan remains a material consideration in the determination of this planning application.

- 5.5 The relevant policies include Policy L2, which identifies the application site as an education institution and states that planning permission for the redevelopment of such sites will only be granted in such instances when where it can be demonstrated that the land or facilities likely to be lost are needed in the long term for recreation use; that the scheme retains open space of significant amenity and landscape value and the existing sports and recreation facilities can best be retained or enhanced through the redevelopment of the site. E11 that requires developments to have a neutral impact upon trees of significant value; Policy E19 requires the securing of adequate mitigation; E20 that states that developments should be of a satisfactory standard of design; and E40 that compels developments to be designed in such a way so as to minimise opportunities for crime and anti-social behaviour.
- 5.6 In addition, Policy H7 states that new proposals should be of a good design and amenity; Policy H17 requires the provision of a suitable level of housing for people with disabilities; and Policy H32 necessitates the provision of some affordable housing.

#### 5.7 **Supplementary Planning Guidance**

Affordable Housing  
Developer Contributions  
Parking  
Planning out Crime

#### **Other Material Considerations - Submitted West Northamptonshire Joint Core Strategy**

- 5.8 Weight can be given to the West Northamptonshire Joint Core Strategy (JCS), this would be significant where a policy has received few representations and unresolved objections are not considered likely to have a significant bearing on the strategy of the Plan. The JCS provides an up to date evidence base and considers the current Government requirements for plan making, being prepared in full conformity with the NPPF. The plan has been the subject of an examination in public and the findings of the Inspector are awaited.
- 5.9 Policy S1 states that new developments would be concentrated primarily in and adjoining the existing principal urban area of Northampton. Of particular relevance to this application, Policy S4 requires the provision of about 28,470 new dwellings within the Northampton Related Development Area (NRDA) between 2011 and 2029. This figure has been calculated as a result of the West Northamptonshire Objectively Housing Needs Assessment. Policy S10 requires that new developments be located in a position where services and facilities can be accessed by walking, cycling or public transport.

- 5.9 Policy H1 requires that a mixture of house types are provided, which should be of varying sizes, types and tenures. Policy H2 also requires that at least 35% of developments of 15 or more dwellings should be made available for occupation as affordable housing.
- 5.10 Policy RC2 requires that new developments meet their own demands in terms of sporting, recreation, cultural and community facilities and to meet this demand either through on-site provision or through contributions
- 5.11 In addition to these matters, Policy INF1 requires that developments provide sufficient infrastructure to mitigate the impacts of development, which is in addition to Policy INF2 that requires a reliable mechanism for the provision of such infrastructure to be provided.

## 6. CONSULTATIONS/ REPRESENTATIONS

Representations received are summarised as follows:

- 6.1 **Anglian Water** – Recommend conditions relating to drainage in the event that the application is approved.
- 6.2 **Arboricultural Officer (NBC)** – In the event that the application is approved, efforts should be made to retain the maximum number of trees. A number of conditions are also recommended.
- 6.3 **Archaeological Advisor (NCC)** – The assessment of most heritage assets is generally agreed; however, there is a need for more work into a potential ring ditch and potential archaeological deposits.
- 6.4 **Daventry District Council** – The scheme should ensure the provision of adequate car parking to prevent an overspill into the existing residential areas.
- 6.5 **Development Management (NCC)** – Request Section 106 obligations to fund education and library provision in addition to the fire and rescue service.
- 6.5 **Environment Agency** – Object to the proposal as the submitted Flood Risk Assessment does not fully address surface water drainage. Amendments to the Flood Risk Assessment are therefore requested.
- 6.6 **Environmental Health (NBC)** – Request conditions relating to a Construction Environment Management Plan, the investigation of contaminants and noise mitigation
- 6.7 **Highways Agency** – No objections
- 6.8 **Highway Authority (NCC)** – Identify areas for additional information within the Transport Assessment and areas for amendment with

regards to the site access. It is also requested that a Section 106 Agreement fund highway alterations and provide additional bus shelters and travel cards for residents.

- 6.9 **Housing Strategy (NBC)** – The development would contribute to the identified need within Northampton for housing. Evidence should be submitted to demonstrate the issues of viability on the scheme. Conditions should also ensure the provision of 10% of homes being constructed to mobility standards.
- 6.10 **National Grid** – Provide guidance to the developer regarding the implementation of works.
- 6.11 **Natural England** – The proposal is unlikely to affect any protected sites or landscapes.
- 6.12 **NHS** – Request a Section 106 obligation to fund improvements to existing surgeries or to be able to pool the contributions to enable long term capacity issues to be addressed.
- 6.13 **Northamptonshire Police Crime Prevention Design Advisor** – No objections, but make a number of recommendations regarding parking, open space and footpath design.
- 6.14 **Sport England** – The proposal has been assessed against Sport England's objectives and it is considered that the residents of the development would make a demand for sporting facilities, which may be exacerbated by the loss of playing fields. Mitigation could be secured through a Section 106 obligation.
- 6.15 **Urban Designer (NBC)** – The development includes the retention of historic items and provides an appropriate suburban development. Although located on high ground, the surrounding trees and developments limit views of the application site. Wider pedestrian linkages have been assessed.
- 6.16 **Western Power** – No objections.
- 6.17 **Four objections** have been received. Comments can be summarised as:
- a) The proposal would increase demand for school places
  - b) There are concerns regarding the level of traffic generation
  - c) Consideration should be given to accommodating another traffic access
  - d) There are concerns regarding future boundary treatments and potential impact on security
  - e) Additional planting could be accommodated
  - f) The proposal would affect existing flora and fauna
  - g) There are currently no plans for the future use of Gallagher Fields.

## **7. APPRAISAL**

### **Principle of the development**

- 7.1 As discussed in Section 5 of this report, it is necessary for Local Planning Authorities to demonstrate the provision of a five year housing land supply. In instances, where such a supply cannot be demonstrated, the relevant local plan policies cannot be considered to be up to date. In the specific case of Northampton, such a five year supply is not available and accordingly, the relevant Local Plan Policies can only be given a small amount of weight in the determination of this planning application.
- 7.2 The proposed development would result in the delivery of up to 800 dwellings, which would make a significant contribution to addressing the established need for housing within the Borough as identified by JCS Policy S4. The policy position of the JCS is that the housing need for Northampton can only be fully addressed through the development of sites within the existing urban fabric.
- 7.3 The over-riding objective of the NPPF is that in situations where the Local Plan is out of date, applications should be determined on the basis of whether they represent sustainable development. By reason of the site's location within an existing residential area when combined with the links to surrounding areas (through road, pedestrian and public transport links) and the retention of a significant number of mature trees means that the residential development of this site is sustainable. Although the proposed site features some recreation space/sports facilities (provided as part of the operation of the University), the site represents previously developed land and is located within a suburban location and therefore is in conformity with this objective.
- 7.4 It is accepted that the site is allocated within the Local Plan as being an educational establishment; however, due to the likely relocation of the university, a strong case can be made that the retention of this site is no longer necessary and the site can be released for other uses, particularly in the case of residential accommodation, which would assist in addressing an identified need within Northampton. Furthermore, the allocation within the Local Plan is exceedingly dated and does not reflect recent planning decisions.
- 7.5 This development is linked to an approval in principle to redevelop the site off of Nunn Mills Road for a new University campus (Planning Application reference: N/2013/0912). The proposal has previously been considered by the Council's Planning Committee at the December 2013 meeting, where members resolved to approve the application subject to a Section 106 Agreement. Work on the legal agreement is nearing completion and members are due to consider some comparatively minor revisions to the proposal at the meeting on the 29<sup>th</sup> July. This proposal would significantly contribute to the enhancement of the town centre and would deliver the regeneration of

a significant and prominent site within the town centre, which has been vacant for a substantial amount of time. The proposal would also support the continued growth of the university's facility and reputation of the University of Northampton, which would in turn improve the profile of Northampton as a whole.

- 7.6 The redevelopment of the Park Campus site would contribute towards the delivery of the new campus as the University is committed to reinvesting any capital receipts from Park Campus into the Nunn Mills project. As a consequence of this, a strong case can be made that the proposed development, in addition to providing needed residential units, would also indirectly lead to the delivery of town centre regeneration and contribute to meeting the aims and objectives of the Central Area Action Plan.

### **Design and layout**

- 7.7 On account of the large scale of the site, it is considered that the provision of 800 dwellings is acceptable as the development is of an appropriate scale and density when compared to the nature of the surrounding area. As this is an outline application, with all matters reserved with the exception of access, the layout of the development is yet to be formally determined; however, the applicant has submitted an indicative proposal.
- 7.8 The indicative parameters indicate that the proposed buildings would generally be between two and three storeys in height and have a maximum height of 11m. These proportions are complementary towards the prevailing character of the surrounding area and would prevent the development from adversely impacting upon the amenities of the existing properties. The indicative parameters would also allow for the retention of a significant number of mature trees, including those adjacent to the northern boundary and a substantial band of trees in the centre of the site.
- 7.9 The indicative layout (which should be taken as a strategy to demonstrate the suitability of the site to accommodate a suburban form of development in a well landscaped setting) accommodates a development that maintains the character of the existing area and would ensure through the various pedestrian and vehicular links that the development would be well integrated with the surroundings. The indicative layout also highlights the possibilities of securing strong pedestrian links throughout the development. These would include direct links to the entrances and exits and the areas of open space. The proposal also utilises less formal pedestrian routes that would facilitate the use of the existing tree belts for recreational activity. The indicative proposal also demonstrates that these pedestrian routes could benefit from natural surveillance, thus creating a safe development.



- 7.10 The indicative layout would see the retention of the ha-ha within an area of allocated open space within the development. In addition, the existing stone wall adjacent to Boughton Green Road would be retained. The exception to this would be a section of a wall that needs to be resited to provide the necessary visibility splays for the reconfigured access. In order to provide certainty that these works would not be detrimental to visual amenity, a condition is recommended that would require that details of the materials used for the resited wall are subject to the approval of the Council. The scheme has also been amended to include the provision of additional landscaping within the pedestrian access route running from Boughton Green Road, adjacent to the former Lodge building. This feature would reflect the original entrance avenue to the site. For these reasons, the proposal would have a neutral impact upon the site's heritage assets.
- 7.11 In order to secure a good standard of development, a condition is recommended that would require the submission and agreement of a design code prior to the submission of a reserved matters application. This would provide a greater amount of detail regarding matters such as scale and style of the development, in addition to matters such as the potential palette of building materials. These details would inform the submission of the reserved matters application.
- 7.12 It is considered that due to the scale of the development proposed, the site area and the natural constraints of the site (e.g. the need to retain a number of mature trees), it is likely that a final design could be developed that would ensure that there would be no undue detrimental impact upon the amenities of surrounding residents in terms of matters such as light, outlook and privacy.
- 7.13 Northamptonshire Police's Crime Prevention Design Advisor has recommended that car parking be provided in front of building plots or are sited in areas that are readily overlooked; that footpaths should be overlooked; that play equipment is sited in such a way so as to take into account the potential for nuisance to be generated from such facilities. In addition, the use of back-to-back residential boundaries is a positive addition to the scheme as this prevents a potential means of unauthorised access. Whilst these points are noted, they are matters to be addressed within the Reserved Matters application as opposed to this Outline proposal; however, they have been brought to the attention of the applicant. Matters relating to site and plot boundary treatments will also be addressed at the Reserved Matters stage.

### **Retail provision**

- 7.14 The proposal has been revised to include a number of potential sites for retail facilities. This is considered to be important due to the lack of such facilities within the vicinity of the site, with the nearest significant facilities being situated within Harborough Road and Newnham Road (both in excess of 1000m away from the application site). As a consequence of this, there is a risk that occupiers of the development

would be reliant upon private cars in order to undertake routine tasks. The placement of a retail unit would therefore promote sustainable development as it would allow for some trips to be made on foot.

- 7.15 The various potential sites for retail development are considered acceptable. As there is currently no agreed occupier for the retail development, the applicant has proposed a number of locations, which have been informed by the need to prevent undesirable parking on Boughton Green Road and the need to ensure that the site is easily accessible. This has led the store sites to be located to the south of the site, adjacent to the main circulatory road within the development.
- 7.16 Notwithstanding this assessment, there is a concern that retail facilities could potentially compete against the allocated hierarchy of centres within Northampton to the detriment of their viability and vitality. Furthermore, an overly large retail provision could also have impacts on highway capacity and neighbour amenity. Accordingly, it is recommended that a condition be attached to the approval notice requiring that the total amount of net retail floor space is less than 500 square metres. This provision could be provided within one or more, smaller units. More specific matters pertaining to the retail unit, such as opening and delivery times, would be addressed in the resultant reserved matters application, once the precise location of the retail provision is known.

### **Highway impacts**

- 7.17 A transport assessment was submitted as part of the initial application, which has been assessed by the Highway Authority. The response of the Highway Authority is that additional information is required in order to satisfy a number of technical points. At the time of preparing this Committee report, additional information to address these matters has been submitted, but the views of the Highway Authority are awaited. An update on these matters will therefore be provided to members at the Committee meeting. In the event that objections are still in place at the Committee meeting, it is requested that delegated authority be given in order to enable officers to resolve any such points in order to enable the scheme to proceed.
- 7.18 All vehicular traffic would enter and exit the site via Boughton Green Road. This is acceptable on the grounds that the developer has carried out an assessment of the likely impacts of the development on the flow of traffic within the vicinity, which has concluded that the proposed development would lead to a reduction (particularly during the peak morning period) in the number of journeys being made to and from the site. As a consequence of this, it is likely that the proposed development would not have any greater impact on the surrounding highway system than the existing, permitted use and therefore there would be no undue increase in congestion or detrimental impact upon highway safety.

- 7.19 The applicant has assessed the possibility of incorporating a third access to the site. These options include creating a link with Scirocco Close, Kings Park Road, Talavera Way or The Avenue (Spinney Hill). These options have been discounted as they would involve significant land acquisitions, be exceedingly costly (which would impact upon the viability of the proposal), potentially have a significant negative impact upon the surrounding network of open space and ecology and could encourage additional 'rat running'. Given the limited impacts that a third access would have in assisting in the ease of movement and the reduction in traffic that this proposal would represent, this matter has not been pursued.
- 7.20 The design of the north eastern most existing junction would be revised so that it becomes a junction as opposed to a roundabout. This is an appropriate response as it would prevent vehicles travelling along Boughton Green Road in a north easterly direction from having to give way to traffic leaving the application site. This arrangement would therefore reduce the potential for congestion in Boughton Green Road. The required design code, as referenced previously, would ensure that the final design of the development is carried out in such a manner to ensure that this serves as the main entrance to the site.
- 7.21 The installation of a junction would require the existing stone wall to be resited. This could have some impacts upon the health of the mature trees adjacent to this junction. The applicant has submitted information, which contends that these trees would not be unduly affected. This information is in the process of being assessed and a further update will be provided to members at the Committee meeting. In the event that some of the trees need to be removed, it would be possible to secure mitigation in the form of replacement trees of suitable types and maturity.
- 7.22 The proposed development includes the provision of 1600 car parking spaces, which is appropriate given the scale and type of the development.

### **Open Space and sports facilities**

- 7.23 The indicative plan shows the provision of a number of areas of open space, which are necessary to provide a suitable level of recreation facilities for residents of the proposed development and to ensure that the resultant residential development is a usable and attractive place. The indicative layout highlights that the proposed open space would comprise formal areas of recreation space and areas that would assist in creating a strong sense of place. These facilities would be in addition to the private gardens that would serve each dwelling. In order to ensure that the reserved matters application comes forward in a manner consistent with the submitted indicative proposals, it is considered that the associated legal agreement requiring a minimum level of public open space and sports facilities is necessary and reasonable. This obligation would also ensure that the open space is

provided at an opportune time during the delivery of each phase of the development and that these facilities are maintained and made available for public access throughout the life of the development.

- 7.24 It is noted that a holding objection has been received from Sport England with regards to the loss of sports facilities. In considering the application, officers have concluded that there is a mechanism (as described previously) to secure suitable on site open space and recreation facilities to meet the needs of the future occupiers of the development. Whilst it is accepted that this provision would represent a decreased on site provision, when compared to the existing situation, officers consider that this situation should be considered holistically along with other developments within the Borough.
- 7.25 As discussed previously, this proposal would only be implemented upon delivery of the new University campus off of Nunn Mills Road. As part of this development, the new campus would include a full complement of sporting facilities. As the university needs to be operational at all times, Park Campus would only be closed at the point in which the Nunn Mills Campus is ready to become operational. As a consequence of this, there will be no overall reduction in provision, even on a temporary basis. All sports currently played at Park Campus would be offered within Nunn Mills Campus, with potential additional capacity for Tennis and Table Tennis.
- 7.26 The vacating of Park Campus by the University would also result in the institution terminating their lease to occupy the adjacent Gallagher Fields site as it would not be desirable to continue to operate these facilities on a 'satellite' basis separate from all other student facilities. Therefore, these playing pitches would be returned to community use only.
- 7.27 Although there is some community use of the sporting facilities within Park Campus, these are extremely limited (in essence, three events take place each on a monthly basis and only at weekends). The new Campus would be able to offer an enhanced community offer, including the facility to play sport during some weekday afternoons and evenings, in addition to weekends. Furthermore, officers consider that the Nunn Mills site represents a more sustainable location for such facilities due to the greater accessibility that arises from being situated adjacent to the town centre. Furthermore, there is a greater amount of public car parking within the general vicinity than Park Campus and a docking station for the new 'Cycle Connect' service is situated within the nearby Becketts Park.
- 7.28 At the time of preparing this Committee report, the holding objection remains; however, officers and the applicant are in correspondence with Sport England on this subject. It is therefore requested that this matter be delegated to officers to enable a continued dialogue with Sport England to take place and, in the event that the objection

remains in place, to refer the planning application to the Secretary of State for consideration.

### **Air quality, noise and contamination**

- 7.29 At the time of submitting the application, the applicant has undertaken initial investigations, into the potential for contaminants, these have concluded that the site is suitable for redevelopment for residential accommodation. Notwithstanding this, there is a need to undertake more intrusive investigations into matters such as naturally occurring contamination. Accordingly, it is recommended that any permission is subject to a condition that would require this to be carried out. A further condition would also address the matter of unsuspected contamination.
- 7.30 The submitted acoustic assessment identifies that there is a need for some on site mitigation in respect of road noise. As this is an outline application of which the final design is not yet known, a condition requiring the submission of a scheme to address this matter is necessary and reasonable.
- 7.31 The applicant has submitted an assessment, which has demonstrated that the proposal would not negatively impact upon the area's air quality.
- 7.32 In order to ensure that the carrying out of the development does not have an adverse impact upon the amenities of the surrounding residents, a Construction Environment Management Plan (CEMP) would be secured via a condition. This would address matters such as the hours in which building works take place, strategies for the control of noise and dust, the routing of vehicles serving the construction process and methods for preventing mud from being brought onto the public highway.

### **Drainage and flooding**

- 7.33 In accordance with the advice of Anglian Water, conditions are recommended that would require the submission of a foul water drainage management strategy and for this to be fully implemented prior to occupation of the dwellings permitted. A further condition is recommended that would require that no areas of hard standing are constructed until the necessary drainage works have been implemented. These conditions would ensure that the proposal does not increase the risk of flooding elsewhere.
- 7.34 The Council has sought the advice of the Environment Agency (EA) in respect of flood risk. At the point of preparing this report, the Council is in receipt of objections as additional technical information is required to be added to the submitted Flood Risk Assessment. These additional details relate to the need for more clarity relating to the maintenance of drainage system and discharge rates relating to drainage ponds. The applicant has submitted additional information, which is currently being

considered by the EA. A further update will be provided to members at the Committee meeting; however, in the event that they are remaining, it is requested that delegated authority be given to addressing these matters prior to approval being granted.

### **Trees and ecology**

- 7.35 On account of the size and nature of the application site, a biodiversity assessment has been submitted. In terms of habitats, the site's hedgerows are generally of a poor quality. The proposed development would see the retention of a significant number of trees and would also see additional new trees and grasslands being planted.
- 7.36 Conditions are recommended that would ensure that the trees identified for retention within the applicant's submission are maintained in accordance with the submitted mitigation strategy. These are necessary in order to ensure that the development retains part of its original parkland character.
- 7.37 In terms of wildlife, there are a total of four buildings and three groups of trees on site that have the potential to provide a habitat for bats. Following a detailed survey into their presence, it has been confirmed that there is no evidence of an on-site bat population. Given the comparatively poor quality (in terms of variety) grassland on site, it is concluded that the site would not be a suitable habitat for reptiles. In carrying out survey work, a single grass snake was observed; however, this species is highly transitory and given the poor quality environment (i.e. poor grassland, lack of scrubland or water), it is unlikely that site supports a population of this species.
- 7.38 The applicant has assessed the potential impact of the development upon lepidoptera; however, any such impact are likely to be small due to the retention of the bulk of the site's trees, including the large groups around the site's entrance.
- 7.39 The site is unlikely to lead to a loss of habitat for nesting birds; however, in the event that works to remove trees/habitats is carried out within the breeding season (March to August), it is recommended that the a further survey be carried out to establish the presence of any such species and to structure any development around the survey's findings. The development site does include a badger sett; however, through the carrying out of appropriate mitigation works (such as by ensuring that the appropriate separation distances are maintained; preventing access to trenches; and ongoing monitoring works), it is considered that there is unlikely to be any impact upon this species.

### **Archaeology**

- 7.40 The County Council Archaeology advisor has raised concerns as there remains a potential for an undated ring ditch to remain, in addition for potential buried archaeological features to exist. The applicant has

provided an additional survey to address this matter and an update will be provided at the Committee meeting.

### **Legal Agreement**

- 7.41 Ordinarily, developments of this size would require a Section 106 Agreement, covering a number of matters including the provision of 35% of the development to be used for affordable housing, and financial contributions towards education provision, open space and public transport enhancements. The developer has submitted a viability appraisal that the Council has had independently assessed. In summary, the proposed development is marginal in terms of viability and as a consequence, the proposal is only able to support the provision of 8% affordable housing on site and a reduced financial payment towards off site infrastructure. By reason of the nature of the proposed development (i.e. family housing) and acknowledged shortfalls within Northampton, it is considered that it would be most appropriate for this money to be used to fund education provision to meet the likely needs arising from the proposal.
- 7.42 It is accepted that these Section 106 obligations are significantly lower than those normally associated with similar sized residential schemes; however, it should be noted that the proposed development would bring forward a significant number of houses that would address the established need within the Borough. In addition, this application is necessary to bring forward financial receipts in order to contribute towards the delivery of new University campus at Nunn Mills Road. Clearly this scheme, would deliver significant regeneration benefits to the town. Furthermore, an enhanced university would also be of significant benefit in terms of promoting the image of Northampton to a wider audience.
- 7.43 All proposed Section 106 obligations need to be balanced against the requirements of the Community Infrastructure Levy Regulations, which specify three key legal tests that should be applied in deciding whether a particular obligation can be requested. These specify that obligations should be:
- i) Necessary to make the development acceptable in planning terms;
  - ii) Directly related to the development; and
  - iii) Fairly and reasonably related in scale and kind to the development.
- 7.44 On the grounds that the provision of affordable housing and payments towards education provision would address the likely needs arising from the development such a requirement is in accordance with the above regulations.
- 7.45 It is accepted that, ordinarily, a Section 106 obligation would be required that would secure a payment towards off site public space improvement; however, it is acknowledged that such a payment would

render the scheme unviable and therefore unlikely to proceed. As a consequence of this, which should be combined with the wider benefits of the scheme in terms of promoting town wide regeneration, it is considered that ensuring a viable residential scheme that is deliverable is paramount. Furthermore, the proposal would see the retention of a reasonable amount of open space on site, which would meet the potential needs of residents of the development. It should also be noted that replacement sports facilities would be provided within the new university campus as discussed previously.

- 7.46 It is also accepted that there is some justification for seeking payments towards health care provision; however, the marginal viability of the scheme is such that a Section 106 obligation could render the scheme unviable and therefore may not proceed. As it is probable that the current greatest need is focused upon the provision of affordable housing and education, it is recommended that the Section 106 Agreement focus upon these matters.
- 7.47 The County Council has requested a payment for the provision of the fire service and libraries. There is no adopted development plan policy support for these requests and it is not clear what facilities would be secured or what needs would be addressed by this obligation. Therefore, it is not considered that this request can be supported. The County Council have also requested that a fire hydrant is provided. This is a matter that would be addressed under the relevant building regulations and therefore does not need to be replicated as part of the planning process.
- 7.48 It is noted that the Highway Authority have requested funding towards bus shelter provision within Boughton Green; however, the bus stop serving west bound traffic is already fitted with a shelter, whilst the pavement adjacent to the bus stop serving east bound traffic is adjacent to private land. As a consequence of this, it is doubtful that shelters could be deliverable even if a Section 106 obligation could secure them. In addition, the Highway Authority has requested funding to enable each household of the development to be provided with a temporary travel card in order to promote the use of public transport. Whilst the aims of this suggestion are laudable, it is extremely doubtful that the proposal would have lasting mitigation in terms of enabling a modal shift in travel patterns.
- 7.49 As discussed previously, the proposed development would not result in an increase in the level of road usage surrounding the application site. As a consequence of this, the proposal would not require any mitigation to be provided in terms of physical highway improvements as any such works would not be in conformity with the relevant legal tests as discussed within paragraph 7.43.



## **8. CONCLUSION**

- 8.1 In conclusion it is considered that the proposed development is acceptable in principle due to it making a substantial contribution to the identified housing need in Northampton. Furthermore, the application has established an acceptable set of parameters from which a Reserved Matters application can be developed. It is accepted that the Section 106 Agreement would be somewhat limited in scope; however, this is justified on the grounds of viability as the development of the site would financially contribute to the delivery of a new University campus off of Nunn Mills, which would bring wider regeneration benefits to the town. Without these reduced Section 106 obligations, it is doubtful that either scheme would come forward.
- 8.2 Notwithstanding this assessment, it should be recognised that there are currently some outstanding issues (relating to sports facilities, highways matters, archaeology and flood risk). The applicant and officers are working to resolve these issues; however, it has not been possible to complete this process. Due to the significance and specific circumstances of this application, it is requested that in the event that members consider the principle and the matters not covered by the above points acceptable that the application be delegated to officers to resolve the matters of objection and, if necessary, refer the application to the Secretary of State.

## **9. CONDITIONS**

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

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

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

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

- (3) The development hereby permitted shall be begun either before the expiration of 10 years from the date of this permission, or, if later, before the expiration of six years from the date of approval of the last of the reserved matters to be approved.

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

- (4) The development hereby permitted shall be carried out in accordance with the following approved plans: 001; and 002.

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

- (5) The development hereby permitted shall be for a maximum of 800 dwellings and a maximum of 500 square metres of nett floor space for uses falling within Class A1 of the Town and Country Planning (Use Classes) Order 1987 (as amended).

Reason: For the avoidance of doubt and to ensure conformity with the National Planning Policy Framework.

- (6) The development hereby permitted shall include a minimum of 1600 car parking spaces.

Reason: In the interests of highway safety in accordance with the National Planning Policy Framework.

- (7) The development hereby permitted shall be carried out in accordance with the Building Heights Parameter Plan (drawing number Z-01-007, Rev. P1),

Reason: In the interests of visual and residential amenity in accordance with the National Planning Policy Framework and the Northampton Local Plan.

- (8) A phasing plan for the implementation of the development hereby permitted shall be submitted to and approved in writing. Development shall be carried out in accordance with the approved details.

Reason: In the interests of securing a satisfactory standard of development in accordance with the National Planning Policy Framework.

- (9) Prior to the submission of any reserved matters application, a Masterplan and Design Guide covering the whole of the site shall be submitted to and approved in writing by the Local Planning Authority. The Design Code shall be formulated having regard to the approved Design and Access Statement, parameters plan, landscape strategy and shall respond to the recommendations of Building for Life 12 and shall include the following details.

- i) A phasing plan of the development, including an affordable housing plan.
- ii) The proposed movement network delineating the primary, secondary and tertiary streets and pedestrian and cycle connections, setting out the approach to estate design, treatment of non-vehicular routes and car and cycle parking.

- iii) The proposed layout, use and function of all open space within the development.
- iv) The approach to and design principles applied to car parking (on and off street), including surface treatments.
- v) Phase layout principles to include urban structure, form and layout of the built environment, building heights, densities, legibility, means of enclosure, key gateways, landmark buildings and key groups.
- vi) The design approach for areas within the public realm including landscaping and hard surface treatments, lighting, street trees, boundary treatments, street furniture and play equipment.
- vii) External materials to include a palette of wall and roof finishes, porches, heads, cills, chimneys, eaves and verges in addition to the colour palette for doors, windows and rain water goods.
- viii) The design principles that will be applied to the development to encourage security and community safety.
- ix) The routing and treatment of all footpaths and pedestrian routes throughout the site.

Thereafter, any reserved matters application for any phase of the development shall comply with the principles established within the approved Design Code.

Reason: In the interests of securing a satisfactory standard of development in accordance with the requirements of the National Planning Policy Framework.

- (10) The access arrangements as shown on drawings 001 and 002 shall be constructed prior to the first occupation of the development hereby permitted and retained thereafter.

Reason: In the interests of highway safety in accordance with the National Planning Policy Framework.

- (11) The development hereby permitted shall be carried out in accordance with the Method Statement for the retention of trees along Boughton Green Road report (dated July 2014) and the Tree Impact Appraisal (dated May 2014).

Reason: In the interests securing a satisfactory standard of development in terms of the impacts upon the site's trees in accordance with Policy E11 of the Local Plan.

- (12) Details and/or samples of the proposed external facing materials for the resited boundary wall adjacent to Boughton Green Road 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 E20 of the Northampton Local Plan.

- (13) Prior to the commencement of each phase 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 then be carried out in accordance with the approved CEMP. The CEMP shall include, though not necessarily be restricted to the following details:
- i) A Traffic Management Plan incorporating the routing of construction traffic and details of heavy vehicle movement patterns.
  - ii) Measures to minimise and control noise, vibration, dust and fumes during site preparation works and construction, including vehicle reversing alarms.
  - iii) Details of the siting of all vehicles of site operatives and visitors.
  - iv) The unloading and loading arrangements for heavy plant and machinery.
  - v) The location, extent and duration of any temporary stockpiling areas.
  - vi) Measures to prevent mud being deposited on the surrounding highway.
  - vii) Hours in which development will take place.

Reason: To minimise the impact of the development during the construction phase in accordance with the National Planning Policy Framework.

- (14) No development shall take place on each phase of the development until a desk top study in respect of possible contaminants within that phase is completed and a site investigation has been designed. 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. The site investigation and appropriate risk assessments shall be carried out and the results shall be used to produce a method statement for the necessary remedial works (and a phasing programme), which shall be submitted to and approved in writing by the Local Planning Authority. All remedial works 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 of each respective phase

Reason: To ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with the advice contained in the National Planning Policy Framework.

- (15) 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 and where remediation is necessary a remediation scheme must be 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.

Reason: To ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with the advice contained in the National Planning Policy Framework.

- (16) Prior to the commencement of development on each phase of the development an assessment of the noise exposure of each habitable room on the exposed façades due to transportation, which must take into account the likely growth of traffic over the next 15 years shall be submitted to and approved in writing by the Local Planning Authority.

Where the night time internal noise level in any bedroom exceeds the night time WHO 1999 standard of  $L_{Aeq, 8 \text{ hour } 30\text{dB}}$  with window open, a noise insulation scheme shall be submitted to and approved in writing by the Local Planning Authority, which will require the provision of ventilation or heat control systems. Development shall be carried out in accordance with the approved details, shall be fully implemented prior to the first occupation of each affected dwelling and retained thereafter.

Reason: In the interests of securing a satisfactory standard in terms of residential amenity in accordance with the National Planning Policy Framework.

- (17) Prior to the commencement of development on each phase of the development, a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented prior to the first occupation of each phase of the development and retained thereafter.

Reason: To prevent environmental and amenity problems arising from flooding in accordance with the National Planning Policy Framework.

- (18) Prior to the commencement of development on each phase of the development, a surface water strategy has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented prior to the construction of any areas of hard standing within each phase of the development and retained thereafter.

Reason: To prevent environmental and amenity problems arising from flooding in accordance with the National Planning Policy Framework

- (19) Prior to the first occupation of each phase of the development a travel plan shall be submitted to and approved in writing by the Local

Planning Authority. The plan shall be fully implemented within two months of the first occupation of the phase and retained thereafter.

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

- (20) The development hereby permitted shall be carried out in accordance with the recommendations of paragraphs 7.5.9 and 7.5.10 of the Environmental Statement (dated April 2014) in respect of biodiversity mitigation.

Reason: In the interests of securing a satisfactory standard of development in terms of mitigating the impacts of the proposal on biodiversity.

- (21) The development hereby permitted shall retain the ha-ha as shown on the Illustrative Landscape Masterplan (revision B).

Reason: In the interests of maintain a feature of historical interest in accordance with the National Planning Policy Framework.

## **10. BACKGROUND PAPERS**

- 10.1 N/2013/0912 and N/2014/0475

## **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: **Becky Gittins**  
Date: **18th July 2014**  
Scale:  
Dept: **Planning Support**  
Project: **Location Plan**

Title

## University of Northampton, Park Campus

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**PLANNING COMMITTEE:** 29<sup>th</sup> July 2014  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**HEAD OF PLANNING:** Susan Bridge

**N/2014/0600:** Erection of 36 dwellings comprising 12 three bedroom houses; 12 two bedroom houses; and 12 two bedroom flats with vehicular access from Compton Street at land at former Honda Dealership between Compton Street and Grafton Street, Northampton

**WARD:** Castle

**APPLICANT:** Westleigh Developments Ltd  
**AGENT:** RG+P

**REFERRED BY:** Head of Planning  
**REASON:** Major development

**DEPARTURE:** Yes

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## **APPLICATION FOR DETERMINATION:**

### **1. RECOMMENDATION**

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

- 1) The proposed development by reason of its design and layout would fail to create a safe and distinctive high quality environment. The proposal would therefore fail to secure a satisfactory level of residential amenity for the future occupiers of the development, which fails to comply with the requirements of the National Planning Policy Framework and Policies 1 and 24 of the Northampton Central Area Action Plan.
- 2) The proposal would prevent the site from being developed for employment uses, which would preclude the sustainable redevelopment of the wider area. The development therefore fails to comply with the requirements of the National Planning Policy



Framework and Policy 24 of the Northampton Central Area Action Plan.

- 3) By reason of its design, the proposed development fails to secure a safe road layout. The proposal therefore would adversely affect highway safety, contrary to the requirements of the National Planning Policy Framework.

## **2. THE PROPOSAL**

- 2.1 The applicant seeks planning permission to erect 36 dwellings comprising 12 flats arranged in 2 three storey buildings and 24 houses (evenly split between two and three bedrooms), which would be of two storeys in height. The majority of the proposed dwellings would be arranged in a linear form, and would front onto Grafton Street and Lower Harding Street. The exceptions to this would be 12 houses that would be arranged within three short terraces sited perpendicular to Compton Street.
- 2.2 Vehicular access would be from Compton Street and the development would be served by 40 car parking spaces. These would be arranged in three communal areas or provided through in curtilage provision. In addition, a pedestrian route from Grafton Street into the development is also proposed.

## **3. SITE DESCRIPTION**

- 3.1 The application site was originally in use as a vehicle dealership; however, this use ceased some time ago and all buildings have been demolished. Notwithstanding this, the site is allocated within the Northampton Central Area Action Plan as being a site that should be developed for employment purposes. The buildings that immediately surround the site are primarily in use for commercial purposes. There are some residential flats to the east (on the opposite side of Lower Harding Street). The areas to the north are typically characterised by the presence of residential accommodation.
- 3.2 The site is located adjacent to Grafton Street, which forms part of the inner ring road and therefore experiences a significant amount of use. The site is also in close proximity to the crossroads between Grafton Street and St Andrews Road (which is also one of the main roads around the town centre). As a consequence of this, the site is very prominent within the townscape. The application site is also surrounded by Lower Harding Street (to the east) and Compton Street (to the south). These streets predominantly serve existing business properties and the aforementioned flats.
- 3.3 The topography of the site is varied as the land levels slope upwards from the western boundary to the eastern boundary. The site does not feature any existing landscaping.

#### **4. PLANNING HISTORY**

4.1 None relevant

#### **5. PLANNING POLICY**

##### **Development Plan**

5.1 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 for the purposes of this application comprises the Central Area Action Plan (hereafter referred to as the CAAP) and whilst not yet adopted, weight can be attributed to the Submitted West Northamptonshire Joint Core Strategy (as subsequently modified).

##### **National Policies**

5.2 Paragraph 49 of the National Planning Policy Framework (hereafter referred to as the NPPF) requires that proposals for housing should be encouraged within the context of promoting sustainable development. The same paragraph also states that in instances where a five year housing land supply cannot be demonstrated (which is the case in Northampton), any relevant Development Management policies cannot be considered to be up to date. Paragraph 14 requires that in instances where the development plan is silent or out of date, the overarching aim of providing sustainable development should be used to determine planning applications.

5.3 In terms of providing additional housing, it is incumbent that planning decisions provide a variety of housing types in order to meet the wide range of differing needs for housing (paragraph 50). In design terms it is required that the planning decision proactively support sustainable development, mitigating impacts on amenity and facilitating mixed use developments (paragraph 17). Paragraph 35 states that, where practicable, developments should be designed with a safe and secure layout that reduced the potential for conflicts between pedestrians and traffic. Paragraph 50 requires that new developments provide a wide choice in new homes. The NPPF also requires that new developments be of a good quality design (paragraph 56).

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

5.4 Policy 16 of the CAAP requires that in the period leading up to 2026, the Central Area will be developed to provide up to 3,400 additional new homes and that residential developments will comprise a mixture of dwelling types, sizes and tenures. More specific to this application is Policy 24, which states that Spring Boroughs will be regenerated in a manner that would ensure a balanced community through, in part, the appropriate provision of house types and tenures; the provision of a

wider range of uses within the area that will, in particular, provide increased employment opportunities.

- 5.5 In addition to these points, Policy 1 of the CAAP requires that new developments must positively contribute to the character of an area and should create attractive and uncluttered streets that are lined by attractive buildings. Furthermore, new developments should promote high quality, inclusive design. Policy 36 requires that new developments make the required provision of infrastructure (e.g. affordable housing).

**5.6 Supplementary Planning Guidance**

Affordable Housing  
Developer Contributions  
Parking  
Planning out Crime

**Other Material Considerations - Submitted West Northamptonshire Joint Core Strategy**

- 5.7 Weight can be given to the West Northamptonshire Joint Core Strategy (JCS), this would be significant where a policy has received few representations and unresolved objections are not considered likely to have a significant bearing on the strategy of the Plan. The JCS provides an up to date evidence base and considers the current Government requirements for plan making, being prepared in full conformity with the NPPF. The plan has been the subject of an examination in public and the findings of the Inspector are awaited.
- 5.8 Policy S1 of the JCS states that new developments would be concentrated primarily in and adjoining the existing principal urban area of Northampton. Of particular relevance to this application, Policy S4 requires the provision of about 28,470 new dwellings within the Northampton Related Development Area (NRDA) between 2011 and 2029. This figure has been calculated as a result of the West Northamptonshire Objectively Housing Needs Assessment. Policy S10 requires that new developments be located in a position where services and facilities can be accessed by walking, cycling or public transport.
- 5.9 Policy H1 requires that a mixture of house types are provided, which should be of varying sizes, types and tenures. Policy H2 also requires that at least 35% of developments of 15 or more dwellings should be made available for occupation as affordable housing.
- 5.10 Policy N11 of the JCS requires that new developments within Spring Boroughs contribute towards the regeneration of the area through improved integration and connectivity, improving the public realm, improved design quality, reducing opportunities for crime and anti-

social behaviour, addressing existing deficiencies and creating opportunities for business and employment opportunities.

- 5.11 In addition to these matters, Policy INF1 requires that developments provide sufficient infrastructure to mitigate the impacts of development, which is in addition to Policy INF2 that requires a reliable mechanism for the provision of such infrastructure to be provided.

## 6. CONSULTATIONS/ REPRESENTATIONS

Representations received are summarised as follows:

- 6.1 **Development Management (NCC)** – Requesting, in the event that the application is approved, Section 106 obligations to fund primary and secondary education, fire and rescue services and the library service.
- 6.2 **Environment Agency** – No objections, subject to conditions in the event of the application being approved.
- 6.3 **Environmental Health (NBC)** – Recommend conditions relating to the investigation of contamination. The applicant has demonstrated adequate noise and air quality attenuation could be secured.
- 6.4 **Highways Agency** – No objections.
- 6.5 **Highway Authority** – There is a need for revisions to the site's turning head and some dwellings need to be re-sited so that they are situated further away from the highway.
- 6.6 **Housing Strategy (NBC)** – The proposal would provide some needed affordable housing. Addressing housing need that also addresses the wider long term need to deliver wider spread regeneration would be desirable.
- 6.7 **National Grid** – Provide advice to the developer in the event of the application being approving.
- 6.8 **Urban Designer (NBC)** – A major concern with the design of this development is its poor physical context and a lack of appreciation of the potential for change in this locality with which the development could be better integrated. This comes through in the proposed layout which fails to offer the potential to integrate with the potential for change in Spring Boroughs. Integrating this site into a wider and more comprehensive development would be more meaningful and capable of delivering the kind of change that the Spring Boroughs Neighbourhood envisages and needs. The poor size of the site and constraints in terms of Grafton Street and context of commercial development is very challenging.
- 6.9 **Western Power** – No objections

- 6.10 **Spring Boroughs Residents Association** – The proposal would address a shortage of housing in the area and has a good mixture of housing.
- 6.11 **Spring Boroughs Neighbourhood Forum** – The need for affordable family housing with gardens in the area is very high. This site could help to achieve some of this provision. The alleyway/footpaths in particular the one leading to Grafton Street are likely to lead to crime being committed and anti-social behaviour. The car parking spaces provided whilst needed, appear to be in some instances placed where space allows rather than planned for security.

## 7. APPRAISAL

### Principle of the development

- 7.1 As discussed within Section 5 of this report, there is a necessity for Local Authorities to demonstrate a five year housing land supply. Northampton at this point does not have such a supply and therefore, in line with the requirements of the NPPF, the primary matter of consideration is whether the proposed development is sustainable.
- 7.2 The site is allocated within the CAAP as being an employment site. The submitted application documents detail that the former car dealership building were marketed for a period of 48 months, before demolition work being carried out in 2011. From 2012, the building has been marketed for redevelopment. The current site owners have received four offers, all of which have been for residential schemes. Whilst it is accepted that the site has been vacant for some time, it is considered that the CAAP allocation is exceedingly recent and has been assessed by an Inspector at the plan's Examination in Public. It should also be recognised that the period of marketing coincides with an economic recession. As a consequence of this, combined with the need to provide employment opportunities that is also expressed within the JCS, it is considered that the proposal does not represent sustainable development.
- 7.3 CAAP Policy also seeks to provide a wider range of employment opportunities within the wider area. This is intended to address an existing and significant lack of employment opportunities within Spring Boroughs. The proposed development would prevent the site from being used for employment opportunities and there is no mechanism for securing replacement provision elsewhere.
- 7.4 It is accepted that the proposal would assist in addressing the established housing need within Northampton; however, the scale of the development (i.e. 36 dwellings) means that the overall contribution of the development would be relatively small and would not outweigh the disadvantages created by the loss of employment opportunities within the application site.

- 7.5 In addition, Policy 24 of the CAAP represents a very recent assessment of future development within Spring Boroughs. In particular, the policy requires the creation of a more balanced community. The characters of the existing surrounding residential buildings are generally small houses and flats. The proposed development maintains this form (i.e. being predominantly comprised of two bedroom dwellings and a significant number of flats). As a consequence of this, the proposal does not facilitate the creation of a more varied community and also fails to comply with the requirements of the NPPF in terms of providing a range of house types to meet the different needs of the community.
- 7.6 For the foregoing reasons, it is considered that the proposal does not represent sustainable development due to the replication of existing house types and the loss of a site that could potentially provide employment opportunities.
- 7.7 The applicant has submitted assessments which demonstrate that the development would secure a suitable level of mitigation from noise and air quality. Furthermore, investigations into on site contamination can be carried out prior to any construction works taking place and appropriate mitigation works carried out if necessary. Whilst these points are noted, it is considered that these do not outweigh the harm as previously identified.

### **Design and layout**

- 7.8 The layout of the proposed development features a significant amount of inward looking buildings that fails to provide an adequate level of activity onto Lower Harding Street or Compton Street. It is accepted that dwellings could, in theory, front onto Compton Street; however, this would create a further set of problems as the primary outlook of these dwellings would then face industrial units, which would not secure a satisfactory level of amenity.
- 7.9 In design terms, it is considered that the presence of two storey houses facing onto Grafton Street fails to create a satisfactory frontage and presence onto this key route around the town centre. Grafton Street (and the adjoining Campbell Street and Campbell Square) are, in part, characterised by larger scale buildings that make a positive contribution to the quality of the streetscene. In addition, this design approach does not allow for a possible landmark building to be situated towards the north west of the site as identified in CAAP Policy 24.
- 7.10 Whilst it is accepted that 40 car parking spaces is acceptable given the general location of the development, a number of these space are located within garden spaces or central parking areas. These spaces have the necessary visibility splay; however, the effect of this is to create a car dominated development, which is detrimental to the character of the development due to the absence of any significant soft landscaping. The car parking that serves the dwellings which front onto

Grafton Street would experience a poor level of natural surveillance due to the lack of windows that would overlook these spaces and boundary treatments that would disrupt views of these parking spaces from the associated dwellings.

- 7.11 The need for some dwellings to face onto Grafton Street means that a significant proportion of the internal access road is surrounded by boundary fences, which limits the attractiveness of this part of the development. This layout also fails to create a safe and secure development due to the expanse of rear boundary fences that would not be habitually overlooked. There are additional concerns regarding the pedestrian route running from Grafton Street. This path would not feature any natural surveillance from the surrounding properties and therefore this could become a venue for anti-social behaviour.
- 7.12 The surrounding land uses and scale and position of the road network mean that the development is not integrated with the surrounding area. Whilst there may be scope to overcome this through a more holistic regeneration of the wider area, it is incumbent upon Local Planning Authorities to assess planning applications upon their own individual merits. For the reasons previously discussed, the design and layout of the proposed development is unacceptable and would fail to represent sustainable development within the context of the NPPF.
- 7.13 As a consequence of this, it is necessary to balance the poor quality design against the lack of a five year housing land supply. By reason of the significant design flaws, which could not be realistically overcome due to the inherent constraints of the site means that it is concluded that the proposal is not sustainable and therefore the benefit of the extra house provision is outweighed.
- 7.14 The proposed layout would ensure that all residents would have a suitable level of light, outlook and privacy and that the development would not impact upon the amenities of the surrounding occupiers. The proposed flats do not feature any private amenity space; however, this arrangement is considered appropriate given that these units are unlikely to be used as family accommodation and the proximity of the site to the Miller's Meadow recreation ground. It is considered that these points are insufficient to outweigh the harm and deficiencies of the scheme as highlighted previously.

### **Highway impacts**

- 7.15 As discussed previously, the provision of 40 car parking spaces is considered appropriate given the proximity of the site to major roads and the town centre. No objections have been received from the Highway Authority in terms of the impacts of the development upon the surrounding road network.
- 7.16 The Highway Authority have raised concerns regarding the position of three dwellings (adjacent to Compton Street) and have also requested

amendments to the turning head serving the proposed flats. By reason of the significant inherent weaknesses of the scheme, officers have not secured amendments to the proposal. Therefore, the proposed development does not allow for the safe manoeuvring of vehicles meaning that the development is not in accordance with the requirements of the National Planning Policy Framework.

## **8. CONCLUSION**

- 8.1 In conclusion, it is recognised that there is a need for new residential accommodation within Northampton and that there is not an available five year housing land supply; however, the NPPF requires that in such instances, applications should be assessed as to whether they would represent sustainable development. It is considered that due to the proposal representing a departure from the Central Area Action Plan, which would prevent the site from being developed to provide employment opportunities combined with the development's poor design and layout, the proposal is not sustainable. Accordingly, the development is not in compliance with the requirements of the NPPF and local planning policies.

## **9. BACKGROUND PAPERS**

- 9.1 N/2014/0600

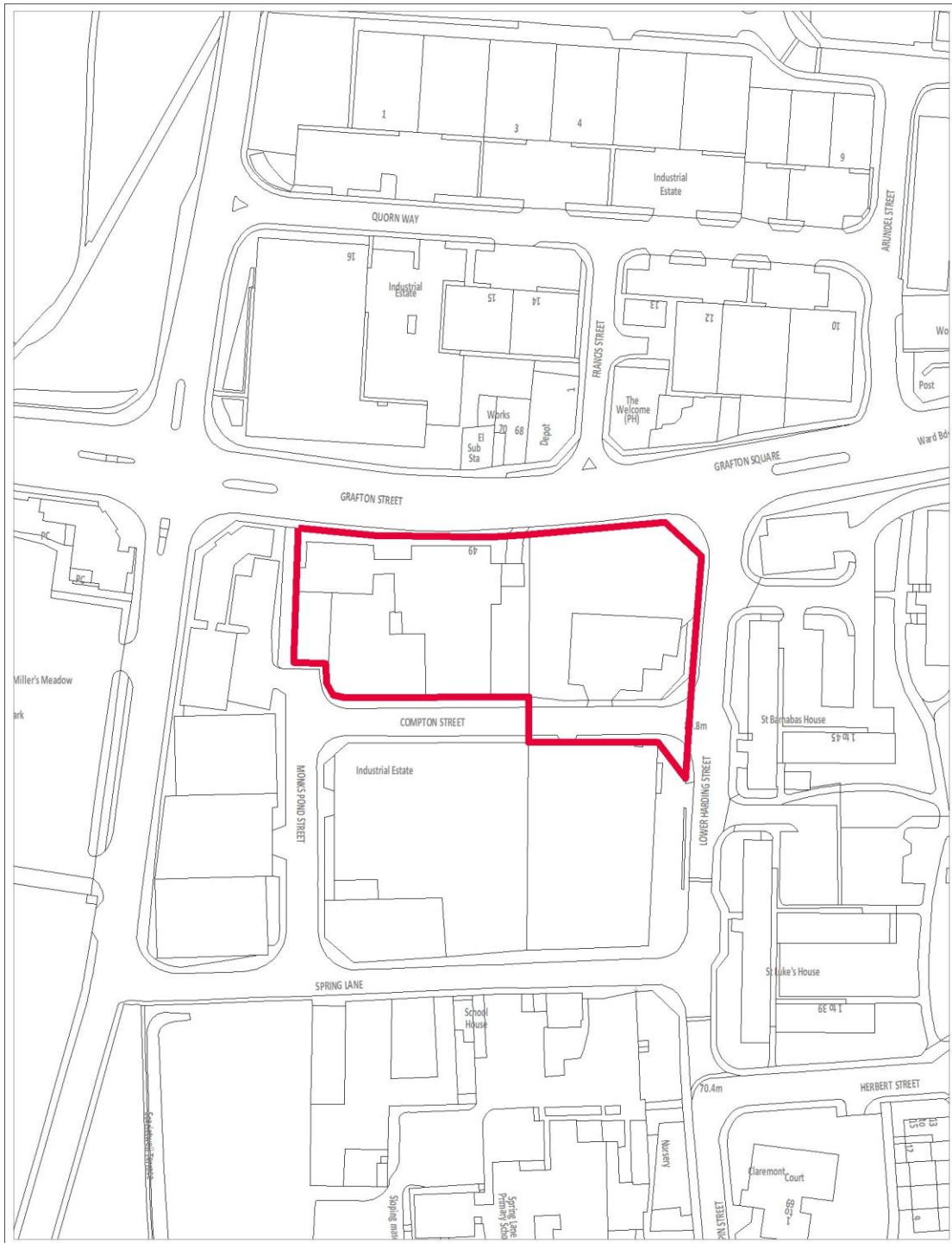
## **10. LEGAL IMPLICATIONS**

- 10.1 None

## **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: Becky Gittins  
 Date: 17th July 2014  
 Scale: 1:1250  
 Dept: Planning Support  
 Project: Location Plan

Title  
**Former Honda Dealership, Grafton Street**

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**PLANNING COMMITTEE:** 29<sup>th</sup> July, 2014  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**HEAD OF PLANNING:** Susan Bridge

**N/2014/0607:** Change of use from dwelling (Use Class C3) to mixed residential and nursery use at 1 Spyglass Hill, Northampton.

**WARD:** Wootton and East Hunsbury

**APPLICANT:** Mrs Lisa Davey

**AGENT:** None

**REFERRED BY:** Councillor Geraldine Davies

**REASON:** Considers there would not be a detrimental impact contravening Policy H35 which could not be overcome by conditions relating to the operations of the proposed business.

**DEPARTURE:** YES

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## **APPLICATION FOR DETERMINATION:**

### **1. RECOMMENDATION**

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

- 1 The proposal would have an adverse impact upon the amenity of residents in the area, in particular those immediately adjoining the site, by virtue of the introduction of an incompatible use in a residential area leading to undue disturbance to adjoining occupiers. The proposal is therefore contrary to Policy H35 of the Northampton Local Plan and the National Planning Policy Framework.
- 2 The proposed development would increase the concentration of traffic in the vicinity of the site causing additional danger to users of the highway and adversely impacting the amenity enjoyed by

neighbouring residents contrary to National Planning Policy Framework and Policy T11 of the Northampton Local Plan.

## **2. THE PROPOSAL**

- 2.1 The applicant seeks planning permission to change the use of the dwelling from a single unit of residential accommodation to a mixed residential and nursery use accommodating up to 55 children and 10 members of staff.

## **3. SITE DESCRIPTION**

- 3.1 The property comprises a substantial two storey detached dwelling, located on the east side of Spyglass Hill, a cul-de-sac of 16 dwellings, situated within a predominantly residential area. The property is located adjacent to the junction with Rowtree Road and opposite East Hunsbury Primary School which is located on the north side of Rowtree Road. Dwellings in Spyglass Hill are typically large, but have are of varying designs. The application property features a large driveway, an integral double garage and a rear garden which wraps around the property.

## **4. PLANNING HISTORY**

- 4.1 N/2009/0150 – Change of use from single dwelling to dwelling for multiple occupation – Approved but not implemented.
- 4.2 N/2010/0036 – Erection of a rear boundary fence 2.2m – 2.7m high – retrospective application approved.
- 4.3 PA/2014/0167 – Change of use of dwelling to residential/day nursery.

## **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 Development Plan for the purposes of this application comprises Northampton Local Plan 1997 saved policies, and whilst not yet adopted, weight can be attributed to the Submitted West Northamptonshire Joint Core Strategy (as subsequently modified).

### **5.2 National Policies:**

A number of areas of the National Planning Policy Framework (NPPF) are pertinent to this application. Paragraph 14 states that on matters where there are no up to date development plan policies, the presumption in favour of sustainable development takes precedence. Paragraph 17 requires that new developments be of a good standard of

design and a satisfactory standard of amenity for all existing and future occupants of land and buildings is secured. Paragraph 32 of the NPPF states that developments that generate a significant amount of movement should be safe and suitable access to the site should be achieved for all people.

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

Policy E19 – Implementing Development requires any adverse effect of development to be allowed for or appropriately mitigated against.

Policy H35 - Planning permission for childminding, play schemes, nursery or crèche facilities will be granted unless they give rise to disturbance for adjoining occupiers, where there are adequate parking facilities and there is no detriment to highway safety.

Policy T11 – Planning permission for development of commercial uses in a primarily residential area will be conditional upon the provision of adequate waiting, manoeuvring and parking facilities subject to there being no adverse effect on the primarily residential area.

### **5.4 Other Material Considerations**

Submitted West Northamptonshire Joint Core Strategy (as subsequently modified).

An increasing amount of weight can be given to the West Northamptonshire Joint Core Strategy (JCS), which provides an up to date policy basis as it fully considers the current Government requirements for plan making and is in full conformity with the NPPF. The plan has been the subject of an examination in public and the findings of the inspector are awaited. The examination focused upon policies that had been the subject of unresolved objections.

Policy H6 of the JCS relates to changes from existing houses and states that existing houses should be safeguarded by restricting the loss of dwellings to other uses. Housing related policies in the JCS have been formulated following an objectively assessed housing needs assessment. Given that this policy has not been the subject of any objection, it was not debated at the examination and therefore must be given some weight in the determination of this planning application.

Policy S10 of the JCS relates to sustainable development principles and states that to achieve the overarching goals of sustainability, development will amongst other things be located where services and facilities can be easily accessed by walking, cycling or public transport.

### **5.5 Supplementary Planning Guidance**

Northamptonshire County Parking Standards SPG 2003

## 6. CONSULTATIONS/ REPRESENTATIONS

6.1 **Public Protection (NBC)** – I have checked the previous address of the business and do not see any records of noise complaints. There is however the potential for some general disturbance from visitors to this property, and the children in general, so my suggestion would be to limit the number of children allowed (for the child minding service) and grant a temporary consent (for a year) to ensure that the business, and its impacts on residential neighbours can be well managed by the applicant in the new locality. This would allow an assessment before granting full planning permission.

6.2 **Access Officer (NBC)** – No comments received.

6.3 **NCC Highways** – Have concerns with regard to the traffic and pedestrians generated by the development. According to Local Highway Authority records Rowtree Road and surrounding streets are very busy due to the proximity of East Hunsbury Primary School. Concerned that the property is on the junction with Rowtree Road and just opposite the school where existing parking and visibility is very limited and obscured most of the time. It is our understanding that the amount of traffic that will be generated by potentially 50 to 60 children and nursery staff on those existing streets will be detrimental to highway safety.

6.4 **Wootton and East Hunsbury Parish Council** – consider the application should be refused. Concerned about the amount of traffic that will be going to and from the property, the proximity of the zebra crossing to the property and that it will lead to parking problems on the busy road near the primary school.

6.5 **Councillors:**

**Councillor Phil Larratt** (Ward Councillor) – requests that if the application is recommended for approval then it should be determined by the Planning Committee.

**Councillor Geraldine Davies** – supports the application and requests that it is 'called in' to planning committee for a decision to be made. Does not believe there would be a detrimental impact contravening Policy H35 that could not be overcome with conditions relating to the operation of the applicants proposed business.

6.6 **Neighbouring Properties -**

E-mails/Letters of objection received from numbers 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 Spyglass Hill. Comments can be summarised as follows:

a) Already suffer significant problems with car parking at school times and as an overspill from the Dr's surgery which is being extended. The proposed nursery will cause additional parking problems.

- b) Parked cars limit and restrict access leading to dangers when entering or exiting the cul-de-sac.
- c) Spyglass Hill is on a steep gradient which is dangerous and difficult to access and egress in winter and additional traffic would add to the chaos and danger.
- d) Cars parking on the street turn round at the end of the cul-de-sac and additional traffic movements will add to noise and disturbance.
- e) Claims that there is ample on-site parking is speculative. Staff parking will use up parking spaces. Additional vehicle movements and cars reversing off the drive will add to danger.
- f) The increased traffic would generate increased noise and disturbance.
- g) The proposal would have an adverse impact on the character of the area.
- h) There would be an increase in noise, pollution and disturbance emanating from the property.
- i) Restrictive covenants in deeds restrict the use of properties for commercial use. Do not want to see a commercial operation in a residential area.
- j) Cannot pretend that 40-55 children will not make a change to the peaceful character of the area. Commercial nursery is incongruous within a residential street.
- k) The proposal is for a business whose primary aim is to make a profit. Should not be done at the expense of safety and amenity of residents in Spyglass Hill.
- l) A precedent for similar uses would be established.

#### 6.7 Others –

E-mails/Letters of **support** have been received as follows:

- a) 11 from existing customers endorsing the excellent level of care that Davey Daycare provides and stating that there has been no problem with parking at the existing premises at 27 Frosty Hollow.
- b) One e-mail was received from the occupier of 26 Frosty Hollow stating that the applicant is conscientious, accommodating and shows extreme consideration to her neighbours by keeping traffic disruption to a minimum with staggered drop off/ pick up times.
- c) E-mails have been received, one each from Abbey Primary School and East Hunsbury Primary School stating that there is a shortage of before and after school provision for child care in the area.
- d) One e-mail has been received from Northamptonshire County Council's Senior Portage Outreach Worker stating that Davey Daycare offer first class provision for children with Special Educational Needs and disabilities and states that there is a need for more funded provision in the area.
- e) One e-mail has been received from an independent Highway Engineer, in support of the application. He states that he is familiar with the operation of the existing nursery run by the applicant and that his comments are made specifically in relation to road safety and parking issues. He states that by encouraging local provision of

childcare facilities the Council can help to reduce the need to make special journeys. He states that the applicant is mindful of the potential impacts of vehicle movements and parking and as part of these considerations has carried out a detailed monitoring of vehicle movements and parking availability at her current site. States that many children are siblings and majority of trips are made outside of school hours therefore will not compound issues identified by residents in Spyglass Hill. He states the analysis shows (because of the collection and drop off by staff and staggered hours) the number of cars at the property at any one time is minimal. He refers to adopted parking standards and planning history where it was accepted that the frontage of the property was sufficient to accommodate 8 vehicles. He states that the frontage is large enough to provide sufficient parking spaces and that the applicant will maintain visibility splays at the vehicular exit. He states there is no reason to reject the application on grounds of parking provision or usage. With regard to the issues of road safety he refers to technical details such as road measurements, gradients, traffic speeds, location of bus stops, road humps etc. He refers to documents submitted to the planning authority in relation to proposals for Northampton South SUE. He states that there has been one accident on the length of Rowtree Road between Penvale and Windingbrook Lane in the 5 year period to February 2013. He suggests there are no inherent safety issues and traffic flows are unlikely to be significantly disrupted by the proposal. He states there are no material grounds for refusal of application in terms of highway safety or access.

## **7. APPRAISAL**

### **7.1. Existing/Proposed Nursery Operation**

The applicant currently operates an existing nursery (Davey Daycare) which functions at no. 27 Frosty Hollow under the combined use of a childcare nursery and a private dwelling. The operation provides day care for 28 children between the hours of 0730 and 1800 Monday to Friday and employs five members of staff. It should be noted that the number of children present at the property fluctuates during the day as children attend at different times and some are only present before and/or after school hours. It should be noted that the existing operation, which is located in a primarily residential area, does not currently benefit from planning permission and which is being investigated separately.

7.2 The proposal is to relocate the nursery to 1 Spyglass Hill, also a primarily residential area, and to increase the number of children attending to a maximum of 55 with a maximum of 10 staff. The property will also be lived in by a member of staff and used as their place of residence.

### **7.3 Principle of development**

The NPPF advises that applications must be determined in accordance with the development plan unless material considerations indicate otherwise. The Framework places considerable importance on the need to have an up-to-date development plan and that where the development plan is out of date Local Planning Authorities are advised to grant planning permission unless any adverse impacts of doing so would demonstrably outweigh the benefits, when assessed against the policies of the Framework as a whole.

- 7.4 Increasingly working parents create a need for childminders, nurseries and out of school care. The Council wishes to encourage those arrangements which make convenient provision for parents and children but must at the same time safeguard the amenities of adjoining occupiers and have regard to any noise and traffic implications. This is reflected in the National Planning Policy Framework which states that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings, Policy H35 of the Northampton Local Plan which states that 'Planning permission for childminding, play scheme, nursery and crèche facilities will be granted unless they give rise for disturbance to adjoining occupiers, where there are adequate parking facilities and no detriment to highway safety' and Policy T11 of Northampton Local Plan which states there should be no adverse effect on residential areas of commercial uses.

### **7.5 Impact on neighbouring properties**

The application property is a large six bedroomed detached dwelling with a ground floor lounge, study, family room, dining room and kitchen. It also has a large block paved driveway to the front of the premises which provides off street parking for several vehicles. Whilst it is considered the premises are large enough to accommodate the proposed number of children the key planning issue to be considered is whether the proposal would give rise to an unreasonable level of noise and disturbance for occupiers of neighbouring properties.

- 7.6 Clearly the occupation of the premises by up to 55 children and 10 staff from Monday to Friday is considerably more than would be generated by a normal domestic dwelling. Whilst the children and staff would arrive at the premises over a staggered period of time this would create an extended period of 'comings and goings' to the property with vehicle movements, car doors banging and people talking. Furthermore children playing outside would impact on the quiet enjoyment of neighbours gardens particularly for occupiers of properties that immediately abut the application site. In addition these disturbances are likely to increase at school holiday times and during summer months when neighbours may themselves reasonably expect to spend more time in their gardens. Overall it is considered that the proposal for a daytime nursery use of the dwelling for up to 55 children will give rise



to an undue increase in noise and disturbance that would be unreasonable in this residential area and contrary to planning policy.

#### **7.7 Impact on Highway safety**

The Highway Authority raise concerns with regard to the traffic and pedestrians that would be generated by the development. They state that their records show that Rowtree Road and surrounding streets are very busy due to the proximity of East Hunsbury Primary School. They are also concerned that the property is located at the junction with Rowtree Road where 'existing parking problems and visibility are very limited and obscured most of the time'.

7.8 Significant objection has also been received from residents in Spyglass Hill on traffic and parking grounds. They state that twice a day the road is subject to excessive traffic parking and manoeuvring when parents take/pick up their children from school. Photographs have been submitted which show parked cars on the road or partially parked on the footpaths causing obstruction and nuisance. Furthermore because the road is a cul-de-sac, cars have to turn at the end of the street creating noise and disturbance to nearby occupiers.

7.9 The applicant has submitted evidence showing detailed vehicle movements at the existing nursery premises over a two week period. The analysis demonstrates that on average there were 20 children attending the nursery and 23 vehicle movements per day. Also on average there were no more than 2 parents cars or 2 staff cars parked on the driveway at any one time.

7.10 These figures are noted but traffic generation will increase (potentially double) with an increased number of staff and children. Whilst it is argued that not all staff or visitors to the premises will have vehicles, it still has to be observed that vehicle movements to and from the premises would be over and above those that could be reasonably expected in a residential area. According to the adopted SPG Parking Standards (March 2003) the maximum spaces required for a day nursery are 1 space per 25m<sup>2</sup> which in this instance relates to a maximum of 12 spaces. Even if it is considered there is sufficient off street parking on site to accommodate visitors and staff numbers, the number of vehicles accessing and egressing the driveway close to the junction with Rowtree Road, especially at busy school times, would add to highway danger. It is considered that the greater degree of traffic generation at the site would be detrimental to highway safety and the proposal is therefore unacceptable on these grounds.

#### **7.11 Other matters**

Environmental Health officers have suggested that a temporary planning consent is granted and the number of children are limited as they have concerns regarding general disturbance from visitors to the

property and children in general. However, despite these comments, the Council is not usually prepared to grant a temporary consent on the basis that it would not be suitable to revoke the planning consent in one years' time without creating a significant impact upon the customers that use the facility.

7.12 The applicant has said she is willing to accept conditions restricting numbers of children, staff parking, vehicle movements and limit on children using the garden etc. It is considered however that the majority of conditions in this regard would be unreasonable and difficult to enforce and would still not alleviate the impact on neighbouring and highway amenity to a satisfactory degree.

7.13 In support of her application the applicant has submitted evidence showing the need for child places for two year olds in the near future. The requirement for additional care is not disputed but it is not a planning consideration and does not justify the detrimental impact the proposal will have on surrounding amenity.

7.14 The applicant has also submitted details of other children's nurseries which operate in residential areas. Each case is dealt with on its own merits and many of the premises have operated for a long period of time and in different circumstances. The existence of these other nurseries does not justify approval of the current application or outweigh the harm that has been identified above and the conflict with existing planning policy.

## **8. CONCLUSION**

8.1 The proposed development is contrary to policy and the impacts upon neighbouring residential amenity and highway safety cannot be appropriately mitigated through condition and it is therefore recommended for refusal.

## **9. BACKGROUND PAPERS**

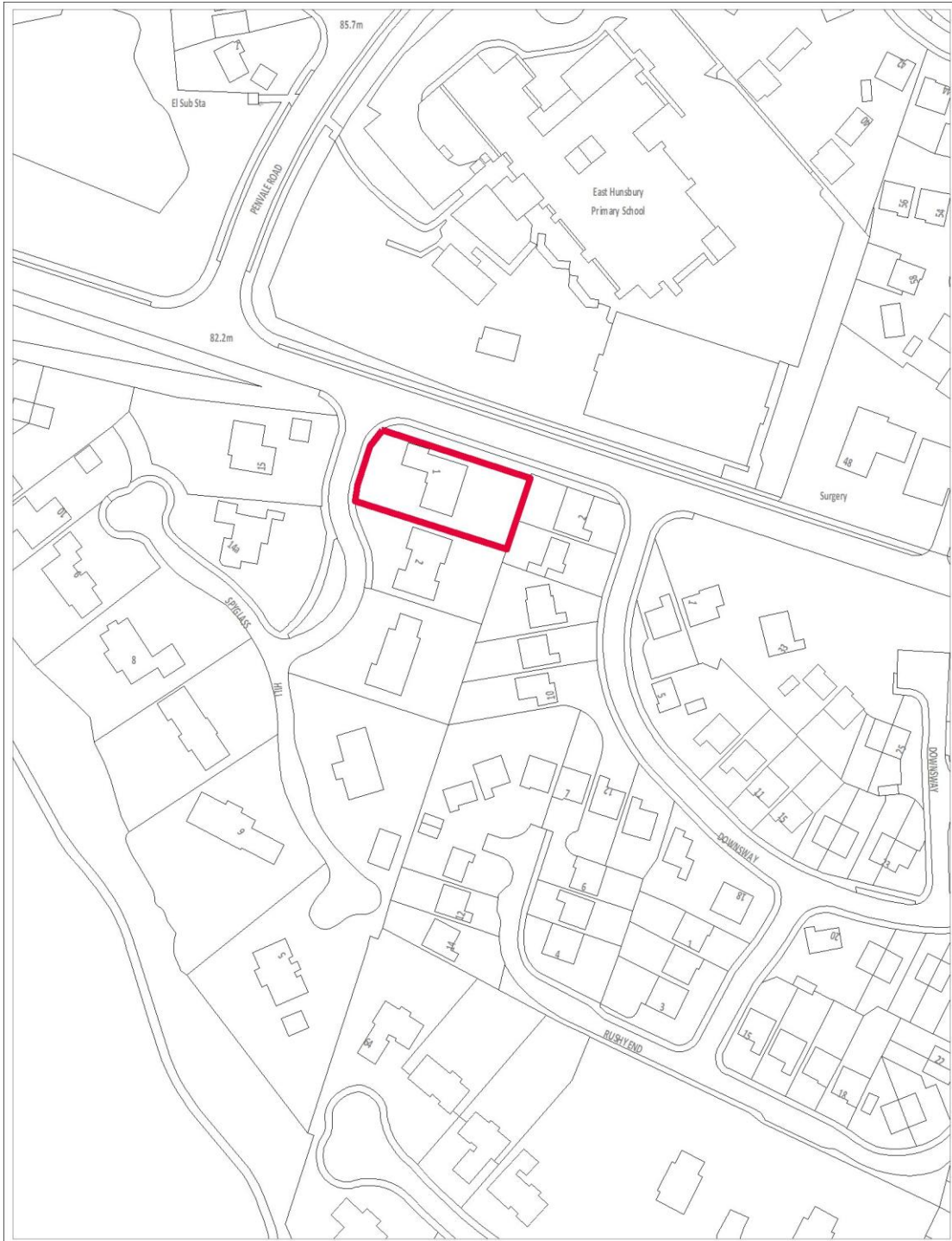
9.1 None.

## **10. LEGAL IMPLICATIONS**

10.1 Requirement for planning permission at applicant's existing premises. This matter will be pursued separately.

## **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: **Becky Gittins**  
 Date: **17th July 2014**  
 Scale: **1:1250**  
 Dept: **Planning Support**  
 Project: **Location Plan**

Title  
**1 Spynlass Hill**

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**PLANNING COMMITTEE:** 29<sup>th</sup> July 2014  
**DIRECTORATE:** Planning and Regeneration  
**HEAD OF PLANNING:** Susan Bridge

**N/2014/0617:** Change of use from public house (Use Class A4) at Pig & Whistle, Blackthorn Bridge Court into childcare community nursery (Use Class D1) to include the installation of entrance doors, new north facing window openings and the addition of solar panels to the east facing roof slope.

**WARD:** Talavera

**APPLICANT:** Blackthorn Good Neighbours  
**AGENT:** Mr. Phil Bates

**REFERRED BY:** Head of Planning  
**REASON:** Application site in the ownership of Northampton Borough Council.

**DEPARTURE:** NO

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**APPLICATION FOR DETERMINATION:**

**1. RECOMMENDATION**

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

The proposed development would provide a facility and job opportunities to serve the local community, would have an acceptable impact upon highway safety, would safeguard existing residential amenity and would pay adequate regard to the need to deter crime in compliance with the guidance contained within the National Planning Policy Framework, Policies E20 and E40 of the Northampton Local Plan and Policies RC1, N1 and N11 of the Submitted West Northamptonshire Joint Core Strategy (as subsequently modified).

## **2. THE PROPOSAL**

- 2.1 The proposals are for the change of use of a public house to a childcare community nursery. This would initially be operational between the hours of 0800 and 1600 Monday to Friday (envisaged to be extended to 0800-1800 once established). Minor internal layout changes would be required, for example, new toilet and changing facilities would be installed and partition walling would be provided to the main function area to provide defined areas for 'younger and older' children.
- 2.2 The proposals would include minor external alterations including the provision of new entrance doors to the eastern elevation and solar panels to the east-facing roof slope of the property. Two new windows are proposed to the northern elevation to serve an internal play area. The external areas to the southern and western sides of the building would be used as external play areas and would be bound with green-coloured 1.8m palisade fencing. A small part of the building (providing 18sq m of floor space) located to its northern end would be demolished as part of the works to provide the new entrance.

## **3. SITE DESCRIPTION**

- 3.1 The site constitutes a detached, single-storey, brick-built property that provides 280 sq. m of gross internal floor space at ground floor level. A small manager's flat is located at first floor level (94 sq. m) which is to be retained. The site is presently used as a Public House (Use Class A4) and is located within the Blackthorn Local Centre, which is served by a shared public car park. The wider area is typified by residential housing. Footpath links surround the site; steps are provided at the southern end of the site to account for a change in ground level.

## **4. PLANNING HISTORY**

- 4.1 No recent or relevant planning history at the site.

## **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 the saved policies of the Northampton Local Plan and, whilst not yet adopted, weight can be attributed to the Submitted West Northamptonshire Joint Core Strategy (as subsequently modified).

## 5.2 **National Policies:**

The National Planning Policy Framework sets out the Government's planning policies for England and provides guidance for how those policies are expected to be applied. The presumption in favour of sustainable development (Paragraph 14) identifies the development plan as the starting point for decision making and enables development proposals that accord with an up-to-date Local Plan to be approved without delay. Paragraph 7 clarifies the three dimensions to sustainable development. Paragraph 17 requires that new developments be of a good standard of design and secure a satisfactory standard of amenity.

## 5.3 **Northampton Borough Local Plan**

Policy E20 – 'New Development' requires that planning permission be granted for new development where its design adequately reflects the character of its surroundings in terms of layout, siting, form, scale and use of appropriate materials.

Policy E40 – 'Crime & Vandalism' requires that planning permission not be granted for development unless it pays adequate regards to the need to deter crime and vandalism.

## 5.4 **Other Material Considerations**

Submitted West Northamptonshire Joint Core Strategy (as subsequently modified).

The NPPF enables weight to be given to emerging plans, subject to certain criteria (para. 216). The emerging West Northamptonshire Joint Core Strategy (WNJCS) was initially examined in 2013 with further hearings held in spring 2014 to consider proposed modifications. This proposal shall be considered in the context of emerging policies of the WNJCS.

Policy RC1 – 'Delivering Community Regeneration' requires existing levels of social and economic deprivation to be reduced by encouraging partnership working with stakeholders and by co-ordinating planning and regeneration strategies to ensure that improved services, community facilities and infrastructure are provided.

Policy N1 – 'The Regeneration of Northampton' requires regeneration to be supported by addressing factors of deprivation within the communities of 'Northampton East'.

Policy N11 – 'Supporting Areas of Community Regeneration' supports the regeneration of 'Northampton East' through such measures as creating local opportunities for employment and business development.

## 6. CONSULTATIONS/ REPRESENTATIONS

6.1 The application was advertised by site notice. In addition, consultation of local neighbours and consultees has been undertaken. Representations are summarised as follows:

6.2 **NBC Environmental Health:** No objections, a general noise condition should be imposed upon any consent to demonstrate how the property will be managed to prevent noise impacts arising from the new end use.

6.3 **Local Highway Authority:** The Authority would appreciate at least some off-road parking at the above property in order to cater for staff. It is understood that a few parking spaces are available in and around the development for the parents to drop children off at the nursery.

6.4 Objections have been received from 7 different addresses. The comments / objections that have been received can be summarised as follows:

**24 Arlbury Road; 37 Longmead Court; 46 Harefield Road; 8 Maidencastle; 8 Pikemead Court; 18 Collmead Court; 20 Stoke Firs Close**

- a) The proposals would result in the loss of a pub, which provides an important facility for the local community.
- b) This is a local pub within easy walking distance of many with a lot of local customers.
- c) There are already existing nurseries located close to the site.
- d) A nursery would cause excess traffic in an already busy car park, which is used by customers of neighbouring local amenities.
- e) The building is afforded no outside space, which is required for a nursery.
- f) The area to the front of the pub is subject to anti-social behaviour – unsuitable for next to a nursery.

## 7. APPRAISAL

### Principle of Use

7.1 The NPPF identifies that the purpose of the planning system is to contribute to the achievement of sustainable development (Paragraph 6). The Framework identifies three dimensions to sustainable development (economic, social and environmental), which give rise to the need for the planning system to perform a number of roles (Paragraph 7). In its social role, the Framework requires the planning system to support strong, vibrant and healthy communities, by creating

a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural wellbeing.

- 7.2 The site is located within 'Northampton East'. The emerging WNJCS identifies 'Northampton East' as a 'Community Regeneration Area', where Policy RC1 provides a strategic approach to community regeneration activity, through providing community facilities to address social and economic deprivation. In addition, Policy N11 supports the regeneration of Northampton East through a range of measures, including addressing existing deficiencies and creating local opportunities for employment and business development. WNJCS Policy N1 recognises that addressing factors of deprivation within Northampton East is not only important for the immediate community, but has strategic implications for the regeneration of Northampton as a whole.
- 7.3 The Justification Statement provided by the applicant identifies the positive contribution the proposal offers in addressing local issues associated with poverty and deprivation, through providing a facility to enable statutory intervention in child development. The scheme would be expected to create up to 15 jobs, 64 high quality nursery places and, in time, 16 playgroup and 24 holiday club and after school places.
- 7.4 Information related to the demand for nursery provision in the area has also been included within the Justification Statement. Surveys carried out by the County Council have demonstrated that there is significant room for expansion of childcare services for 2 year old children. The Government has released Capital Funding to Local Authorities to enable local providers to increase their capacity – the applicant, it is stated, has been awarded the maximum grant from this funding stream to create new places at this site.

### **Blackthorn Local Centre**

- 7.5 The site is located within Blackthorn Local Centre as allocated by the Northampton Local Plan. The emerging WNJCS does not include specific policies relating to the Blackthorn Local Centre, but makes reference to the intention to address local centres through subsequent Local Plans (Part 2).
- 7.6 The relevant saved Northampton Local Plan Policy (Policy R9 – District and Local Centres) contains provisions to protect existing retail uses within allocated centres and is therefore not relevant to this particular proposal, which would result in the loss of a public house. However, the pre-ambles to Policy R9 (p92) outlines the Council's aims and aspirations for local centres. These are to strengthen and improve the facilities of local centres whilst acknowledging that many alternative uses may be appropriate. Proposals for community facilities are encouraged where they do not harm the character and vitality of



shopping areas. The proposal will not result in the loss of shops, and therefore is not expected to negatively impact on the character and vitality of the local centre as a shopping area.

- 7.7 The Pig & Whistle currently operates as a public house. On implementation, the proposal would result in the loss of the pub facility within the Local Centre. As discussed above, this would be compensated for by the gain of a community nursery and its associated community and employment benefits. The proposed use would contribute positively to the character and vitality of the Blackthorn Local Centre.
- 7.8 It is referenced within the submitted Justification Statement that the pub, in recent years, has been associated with criminal activity and anti-social behaviour. It is stated within the Justification Statement that the pub is now used by a small number of people on a regular basis. In light of this situation, the pub company has been trying to sell the lease on the building for over two years with no interest being received from anyone wanting to run the site as a pub. The Council's Asset Management Team has confirmed that the lease has been actively marketed by commercial agents and that the current operators of the pub have already agreed to surrender the lease back to the Council. Via a commercial agent, it has been confirmed that the marketing of the premises (that has been undertaken through the usual avenues) commenced on 5<sup>th</sup> September 2011.

### **Crime & Security**

- 7.10 The proposed scheme would result in security benefits through the provision of 1.8m gated palisade fencing to external areas of the site (situated to the southern and western sides of the building) in the interests of providing protection for children using the site. It is considered that the improvements in this context would be acceptable to ensure a safe and secure operation of the site.

### **Design & Visual Impact**

- 7.11 The proposals would involve minor physical alterations at the property to facilitate the change of use. At the northern end of the site a minor re-configuration of the built form (involving the loss of 18 sqm of floorspace) would provide a new main access whilst an additional pair of windows would be installed. There would also be an installation of solar panels to the eastern roof slope. These would be fitted flush to (and within the confines of) this roof slope. The alterations proposed would be acceptable in visual terms.

## **Residential Amenity**

- 7.12 The newly proposed openings to the building would not raise any amenity concerns. Following the consultation response from Environmental Health, it is considered appropriate to secure a Noise Scheme via condition should the application be approved. This would secure full details of all internal and external sources of noise and the provisions to be made for its control. In the further interests of protecting the residential amenity of the area, a planning condition should be imposed upon any approval to restrict the consented hours to those being applied for; i.e. 0800 -1800 hours Monday to Friday.

## **Highways & Parking**

- 7.13 The newly proposed use would primarily serve local children and it is envisaged that the majority of users of the site shall be able to travel to the site on foot. However, the Local Highway Authority has stated that they would appreciate some additional off-street parking to be provided to cater for staff at the site. In this instance, given the space constraints of the application site, it would be difficult to accommodate car parking on-site. The Blackthorn Local Centre is afforded a generously scaled car park area that currently serves the pub (and all other uses within the local centre). The layout of this car park naturally provides a drop off / pick up lane to the side of the main access into the car park, which operates as a circulatory route around Blackthorn Bridge Court. It is considered that the site is afforded adequate and appropriate car parking and drop-off facilities to serve the newly proposed use.

## **8. CONCLUSION**

- 8.1 The proposed development would provide a facility and job opportunities to serve the local community, would have an acceptable impact upon highway safety, would safeguard existing residential amenity and would pay adequate regard to the need to deter crime in compliance with the guidance contained within the National Planning Policy Framework, Policies E20 and E40 of the Northampton Local Plan and Policies RC1, N1 and N11 of the Submitted West Northamptonshire Joint Core Strategy (as subsequently modified).

## **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: Location Plan; Existing Ground Floor

Plan (13.061.01); Existing First Floor Plan (13.061.02); Existing Elevations (13.061.03); Existing Site Plan (13.061.04); Proposed Ground Floor Plan (13.061.05); Proposed Elevations (13.061.06); Proposed Site Plan (13.061.07).

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

- (3) Prior to the commencement of development a scheme that specifies the internal and external sources of noise on the site and the provisions to be made for its control shall be submitted to and approved in writing by the Local Highway Authority; thereafter the development shall be implemented and retained thereafter in full accordance with the approved scheme.

Reason: To protect residential and general amenity in compliance with Policy E20 of the Northampton Local Plan.

- (4) The premises shall be open between the hours of 0800 and 1800 from Mondays to Fridays and at no time on Saturdays and Sundays or Bank or Public Holidays.

Reason: In the interests of the amenities of the occupiers of nearby properties in accordance with Policy E20 of the Northampton Local Plan.

- (5) Prior to the first occupation of the development hereby permitted the external areas of the application site shall be fully bound with 1.8m palisade fencing erected in full accordance with fence position depicted upon the approved Site Plan (13.061.07); the palisade fencing shall be retained at all times thereafter.

Reason: To ensure a safe and secure development in accordance with Policy E40 of the Northampton Local Plan.

## **10. BACKGROUND PAPERS**

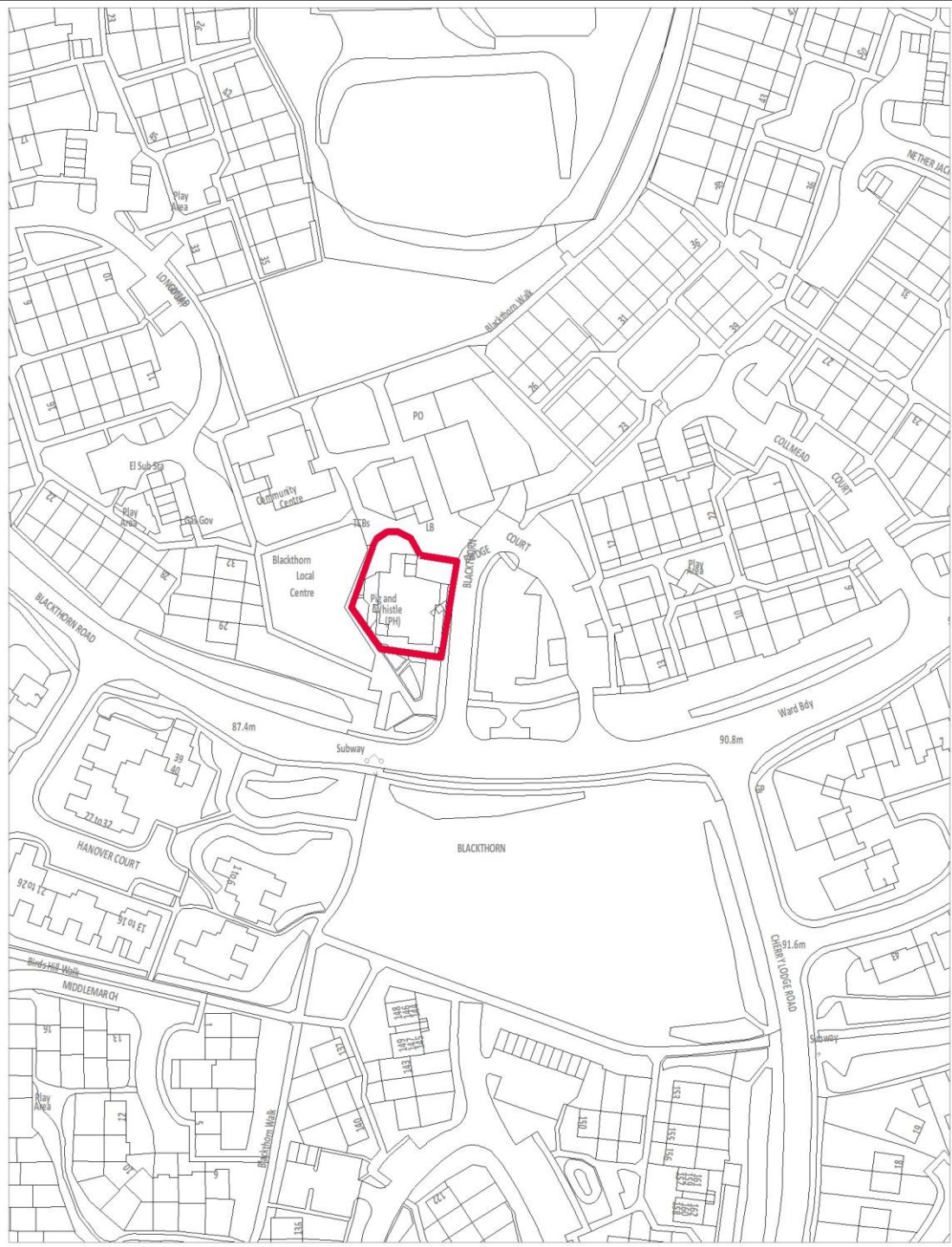
10.1 N/2014/0617

## **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: Becky Gittins  
 Date: 17th July 2014  
 Scale: 1:1250  
 Dept: Planning Support  
 Project: Location Plan

Title  
**Pig & Whistle Pub, Blackthorn**

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**PLANNING COMMITTEE:** 29<sup>th</sup> July 2014  
**DIRECTORATE:** Planning and Regeneration  
**HEAD OF PLANNING:** Susan Bridge

**N/2014/0621:** Change of use from offices (Use Class B1) to HIMO for 13 residents (Sui Generis) and installation of rear conservation rooflight at 87 St. Giles Street.

and;

**N/2014/0622** Application for Listed Building Works constituting internal alterations including removal of partition walls and toilets, block up doorways and installation of new doorways and new partitions, alterations to third floor window to front elevation and installation of rear conservation rooflight at 87 St. Giles Street.

**WARD:** Castle

**APPLICANT:** Mr. Gary Bees  
**AGENT:** Mr. Rod Kilsby

**REFERRED BY:** Head of Planning  
**REASON:** N/2012/0621: Called in by Cllr Winston Strachan on the grounds of concerns related to the density of development and traffic impact.  
N/2014/0622: Application for Listed Building Works inherently linked to planning application.

**DEPARTURE:** NO

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## **APPLICATIONS FOR DETERMINATION:**

### **1. RECOMMENDATION**

#### **N/2014/0621**

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

The proposed development would positively contribute to the character of the St Giles Conservation Area, would safeguard the setting of a Grade II Listed Building, would provide appropriate living conditions for future occupants, would be served by an appropriate level of car parking and would safeguard existing residential amenity in compliance with the guidance contained within the National Planning Policy Framework and Policies 1, 10 and 16 of the Northampton Central Area Action Plan.

#### **N/2014/0622**

#### **1.2 APPROVAL** subject to conditions for the following reason:

The proposed development would appropriately respect the original fabric and layout of a Grade II Listed Building in compliance with the guidance contained within the National Planning Policy Framework and Policy 1 of the Northampton Central Area Action Plan.

### **2. THE PROPOSAL**

2.1 The applicant seeks to convert the vacant offices into a house in multiple occupation for 13 residents. A total of 12 bedrooms would be provided. It is proposed that a conservation rooflight is added to the rear of the property in the interests of satisfying fire safety requirements. The only other external alteration would be to the front elevation where the existing small 3<sup>rd</sup> floor casement window would be replaced with a wooden sash alternative.

2.2 The layout would comprise the following schedule of rooms:

Basement: one bedroom (en-suite), shared lounge / dining areas (two rooms), two toilets, one shared bathroom, one shared store.

Ground Floor: two bedrooms (one en-suite), shared double kitchen, one toilet.

First Floor: three bedrooms (one en-suite), shared shower room, two toilets.

Second Floor: three bedrooms (two en-suites), one toilet.

Third Floor: two bedrooms, shared shower room, shared kitchen, one toilet.

- 2.3 The planning application is accompanied by an application for Listed Building Works to cover internal alterations necessitated by the proposed revised layout. These include removal of partition walls, erection of new partition walls incorporating doorways and alteration of third floor window on front elevation.

### **3. SITE DESCRIPTION**

- 3.1 The premises constitute a large end-of-terrace property located on St. Giles Street at its junction with St. Giles Terrace. The application property is currently vacant having previously formed offices. Nos.73, 81-87(odds) and 74 St. Giles Street are Grade II Listed and are all located within the St. Giles Conservation Area. The property is afforded a hard-surfaced rear amenity area with direct vehicular access to St. Giles Terrace. There is sufficient space allocated to the application property to provide up to four off-street car parking spaces to serve the newly proposed use.
- 3.2 The immediate surrounding uses along the northern side of St. Giles Street include offices, a hair salon, other retail units and a funeral directors. It should be noted that adjacent property to the west (85 St Giles Street) obtained planning permission earlier this year for the change of use to a HMO for 13 occupants under reference N/2014/0282, this approved use is yet to commence. Located directly on the opposite side of St. Giles Street is No. 76 (St. Thomas House), which forms warden-assisted sheltered accommodation. The Manna House, located to front on to St Giles Street and Hazelwood Road, contains 5 flats.

### **4. PLANNING HISTORY**

- 4.1 *N/2004/0355* Provision of an internal connecting door to allow access between the two buildings at 85/87 St. Giles Street (Listed Building Works approval subject to conditions).
- 4.2 *N/2001/1382* Remove two UPVC windows and replace with wooden sash to match existing at 85/87 St. Giles Street (Listed Building Works approval subject to conditions).

### **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, for the defined central area of Northampton, comprises the saved policies of the Northampton Local Plan, the policies of the Northampton Central Area Action Plan 2013 and, whilst not yet adopted, weight can be attributed to the

Submitted West Northamptonshire Joint Core Strategy (as subsequently modified).

## 5.2 **National Policies:**

A number of areas of the National Planning Policy Framework (NPPF) are pertinent to this scheme. In particular, paragraph 14 states that on matters where there are no up to date development plan policies, the presumption in favour of sustainable development takes precedence. Paragraph 17 requires that new developments be of a good standard of design and secure a satisfactory standard of amenity. Paragraph 47 requires that an evidence base is used to meet the full and objectively assessed housing needs of an area. Paragraph 126 requires that Local Planning Authorities recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance.

## 5.3 **Northampton Local Plan (1997)**

H30 – ‘Houses in Multiple Occupation’ requires that, within the primarily residential areas of the town, houses in multiple occupation should be of a sufficient size and have a neutral impact on the character of an area.

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

Policy 1: ‘Promoting Design Excellence’ requires that new development positively contributes to the character of an area and preserves and enhances the character, appearance and setting of the central area’s heritage assets.

Policy 10: ‘Parking’ requires that unless there are exceptional reasons that justify additional private off-street car parking, private parking provision within the Town Centre Boundary will be at a maximum of 50% of the standards set out (i.e. 50% of one space per bedroom).

Policy 15: ‘Office and Business Uses’ requires that the Council promotes the central area as an office and business centre whilst safeguarding existing stock.

Policy 16: ‘Central Area Living’ requires that the Central Area accommodates up to 3,400 homes up to 2026. Residential development proposals within the central area will comprise a mix of dwelling types, sizes and tenures.

## 5.5 **Other Material Considerations**

Submitted West Northamptonshire Joint Core Strategy (as subsequently modified).



Weight can be given to the West Northamptonshire Joint Core Strategy (JCS), this would be significant where a policy has received few representations and unresolved objections are not considered likely to have a significant bearing on the strategy of the Plan. The JCS provides an up to date evidence base and considers the current Government requirements for plan making, being prepared in full conformity with the NPPF. The plan has been the subject of an examination in public and the findings of the Inspector are awaited.

Policy SA – ‘Presumption in favour of Sustainable Development’ requires local planning authorities to take a positive approach to determining development proposals.

Policy H6 – ‘Managing the Existing Housing Stock’ requires that existing houses be permitted to change to houses in multiple occupation in instances where they would not adversely impact upon the character and amenity of residential areas. Furthermore, existing housing stock will be managed through the re-use of empty dwellings for residential use.

Policy BN5 – ‘The Historic Environment and Landscape’ requires that the settings and landscapes of designated and non-designated heritage assets will be conserved and enhanced in recognition of their individual and cumulative significance. Heritage and landscape features, such as conservation areas and significant historic landscapes, that contribute to the character of an area should be sustained and enhanced.

## **6. CONSULTATIONS/ REPRESENTATIONS**

- 6.1 Both applications (N/2014/0621 & N/2014/0622) were advertised in the local press and via site notice. Consultation of local neighbours and consultees has been undertaken and a number of responses have been received. Representations in respect of **N/2014/0621** are summarised as follows, no responses have been received from local neighbours:
- 6.2 **NBC Environmental Health:** Concerns on noise grounds due to the number of rooms being created, representing an over-intensification of use. Concerns regarding management and control of the future occupiers of a densely occupied House in Multiple Occupation.
- 6.3 **NBC Private Sector Housing:** The space and amenities provided indicate that the property will be suitable to let to 13 individuals allowing the use of one en-suite room as a double bedroom. The property, in light of its size, will require a mandatory HMO license under Part 2 of the Housing Act 2004.
- 6.4 **Local Highway Authority:** Concerns in respect to the proposed parking. Any HMO should require 2 car parking spaces per 5

residents, 6 spaces should therefore be required. The applicant will need to demonstrate that sufficient car parking is available to cater for parking requirements associated with this change of use.

- 6.5 Representations in respect of **N/2014/0622** are summarised as follows:
- 6.6 **NBC Conservation:** The scheme takes opportunities to remove unsympathetic partitions in some of the key rooms in this listed building as well as to retain the original structural fabric. Retaining the large open area at ground floor is a positive element. The additions of en-suites do not form a complete subdivision of the spaces in question. The scheme complies with Policy 1 of the CAAP in that the character of the listed building would be preserved / enhanced and the character of the conservation area would not be undermined. Comments made on the basis of the physical impact on the fabric of the building and its setting and not on the basis of the impact that the use of the building has on the character.

## 7. APPRAISAL

### Principle

- 7.1 The application site, although last used in a B1 office capacity, is not located within a safeguarded employment area as designated under Policy 15 of the CAAP. Furthermore, the area is not designated as primarily residential under the Northampton Local Plan. Therefore Policy 30 of the Local Plan is not of direct relevance in this instance. Notwithstanding this it is felt that the proposals accord with the principles of Policy 30, which requires properties to be of sufficient size to accommodate multi-occupancy (the property covers five stories and is of significant scale) and for proposals to have a neutral impact upon the character of an area (the immediate area is typified by a mix of uses and the site itself is not designated for any particular purpose).
- 7.2 Paragraph 51 of the NPPF notes that local planning authorities should encourage moves to bring empty properties back into residential use and recommends they should normally approve planning applications for change to residential use from commercial buildings where there is an identified need for additional housing in that area. The applicant, within their submission, has provided confirmation (endorsed by appointed commercial agents at the site) that the premises have been vacant for 7½ years despite active marketing of the premises for office use. The proposed change of use would provide a viable occupation of the building in the interests of promoting the vitality and viability of the town centre.
- 7.3 The proposals would provide for sustainable central area living in accordance with the requirements of Policy 16 of the CAAP. The site is ideally located to provide access to the full range of facilities and services provided by the town centre.

## **Heritage & Layout**

- 7.4 NBC Conservation has confirmed that the proposed internal alterations at the property would have an acceptable impact given that the opportunity would be taken to remove existing insensitive modern partitioning. Following the receipt of a revised ground floor plan during the planning process, it is confirmed that the existing main room at ground floor would be maintained in an open-plan format. The addition of en-suite areas would not result in the complete sub-division of rooms and would have a limited impact upon the character of the listed building in the context of the spatial quality of the rooms within which they would be sited. A full detailed schedule of internal works should be secured via condition in the event that consent is granted.
- 7.5 The external alterations necessitated by the conversion would be of a minor nature and would not adversely impact upon the character and appearance of both the listed building and the St. Giles Conservation Area. Full details have been provided as regards the replacement third floor window to the frontage, which would fit the same aperture and be of near-identical design (a pair of inward opening sashes would be provided for fire escape purposes). The newly proposed rear conservation rooflight would be discreetly located and of small scale. Full details have been provided to demonstrate that it would be fitted flush to the rear roof slope.

## **Residential Amenity**

- 7.6 It is considered that the use of the property by 13 unrelated persons as a HMO would be acceptable in planning terms. There would be adequate circulation space given the internal layout of the property, the size of the building is sufficiently large enough to cater for the scale of the conversion without appearing cramped or overdeveloped. Communal living areas would be provided at basement level (a lounge and lounge/diner totalling 25.8 sq. m in area), ground floor level (a kitchen/diner totalling 29.5 sq. m. in approximate area) and third floor level (a kitchen totalling 7 sq. m in approximate area) whilst communal toilet and washing facilities would be provided across the five floors of the building.
- 7.7 The property, given its size and scale, would also require a license to be used as a HMO. The Council's Private Sector Housing department has submitted comments through the consultation process and have confirmed that the proposed layout appears suitable to let to thirteen individuals. The proposed bedrooms are of generous dimensions (varying between 7.6 sq. m and 22.2 sq. m in area). The proposed maximum number of inhabitants (13no.) is considered to be appropriate in the context of the spacious layout of the property.
- 7.8 The applicant, in the interests of safeguarding surrounding residential amenity, has submitted a Management Plan for the property which includes confirmation of bin storage details (to the external amenity

area to the rear), a cleaning schedule and confirmation that all tenants must sign an agreement to abide by house rules. It is not anticipated that the change of use of the property would adversely impact upon the amenities of existing residential occupiers in the vicinity of the site.

### **Highways & Parking**

- 7.9 The existing site contains off-street car parking to the rear, which is accessed directly from St. Giles Terrace; this appears large enough to accommodate 3 maybe 4 vehicles. This area would be retained as part of the proposals and would serve the future occupiers of the development.
- 7.10 The Local Highway Authority has raised concerns in respect of the level of parking provision and has stated that a minimum of 6 spaces should be provided. However, referring to the parking standards outlined under Policy 10 of the CAAP, the maximum car parking standard for this scheme is calculated at 6 spaces.
- 7.11 The site is sustainably located in the sense of its proximity to the heart of the town centre and associated facilities and services, such as public transport links. In light of this location, it would not be anticipated that car ownership would be an essential requirement for the majority of future occupants. The level of provision is considered appropriate for the proposed use in this location in the context of the CAAP's principle of restricting the provision of additional private car parking in the town centre.
- 7.12 As a further note, application N/2014/0282 for a change of use of the adjacent 85 St. Giles Street, which is of a similar scale and character, from offices to a HMO for thirteen people was approved by the Council in May 2014 despite the provision of no off-street private car parking to serve the scheme. In the consideration of N/2014/0282 it was felt that the site was appropriately positioned in the heart of the town centre so as not to raise any undue concerns in a car parking context. Whilst applications are to be considered on their own merits, such a recent decision for a similar proposal is a material consideration in the consistency of decision making.

## **8. CONCLUSION**

- 8.1 The proposed development would positively contribute to the character of the St Giles Conservation Area, would safeguard the setting of a Grade II Listed Building, would provide appropriate living conditions for future occupants, would be served by an appropriate level of car parking and would safeguard existing residential amenity in compliance with the guidance contained within the National Planning Policy Framework and Policies 1, 10 and 16 of the Northampton Central Area Action Plan.

- 8.2 The proposed Listed Building Works would appropriately respect the original fabric and layout of a Grade II Listed Building in compliance with the guidance contained within the National Planning Policy Framework and Policy 1 of the Northampton Central Area Action Plan.

## **9. CONDITIONS**

### **N/2014/0621**

- (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: Site Location Plan; Existing Layouts & Elevations (13-268-01); Proposed Layouts & Elevations (13-268-02 Rev D); Proposed Layouts & Elevations (13-268-03 Rev D).

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

- (3) The premises shall be used as a house in multiple occupation for a maximum of thirteen residents only.

Reason: To ensure that a satisfactory standard and layout of accommodation is provided in the interests of the amenity of occupants and nearby residents in accordance with Policy H30 of the Northampton Local Plan.

- (4) The development hereby permitted shall be carried out in full accordance with the approved Management Plan.

Reason: In the interests of safeguarding residential amenity in accordance with Policy H30 of the Northampton Local Plan.

- (5) Full 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 amenity and to secure a satisfactory standard of development in accordance with Policy 1 of the Northampton Central Area Action Plan.

- (6) Full details of facilities for the secure parking of bicycles shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development hereby permitted, provided prior to the development being first brought into use and retained

thereafter.

Reason: To ensure the provision of adequate facilities in accordance with Policy 1 of the Northampton Central Area Action Plan.

- (7) Prior to the commencement of development a scheme shall be submitted to and approved in writing by the Local Planning Authority showing the provision of car parking within the site. The parking shall thereafter be provided in accordance with the approved details and retained for such use thereafter.

Reason: To make provision for off-street parking in the interests of highway safety in accordance with the guidance within the National Planning Policy Framework.

**Informative for the applicant:**

- (1) This permission does not consent for the installation of any externally positioned telecoms equipment at the application address. Such installations would be subject to separate consent being attained.

**N/2014/0622**

- (1) The works hereby permitted shall be begun before the expiration of three years from the date of this consent.

Reason: To comply with Section 18 of the Planning (Listed Building and Conservation Areas) Act 1990.

- (2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan; Existing Layouts & Elevations (13-268-01); Proposed Layouts & Elevations (13-268-02 Rev D); Proposed Layouts & Elevations (13-268-03 Rev D).

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

- (3) Before any work is carried out a full schedule of internal works, including decorations, coving, doors and flooring, shall be submitted to and approved in writing by the Local Planning Authority. Development shall be implemented in full accordance with the approved details.

Reason: To safeguard the character and original fabric of a Grade II Listed Building in accordance with the guidance contained within the National Planning Policy Framework.

**Informative for the applicant:**

- (1) This permission does not consent for the installation of any externally positioned telecoms equipment at the application address. Such

installations would be subject to separate consent being attained.

**10. BACKGROUND PAPERS**

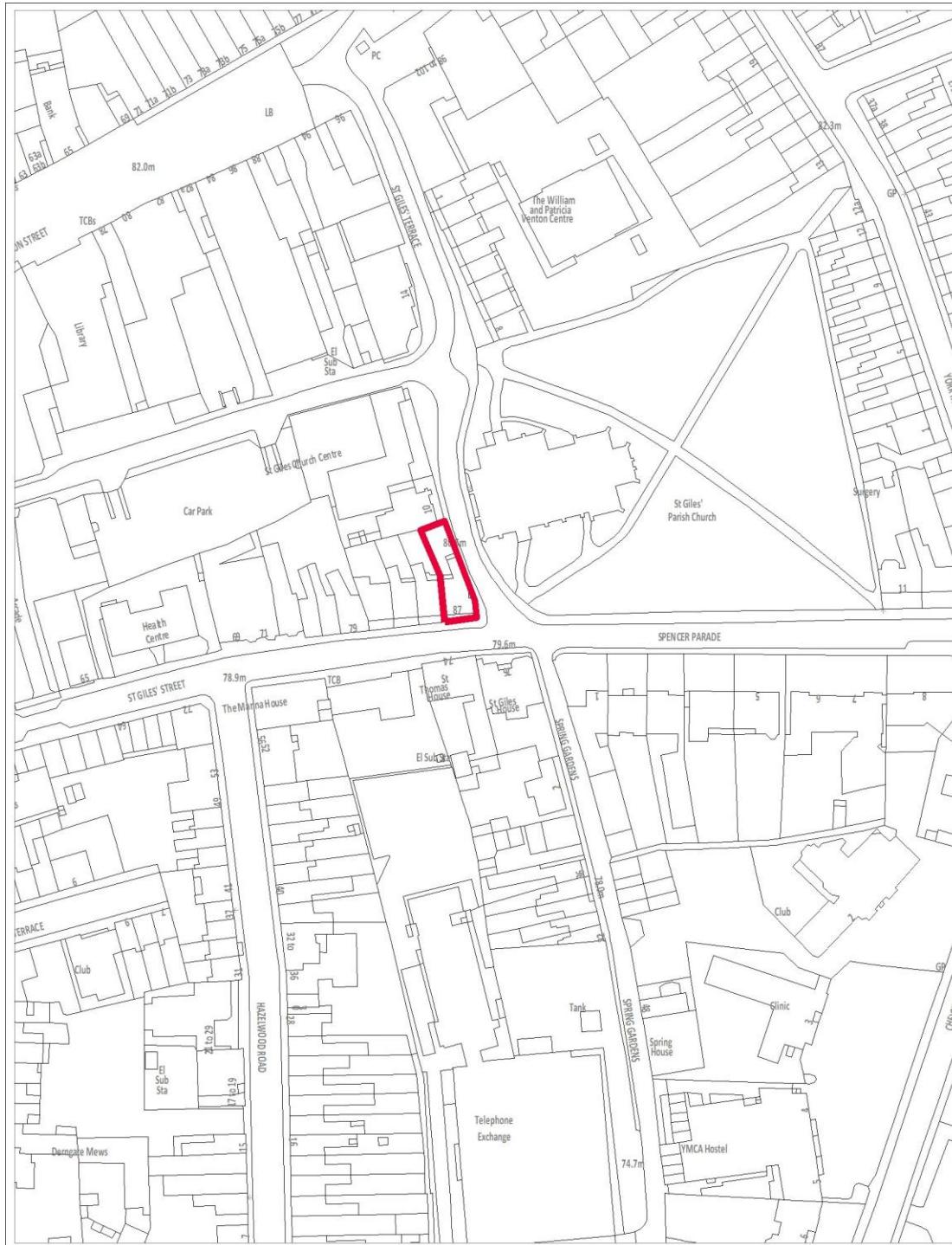
10.1 N/2014/0621 & N/2014/0622.

**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: Becky Gittins  
 Date: 17th July 2014  
 Scale: 1:1250  
 Dept: Planning Support  
 Project: Location Plan

Title  
**87 St Giles Street**

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construct the park and ride facility and enter into a lease with the County Council.

- 2.4 The County Council have subsequently accepted the HCA's offer to undertake the works and enter into a lease as set out in paragraph 2.3.
- 2.5 Following consultation between the HCA and the County Council it has been determined that demand for the park and ride facility will not be reached in the foreseeable future and the funds held by the HCA to implement this scheme will be better utilised to support other priority projects.
- 2.6 A planning obligation contained in the S106 agreement may be modified by agreement between the person(s) against whom it is enforceable and the local planning authority. Whilst there will be no additional obligation placed upon NBC, as local planning authority and signatories to the original agreement, the Borough Council need to give consent to the variation.

### **3. PROPOSED VARIATION**

- 3.1 The HCA propose to transfer the obligation to provide the park and ride to Northamptonshire County Council to be delivered once demand for the facility has been established.
- 3.2 Initially, in order to transfer the obligation, the HCA intend to provide a payment to the County Council. It is not proposed for this payment to form part of the agreement.
- 3.3 Within 3 years of a deed of variation, NCC may serve notice on the HCA advising that it wishes to use the land for a Park and Ride facility. The HCA and NCC will then, within 6 months of NCC serving the notice, enter into an agreement for lease to provide for NCC undertaking construction works. NCC will subsequently construct and thereafter operate the Park and Ride facility.
- 3.4 Should NCC determine that a park and ride facility is not required and therefore do not serve a notice on the HCA within the 3 year period, the land will revert to the HCA or its successors in title and the land may be used for such purpose as the HCA determine.
- 3.5 Consequently, the mitigation provided for in the agreement will be delivered, once/ if required, albeit by a different organisation (i.e. NCC rather than HCA).

### **4. CONSULTATION**

- 4.1 A period of public consultation is currently taking place which expires on 7 August 2014.
- 4.2 At the time of writing, no representations have been received.

### **5. CONCLUSION**

- 5.1 The purpose of the original obligation, to provide a park and ride facility if required, will remain, however the responsibility for delivery will transfer from the land owner to the County Council. The obligation to provide mitigation of the original development will continue and it is therefore considered that the variation is acceptable.

**6. BACKGROUND PAPERS**

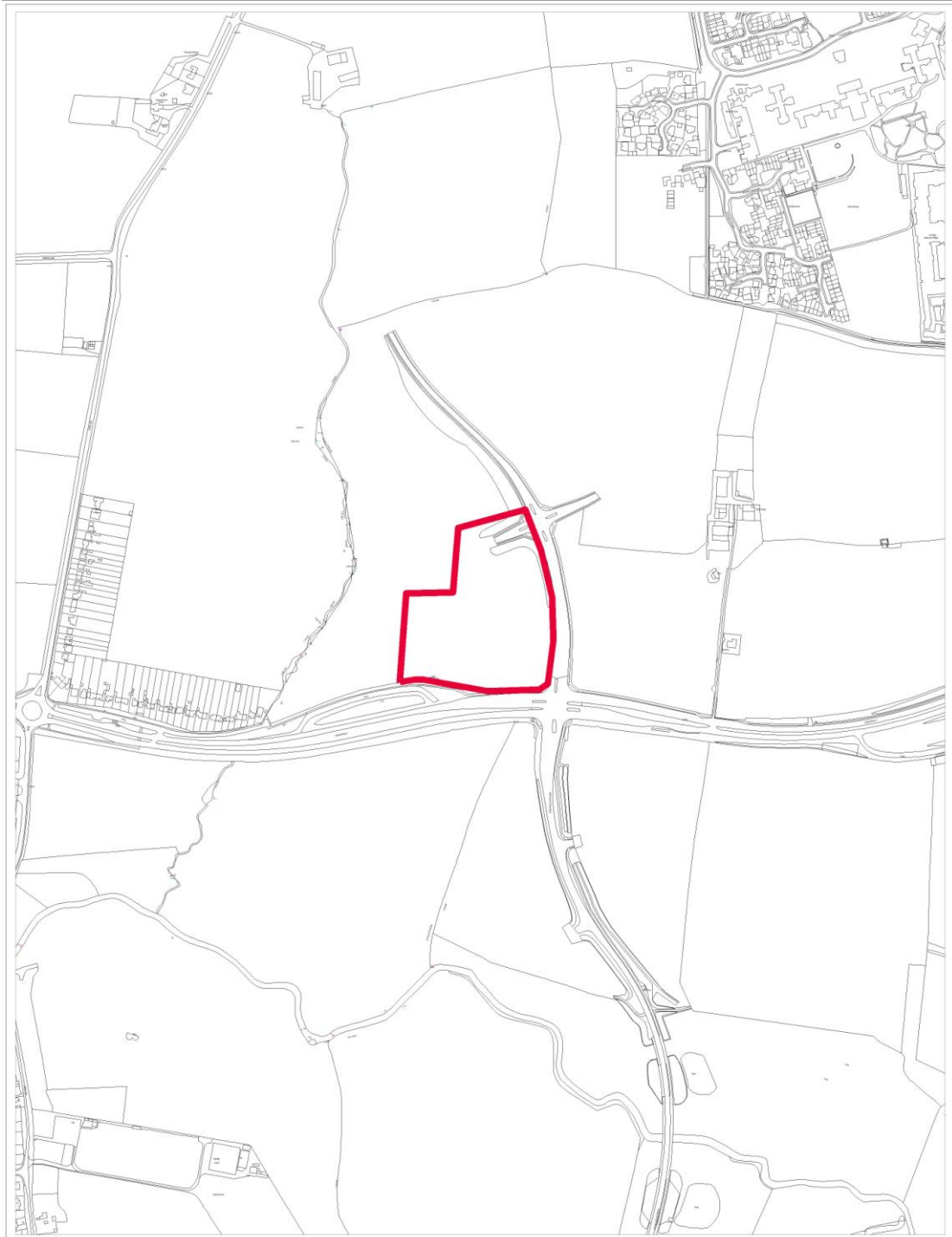
6.1 N/1997/0128 and N/2014/0778


**7. LEGAL IMPLICATIONS**

7.1 As set out in the report.

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

8.1 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.



 <b>NORTHAMPTON</b> BOROUGH COUNCIL	Name: <b>Location Plan</b>	<b>Title</b> <b>Upton Park &amp; Ride - Changes to Section 106</b>  Produced from the 2008 Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office. © Crown Copyright Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Licence number: 100019655
	Date: <b>21st July 2014</b>	
	Scale: <b>1:6500</b>	
	Dept: <b>Planning</b>	
	Project: <b>Committee</b>	



**PLANNING COMMITTEE:** 29<sup>th</sup> July 2014  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**HEAD OF PLANNING:** Susan Bridge

**N/2013/1195**

Outline application of up to 2000 dwellings, with access, appearance, layout and scale unreserved for the first phase of 200 dwellings; a new section of A43 dual carriageway road; up to 3.83ha for a local centre incorporating provision for a Use Class A1 foodstore (up to 2,000 sqm), Class A4 public house (up to 650 sqm), Class C2 care home (up to 2,800 sqm), Class D1 day nursery (up to 465 sqm), Class D1 medical centre (up to 750 sqm), a parade of 5 retail units (Classes A1, A2, A3, A5 and D1) (up to 450 sqm), Class B1(c) light industry (up to 5,000 sqm); a new primary school (up to 3,150 sqm); public open space provision to include outdoor sports pitches, allotments and children's play space; structural landscape planting; associated infrastructure, including drainage features and access, at Northampton North SUE, Overstone Leys, Overstone Lane

**WARD:** Talavera  
**APPLICANT:** Barratt Developments PLC  
**AGENT:** Pegasus Planning Group  
**REFERRED BY:** Head of Planning  
**REASON:** Major Fringe Application  
**DEPARTURE:** N/A

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## CONSULTATION BY DAVENTRY DISTRICT COUNCIL:

### 1. RECOMMENDATION

1.1 That Northampton Borough Council has **no objections to the principle of development subject to the issues outlined below being addressed** by Daventry District Council:

- The level of affordable housing and leisure/open space provision to be secured by this development has a significant and direct impact on this Authority. As such the appropriate officers of this Authority should be involved in the negotiation of any Section 106 agreement in relation to these matters and Northampton Borough Council should be a financial beneficiary of any such agreement;
- It should be demonstrated that the volume of retail proposed has no adverse impact on either Northampton Town Centre or on any of the Borough's District or Local Centres;
- There should be no built development, other than alterations to the A43, on the land within the Borough boundary, as indicated on the submitted plans;
- There should be analysis of the impact of the application on the demand to use leisure facilities in the Borough and the effect on capacity;
- A Construction Environmental Management Plan (CEMP), including vehicle routing should be submitted;
- Officers of Northampton Borough Council should be involved in the formulation of a design code for the development;
- Further information should be submitted in respect of elements of the design including the treatment of the A43, road engineering and house types;
- No objections being received from Northamptonshire County Council Highways regarding impact on local road network.
- Details of proposals for public transport provision should be confirmed;
- Environmental mitigation, with particular regard to air quality, should be considered;
- Further information should also be submitted in respect of the provision of community facilities, including places of worship; and
- A range of good quality materials should be used within Phase 1 of the development to ensure a satisfactory appearance.

## **2. THE PROPOSAL**

- 2.1 Outline planning permission has been applied for to Daventry District Council for up to 2,000 dwellings. A first phase of 200 dwellings is proposed and details of this are included within the application. Both the layout and house types for this detailed phase have been amended since the application was first submitted.
- 2.2 As part of the development a local centre is proposed and this would include provision for a food store; public house; care home; day nursery; five other retail units; B1 (Light Industry) and a primary school. Open space provision is also included incorporating outdoor sports pitches, children's play areas and allotments.
- 2.3 It is proposed to re-route a section of the A43 and to make this a dual carriage way. It is also proposed to make sections of the existing alignment of the A43 a dual carriage way. Access to the site would be taken from two new interchanges on the A43, new junctions on Billing Lane and Sywell Road and from Park View and The Avenue. Elements of The Avenue and Overstone Lane would become pedestrian/cycle only.
- 2.4 An Environmental Statement has been submitted with the application.

## **3. SITE DESCRIPTION**

- 3.1 The site comprises 109.13 hectares of predominantly agricultural land, mainly within Daventry District, immediately to the north of the Northampton Borough boundary. To the south of the application site is the Round Spinney Industrial Estate and Coleman Leys and the Southfields estate. The site sits to the east of the existing A43 between Moulton and Overstone.
- 3.2 There is a tongue of land which runs in a southerly direction from the main part of the application site, down the western side of the Round Spinney Industrial Estate to the Round Spinney roundabout, which is within Northampton Borough's administrative boundary. This land currently comprises landscaped vegetation.
- 3.3 A decision was made by the Council's Cabinet in November 2013 to delegate the Borough Council's planning determination powers with respect to this land to Daventry, to enable one planning application to be submitted to and determined by them. This matter was reported to Planning Committee in October last year as an Information Item.
- 3.4 The site forms a significant part of the Northampton North Sustainable Urban Extension (SUE) as identified within the Submitted West Northamptonshire Joint Core Strategy (as subsequently modified). This SUE when originally proposed only allocated the application site for development to provide up to 2,000 dwellings. The SUE has subsequently been enlarged from that originally proposed, after the

submission of this application, to provide up to 3,500 dwellings. Further information has therefore been submitted as part of the application, and the associated Environmental Statement, to consider how the development being applied for would relate to this potential wider development in terms of cumulative impact, built form, connectivity and general integration.

3.5 Due to the scale of the site it is within the setting of a number of listed buildings.

#### **4. PLANNING HISTORY**

4.1 No history relevant to this case.

#### **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 Development Plan for the purposes of this application comprises the Northampton Local Plan 1997 saved policies, and whilst not yet adopted, weight can be attributed to the Submitted West Northamptonshire Joint Core Strategy (as subsequently modified).

##### **5.2 National Policies**

National Planning Policy Framework (NPPF)

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

E6 - Greenspace Areas

E20 – New Development

E19 – Implementing Development

H14- Residential development, open space and children’s play facilities

##### **5.4 Submitted West Northamptonshire Joint Core Strategy (as Subsequently Modified)**

Policy S4 - Northampton Related Development Area

Policy S5 - Sustainable Urban Extensions

Policy S9 - Distribution of Retail Development

Policy S10 - Sustainable Development Principles

Policy C2 - New Developments

Policy C3 - Strategic Connections

Policy C5 - Enhancing Local and Neighbourhood Connections

Policy RC2 - Community Needs

Policy H1 - Housing Density and Mix and Type of Dwelling

Policy H2 - Affordable housing

Policy H5 - Sustainable Housing



Policy BN5 - The Historic Environment  
Policy BN9 - Planning for Pollution Control  
Policy INF1 - Approach to infrastructure Delivery  
Policy N3 - Northampton North SUE

## 5.5 **Supplementary Planning Guidance**

Planning Obligations SPD  
Affordable Housing Interim Statement

## 6. **CONSULTATIONS/ REPRESENTATIONS**

6.1 Not applicable.

## 7. **APPRAISAL**

### **Policy context**

- 7.1 The NPPF sets out the government's overarching approach to planning and states that applications should be determined in accordance with the development plan. It is advised that weight should be given to emerging policy (the more advanced the preparation the greater the weight to be given). The NPPF also requires the provision of a supply of housing with a range of types, tenures and densities as well as encouraging sustainable development; high quality design; the promotion of healthy communities; conserving and enhancing the natural and historic environments; and sustainable transport.
- 7.2 The site is supported as an allocation by the Joint Strategic Planning Committee for a SUE (Sustainable Urban Extension). In this context it is considered that significant weight should be given to the policies of the Submitted West Northamptonshire Joint Core Strategy (JCS) (as Subsequently Modified). Policies S4 and S5 of the JCS establish the need for urban extensions to Northampton and that these will be outside the Borough's administrative boundary in some cases. Policy N3 identifies the Northampton North SUE and establishes the scale and nature of the development to be provided.
- 7.3 Policy S9 addresses the issue of retail development and is supportive of proposals which are sequentially acceptable and, in cases of over 1,000 sqm, have been assessed.
- 7.4 Policy S10 sets out the principles for sustainable development, requiring all development to be sustainably designed, energy efficient and to be easily accessed via non-car modes of transport. Policies C2, C3 and C5 elaborate further on this latter issue requiring development to be well connected both locally and more strategically. Policy H5 requires all residential development to incorporate sustainable design principles.

- 7.5 Policy RC2 requires development to make adequate provision for public open space and community facilities.
- 7.6 Policy H1 stipulates that development should provide a mix in terms of the type and tenure of housing provided, giving consideration to the character of the existing area and the amenity of current and future occupiers. Policy H2 sets out that in the Northampton Related Development Area all developments over 15 dwellings should provide 35% as affordable housing.
- 7.7 Policy BN5 gives consideration to the protection of Heritage Assets and their settings.
- 7.8 Policy BN9 requires development to be of a high environmental quality and should not result in any deterioration of the environment.
- 7.9 Policy INF1 states that development should provide good access to infrastructure, including physical, green and social elements.
- 7.10 The policies of the Northampton Local Plan should also be considered, particularly in relation to that part of the site which sits within the Borough Boundary. However, given the age of the Local Plan and the changes in national policy which have occurred since its adoption, it is considered that limited weight should be given to these.
- 7.11 Policy E20 requires new development to reflect the character of its surroundings.
- 7.12 The area of land within the Borough boundary is allocated as Green Space in the Local Plan, policy E6 of which allows for development where the role of the green space would not be conflicted.

### **Principle of development**

- 7.13 In light of the support for the allocation of the site as a SUE the overall principle of the development of this site may be seen as being broadly acceptable.
- 7.14 There are a mix of land uses proposed alongside residential including retail, employment, education and leisure. It is considered that such a mix of uses is appropriate to achieve a sustainable development providing services and facilities to future residents.
- 7.15 A range of housing is also proposed with one bedroomed to five bedroomed dwellings in two and three storey forms. This mix of housing is considered acceptable in principle. While the applicant has indicated that affordable housing will be provided the actual level of this has yet to be determined.
- 7.16 It is considered that the principle of the scale of the retail element has not been demonstrated as being acceptable. Policy S9 of the Joint Core Strategy requires proposals for retail development over 1,000

sqm to be accompanied by a retail impact assessment. No such assessment has been submitted with this application.

- 7.17 While provision of open space and recreational facilities is proposed as part of the development, there has been no assessment submitted concerning the impact of the proposed development on existing leisure facilities within Northampton Borough.

### **Relationship with wider SUE**

- 7.18 As outlined above the application site forms a part of the Northampton North SUE. The Environmental Statement and Design and Access Statement have been amended to look at the development proposed and the remainder of this allocation. It is considered that it has been demonstrated that this application would not prejudice the development of the remainder of the SUE and that the SUE could be developed in an acceptable and cohesive way.
- 7.19 It is indicated within the amended Design and Access Statement that a further local centre is likely to be required within the other part of the SUE and that there may also be a requirement for a further primary school within this area as well.
- 7.20 The Design and Access Statement has shown that vehicular and pedestrian connectivity could be achieved between the two elements of the SUE as well as linkages in terms of green infrastructure.

### **Urban design**

- 7.21 It is considered that the design principles outlined within the application are appropriate, albeit no Design Code has currently been established. However no details have been submitted with the application indicating how the new alignment of the A43 will be treated, for example if it is to have a 'boulevard' appearance. Similarly no details have been submitted concerning the use of the 'old' A43 as a public transport corridor. It is considered that these issues should be addressed.
- 7.22 It is also considered that improvements could be made to the indicated road layouts to incorporate less 'engineered' designs which may be more appropriate to this location and that further details are required as to how the roads will work in terms of reconciling the needs of different users.

### **Traffic**

- 7.23 There are two aspects which need to be considered regarding traffic impacts from the development. The first of these is the traffic which will be generated during the construction phase. It is considered that this could be adequately addressed through the implementation of a Construction Environmental Management Plan (CEMP). Such a plan

would identify the hours of operation and the routes for construction vehicles.

- 7.24 The second aspect is the traffic which would be generated by the development. It is proposed as part of the Transport Assessment to aim to provide cycle and pedestrian facilities to provide alternatives to car use. It is also proposed for contributions to be made to public transport.
- 7.25 Improvements to the road infrastructure are also proposed. As well as the obvious improvement to the A43 through the realignment and duelling of this, it is also proposed for there to be capacity improvements to the Round Spinney Roundabout and other improvements to the St Gregory's Roundabout and the Kettering Road/Lumbertubs Lane/Moulton Way Roundabout. Subsequent to the submission of the application Northamptonshire County Council has secured the funding necessary to carry out the improvements to the A43 independently of this development.
- 7.26 It is considered that the application makes reasonable provision for both improvements to the road network to cater for the extra traffic likely to be generated by the development, as well as seeking to encourage alternative means of travel.

### **Environment**

- 7.27 Due to the scale of development the potential exists for environmental impacts, in particular with regard to air quality. It is considered that such impacts may be mitigated, partly through the implementation of some of the transport measures outlined above, but that a more comprehensive scheme of environmental mitigation should be submitted.

### **Detailed residential scheme**

- 7.28 The application contains a detailed element for 200 dwellings. These are split into two sections Phase 1A and 1B.
- 7.29 Phase 1A would consist of 104 dwellings, 16 of which would be affordable, and would be located to the north of the The Avenue, between the existing A43 (Park View) and the new dual carriageway alignment of this. Vehicular access would be taken from Park View. A number of the dwellings would face onto the new alignment of the A43.
- 7.30 Phase 1B would consist of 96 dwellings, 14 of which would be affordable, and would be located to the South of The Avenue, from which vehicular access would be taken. This phase would also present a frontage onto the new A43.
- 7.31 Both of the detailed phases of the development have what may be deemed as somewhat typical 'estate' layouts with main routes running

through and a number of cul-de-sacs and access driveways coming off these.

- 7.32 The house types are of two and two and a half storeys, and while considered to be perhaps somewhat generic in design have a number of details such as chimneys, string courses, plinths, split materials, dentillated eaves, corbelling and porches which provide an acceptable level of visual interest. The use of good quality materials will be important in ensuring the overall satisfactory appearance of the completed development.
- 7.33 Areas of green space are indicated within both phases along with indicated tree and landscape planting

#### **'Northampton' section of application site**

- 7.34 As outlined previously part of the application site is within the Borough's administrative boundary. This is currently a green space to the western side of the Round Spinney Industrial Estate which acts as a landscape buffer to the A43. This area will largely be unaffected and will remain as a green space. The western edge of this will however be taken up as part of the widening of the A43 to create a dual carriageway. A section of the northern part of this land will also be taken up to accommodate the new alignment to the A43.
- 7.35 It is not considered that, overall, this would have an unacceptable impact on the appearance of the area and would therefore accord with Policy E6 of the Local Plan.

#### **Section 106 agreement**

- 7.36 There are a number of Section 106 contributions proposed as part of the application. These include affordable housing; education; healthcare; maintenance of public open space; ecological mitigation; contributions to the delivery of improvements to the A43; contributions to improve Round Spinney roundabout and other off-site junctions: contributions to enhance bus services: pedestrian and cycle improvements and traffic management measures in Moulton, Overstone and Sywell.
- 7.37 It is considered that these generally give consideration to the matters which are pertinent to the development. However, as outlined previously, it is also considered that the potential impact on leisure facilities within Northampton Borough needs to be examined further. The results of this analysis may result in a further requirement for a financial contribution to address this impact.
- 7.38 There is also a lack of information regarding the provision of community facilities as part of the development.

7.39 With regard to the issue of affordable housing, Policy H2 of the JCS requires developments in the Northampton Related Development Area to provide 35% affordable housing. The 200 units proposed as part of the detailed first phase of development currently includes only 15%. However a viability exercise is currently being undertaken by the applicant with regard to demonstrating the appropriateness of this level of contribution and indeed the provision of other benefits.

## **8. CONCLUSION**

8.1 Overall it is considered that the policies of the Joint Core Strategy actively encourage the principle of developing this site as part of a Sustainable Urban Extension. The application therefore accords with these policies. The development would allow the remainder of the SUE to be developed acceptably.

8.2 It is also considered that in terms of the impacts on the road network provision is made within the application for both physical road improvements and the encouragement of non-car modes of transport.

8.3 The design principles outlined in the application are considered to be acceptable, albeit that further work on these are required and further information should be submitted regarding design.

8.4 The detailed scheme for 200 houses within Phases 1A and 1B of the development is considered to be broadly acceptable in terms of its layout, design and appearance

8.5 It is also considered that there is also a lack of information, at this stage, concerning retail impact; provision of affordable housing; provision of community facilities and the impact on leisure provision with Northampton Borough. It is considered that this further information should be requested prior to determination of the application.

## **9. CONDITIONS**

9.1 Not applicable.

## **10. BACKGROUND PAPERS**

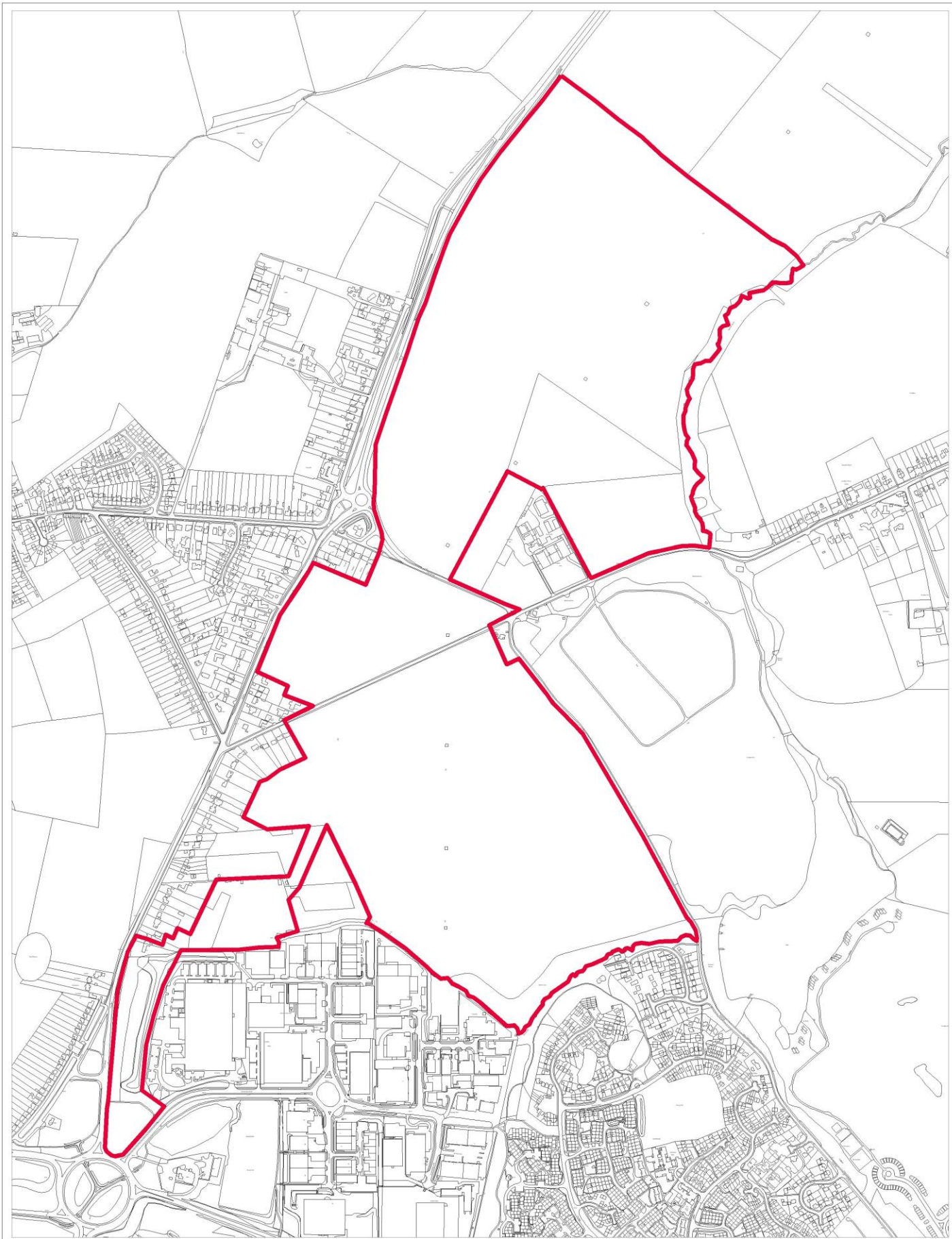
10.1 N/2013/0931.

## **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: **Location Plan**  
Date: **21st July 2014**  
Scale: **1:9500**  
Dept: **Planning**  
Project: **Committee**

Title  
**Overstone Leys**

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