



NORTHAMPTON
BOROUGH COUNCIL

PLANNING COMMITTEE: 27th October 2009
DIRECTORATE: Planning and Regeneration
HEAD OF PLANNING: Susan Bridge

APP: N/2009/0028LB Proposed demolition of Infirmary building and proposed alterations and extension to remaining buildings, Former St Edmunds Hospital Site, Wellingborough Road (Listed Building Consent Application)

WARD: St Crispins

APPLICANT: Mr J Sehmi, Rochmills
AGENT: Mr R Colson, Bidwells

REFERRED BY: Head of Planning
REASON: Related to WNDC Consultation on Major Development

DEPARTURE: No

APPLICATION FOR DETERMINATION

1. RECOMMENDATION

1.1 APPROVAL subject to:

- The conditions set out in section 6 below; and
- The completion of a S106 agreement to the satisfaction of the Borough Council in respect of the associated planning permission and that this planning permission has been issued;

And for the following reason:

The proposal would ensure the redevelopment of this prominent, semi-derelict site which would enhance the character of the area and assist in the regeneration of the town overall. The proposal would also ensure the retention of the majority of the listed buildings on the site that are an important part of the town's heritage in accordance with Policy 26 of the Regional Plan and the aims and objectives of PPG15.

2. THE PROPOSAL

2.1 The proposal entails the elements:

- change of use of the original workhouse building to offices, together with various extensions to this building;
- demolition of the existing infirmary building and construction of a retirement village in its place;
- change of use of the former nurses home to visitors accommodation in connection with the critical care unit;
- change of use of the former school and extensions to form a critical care unit; and
- erection of a new three storey building on a vacant part of the site to provide retail at the ground floor and flats above.

3. SITE DESCRIPTION

3.1 The site consists of the former St Edmunds hospital site, originally the Northampton Workhouse, which was constructed in 1837 and added to periodically since then, until closing in 1998. Since then the buildings have been empty and have fallen into a state of disrepair.

3.2 The site is in a prominent location on the Wellingborough Road, which is a major gateway to the town centre.

4. APPRAISAL

4.1 This application for listed building consent was considered by the Planning Committee in June 2009, when it was resolved to approve the application subject to a Section 106 agreement in respect of the planning application for the same development, which is under consideration by WNDC, being to satisfaction of the Borough Council.

4.2 The Section 106 agreement is now nearing completion, a key element of which is control of the phasing of development to ensure that the curtilage listed buildings are refurbished before the infirmary building is demolished.

4.3 In order to accommodate the proposed phasing, the conditions to be attached to the listed building consent would have to be revised, to refer to each phase of the development rather than the development as a whole. This revision would enable phase 1 to be commenced prior to the submission of details in respect of phase 2, thereby facilitating a quicker start to development on this key site whilst securing the conservation of the heritage assets within the site.

4.4 The conditions as set out below differ from those previously approved only in respect to the revised phasing.

4.5 The previous Committee report, which sets out the wider spatial planning issues and policy is attached for reference (at Appendix A).

5. CONCLUSION

- 5.5 For the foregoing reasons it is recommended that listed building consent for the demolition of the infirmary building, and the other works proposed in the listed building application, is granted, but that this decision is not issued until the S106 agreement in respect of the associated planning permission has been completed to the satisfaction of the Borough Council, and the permission has been issued. In this way it will be possible for the Council to retain control over the timing of the demolition of the building in the interest of securing the conservation of the heritage assets within the site.

6 CONDITIONS

(1) The works hereby permitted shall be begun not later than the end of three years from the date of this consent.

Reason: In order to comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

(2) The demolition hereby permitted shall not be undertaken before a contract for the carrying out of the works of redevelopment of the site has been made and full planning permission has been granted for the redevelopment for which the contract provides.

Reason: To protect the visual amenity of the area in accordance with the requirements of Planning Policy Guidance Note 15 – Planning and The Historic Environment

(3) Prior to the commencement of any works of demolition hereby granted consent, details of a programme of building recording and analysis by a person or body first agreed to by the Local Planning Authority shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved programme of building recording and analysis shall be fully implemented prior to any works of demolition taking place.

Reason: To mitigate the substantial loss of buildings that are defined as making a positive contribution to the character and appearance of the Conservation Area in accordance with Planning Policy Guidance Note 15 – Planning and The Historic Environment

(4) Prior to work commencing on each phase of the development pursuant to this permission a detailed schedule of works to be undertaken to each of the listed buildings shall be submitted to and be approved in writing by the Local Planning Authority. The schedule of repairs shall show in detail the nature, scope, materials, methodology and approach to those works, including drawings where necessary. The timetable shall thereafter take place in full accordance with the approved details.

Reason: To ensure the protection of the integrity of the Listed Buildings in accordance with the advice contained in PPG15 Planning and the Historic Environment.

(5) Prior to work commencing on each phase of the development, full details of replacement fittings including doors, windows, stairways, and cornices at a scale of 1:10 shall be submitted to and approved in writing by the Local Planning Authority. The development shall be fully carried out in accordance with the approved details.

Reason: To ensure the protection of the integrity of the Listed Buildings in accordance with the advice contained in PPG15 Planning and the Historic Environment.

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

Reason: To ensure the protection of the integrity of the Listed Building in accordance with the advice contained in PPG15 Planning and the Historic Environment.

(7) Prior to work commencing on each phase of the development full details of the method of the treatment of the external boundaries of the site together with boundaries to the individual elements within the site shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented according to the approved details.

Reason: To ensure the protection of the setting of the Listed Buildings in accordance with the advice contained in PPG15 Planning and the Historic Environment.

(8) No development shall take place until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the protection of the setting of the Listed Buildings in accordance with the advice contained in PPG15 Planning and the Historic Environment.

7. LEGAL IMPLICATIONS:

7.1 None

8. BACKGROUND PAPERS

8.1 Planning application file N/2009/0028

9. SUMMARY AND LINKS TO CORPORATE PLAN

9.1 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.

Position:	Name/Signature:	Date:
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NORTHAMPTON
BOROUGH COUNCIL

PLANNING COMMITTEE: 18th June 2009
DIRECTORATE: Planning and Regeneration
HEAD OF PLANNING: Susan Bridge

APP: N/2009/0028LB **Proposed demolition of Infirmary building and proposed alterations and extension to remaining buildings, Former St Edmunds Hospital Site, Wellingborough Road (Listed Building Consent Application)**

WARD: **St Crispins**

APPLICANT: Mr J Sehmi, Rochmills
AGENT: Mr R Colson, Bidwells

REFERRED BY: Head of Planning
REASON: Related to WNDC Consultation on Major Development

DEPARTURE: No

APPLICATION FOR DETERMINATION

1 RECOMMENDATION

- 1.2 Resolution to approve for the following reason and subject to the following conditions -
- 1.3 The proposal would ensure the redevelopment of this prominent, semi-derelict site which would enhance the character of the area and assist in the regeneration of the town overall. The proposal would also ensure the retention of the majority of the listed buildings on the site which are an important part of the town's heritage.

2 THE PROPOSAL

- 2.2 The proposal entails the change of use of the original workhouse building to offices, together with various extensions to this building, demolition of the existing infirmary building and construction of a retirement village in its place, change of use of the former nurses home

to visitors accommodation in connection with the critical care unit, change of use of the former school and extensions to form a critical care unit and erection of a new three storey building on a vacant part of the site to provide retail at the ground floor and flats above.

3 SITE DESCRIPTION

- 3.3 The site consists of the former St Edmunds hospital site, originally the Northampton Workhouse, which was constructed in 1837 and added to continually since then, until closing in 1998. Since then the buildings have been empty and have been allowed to fall into disrepair.
- 3.4 The site is in a prominent location on the Wellingborough Road which is a major gateway to the town centre.

4 PLANNING HISTORY

- 4.1 The following applications are considered the most relevant -
- 4.2 N/2002/1414 - Redevelopment of site including new offices, restaurant, apartments and community centre Approved 04-02-2004
- 4.3 N/2002/1604 Redevelopment of site including demolition of some disused buildings and retain & improve the old workhouse building Approved 25-03-2004.
- 4.4 WN/2006/0018 Change of use of existing hospital buildings to residential and erection of new residential units Withdrawn 12-12-2006.
- 4.5 N/2005/1508 Extension of gatehouse, removing toilet from the side and building it at the back Approved 23-03-2006
- 4.6 N/2009/0051 - WNDC Consultation - Mixed use development comprising the development of a retirement village and ancillary facilities, following the demolition of former Infirmary building; Development of mixed use building comprising A1 (Retail), A2 (Financial & Professional Services) and A3 (Restaurant & Café) at ground floor, with 6 apartments at first floor; Conversion of the former St Edmunds Hospital buildings to comprise B1 (Office) use, conversion and extension to comprise specialist care facility and visitor accommodation. - To be considered as separate item on this agenda.

5 PLANNING POLICY

- 5.1 Section 38(6) of Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan and unless material consideration indicate otherwise. The current Development Plan comprises the Regional Spatial Strategy (RSS), the Northamptonshire County Structure Plan and the Northampton Local Plan.

5.2 National Policies:

- 5.1 Planning Policy Statement 1 – Delivering Sustainable Development
- 5.2 Planning Policy Guidance Note 15 – Planning and The Historic Environment

6 CONSULTATIONS/REPRESENTATIONS

- 6.1 Estates and Valuation Services - Without a robust appraisal confirming the scheme only becomes viable if consent to demolish the infirmary is given the application for permission to demolish should be refused. If permission is given to demolish on the conclusions of the CBRE appraisal it will result in a further application to demolish more of the retained buildings until a viable scheme arises.
- 6.2 Conservation Officer - There are significant concerns regarding the St Edmunds site which has been vacant and derelict for nearly 10 years and has had significant issues relating to vandalism and anti-social behaviour. The site has been poorly managed by the current owners and this has contributed significantly to these problems.
- 6.3 The current planning and Listed Building consent applications clearly do not follow the original Northampton Borough Council Planning Brief of 1999 by not retaining all five buildings 'critical to the special interest of the site'.
- 6.4 The conclusions of the financial appraisal exercise undertaken by the applicants indicate that the scheme would not be financially viable with the retention of the Infirmary building. An independent financial appraisal of the scheme in the current market (reflecting the recent international financial problems) is that the scheme would not be viable even with the loss of the Infirmary.
- 6.5 If the Listed Building consent application is refused on the basis of non-viability of the scheme there are a limited number of options available. The owner may choose to Land Bank the site pending improvement to the current economic climate leaving the buildings vulnerable to further deterioration for another extended period of time or a new application with denser development requirements could be submitted which may have a significantly more detrimental effect on the setting of the listed buildings.
- 6.6 The St Edmunds site is now in a perilous state and action is required to ensure the buildings on site do not deteriorate further. The current application is for the comprehensive re-development of the entire site with a new use found for the listed workhouse and three of the four curtilage buildings (school house, nurses accommodation and gate house). The historic significance of the infirmary building has been established and its potential loss should be considered a last resort to safeguard the long term future of the remaining buildings.

- 6.7 It should be made clear that if consent is forthcoming for the demolition of this curtilage listed building that it is regarded as part of the scheme as a whole and should not be seen as a precedent for future schemes involving further demolition. A robust phasing strategy will therefore need to be drafted and agreed to, ensuring that the infirmary building is not demolished until a significant commitment has been made to restoration and conversion of the remaining buildings on site. The following phasing is recommended:
- Phase 1. School house, nurses accommodation, retail unit and access road to Wellingborough Road frontage. No demolition shall take place during this phase.
 - Phase 2 Workhouse building and gatehouse.
 - Phase 3 Demolition of Infirmary building and construction of retirement village.
- 6.8 The phasing scheme will need to be the subject of a legal agreement which should also include the rescinding of the existing listed building consents.
- 6.9 It will also be important to safeguard against the subsequent dilution of details and the use of lesser materials by applying appropriate conditions to any consent.
- 6.10 English Heritage - No need to consult as only consulted on demolition of Grade II* curtilage buildings. No comment to make in respect of this proposal.
- 6.11 The Victorian Society - Disappointed to see the proposals entail the demolition of a curtilage listed building and a significant amount of large scale new development adjacent to and attached to other listed and curtilage listed structures. Proposals should retain those listed buildings and their settings, however we fear that the current proposals fail to achieve those aims. Appears that the reason for the demolitions is the high cost of restoring the buildings which are in a poor state of repair. This is due to neglect by the developers and premature demolitions. Demolition of the infirmary must be rigorously justified and it must be demonstrated that all alternatives have been considered and discounted. With regard to the school house, concerned about the impact of extensions to the west of the building.
- 6.12 One letter received from a neighbouring occupier at 89 Talbot Road expressing support for the development and stating that historic buildings should be preserved but not at the expense of progress.

7 APPRAISAL

- 7.1 The main issues to consider in this case are the impact of the proposals on the character and setting of the listed buildings, in particular whether the demolition of the curtilage listed infirmary building is justified in respect of the viability of the site and therefore necessary in order to secure the future viability of the remaining buildings (i.e. to act as “enabling development”)
- 7.2 The proposal entails the demolition of the former infirmary building, the conversion of the original workhouse building to office use, the conversion and alterations and extensions to the former school building to provide a specialist care facility.

Impact on the Listed Buildings.

- 7.3 Of key importance in considering this application is the impact of the proposal on the listed buildings, including the main workhouse building, former nurses home and school building. Also proposed is the demolition of the former infirmary building.

Main Workhouse Building

- 7.4 The proposal includes the conversion of the main workhouse building to offices. This involves various internal alterations which in general restore the building to something closer to its original condition and are considered to be broadly sympathetic. A full schedule of works will nevertheless be necessary to ensure the suitability of these alterations.
- 7.5 Also proposed is a canopy to the existing internal courtyard, which would not have been an original feature. However, this is considered to be relatively sympathetic to the building and it is recognised that this is necessary to allow circulation to the new units.
- 7.6 Also proposed is a three storey extension. This would replicate an existing feature at the opposite end of the building and whilst this would differ from the historical element in this position this is considered to be acceptable. Again a schedule of materials will be necessary.

School Building

- 7.7 The front façade of the school building would be largely restored to its original state but a single storey glazed extension would be added in the location of the previous much larger extension. This would potentially conceal the worst of the damage caused to the front of the building and could if required be removed at a future date enabling full restoration of the front elevation of the building. The front elevation retains the original windows other than in the central section and would be restored to its original appearance other than the extension as discussed above.

- 7.8 To the rear of the school building a three storey extension is proposed which would enable sufficient depth to be available to provide the required facilities, this not being available in the very narrow building as it exists. The school building has original windows to the front elevation but not to the rear where all have been replaced with UPVC and additionally the rear of the building has been unsympathetically extended. It is considered, therefore, that the proposed extensions would not be damaging to the character of the listed building.

Demolition of Infirmary Building

- 7.9 The infirmary building is at present in a dilapidated state and does not retain its original windows or any significant original features other than the shell of the building. The building would in any event have been built with little in the way of ornamentation due to the requirement for a functional building.
- 7.10 In considering whether the demolition of the infirmary is acceptable it is necessary to consider this in the context of “Enabling Development”
- 7.11 The English Heritage Guidance on Enabling Development sets out that enabling development is the minimum necessary to secure the future of a place which minimises harm to other public interests.
- 7.12 The ‘enabling’ development has to be the minimum amount to make the scheme viable. In this case the appraisal assesses various uses for the infirmary building and concludes that with its retention within the scheme, an overall profit of 2.09% on cost would be realised – which is not viable.
- 7.13 The developer profit for the proposed scheme (demolition of the infirmary and erection of retirement village) would, on the developers figures, realise a profit of 12.78% which is marginally viable. On this basis the current proposal would appear to be the minimum amount of development to make the scheme viable and justify the demolition of the infirmary.
- 7.14 To assess the robustness of this argument both NBC and WNDC have commissioned assessments to determine the DTZ Financial Appraisal which seeks to demonstrate the validity of this argument.
- 7.15 WNDC commissioned a independent assessment of the financial appraisal from CBRE. CBRE’s report raised a number of issues. It concluded that the majority of the assumptions applied and the method in which they were carried out by DTZ were correct. They felt that the yields used on the care home and retirement village do seem optimistic.
- 7.16 CBRE’s appraisal, which uses revised yields concludes that the proposed scheme would make a negative profit of 0.71% ie a loss and is therefore unviable in the current market. This does change the

enabling development argument as the amount of enabling development is below the minimum needed to ensure viability, which means that the applicant could propose additional development to make the scheme viable.

- 7.17 Comments from NBC's estates and valuation service in regard to the CBRE report are that without a robust appraisal confirming the scheme only becomes viable if consent to demolish the infirmary is given, the application for permission to demolish should be refused.
- 7.18 However, if the application is to be refused on this basis, the consequences of this must be taken into account. If the site is not developed in the near future the buildings will continue to fall into disrepair, making it less likely in the future that they will be able to be restored economically.
- 7.19 The developer has stated an intention to retain the finished scheme and is therefore more concerned about the long term profitability of the scheme. Furthermore, the development will be subject to a s.106 agreement to secure the phasing of the site to ensure that the enabling development (the retirement village in place of the infirmary) is only secured once the works to the listed buildings have been completed.
- 7.20 It is considered, therefore, that it may be preferable to agree to the loss of this one building, which as discussed is in the worst condition of all of the buildings on the site.
- 7.21 Crucial within this is the need for WNDC to agree with the developer within which phase the demolition of the infirmary would take place. Whilst it would appear logical for this to be the final phase before construction commences on the retirement village, the developers have stated that they may wish to use materials from this building in restoring the remaining buildings. It is not considered, however, that the bulk of the features within the infirmary building could in fact be used elsewhere on the site due to the differing age and design of the other buildings.
- 7.22 Comments from the Council's Conservation Officer indicate a concern that the demolition of the listed building should not be permitted if viability cannot be shown. However, it is also recognised by the Conservation Officer that the site is in a perilous state and that it may be necessary to accept the loss of one building to enable the others to be saved. On this basis it is considered that even if viability is not shown, the result of a refusal on this basis would be that either the site would be left and would deteriorate further or a further application would be made to justify the viability argument which would inevitably mean more development on the site. It is considered, therefore, that the viability argument can be set aside to some extent in the interests of saving as many of the buildings as possible.
- 7.23 Comments from the Conservation Officer propose an alternative

phasing strategy, which would entail the first phase of the development being the development of the school house and the retail units and flats on the western side of the site. This would enable the future of the school building to be secured and to be financed by the retail / flat unit, effectively as an independent development and would address any concern that the schoolhouse may also be considered for demolition in the future.

- 7.24 It is recommended, therefore, that it is put to WNDC by means of the formal response to the consultation on the planning application which forms a separate item on this agenda, that the phasing strategy should be revised in this way. In the event that WNDC are not agreeable to this it would be possible to attach a separate legal agreement to the listed building consent setting out separately the Borough Council's requirements.
- 7.25 Concern has been raised by the Conservation Officer that the application may need to be referred to the Secretary of State as it involves the demolition of a listed building. However, Circular 01/2001 states that this is only required in respect of a principal building and whilst the circular does not define a principle building it is clear from PPG15 that this refers to the building which is listed in its own right and not any curtilage buildings. The application does not, therefore, need to be referred.

8 RECOMMENDATION / CONDITIONS

- 8.1 It is recommended that listed building consent for the demolition of the infirmary building, and the other works proposed in the listed building application, is granted, but that this decision is not issued until the S106 agreement in respect of the associated planning permission has been prepared to the satisfaction of the Borough Council and signed, and the permission has been issued. In this way it will be possible for the Borough Council to retain control over the demolition of the building. In the event that WNDC are not prepared to consider the inclusion of the revised phasing strategy in their Section 106 agreement, it is recommended that a separate Section 106 agreement is prepared in respect of the Listed Building Application Only.

(1) The works hereby permitted shall be begun not later than the end of three years from the date of this consent.

Reason: In order to comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

(2) The demolition hereby permitted shall not be undertaken before a contract for the carrying out of the works of redevelopment of the site has been made and full planning permission has been granted for the redevelopment for which the contract provides.

Reason: To protect the visual amenity of the area in accordance with the requirements of Planning Policy Guidance Note 15 – Planning and The Historic Environment

(3) Prior to the commencement of any works of demolition hereby granted consent, details of a programme of building recording and analysis by a person or body first agreed to by the Local Planning Authority shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved programme of building recording and analysis shall be fully implemented prior to any works of demolition taking place.

Reason: To mitigate the substantial loss of buildings that are defined as making a positive contribution to the character and appearance of the Conservation Area in accordance with Planning Policy Guidance Note 15 – Planning and The Historic Environment

(4) Prior to work commencing on site pursuant to this permission a detailed schedule of works to be undertaken to each of the listed buildings shall be submitted to and be approved in writing by the Local Planning Authority. The schedule of repairs shall show in detail the nature, scope, materials, methodology and approach to those works, including drawings where necessary. The timetable shall thereafter take place in full accordance with the approved details.

Reason: To ensure the protection of the integrity of the Listed Buildings in accordance with the advice contained in PPG15 Planning and the Historic Environment.

(5) Before development commences, full details of replacement fittings including doors, windows, stairways, and cornices at a scale of 1:10 shall be submitted to and approved in writing by the Local Planning Authority. The development shall be fully carried out in accordance with the approved details.

Reason: To ensure the protection of the integrity of the Listed Buildings in accordance with the advice contained in PPG15 Planning and the Historic Environment.

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

Reason: To ensure the protection of the integrity of the Listed Building in accordance with the advice contained in PPG15 Planning and the Historic Environment.

(7) Prior to the commencement of any works on site full details of the method of the treatment of the external boundaries of the site together with boundaries to the individual elements within the site shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented according to the approved details.

Reason: To ensure the protection of the setting of the Listed Buildings in accordance with the advice contained in PPG15 Planning and the Historic Environment.

(8) No development shall take place until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the protection of the setting of the Listed Buildings in accordance with the advice contained in PPG15 Planning and the Historic Environment.

9 LEGAL IMPLICATIONS:

9.1 None

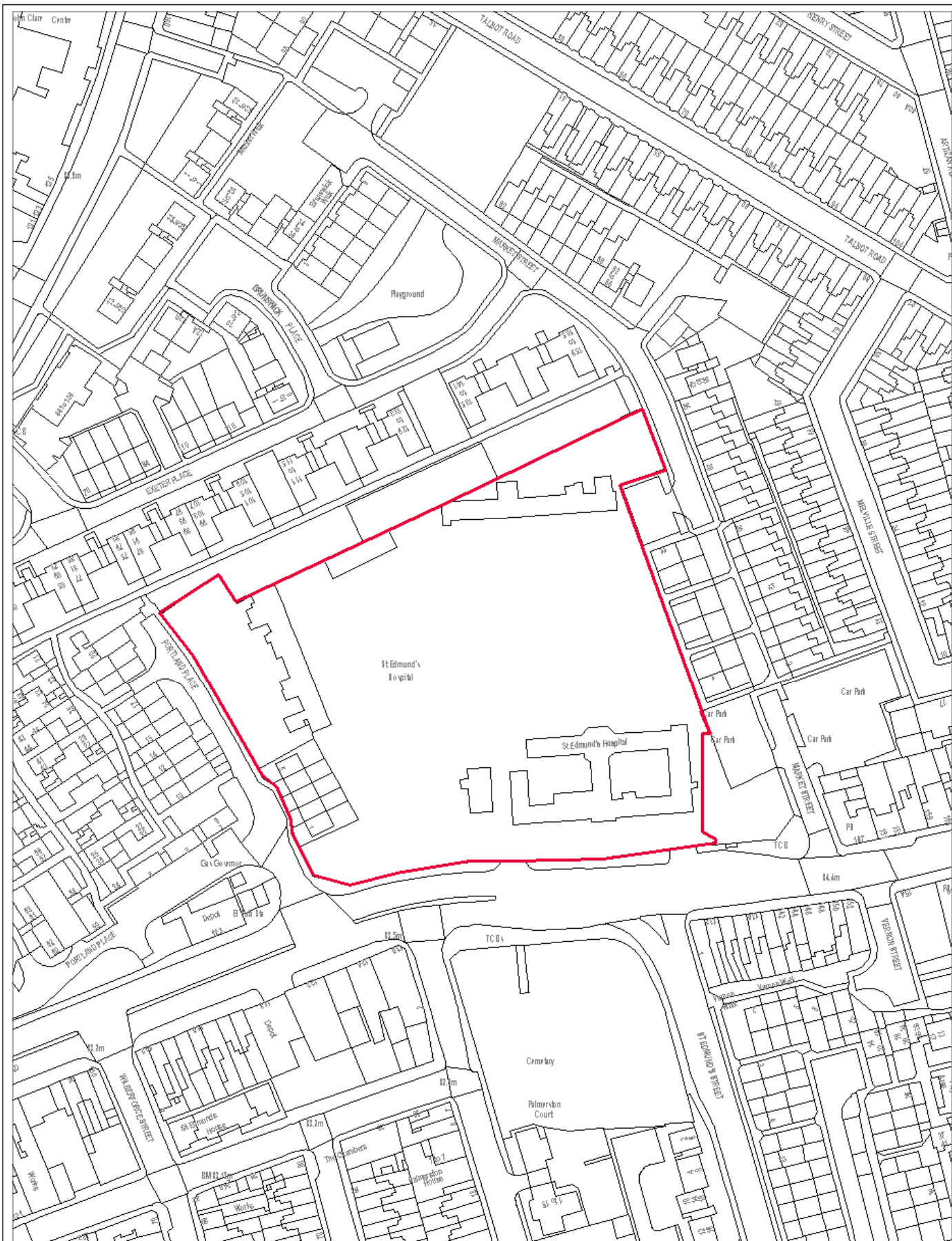
10. BACKGROUND PAPERS

10.1 Planning application file N/2009/0028

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.

Position:	Name/Signature:	Date:
Author:	Andrew Holden	05.06.2009
Development Control Manager:	June Kelly	05.06.2009



Im: Jon Martin
 Dt: 8th June 2008
 Nr: 1:1500
 Jt: Planning
 Mt: Location Plan

Title
St Edmunds Hospital

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