



**NORTHAMPTON**  
**BOROUGH COUNCIL**  
Planning Committee

**PLANNING COMMITTEE:** 10 July 2012  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**HEAD OF PLANNING:** Susan Bridge

**N/2012/0314:** Planning Permission for Provision of a new 21-stand bus interchange (12no. stands on the Fishmarket site accessed via Silver Street, 2no. stands on Bradshaw Street and 7no. stands on the Drapery), a travel information centre, passenger facilities (including toilets, waiting area, seating, retail / café kiosk) and staff facilities. Demolition of the existing Fishmarket building, toilet block and ancillary buildings, the part-demolition of numbers 5 and 7 Sheep Street (including the retention of front facades, the reinstatement of roofs, the reinstatement of the gable end of 5 Sheep Street and the provision of a single retail unit) and the closure of the subway under Greyfriars to Mayorhold Car Park; and

**N/2012/0315:** Conservation Area Consent for Demolition of the existing Fishmarket building, toilet block and ancillary buildings, the part-demolition of numbers 5 and 7 Sheep Street (including the retention of front facades, the reinstatement of roofs, the reinstatement of the gable end of 5 Sheep Street) to allow for the provision of a new 21-stand bus interchange with retailing.

**WARD:** Castle

**APPLICANT:** Northamptonshire County Council  
**AGENT:** MGWSP

**REFERRED BY:** Head of Planning  
**REASON:** Land owned by the Borough Council.

**DEPARTURE:** No

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## **APPLICATION FOR DETERMINATION**

### **1. RECOMMENDATION**

- 1.1 **APPROVAL of planning application reference N/2012/0314** subject to the removal of the Environment Agency and Natural England's objections; the application of conditions and the following reason:

*The proposals would deliver sustainable development and substantial public benefit in compliance with the guidance contained within the National Planning Policy Framework (2012) and the Submission Central Area Action Plan (2012).*

- 1.2 **APPROVAL of conservation area consent reference N/2012/0315** subject to referral to the Secretary of State and conditions for the following reason:

*The demolition works would release the site for redevelopment facilitating the delivery of sustainable development and substantial public benefit in compliance with the guidance contained within the National Planning Policy Framework (2012) and the emerging Central Area Action Plan (2012).*

### **2. THE PROPOSAL**

- 2.1 There are 2no. separate applications under consideration:

2.1.1 *N/2012/0314 Provision of a new 21-stand bus interchange (12no. stands on the Fishmarket site accessed via Silver Street, 2no. stands on Bradshaw Street and 7no. stands on the Drapery), a travel information centre, passenger facilities (including toilets, waiting area, seating, retail / café kiosk) and staff facilities. Involves demolition of the existing Fishmarket building, toilet block and ancillary buildings, the part-demolition of numbers 5 and 7 Sheep Street (including the retention of front facades, the reinstatement of roofs, the reinstatement of the gable end of 5 Sheep Street and the provision of a single retail unit) and the closure of the subway under Greyfriars to Mayorhold Car Park.*

2.1.2 This application (N/2012/0314) constitutes a full planning application and is for the redevelopment of the 0.87Ha site in the form of a new Bus Interchange covering an area of approximately 1,110 sq m. A notable portion of the site area would be used to accommodate urban realm, hard landscaping and highway works (including works along Drapery).

2.1.3 The Interchange would take an L-shaped form with the main mass of the building sitting to the south along Sheep Street and Bradshaw Street. 5 & 7 Sheep Street are to be encompassed within the scheme, where a single retail unit of 238 sq m is to be provided. The interchange would extend northwards behind numbers 9-15 Sheep

Street to Greyfriars at the northern end of the site.

- 2.1.4 There would be 3no. public entrances into the Bus Interchange, the main entrance being located on the corner of Sheep Street / Bradshaw Street at the southeast corner of the site directly opposing Market Square. The further entrances are proposed from Bradshaw Street to the southwest and Greyfriars to the north. The multiple entrances would provide for a permeable and accessible facility, access would bring passengers directly onto the Interchange's concourse. The scheme has been developed in accordance with an Equalities Impact Assessment; automatic doors and level accesses have been incorporated throughout the proposals.
- 2.1.5 A canopied concourse area would be created, offering access to passenger facilities, a travel information centre and real-time operational information. The concourse would cover 586 sq m of floor area and would provide direct access to 14 bus stands arranged around the building. 12no. of these bays would be located to the rear (western side of the Interchange) and would operate in the format of Drive in Reverse out (DIRO). The remaining 2 stands accessed directly from the concourse would be drive-thru stands located upon Bradshaw Street. The interchange would be supplemented by a further 7 stands provided on the Drapery (where there is already bus stop infrastructure in place).
- 2.1.6 The application would involve a number of highway alterations to accommodate for the Interchange. These would involve the reversing of traffic flow on Silver Street (to become bus only), the provision of a new mini roundabout at the junction of Silver Street and Bradshaw Street, the signalisation of the Bradshaw Street / Drapery junction and the provision of additional bus stop capacity on Bradshaw Street and Drapery. All buses entering the Interchange would subsequently do so via Greyfriars at the northern end of Silver Street and would exit via travelling eastwards along Bradshaw Street (which would be widened to become a 2-way street) and then either northwards along Sheep Street or southwards along Drapery.
- 2.1.7 The proposed total of 21 stands has been demonstrated to meet with present and future capacity demands for bus services. This is based upon a detailed operational assessment carried out by MGWSP on behalf of the applicant in advance of the submission of the planning application. The assessment considered expected network improvements to come forward in conjunction with the growth agenda for Northamptonshire up to 2026.
- 2.1.8 The submitted Transport Assessment is accompanied by a set of detailed vehicle tracking diagrams, which demonstrate that the proposed site layout is able to accommodate the anticipated bus movements. Most specifically these diagrams focus upon the DIRO arrangements to the rear of the facility, whereby buses would be able to manoeuvre on and off stand without impacting upon bus flows along

Silver Street behind.

- 2.1.9 As part of the Transport Assessment, a Stage 1 Road Safety Audit was carried out upon the concept drawings for the Bus Interchange. A series of road safety improvements were recommended that have fed into the final designs submitted as part of the planning application. These include provisions for a signal controlled pedestrian crossing over Sheep Street.
- 2.1.10 Service access to the Interchange would be accommodated from Alley Yard, which constitutes an existing service road running from Sheep Street. This would also offer service access to the rear of numbers 11-15 Sheep Street. The road would accommodate a turning head feature to allow servicing vehicles opportunities to manoeuvre in an area setback from Sheep Street. Bin storage associated with the Interchange would be located within this service area, which would be wide enough to be useable by refuse vehicles.
- 2.1.11 The proposals involve the creation of a pick-up and drop-off area along the western side of Sheep Street, which would include designated disability spaces and a small taxi rank (2 taxis). The existing disabled parking bays located on the northern side of Bradshaw Street and eastern side of Silver Street would be lost as a result of the proposed scheme.
- 2.1.12 The application also involves the permanent stopping up of an existing subway that runs north-south between the Mayorhold car park and the public toilet block located at the northern end of the application site. The toilets are not currently operational within this block, which is to be demolished as part of the scheme to make way for the new Interchange.
- 2.1.13 *N/2012/0315 Demolition of the existing Fishmarket building, toilet block and ancillary buildings, the part-demolition of numbers 5 and 7 Sheep Street (including the retention of front facades, the reinstatement of roofs, the reinstatement of the gable end of 5 Sheep Street) to allow for the provision of a new 21-stand bus interchange with retailing.*
- 2.1.14 *Application N/2012/0315 is for Conservation Area Consent to demolish the entirety of the built form on site with the exception of numbers 5 and 7 Sheep Street, the facades of which are to be retained and refurbished during construction and integrated into the new scheme. In addition, the roofs of 5 and 7 Sheep Street are to be rebuilt to match the existing whilst the gable end of 5 Sheep Street is also to be reinstated. None of the buildings involved are either listed buildings or locally listed, including the Fishmarket.*
- 2.1.15 The following documents have been submitted by the applicant in support of the application:
- Plans / Elevations / Sections, Environmental Statement (including

Non-technical Summary), Planning Statement, Design and Access Statement, Engagement and Consultation Report, Site Waste Management Plan, Sustainability Statement, Arboriculture Report, Transport Assessment, Drainage Strategy.

2.1.16 The Environmental Statement was submitted in support of the scheme in light of the size and complex nature of the proposed development in compliance with the Town and Country Planning (Environmental Impact Assessment) (England) Regulations 2011. This assessment was undertaken in the interests of identifying the environmental effects of the scheme, both positive and negative, that could be duly considered during the planning process and in the interests of identifying appropriate mitigation measures to be implemented where possible to lessen any negative effects identified.

2.1.17 The technical chapters covered by the Environmental Statement consist of Traffic and Transport; Noise and Vibration; Air Quality; Geology, Hydrogeology and Contamination; Archaeology and Cultural Heritage; Townscape and Visual Character; Ecology; Cumulative Effects. The design has evolved in conjunction with the preparation of the Environmental Statement such that the design mitigates the identified environmental impacts. The Environmental Statement is discussed in more detail within the Environmental Matters section of the appraisal section of this report.

### **3. THE SITE**

#### **Site Description**

3.1 The site boundary is the same for both applications. It is located within the centre of Northampton within close proximity to the Market Square to the east and contains various stretches of interlinked highway, namely the Drapery, Bradshaw Street, Silver Street, Alley Yard and the southern extent of Sheep Street. Five existing buildings are contained within the site: the Fishmarket, nos. 5 & 7 Sheep Street, a Council storage shed and the circular public toilets adjacent to Greyfriars. The pedestrian underpass below Greyfriars is also included within the application site.

3.2 The site is predominantly, but not entirely, located within the All Saints Conservation Area, the boundary of which runs along the western and northern extents of the Fishmarket building. The Conservation Area continues to the east (into Market Square) and to the south (along The Drapery), but does not cover the northern portion of the application site. None of the buildings within the application site are protected by any form of listing, although the adjacent Bear Public House appears on the Council's Local List of buildings exhibiting architectural merit. No Listed Buildings immediately abut the site, although there are a number of Listed Buildings located in the vicinity that contribute to the character and appearance of the All Saints Conservation Area.

- 3.3 To the immediate north of the site is Greyfriars, a dual carriageway running east - west. The 4 storey Mayorhold car park abuts the northern side of this road, immediately opposite the site. Greyfriars is directly linked to the existing bus station located to the north east of the site. At the corner of Greyfriars and Sheep Street there is a paved area with largely disused cycle racks, this is outside of the application site.
- 3.4 The land within the applications' boundaries is wholly within the ownership of Northampton Borough Council (NBC). The boundary has been intentionally drawn to exclude certain properties on Sheep Street that lie outside of NBC control, namely 9 Sheep Street, the Bear Public House and the Oriental Chinese Restaurant. Sheep Street in general is typified by a variety of two, three and four storey buildings, with the taller buildings located at the southern end opposite the site. Active street frontages line the ground floor.
- 3.5 Bradshaw Street and Silver Street take the form of one-way streets running westwards and northwards respectively. The southern side of Bradshaw Street is abutted by a mixture of 2no. and 3no. storey built form whilst the western side of Silver Street is home to the modern multi-storey Park Inn hotel (there is a buffer of trees located along the eastern boundary of the hotel site).

### **Site Selection**

- 3.6 As will be discussed further within the Principle of Development section of this report, the application site has been subject to a site appraisal process whereby a variety of town centre sites were appraised against each other so as to determine a preferred location for the Bus Interchange. This Appraisal Report (June 2011) has been submitted as an appendix to the Environmental Statement.
- 3.7 A range of technical work was undertaken to inform the location and form of the new facility, this included operational analysis, meetings with key stakeholders (including the bus operators) and the appraisal of a short list of alternative locations within the town centre. The key outputs of this technical work included an understanding of the prioritisation of the facilities to be included within the new Interchange (including waiting areas and the provision of real time information) and an understanding of existing and future passenger / service requirements so as to inform the required size and scale of the new Bus Interchange.
- 3.8 The appraisal work focussed upon 3 key criteria, namely Deliverability / Economy, Social and Operational. Consideration against these criteria was appropriately weighted so as to acknowledge the key importance of deliverability whilst not heavily discounting social and operational factors. The Fishmarket site was appraised as the preferred site on this basis.

- 3.9 NBC Cabinet subsequently approved the recommendations of the Appraisal Report in October 2011; hence the direction of focussed changes to the CAAP submission and the formulation of Policy 7 of the CAAP. Policy 7 specifically allocates the Fishmarket as the site for the new Bus Interchange.

#### **4 PLANNING HISTORY**

- 4.1 N/2008/0329 Various external signs (Advert approval subject to conditions)

N/2006/0148 Temporary change of use to arts centre, workshops, exhibitions, performance (including theatre, film & music) and retail (sui generis use) (Approval subject to conditions)

94/0608 Brick up existing unused doorway at the rear of the premises (Approval subject to conditions)

94/0056 Replace windows, add canopies over windows and decorative lighting (Approval subject to conditions)

93/A009 Illuminated wall sign (Approval subject to conditions)

93/0125 Projecting metal canopy (Approval subject to conditions)

#### **5 PLANNING POLICY**

##### **Relevant Policies**

##### **5.1 Development Plan**

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

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

The National Planning Policy Framework (2012) to be considered as a whole.

##### **5.3 The East Midlands Regional Plan (March 2009)**

Policy 3 – Distribution of new Development

Policy 11 – Development in the Southern Sub-area

Policy 19- Regional Priorities for Regeneration

Policy 22- Regional Priorities for Town Centres and Retail Development

Policy 27- Regional Priorities for the Historic Environment

Policy 43 - Regional Transport Objectives

Policy 44 - Sub-area Transport Objectives

Policy MKSM SRS Northamptonshire 3 - Northampton Central Area

**5.4 The Northamptonshire Structure Plan**

There are no relevant saved policies.

**5.5 Northampton Borough Local Plan**

E19 – Implementing Development  
E20 - New Development  
E26 – Conservation Areas  
E40 - Crime and Vandalism  
T22 – Provision for People with Disabilities

**5.6 West Northamptonshire Joint Core Strategy (Pre-submission version February 2011)**

Policy S10 – Sustainable Development Principles  
Policy C1 – Changing behaviour and achieving Modal Shift  
Policy C2 – New Developments  
Policy C4 – Connecting Urban Areas  
Policy C5 – Enhancing local and neighbourhood connections  
Policy BN5 – The Historic Environment  
Policy BN7 – Flood Risk  
Policy BN9 – Planning for Pollution Control  
Policy N1 – The Regeneration of Northampton  
Policy N2 – Northampton Central Area  
Policy N12 - Northampton's Transport Network

**5.7 Central Area Action Plan (CAAP) (Submission version May 2012)**

Policy 1 – Promoting Design Excellence  
Policy 3 – Public Realm  
Policy 5 – Flood Risk and Drainage  
Policy 6 – Inner Ring Road  
Policy 7 – Bus Interchange: Fishmarket  
Policy 9 - Pedestrian and Cycling Movement Framework  
Policy 13 – Improving the Retail Offer  
Policy 17 – Grosvenor Centre Redevelopment  
Policy 32 – Drapery  
Policy 36 – Infrastructure Delivery

**5.8 Supplementary Planning Guidance and Other Policy**

Planning out Crime in Northamptonshire SPG 2004  
Northamptonshire Local Transport Plan (2011) - Policy PT4  
Northampton Economic Regeneration Strategy 2008-2026

**The Development Plan and other Material Policy Considerations**

**5.9** The NPPF establishes that there is a presumption in favour of sustainable development (Paragraph 14). In order to achieve sustainable development economic, social and environmental gains should be sought jointly and simultaneously through the planning system. Although the NPPF does not change the statutory status of the development plan, it is a material consideration to which great weight should be attached, particularly if the development plan is out of date.



In considering applications decision makers must have regard to the policies in the development plan and where these policies are out-of-date or the plan is absent or silent then permission should be granted unless there are adverse impacts of doing so when assessed against the NPPF as a whole.

- 5.10 The relevant parts of the development plan comprise the East Midlands Regional Plan (EMRP) and the Northampton Local Plan saved policies (NLP). The EMRP was adopted in 2009 and therefore, unless any policy is in direct conflict with the NPPF, it should be considered as being up-to-date notwithstanding that it is due to be revoked in the near future. Until then it remains extant and provides a strategic planning consideration, within which planning applications should still be considered. The EMRP does therefore still have significant weight in determining applications.
- 5.11 The EMRP establishes a strategy within which local plans can be prepared. It also provides the framework within which the Regional Economic Strategy should be prepared. The EMRP establishes Northampton as one of the five Principal Urban Areas (PUA) in the region and makes provision for its continuing development and growth. The Plan makes specific provision for the role of Northampton as a PUA to be strengthened by new public transport infrastructure and facilities. The Plan concentrates regeneration and growth in the five PUA's and promotes measures to strengthen the vitality and viability of the existing town centres. In particular, it requires The Borough Council to prepare a long term framework for revitalising and upgrading the quality and facilities of the central area. (The Central Area Action Plan, CAAP). The relevant policies in the EMRP are set out above.
- 5.12 The NLP, as the other element of the statutory development plan, was adopted in 1997 and for the purposes of the consideration of this application gives guidance to matters that should be taken account in determining applications for new development and other general policies, but can be considered to be largely out of date in terms of the site specific proposal for the new bus interchange. The site is unallocated for any purpose in the plan and there are no directly relevant policies relating to the Fishmarket site. The wording of NLP Policy E26 – Conservation Areas is not reflected in the wording of the NPPF and therefore, although it can be given some weight, has to be considered in the context of the NPPF as a whole.
- 5.13 There is however emerging policy in the West Northamptonshire Joint Core Strategy (WNJCS) and the Central Area Action Plan (CAAP). The policies and proposals in these documents have been prepared within the context of the EMRP and have been assessed against the policies in the NPPF. It is considered that the relevant policies in determining this application in these emerging documents are in conformity with both the EMRP and the NPPF. The Central Area Action Plan has recently been submitted to the Planning Inspectorate for examination (May 2012). The document therefore carries significant

weight in determining this planning application, as indicated through the NPPF (Annex 1 para 216).

- 5.14 The relevant policies and other material policy considerations relevant to the determination of this application are set out above and will be referred to as appropriate in the report, in particular in the Policy Context Section 7 below.

## **6 CONSULTATIONS / REPRESENTATIONS**

### **Consultee Responses**

- 6.1 **Highways Agency** - No objection, the proposed development is not expected to have a material impact on the closest strategic route, the A45.
- 6.2 **Highway Authority (NCC)** – Provided a series of detailed comments and concludes that it has no objections to the principle of the development subject to all of the suggested planning conditions highlighted in its response being imposed to any planning consent granted.
- 6.3 **Northants Police** - No formal objection subject to the consideration of the following recommendations. The rear service yard should be secured with 2m lockable gates to prevent this area being used as a place of congregation by street drinkers. CCTV should cover all entrances, seated areas and bike racks. The bike racks located on Greyfriars are inappropriately located because this area is not served by heavy footfall. The proposed retail unit should not serve alcohol given the proximity of the site to a drinking haunt in St Katherine's Memorial gardens. Appropriate signposting shall be required between the bus interchange and train station.
- 6.4 **NBC Public Protection**
- **Noise** - The submitted report makes assumptions, for example bus engines will be permitted to run with the engine idling for a maximum of 5 mins; how will this be policed. The proposed taxi stand is positioned close to residential accommodation; this could cause problems late at night if operational. A Construction Management Plan (CMP) shall be required, the proposed vibration mitigation is considered to be acceptable. The submitted Noise Report appears to consider noise traffic levels in respect to Bradshaw Street and not Sheep Street; Moderate to Major noise impact identified on Bradshaw Street. The hours of use of the interchange should be controlled (not after 2300) whilst noise mitigation measures are required at both Bradshaw Street and Sheep Street. The potential to upgrade the sound insulation of properties has not been properly considered. Controlling the tonal nature of reversing signals should also be considered.
  - **Contamination** - It has been acknowledged that potential sources of

contamination may exist based on evidence of past industrial uses. The proposals for further site investigation are agreed with.

- Air Quality - The Air Quality Report details a substantial deterioration in local air quality. Therefore objects on the basis of the potential creation of a new Air Quality Management Area (AQMA). Alternative vehicle technologies could be considered (natural gas or hydrogen fuel cells) as a mitigation measure, which could subsequently be required to operate through existing AQMAs.

6.4.1 *Further comments (28/06/2012)*: It is confirmed that concerns regarding noise can be addressed by imposing suitable planning conditions requiring the provision of mitigation to affected properties. Further, matters in relation to noise and dust should be mitigated by a suitably worded planning condition should be applied to secure a Construction Management Plan.

Air Quality issues are more complex. There is potential for impacts to be mitigated or offset by use of alternative fuels. The improvement in air quality that can be delivered and the feasibility of providing re-fuelling infrastructure or any other proposed measure needs to be considered. Continual technical improvements in fuel efficiency and low emission engines will also reduce pollution levels over time. There is a need to find a viable solution to possible air quality issues.

6.5 **NBC Conservation** - A key consideration when determining the application for Conservation Area Consent is *will the public benefits gained from the loss of the heritage asset outweigh the harm caused to the historic environment*. A number of issues need to be considered, including the total loss of significance of the Fishmarket by virtue of its demolition, the negative impact upon both the historic and local environment caused by the existing bus station, the fact that the planned expansion of the Grosvenor Centre cannot go ahead without relocating the current station and that the proposals would also bring forward the refurbishment of 5 and 7 Sheep Street. Also, the increased footfall will assist in encouraging the reuse of existing vacant buildings in the local area. The impact of the further widening of Bradshaw Street needs to be considered. A high quality public realm environment is required to avoid significant harm to the conservation area.

The retention of the facades of 5 & 7 Sheep Street and the potential reuse of other vacant buildings in the area is a benefit to be welcomed. The widening of Bradshaw Street may be mitigated by innovative public realm. The proposals for the Grosvenor Centre would also be beneficial – injecting investment into the town centre and enabling the retail offer to be expanded. The Council needs to be satisfied that any proposals for the Grosvenor Centre will deliver the substantial public benefits required within an appropriate timescale. If not, the question may be raised as to why the Fishmarket needs demolishing at this point in time. A number of conditions are suggested.

6.6 **NBC Arboricultural Officer** - The submitted Arboriculture Report by JCA Ltd identifies trees at this site which are categorised as being eligible for retention and calculated their corresponding BS 5837:2005 minimum recommended Root Protection Areas (RPA's). In accordance with point 6.5 of the report I would recommend, the developers submit for approval an Arboricultural Method Statement (AMS) to include specific protection measures, any required and appropriate specialist construction techniques and the specification and location (outside of tree's RPA's).

6.7 **Natural England** - Chapter 11 of the Environmental Statement identifies that bats may be affected by the application. Surveys have been undertaken on the buildings to be felled and there no evidence of bat found), 2no. trees with bat roost potential have been identified; subsequently further survey work is required pre-determination.

Officer Comment – Since this representation was written this work has been completed and forms part of the new consultation material. No bats were found.

6.8 **Town Centre Conservation Area Action Committee (TC AAC)** - The improvement of the town's retail offer is important, but Northampton should be distinctive rather than a clone of Milton Keynes. NBC should consider grants for upgrades to opposing Sheep St facades. The loss of the Fishmarket is regretful, but accepted to be necessary. On balance there is no objection. The proposed design is, however, mediocre and not iconic. The rear area of 5-7 Sheep St should be considered for incorporation into the concourse area. There is concern at the lack of any recognisable improvement to the public realm, e.g. Drapery. The applicants should review the English Heritage Urban Panel Report (2010).

6.9 **Wootton & East Hunsbury PC** - The Drapery bus shelters should be improved in comparison to the present arrangements. Adequate service information needs to be provided within the interchange, particularly for those changing buses. There is the potential for poor traffic flows to result in small deviations from the timetable having serious knock on effects.

6.10 **English Heritage** - English Heritage is alive to the desire for a reconfiguration of the town centre to address some of the acknowledged mistakes of the redevelopment of the town in the twentieth century. Bus stations are however by nature problematic to accommodate in town centre locations. Not satisfied that justification has been provided to adequately explain why the substantial harm is necessary and why the new bus station is necessary. Perhaps the site contained within the Mounts (part of the site selection process) could be considered preferable. The submitted scheme would severely undermine the legibility of the historic block structure by opening up the rear of the site (adjacent to Silver Street) and by the further widening of

Bradshaw Street. The new design would bring forward a fragmented entrance with insufficient scale to define the key corner. The retention of No. 5 & 7 Sheep Street would however provide a benefit, as the refurbishment of these buildings to provide retail space could secure their future. This would not however outweigh the harm caused by the rest of the scheme. Justification for why a new bus station is necessary, why this site has been selected and how the detailed design has been arrived at has not really been supplied.

*Further comments 28/06/2012:* The site selection appraisal process was useful in giving a framework for decision-making, but outcomes depend upon the degree of weight given to each factor. The willingness of the bus operator to use a location is often seen as decisive in site choice in such cases. Turning to design, the design options appraisal sets out the problems associated with accommodating the bus station to the north of the Sheep Street site. It is possible to see that a southern entrance would relate more directly to the town centre, while the southern concourse option delivers viable uses (and the repair of) nos. 5 and 7 Sheep Street. The design appraisal provides a case for the layout plan selected. The site constraints militate against the type of strong corner that is typical of the conservation area, but the use of a deep canopy is an interesting approach to re-defining the widened Bradshaw Street.

The overall case for the development is based upon a wider context, namely the facilitation of substantial public benefits in the form of a redeveloped Grosvenor Centre. This could, if you accept the absence of viable alternative locations to the Fishmarket site, be held to outweigh the harm to the significance of the conservation area that the bus interchange development would cause. The LPA needs to make a “risk analysis” of whether such a scheme can realistically be expected to happen within a meaningful timeframe. The consequences of leaving a redundant bus station or demolishing the historic Fishmarket (if unnecessary) are clearly undesirable. English Heritage is alive to the very difficult judgements involved in the strategic planning of the town centre.

- 6.11 **Environment Agency** - In the absence of a Flood Risk Assessment, the Agency object to the application. This is although the site lies within Flood Zone 1 with a low probability of flooding. Given the site’s central location, it may present risks of flooding on-site and/or off-site if surface water run-off is not effectively managed. An acceptable surface water drainage assessment needs to be submitted.

*Further comments (27/06/2012):* Maintain objection – the Drainage Strategy submitted with the application does not comply with the Northampton Strategic Flood Risk Assessments (SFRAs) level 1 and 2 and therefore does not provide a suitable basis for assessment to be made of flood risks arising from the proposed development. The project is an ideal opportunity to include sustainable development designs. The development should follow the findings and

recommendations of the Northampton Central Area Drainage Assessment. No objections to the Conservation Area Consent application subject to confirmation being supplied as to how surface water will be dealt with during demolition – it is imperative that the risk of surface water flooding is not increased.

- 6.12 **NCC Archaeology** - Extensive pre application discussions have been undertaken with the applicant's archaeological consultant as regards the requirements for assessment of the application area. The brief produced by NCC required the production of a desk-based assessment including some intrusive works. This investigation has taken the form of geotechnical works. It is hoped that the suggested archaeological investigation to follow will clarify the archaeological potential in this area, including the potential Jewish Quarter. The proposed development will have a detrimental impact upon any archaeological remains present. This does not however represent an over-riding constraint to development provided that adequate provision is made for the investigation and recording of any remains that are affected. An archaeological programme of works should be conditioned as per NPPF paragraph 141.

It is disappointing that the proposals involve the demolition of the Fishmarket building, which would result in the complete loss of its significance. English Heritage has declined to designate the building as of national importance, but this does not mean to say that it does not have local and regional significance. The Fishmarket is an example of modernism and with its distinctive corner entrance provides a distinction within the streetscape. It is not felt that enough justification has been provided for the partial removal and demolition of locally significant and possibly regionally significant buildings.

*Officer comment – This latter point is not a matter of archaeology. Members are advised to have regard to the comments of English Heritage and NBC's Conservation service along with the discussion set out in the Assessment section of this report in respect of the assessment of the former Fishmarket building.*

### **Public Consultation**

- 6.13 The application has been subject to a comprehensive programme of consultation post-submission. A week-long staffed public exhibition was held in the One Stop Shop whilst the scheme was publicised in the local press and via 9 site notices around the application site. 514 letters were sent out to local neighbours and interested groups / persons. Full information on the pre-application public engagement and post submission consultation is set out in the applicant's submitted Consultation and Engagement Report.
- 6.14 Upon the receipt of a revised suite of plans and documentation, a further full round of consultation ensued during the application process; this offered a 14-day period for further representations and included all original consultees and anyone who had made initial representations upon the scheme (totalling 571 in number.). This re-consultation

covered additional information associated with the Environmental Statement. This necessitated the publication of a press notice running 21no. days in accordance with the relevant 2011 Regulations. It should be noted that this period runs beyond the date of the publication of this report. Therefore, any further responses received will be updated to Members at Committee via the Addendum report.

6.15 **Northampton Pensioners' Forum** - The scheme does not provide appropriate capacity for the future planned growth of the town.

6.16 **Northampton Residents Alliance** - A legally binding contract with L&G should be in place before implementation. The Council would otherwise be in breach of its duty to ratepayers. The proposed volume of the interchange is inadequate.

6.17 In addition a total of **69 responses were received**, those matters considered material in the determination of the applications are summarised as follows:

- The Fishmarket is too small; 12 bays are not enough to accommodate all of the services, schedule, manoeuvring buses. The existing bus station is much bigger.
- The short time period (6-7 minutes) per bus does not allow for mishaps/breakdowns, which will have knock-on effects such as queuing, etc.
- The busy Drapery junction will lead to pedestrian / traffic conflict with risk of serious accidents.
- There will be particularly heavy traffic flows around the local road network, i.e. Sheep Street, Bradshaw Street and beyond. There will be implications upon the number of car parking spaces / disabled spaces available in the vicinity of the site.
- It needs to be ensured that HGVs using College Street have adequate room to manoeuvre along Bradshaw Street and Sheep Street.
- The Drive In Reverse Out method for the interchange is an H&S issue.
- There will be unnecessary extra journeys and congestion caused by buses being stored off-site.
- The repositioned interchange will lead to more people using cars and associated congestion.
- There is a lack of any distinct set down area for buses to avoid conflict with boarding.
- The lack of any provision for bus layover is a mistake (not all vehicles are owned by Stagecoach).
- There is inadequate drop off / pick up area / disabled spaces.
- A separate coach facility should be situated away from the centre to relieve congestion.
- There will be overcrowding in the interchange - leading to antisocial behaviour / pick pocketing, etc.
- There are no areas set aside for queuing internally.
- There shall be reduced seating capacity internally – there are

currently 32no. benches (roughly 8no. people each).

- The proposed toilet facilities are inadequate.
- The facilities for purchasing tickets need to be appropriate.
- People will have to walk further to the shops in all weathers, which will have implications for older people in particular.
- The existing bus station is fully functional and only requires a good clean / refurbishment.
- All departure points require reasonable protection from adverse weather conditions.
- It is requested that either discounted car parking opportunities or further car parking spaces are made available to serve local businesses / operations.
- The Drapery shall become cluttered and congested so as to discourage the use of the street and the bus stops.
- The internal corridor at a width of 3.5m is too narrow for the volume of passengers.
- The waiting area should be open for long hours in the early morning and evening.
- Passengers should be able find their required stand efficiently.
- Singular seating should be put in place in the interests of comfort.
- There will be pollution from waiting buses.
- There will be noise pollution from the interchange.
- The impact upon Market Traders queuing to exit Market Sq should be considered.
- There is no room for the expansion of the interchange in the future.
- The translucent canopy shall lead to overheating and a greenhouse effect.
- The potential to incorporate solar panels on the roof should be considered.
- The canopy will not guard against adverse weather conditions, e.g. strong winds blowing inwards.
- The roof will appear like a water body when wet - attracting birds.
- Construction work phasing needs to be made clear so local businesses can plan around it.
- The existing Fishmarket front façade should be considered for retention.
- It is unclear which buildings are to be removed to allow for the redevelopment.
- In terms of site selection - Upper Mounts would be preferable.
- It is not clear if other smaller bus operators have been consulted upon proposals.
- The future plans for the Grosvenor Centre should be considered in terms of highway layout, i.e. changes to Lady's Lane / Greyfriars.
- Local people are not in favour of the scheme.
- Consultation is a tick box exercise, the decision is pre-empted (examples of tree removal, the vacancy of Fishmarket, etc) Why plan to open more shops when many are currently closing down.
- There will be no footfall through the new shopping development given the relocated bus station.
- The existing station is unwelcoming / dirty.



- The new interchange will be a lot lighter internally.
- The proposals will encourage tenancy in the Drapery and Sheep Street.
- Historical matters have been well considered.
- An outside walk to the shopping centre is normal in major towns.
- The application site is in a good location in terms of access to the centre of the town.

In addition to those matters raised above, the following are not considered material in the determination of this application:

- The project is too expensive in a time of austerity; refurbishment of the existing would cost less.
- A shuttle bus bay should be incorporated to take people to the train station
- Should be called a station, not an interchange, as this will lead to confusion.
- A covered walkway across the top of Market Sq should be considered.
- The entire site (incorporating the Bear PH) should be compulsorily purchased to allow for sufficient developable area.
- It is not clear if bus drivers have been consulted upon the proposals.
- NBC Councillors should have been present at the public exhibition.
- A legally binding contract with L&G needs to be in place before the scheme proceeds
- L&G's plans for the Grosvenor Centre are unclear and could have implications upon Abington Street, etc.
- NBC have the audacity to object to the Rushden retail development when it has taken so many years to bring forward the Grosvenor Centre.

## **7 APPRAISAL**

- 7.1 In assessing and determining the applications the following are the main areas of consideration: Policy Assessment, Principle of Development, Transport, Design and the Historic Environment, Environmental Matters (including environmental health, archaeology, ecology, cumulative impact), Water Resources, Other Considerations.

### **Policy Assessment**

#### ***Development Plan***

- 7.2 Planning applications must be determined in accordance with the development plan, unless material considerations indicate otherwise. The development plan and the other material policy considerations and the weight that can be attached to them are set out in section 5 above.
- 7.3 The EMRP provides the development strategy for the East Midlands up to 2026, which seeks to strengthen Northampton's role and function as

a Principal Urban Area through the provision of new public transport infrastructure and facilities (Policy 11) and as a focus for regeneration (Policy 19). In terms of protecting and enhancing the region's natural and cultural heritage, Policy 26 of the EMRP makes it clear that damage to natural and historic assets or their settings should be avoided wherever and as far as possible, with unavoidable damage clearly justified by a need for development in that location. The plan makes provision for Northampton Borough Council to prepare policies and proposals to prepare a long term framework for revitalising and upgrading the quality and facilities of the central area, including the railway station, the range and quality of the retail floorspace and revitalising the central area, making the central area a focus for employment and developing cultural and heritage tourism by enhancing the existing facilities and attractions. (MKSM SRS Policy 3).

- 7.4 There are a limited number of saved policies contained within the Northampton Local Plan that can be directly applied to the determination of this planning application, although general policies are in place that make it clear that any adverse effect of development requires appropriate mitigation (Policy E19) and that planning permission for new development will be granted subject to the design of any new development reflecting the character of its surroundings (Policy E20). Policy E26 calls for development within conservation areas to preserve or enhance the character and appearance of such areas. Development should not include the demolition of any building or buildings that make a significant contribution to the character or appearance of the area and are capable of appropriate alternative use. Policy T22 requires that planning permission for significant development affecting a building to which the public will have access will not be granted unless appropriate regard has been paid to the needs of people with a disability by means of provision for suitable access to building entrances from the adjoining highway and car parking areas.

#### ***Material Policy Considerations***

- 7.5 By way of emerging policy at local level, the Pre-submission West Northamptonshire Joint Core Strategy (WNJCS) offers strategic guidance and provides a long-term vision for the area with an overall framework in which more detailed plans will be drawn up.
- 7.6 The WNJCS makes provision for conserving the historic environment. Designated and non-designated heritage assets and their settings will be conserved and enhanced in recognition of their contribution to West Northamptonshire's sense of place – with assets conserved and managed in proportion to the significance of the asset (Policy BN5).
- 7.7 The Northampton specific policies within the WNJCS provide for the regeneration of the town. Policy N1 ensures that this regeneration will be focussed on the town centre and central area for office, retail, leisure and service development providing high quality urban design and public realm and protecting its heritage assets and historic

character through managed change as referred to in Policy N2. The plan identifies that the key driver for change in the town centre will be the provision of high quality retail and other uses to reinforce the role of the town centre in accordance with Policy 22 of the EMRP. This will be provided through the expansion of the Grosvenor Centre. This is one of the biggest and most important redevelopment sites in the prime shopping area. The expansion of retailing is seen as vital to the regeneration of the town centre and Northampton's competitiveness as a retail destination. (Policy N2). The site of the existing bus station is required to facilitate the implementation of the expansion of the Grosvenor Centre.

- 7.8 A central Northampton Bus Interchange is identified as a priority public transport facility within Policy C4 of the WNJCS as part of a recognition that improvements need to be made to key public transport in order to raise the profile of public transport. Policy N12 is specific in respect to transport network improvements required within Northampton and references the need to re-provide the Greyfriars bus station which is to be lost as part of the Grosvenor Centre redevelopment.
- 7.9 Submission CAAP Policy 7 specifically allocates the Fishmarket site for a new bus interchange to replace the existing bus station and sets out the specific requirements to ensure that the new interchange will provide high quality facilities for visitors, shoppers and workers coming into the town centre. The formulation of the policy is as a result of The Bus Interchange Site Selection Study (June 2011), which is referenced within the preamble to the policy. The Study found that the Fishmarket site would provide the most appropriate location for a new bus interchange when considered against five other alternative short listed sites. This policy and the associated site selection process are discussed in more detail within the 'Principle of Development' section of this report.
- 7.10 All planning applications for new development within the CAAP boundary will be considered against the criteria in Policy 1 of the CAAP which seeks to promote design excellence through a series of design objectives. These objectives include ensuring that new development is consistent with the Central Area Character Areas and Gateways, ensuring clarity between the relationship of new buildings and the public realm, linkages to other destinations and preserving and enhancing the character, appearance and setting of the central area's heritage assets. Within conservation areas new development should pay suitable regard to the adopted conservation area appraisals and management plans. It is considered that this policy in the CAAP is consistent with EMRP policy 27, Regional Priorities for the Historic Environment and WNJCS policy BN5 the Historic Environment.
- 7.11 Policy 17 of the CAAP sets out the key development principles for the Grosvenor Centre redevelopment, including the provision of 37,000 square metres of gross internal retail floor space. The policy is directly applicable to this scheme given its reference to the provision of a

suitable long term, and if necessary interim, replacement for the bus station – which would need to be demolished to make way for the planned expansion of the Centre. It complies with EMRP policy 22 Regional Priorities for Town Centres and Retail Development and WNJCS policy N2.

- 7.12 CAAP Policy 12 underlines extensions to Northampton's Primary Shopping Area that will be required to accommodate the expansion of the Grosvenor Centre. The Primary Shopping Area would subsequently incorporate the former Fishmarket (and adjacent land) and the Drapery. This compliments the aspirations of Policy 32 of the CAAP, which promotes strong connections between the Drapery and the Fishmarket area in light of its role as an extension to the Primary Shopping Area.

### ***Analysis***

- 7.13 The above overview of the relevant local and regional policy demonstrates consistency between the extant Development Plan polices and the emerging policy at local and sub-regional level.
- 7.14 The National Planning Policy Framework (NPPF) is a key material consideration, which sets out the Government's planning policies and how they are expected to be applied in determining individual proposals.
- 7.15 At the heart of the NPPF is the presumption in favour of sustainable development (Para 14). There are three dimensions to defining sustainable development: economic, social and environmental. Although the Government is clear that the NPPF should be considered as a whole, in defining sustainable development, some parts are more relevant than others. In assessing the current proposal it is considered that the most relevant policies are:
- 1. Building a Strong, Competitive Economy,
  - 2. Ensuring the Vitality of Town Centres,
  - 4. Promoting Sustainable Transport
  - 7. Requiring Good Design
  - 11. Conserving and Enhancing The Historic Environment
- 7.16 The following sections of this report consider, in detail, the application for the new bus interchange against the policy requirements as set out above and whether or not the proposal complies with the three dimensions of sustainable development set out in para 7 of the NPPF.

### ***Summary***

- 7.17 In summary, it is considered that the Development Plan and the emerging development plan, insofar as they are current and compliant with the NPPF, make provision for the regeneration of Northampton town centre and that a vital component of this regeneration is the expansion of the Grosvenor Centre. Therefore, the principle of the re-

provision of the existing bus station on a new site accords with the development plan and emerging planning policy. There is clear policy support for the requirement for a new bus interchange to serve Northampton, with the Fishmarket site specified for such purposes in the Submission CAAP. The principle of development shall be explored further within the following section of the report, whereby the full details of site selection, the linked regenerative effects and economic benefits of the scheme and the impact of the development on any heritage assets shall be considered.

## **Principle of Development**

### ***Principle and Site Selection***

- 7.18 Prior to the detailed consideration of issue-specific policies, it is necessary to assess the principle of the scheme for compliance with the core planning principles contained within the NPPF and the relevant bus interchange policies contained within the CAAP and the WNJCS.
- 7.19 The development site was allocated for the development of a Bus Interchange through the Focused Changes to the Central Area Action Plan (December, 2011). Policy 7 states that the existing Greyfriars Bus Station will be replaced with a new high quality Bus Interchange that will have:
- Sufficient capacity to cater for bus demand up to 2026
  - A flexible future-proofed design to allow for any future expansion of the Bus Interchange
  - Strong connections with the rest of the town that promotes movement to the Grosvenor Centre, Drapery and the Market Square.
  - Building frontages which positively address the character, setting and scale of adjoining buildings, Sheep Street and the wider townscape
  - A public transport information and ticketing centre
  - An undercover waiting area and floorspace for ancillary retail uses
  - Real Time Information System for bus services and CCTV
- 7.20 Within the supporting text of the CAAP the relationship of the proposed bus interchange to the wider Grosvenor Centre redevelopment is explained, whereby the provision of a new bus interchange would facilitate the release of the Greyfriars bus station to the wider Grosvenor Centre redevelopment, thereby removing an identified impediment to the delivery of Policy 17 of the CAAP. Implementation of Grosvenor CAAP Policy 17 would be the subject of freestanding planning applications to come forward at a future date. The proposals for consideration relate purely to the Fishmarket site.
- 7.21 The pre-submission version of the CAAP did not include a site-specific policy for the bus interchange, but rather a criteria-based policy for the

selection of the site. The criteria included that it must be within 5 minutes walk of the Market Square. In order to provide greater certainty to facilitate the regeneration of the Town Centre, it was decided to replace this with a site-specific policy that would be informed by the criteria of the pre-submission policy.

- 7.22 An Appraisal Report was undertaken in June 2011 in order to identify a preferred location for a new bus interchange in Northampton. The Report has been submitted as an appendix to the Environmental Statement.
- 7.23 The Appraisal Report was based on an appraisal framework that identified three main criteria (weighting in brackets): Deliverability/Economy (40%), Social (30%), Operational (30%) and appraised 5no. short listed sites, which included development options at the Fishmarket as well as sites on the northern edge of the town centre. The aforementioned weighting was applied to reflect the importance of costs and deliverability whilst still factoring in such matters as transport integration, pedestrian environment and cultural heritage.
- 7.24 The Fishmarket option's overall criteria scored significantly higher than other options, providing that it was brought forward upon land solely in the ownership of Northampton Borough Council. The preferred site offers a town centre location, site availability and the opportunity to supplement existing bus facilities with on-street provision on The Drapery. NBC Cabinet subsequently approved the recommendations of the Appraisal Report in October 2011; thereby informing the direction of focussed changes to the CAAP submission and the formulation of Policy 7 as outlined above.
- 7.25 Notwithstanding the Cabinet approval of the Appraisal Report, English Heritage (EH) has noted within their consultation response the potential for significant harm to be caused through the demolition of the Fishmarket building, and advise that the alternative Upper Mounts site would provide a suitable alternative. The Appraisal Report comprehensively examined the potential of the Upper Mounts site and discounted it on a number of grounds including significant severance issues in respect to the town centre and a lack of support from bus operators (the most northerly located stands would be unattractive for users and operators alike). In response to English Heritage representations the Fishmarket site was reappraised giving more weight to the heritage criteria. Following this exercise the Fishmarket site still scored higher than all other options including Upper Mounts.
- 7.26 The pedestrian environment issue in respect to the Fishmarket site was raised through the public consultation process. Many users of Northampton's bus services are elderly and may struggle to cover long distances on foot. The direct links on offer from the bus station to the existing Grosvenor centre provides great convenience, which to a notable extent would be diminished by a move to the Fishmarket. This

however has to be balanced against the accessibility benefits that would be drawn from the new location. It would offer convenient access to the historic Market Square as well as the underperforming Drapery and Sheep Street (which are being taken forward as designated shopping streets within the CAAP).

- 7.27 It is important that the interchange retains a central location. It would be intelligently located so as to secure and promote footfall throughout the wider town centre without marginalising the Grosvenor Centre. At present there is a natural inclination for users of the bus station to remain within the Grosvenor Centre without necessarily venturing out in to the heart of the town. The Grosvenor Centre would remain walkable from either the main entrance to the interchange or potentially the secondary northern entrance once anticipated regeneration / extensions have occurred to the extant centre.

### ***Economy***

- 7.28 The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth (Para 19 NPPF). Therefore, significant weight should be placed on the need to support economic growth through the planning system. The NPPF urges local planning authorities (LPAs) under paragraph 21 to draw up Local Plans that set out a clear economic vision and strategy for their area, which positively and proactively encourages sustainable economic growth. Further, under paragraph 21, LPAs should identify priority areas for economic regeneration, infrastructure provision and environmental enhancement. As set out in Section 5 above, the development plan, the emerging development plan and the Northampton Economic Regeneration Strategy 2008-2026 set out a comprehensive and coherent strategy for the regeneration of Northampton town centre. Notwithstanding the current economic conditions, the plans make provision for the long term regeneration and growth of Northampton as a PUA.
- 7.29 The NERS emerged from the opportunities provided for in the EMRP and the MKSM policies in particular. NERS identifies the expansion of the Grosvenor Centre as the focal point for the regeneration of Northampton town centre and identifies it as a priority project due to the positive regeneration and economic impacts it will have on the town. The strategy identifies that the town centre projects, including the Grosvenor Centre, will act as a catalyst for levering in private and public sector development and investment. The other town centre regeneration projects identified in the strategy include the redevelopment of Castle Station, St. John's, Project Angel and the Waterside. The subsequent designation of the SEMLEP Northampton Waterside Enterprise Zone in 2012 consolidates this strategy and reinforces the robust nature of the longstanding regeneration strategy as set out in the MKSM policies and NERS.

- 7.30 The emerging WNJCS acknowledges that economic growth conditions will improve and that Northampton is well placed to thrive in improved economic conditions given its track record for growth. The EZ will act as a further catalyst to accelerate growth and regeneration opportunities. The submission stage CAAP accords with the NPPF and the development plan in that it contains policies focussed upon the major regeneration sites. Considerable scale of change is envisaged with over 25% of the Central Area identified for such regeneration purposes.
- 7.31 The CAAP illustrates the important linkage between the provision of a new bus interchange and facilitating the Grosvenor Centre redevelopment by releasing the site of the existing bus station for development. This development would significantly improve the attractiveness of Northampton in terms of economic investment and its vitality and viability. The Northampton Town Centre Expansion - Economic Impact Assessment 2009 considered the proposals for the town centre and found that the economic benefits of the proposed town centre expansion would be substantial. The modernisation and expansion of the Grosvenor Centre would constitute major investment in the town centre generating a significant increase in retail spend in the town which would be potentially associated with other important catalytic effects. It is considered that the findings of this report still stand, notwithstanding the recent announcement by L&G to review the timetable for the expansion of the Grosvenor Centre. The CAAP anticipates that the Grosvenor Centre will be delivered by 2018 and the scheme is still within this delivery envelope. The CAAP and the WNJCS make provision for the total amount of retail floorspace required during the plan period to 2026 including the expansion of the Grosvenor Centre and the redevelopment of other sites in the town centre as required. In any event, the redevelopment of the existing bus station site is a pre-requisite for the implementation of the regeneration proposals.
- 7.32 In addition, the proposed bus interchange would, in its own right, support economic regeneration and growth by providing a centrally located high quality, modern facility, which would draw a significant level of footfall to an underperforming area of the town centre, namely Sheep Street and Bradshaw Street. This is an underused area of the town centre with high levels of vacancy at ground floor level and with poor environmental quality, notwithstanding its inclusion in the All Saints Conservation Area. This immediate area would be expected to benefit from associated investment and the considerable number of bus passengers who would use the area on a daily basis, thus revitalising the area and bringing buildings back into active use. The proposal includes 238 sq m of new retail space, and will leave a landscaped area to be developed for retailing at a later date. The site falls within the town centre boundary and within an area that will become part of the primary shopping area in the future. The footfall generated from the development will also make adjoining primary and secondary shopping frontages a more attractive proposition to potential



investors in the town. At present, shopping frontages on the Drapery (primary) and Sheep Street (secondary) are below the target percentage of A1 frontage provision. Increased pedestrian flows along these frontages, from users of the interchange, could attract new investment in the area and increase the vitality of the shopping frontages. (CAAP Policy 13).

- 7.33 It is considered that the proposals for the provision of a bus interchange on the Fishmarket site accords with NPPF: 1. Building a Strong Competitive Economy and 2. Ensuring the Vitality of Town Centres and is in accordance with the regeneration and development policies in the EMRP, the Submission CAAP and the Pre-submission WNJCS.

### **Heritage**

- 7.34 The NPPF states that where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, LPAs should refuse consent unless it can be demonstrated that this impact is necessary to achieve substantial public benefits that outweigh that harm or loss (paragraph 133). Meanwhile, the effect on the significance of any non-designated heritage asset should also be taken into account when determining applications – a balanced judgment is required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 7.35 The application is supported by a Historic Building and Area Assessment (HBAA), which provides an assessment of the significance of the heritage assets at the site and its wider setting. Earlier in 2012 the Fishmarket building was formally considered for inclusion on the statutory list of buildings considered to be of architectural or historic interest (i.e. to be listed building). It was concluded by English Heritage that the building did not hold the special architectural or historic interest to meet the criteria for designation.
- 7.36 The proposals would result in the total loss of the Fishmarket building; this is of low significance in the context of the All Saints Conservation Area (a designated asset) and low to moderate significance as an individual building. The HBAA concluded that the total loss of the Fishmarket building in conjunction with the total loss of 5 and 7 Sheep Street would cause substantial harm to the significance of the All Saints Conservation Area. Hence the final scheme was brought forward in a form that included the retention/reinstatement of the front facade and roof forms of 5 and 7 Sheep Street thereby to mitigating the predicted impact. In view of the predicted mitigating effect achieved through redesign, it considered that the development would not give rise to substantial harm within the meaning of paragraph 133 of the NPPF.
- 7.37 Any harm or loss to heritage assets requires justification. Further, should proposals lead to substantial harm to a designated heritage

asset (i.e. All Saints Conservation Area) it must be demonstrated that the harm would be outweighed by substantial public benefits.

- 7.38 The applicants have provided written justification for the loss of the Fishmarket building. In light of English Heritage's initial assessment that the scheme in overall terms would lead to substantial harm to the All Saints Conservation Area, they have outlined the substantial public benefits that would result from the scheme, which need to be taken into account when assessing the dimensions of sustainable development (NPPF para 7). These benefits are discussed in the following paragraphs.
- 7.39 A town centre bus interchange of the proposed size and configuration is necessary based upon a need to meet effective operational requirements and the forecast demand established in the WNJCS and the CAAP. These include accommodating 10 million bus users annually; catering for 100no. bus movements per hour; addressing the wider requirements of bus operators; provision of facilities associated with the operational use of the building; and the number of inter-urban services that require a terminus.
- 7.40 It is not possible to provide for all of the operational requirements of the bus interchange through the retention of all (or part) of the existing Fishmarket building or wholly on-street elsewhere in Northampton town centre.
- 7.41 In addition, further justification based upon the improvements to public transport accessibility within the town centre that would result from the proposals is provided. This combined with improved public transport provision, and pedestrian and cycling access will significantly improve the arrival experience to Northampton town centre.
- 7.42 The applicants have also noted that within other towns and cities across the country where new stations / interchanges have been located away from centres, there has been a resultant reduction in both patronage and the additional need for duplicate central bus stops and on-street interchange in the respective town centres (requiring street widening and extensive bus shelters).
- 7.43 The existing bus station's location and internally facing design, although offering direct access to the shopping centre during operating hours isolates the station from its wider surroundings and results in a poor internal environment devoid of natural daylight with a perceived high fear of crime/anti-social behaviour. The proposed interchange would become a significant landmark within the town centre, which would be easy to find, conveniently located adjacent to the retail core and well integrated and designed within its context thereby to reducing the fear of crime.
- 7.44 There are clear regenerative links between the delivery of the new bus interchange and the enablement of the Grosvenor Centre

redevelopment and the associated economic investment and town centre benefit that it would bring forward. The increased footfall generated by the interchange would assist in encouraging the reuse of existing vacant buildings in the local area – bringing life back to this particular area of the town centre.

- 7.45 NBC Conservation Section (para 6.5) has raised the issue of the Grosvenor Centre redevelopment scheme being reviewed and the implications this could have in terms of the premature demolition of the Fishmarket. This is a matter that has arisen since the Bus Interchange applications were submitted for consideration. The developers of the Grosvenor Centre scheme have announced that their latest concept plans require review, although they remain committed to bringing forward a scheme on the site. While the implications in respect to how the revised scheme have yet to be concluded, the project is on-going, the development agreement remains in place and the submitted CAAP contains policy for the use of the Fishmarket site as a bus interchange to replace the existing bus station.
- 7.46 It should be reiterated that there is a clear commitment within emerging local policy for both the Bus Interchange and the redeveloped Grosvenor Centre to come forward. The relevant policies clearly identify the appropriate specifications of both schemes in terms of the facilities and services they should supply to the town. As stated earlier in the report, a central Northampton Bus Interchange is identified as a priority public transport interchange within the WNJCS as part of a recognition that improvements need to be made to key public transport interchanges.
- 7.47 In light of the clear policy commitment for both schemes to happen, it is considered that it would not be premature to demolish the Fishmarket in order to allow the Bus Interchange development. The Bus Interchange must be built and fully operational before the existing Bus Station can be released for demolition as part of the Grosvenor redevelopment. A new Bus Interchange would remove this constraint in the context of the Grosvenor project.

### ***Summary***

- 7.48 In summary, the principle of development is considered to be acceptable within the parameters of the NPPF and the existing and emerging development plans. Policy 7 of the CAAP is based upon a robust site selection process that involved appraising a variety of town centre sites against each other in light of such factors as their deliverability and operational and social impacts (including cultural heritage). The scheme has been developed in full compliance and understanding of the individual requirements of the aforementioned policies.
- 7.49 There are clear links between the delivery of a new interchange, the regeneration of buildings and streets surrounding the site and perhaps

more significantly assisting with facilitating the Grosvenor Centre expansion (Policy 17 of the CAAP). This is considered to be a significant public benefit that on balance justifies the (resultant) loss of the Fishmarket building and any consequential harm to the All Saints Conservation Area. This justification is further supported by such factors as the enhanced arrival experience that such a landmark facility would provide in comparison to the existing internalised station that is isolated from its wider surroundings.

- 7.50 Although the scheme demonstrates conformity with the strategic principles outlined in the NPPF, the Development Plan and emerging local policy, there continues to be a need to assess site specific issues relating to such matters as the detailed design of the scheme, the operation of the interchange in a transport context and the impacts upon the amenities of nearby residential occupiers.

### **Transport**

- 7.51 As detailed within paragraph 29 of the NPPF, the transport system needs to be balanced in favour of sustainable transport modes. Developments should be located and designed to create safe and secure layouts, which minimise conflicts between traffic and cyclists or pedestrians (paragraph 35). Further, under paragraph 32, it is stated that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.
- 7.52 NCC as Highway Authority has been consulted on the scheme and responded to the submitted Transport Assessment (TA) and additional information received during the planning process.
- 7.53 The Highway Authority, having considered the detailed modelling contained within the TA, do not consider that there will be any significant impact upon the capacity of the highway network as a result of the development proposals. The operational analysis carried out in the TA was based upon a number highway network alterations, including the reversing of traffic on Silver Street (to become bus only), the provision of a new mini roundabout at the junction of Silver Street and Bradshaw Street, the signalisation of the Bradshaw Street / Drapery junction and the provision of additional bus stop capacity on Bradshaw Street and Drapery. A planning condition should be appended so as to secure full constructional / engineering details prior to the first operation of the scheme.
- 7.54 The size and scale of the proposed interchange has attracted numerous comments through the public consultation exercise, with it being questioned if the facility shall be large enough to accommodate the use. It should be noted that the size of the interchange, in terms of the number of bays (21no.), meets with the present and future capacity requirements identified in the detailed operational assessment undertaken in advance of the application by MGWSP. This is based on

more efficient utilisation of the bus stands than presently occurs in the current 27no. operational stand bus station.

- 7.55 The Highway Authority have confirmed that the number of bays proposed (21) should be sufficient to accommodate the existing bus service provision, and for the predicted future demand to accommodate the planned growth of the town. The Highway Authority has however raised some concerns in respect to plans for bus layover, whereby the applicant has indicated that layover could be provided on street elsewhere or at the bus operators' respective depots. It is considered that a suitably worded planning condition can be applied at the request of the Highway Authority in order to finalise bus layover provision.
- 7.56 Further, questions have been raised through public consultation as to the potential for mishaps, breakdowns and delays to occur to services and how such events would be accommodated for in the new interchange. The TA includes operational analysis of the existing bus station. Currently an average of four/five departures per stand per hour occurs at Greyfriars, which is described as well below the conventional maximum average operational level for "Drive In Reverse Out" (DIRO) arrangements, which is eight departures per stand per hour.
- 7.57 Based on the maximum operational level stated above, a 20no. stand bus interchange's theoretical capacity would be 160no. departures per hour. The present overall bus service operates at approximately 80-100no. departures per hour. This is predicted to rise to 131no. departures per hour in light of projected bus network growth based upon the findings of the Northampton Bus Development Plan (2010) by the end of the Plan period.
- 7.58 It is clear that there would be initial spare capacity in the new bus interchange when services are restricted to five / six minutes on stand, which will allow for some level of flexibility in the event of disrupted services. It should also be noted that the new interchange would incorporate real-time electronic operation, which would allow patrons of the interchange to be forewarned of any delays and to adapt to associated bus bay alterations.
- 7.59 The present station, due to its extensive size and the opportunities it affords for bus layover, does not presently have to operate in an entirely conventional way. Buses would not be able to spend extended periods of time on-stand in the new interchange, which represents a change that bus operators will need to be prepared for – hence the extensive consultation that has occurred with them prior to the submission of the application.
- 7.60 Another issue that has drawn through from the public consultation is that of pedestrian safety – particularly at the Bradshaw Street / Sheep Street junction. This area will clearly be the focus for the heaviest footfall of people given that it is where the main pedestrian entrance to

the interchange would directly oppose the Market Square and the heart of the town centre.

- 7.61 As part of the TA, a Stage 1 Road Safety Audit was carried out upon the concept drawings for the Bus Interchange. A series of road safety improvements were recommended that have fed into the final designs submitted as part of the planning application. The LHA have been involved in discussions from concept stage and have confirmed that a number of options were considered for the treatment of this area (including an uncontrolled shared space). It was however agreed, in compliance with the recommendations of the Safety Audit, that controlled crossing facilities should be placed across Sheep Street based upon the pedestrian desire lines. The applicant has also confirmed that the signalisation of this particular junction has been planned with the entrance to Market Square for market traders in mind – enabling it to operate as it does currently.
- 7.62 It is proposed as part of the scheme that the existing pedestrian subway running under Greyfriars to the Mayorhold car park is closed. This is a proposal that is supported by the Highway Authority, to be conditioned to ensure that this occurs permanently prior to the first operation of the scheme. It should be noted that there is an alternative above-ground controlled pedestrian crossing in place across Greyfriars. These alterations would also be in accordance with CAAP Policy 6 – Inner Ring Road.
- 7.63 The applicant has submitted full details of the ‘drop off’ facilities to be provided along Sheep Street, which constitutes space for up to 6no. parked cars split between provision for disabled drivers, taxi drivers and standard drop-off. The Highway Authority has stated that there may not be sufficient capacity within the lay-by at certain times of the day to accommodate all of the likely users of the facility. However, the Highway Authority considers that this would unlikely cause any significant operational or capacity issues.
- 7.64 Comments have been received from the public in respect to the number of existing car parking spaces that shall be lost to the development. Silver Street would no longer be accessible for cars while the extant spaces on the northern side of Bradshaw Street would be lost to bus bays. In total 10 designated disabled spaces would be lost in addition to 2 coach bays located on Silver Street. The loss would be offset to a certain degree by the provision of the 6 space drop-off area discussed in the preceding paragraph of this report. A net-loss of car parking provision would however result from the scheme. It is considered that this loss can be met through the remaining spaces located across the town centre, which would continue to operate well within capacity. Further, a parking strategy for the town is currently under development and is nearing publication. This document will set the future approach for car parking (including disabled provision) across the town centre.

- 7.65 In respect of other highway matters, the Highway Authority requires further planning conditions to be applied in the event that planning permission is granted. These relate to full details of any land to be either stopped up or dedicated as public highway and for all relevant orders to be processed in accordance with the agreed details prior to the first operation of the facility. A further condition is required to secure full details of any new (or changes to) Traffic Regulation Orders (TROs) or signage required to support the development, with all to be in place prior to first occupation. A Construction Management Plan is also requested via condition.
- 7.66 The applicant has confirmed that the new mini-roundabout is not designed for u-turning vehicles driving to the roundabout along Bradshaw Street. The eastern end of Bradshaw Street is to be demarked with 'no through-route' signage to deter such activity. HGVs exiting the northern end of College Street would no longer be able to go straight on via Silver Street and would instead be required to follow Bradshaw Street and Sheep Street.

### ***Summary***

- 7.67 In summary, the Highway Authority does not consider that there will be any significant impact upon the capacity of the highway network as a result of the development proposals. This stance is subject to an appropriately worded planning condition being applied to ensure that the proposed highway alterations are implemented via the appropriate processes prior to the first operation of the scheme.
- 7.68 The interchange has been designed with the future growth of the bus network in mind. It has been demonstrated that there will be spare capacity, particularly in its initial years, to allow for possible delays and unexpected service alterations. Amongst other requested planning conditions, the Highway Authority has requested that a condition be applied in order to acquire full details for bus layover given the lack of layover spaces within the new interchange.

### **Design and the Historic Environment**

#### ***The National Planning Policy Framework***

- 7.69 There is commentary contained within the NPPF relating to requirements for good design (Chapter 7) and conserving and enhancing the historic environment (Chapter 12). Given the historic central location of the application site and the requirement for good design, it is considered appropriate to analyse these matters simultaneously.
- 7.70 The NPPF emphasises the great importance of good design – a key aspect of sustainable development. Decisions should not attempt to impose architectural styles nor stifle innovation or originality, although it is appropriate to promote and reinforce local distinctiveness (paragraph 60). Crucially, it is also recognised that securing high quality and

inclusive design goes beyond aesthetic considerations – decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment (paragraph 61).

- 7.71 The historic environment section of the NPPF recognises that heritage assets are an irreplaceable resource that should be conserved in a manner appropriate to their significance (paragraph 126). Applicants are required to describe the significance of any heritage assets affected, including any contribution made by their setting (paragraph 128) whilst, in consideration, great weight should be given to the asset's conservation. In this instance the pertinent designated heritage asset is the All Saints' Conservation Area. Any harm or loss should require clear and convincing justification (paragraph 132). These requirements sit alongside the saved Local Plan Policy 26, which requires development to either preserve or enhance the character and appearance of designated conservation areas.
- 7.72 As has been highlighted within the 'Principle of Development' section above, the NPPF also states that where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, LPAs should refuse consent unless it can be demonstrated that the substantial harm is necessary to achieve substantial public benefits that outweigh that harm or loss (paragraph 133). Meanwhile, the effect upon the significance of any non-designated heritage asset should also be taken into account when determining applications – a balanced judgment is required having regard to the scale of any harm or loss and the significance of the heritage asset.

### ***Background***

- 7.73 The main body of the application site is located within the All Saints Conservation Area of the town (although the northern extent of the site is located outside of this area), this is an area characterised by its diverse architectural styles. In accordance with NPPF guidance conservation areas constitute designated heritage assets, which necessitates considerations in the context of the NPPF guidance outlined above.
- 7.74 In respect to the specific buildings contained within the application site, the former Fishmarket is a single storey, c.1940s, Art Deco styled building constructed of red brick with curved walls to the entrances. It is proposed that this would be demolished in its entirety. The frontages of the buildings along Bradshaw Street and Silver Street exhibit high-level metal windows that offer little in terms of active frontage. The building is not a statutorily listed building nor is it included upon the Local List of buildings considered to be of architectural or historic interest adopted by the Council.
- 7.75 Also contained within the application site are No.5 and 7 Sheep Street



which are three storey Georgian buildings that form a group with No.9 Sheep Street. These buildings contain modern shop fronts at ground floor with rendered upper floors under slate roofs. Both 5 and 7 Sheep Street are currently vacant and dilapidated. The proposals would involve the retention of the existing front-facing facades of these properties, with demolition of the remaining built form behind and the subsequent reconstruction of the roofs and gable end to No 5 Sheep Street.

### **Assessment**

- 7.76 The application is supported by a Historic Building and Area Assessment (HBAA), which is included as an appendix to the Environmental Statement. The HBAA provides an assessment of the significance of the heritage assets at the site and its wider setting. Although it concludes that the Fish Market has significance in light of its historical function as a fish market outside of a maritime location and in light of it forming part of the historic development of Northampton as a market town, it also concludes that it is of only low significance in terms of the value it adds to the conservation area.
- 7.77 However, the conclusion of the HBAA with regard to 5 and 7 Sheep Street has influenced the proposed scheme in terms of both properties now being partly retained. It states that the buildings (in their entirety) are of moderate to considerable significance in the context of the contribution they make to the All Saints Conservation Area, hence the full demolition of the Fishmarket and 5 and 7 Sheep Street would cause substantial harm to the significance of the conservation area. Consequently these buildings have been retained as set out above and described below.

### **5 and 7 Sheep Street**

- 7.78 The proposals have been configured so as to conserve the external elements of these non-designated assets that have significance, subsequently avoiding causing harm to the significance of the conservation area. English Heritage has commented that the retention of 5 & 7 as proposed would provide a benefit in light of the refurbishment that would occur.
- 7.79 The proposed roof of both 5 and 7 Sheep Street has been amended during the application process. This amendment was requested in the interests of ensuring that the roof form is brought forward in such a way that is sympathetic to its architectural period, this is considered to be of particular importance in light of the prominence and distinctiveness of the gable end of No.5 Sheep Street. This essentially involved the elongated rear slope of the roof being scaled back so as to balance (in terms of slope length and eaves height) with the front roof slope of the properties.
- 7.80 Information has been submitted with the application to provide an idea as to how the refurbishment works would be undertaken at 5 and 7

Sheep Street so as to allow the front facades to be retained in-situ. This would involve the installation of various supporting beams and columns prior to any demolition. It is considered that this be supplemented with further information, submitted and secured, through planning condition, as part of a full schedule of works for the refurbishment of 5 and 7 Sheep Street. This will ensure that works carried out are sympathetic to the character and appearance of the buildings and the conservation area.

- 7.81 It is considered that, having regard to the comments received from relevant consultees and to NPPF guidance, that the proposals in respect to 5 and 7 Sheep Street are acceptable.

### ***Bradshaw Street***

- 7.82 The demolition of the Fishmarket and use of the site for a bus interchange would require Bradshaw Street to be widened by some 4m. The western half of the site would be opened up to accommodate buses.
- 7.83 In the context of historic street pattern Bradshaw Street was originally a much narrower secondary street in comparison to Sheep Street / Drapery, which is the principle North/South route. This historic hierarchy was markedly altered when the Fishmarket was constructed with Bradshaw Street being widened to accommodate its construction. The proposals would require further widening of Bradshaw Street with its width (from elevation to elevation) being approximately 16m, which is a direct comparison with the neighbouring Sheep Street (also 16m from elevation to elevation to the Fishmarket).
- 7.84 Essentially the street hierarchy would be challenged by the application proposals. It is however the opinion of NBC Conservation that the historic street pattern has already been significantly altered in the past. The impact of the further widening of Bradshaw Street may be mitigated through design and sensitive treatment of the public realm. The proposed design of the interchange would incorporate features that would visually soften the impact of the widening, namely a protruding 2no. tier canopy that would extend 4m into Bradshaw Street and the positioning of a stone wall at the western end of Bradshaw Street (adjacent to Silver Street) to ensure closure to the bus bays beyond. This, EH considers, would be an interesting approach to redefining the widened Bradshaw Street.
- 7.85 NBC Conservation Section has highlighted the importance of the provision of a high quality public realm, particularly at the important junction of Bradshaw Street with Sheep Street, as opposed to a standard highway engineered solution. An innovative and carefully designed public realm scheme should be brought forward, which makes a positive contribution to the conservation area to mitigate the harm caused by the further widening of Bradshaw Street. A condition

should be imposed to this effect.

### ***Interchange Design***

- 7.86 The applicant has also sought to justify the loss of the Fishmarket building in the context of the design of the new interchange building. In terms of scale and massing a solution has been sought that responds to the differing scale of buildings situated on Sheep Street and Bradshaw Street. This is most prominently illustrated through the proposed stepped design of the roof canopy at the main entrance, which is located at the corner where Bradshaw Street meets Sheep Street. Not only would this accentuate the main entrance, it would reflect the varying step changes in height between buildings within the Conservation Area – linking to the existing street hierarchy in existence whereby Sheep Street is the historic primary route compared to the secondary route of Bradshaw Street.
- 7.87 The proposed concourse roof and canopy constitutes the predominant built form. It is the primary unifying element, creating a repetitive rhythm with its geometry responding to the site layout. The canopy elements are cantilevered to cover the external pedestrian and bus user interfaces. Its position along Bradshaw Street would echo the current building line of the Fishmarket.
- 7.88 Setback beneath the canopy, elevations to the interchange are proposed that would be predominated by glazed curtain walling intermixed with natural stone cladding (consisting of ashlar limestone). The expanses of glazing appear to sit comfortably within the ethos of a modern and contemporary design whilst the selected cladding material is local to Northampton and would be expected to inspire local distinctiveness in compliance with the NPPF. The cladding would form curved elements either side of the main entrance in replication of the art deco style of the existing Fishmarket entrance in situ. It should be noted that, should the application be approved, a condition would need to be attached so as to secure full material samples in the interests of fully assessing their impact in the context of the site's surroundings.
- 7.89 It is also evidenced that the development would increase active frontage and natural surveillance on to both Bradshaw Street and Sheep Street by virtue of the replacement of the existing high-level Fishmarket windows and the refurbishment and subsequent occupancy of ground floor retail frontages contained within 5 and 7 Sheep Street.
- 7.90 The detailed operation of the interchange in terms of bus flows and vehicular movement is covered in detail within the Transport section of this report. The internal operations, i.e. relating to pedestrians and the concourse area, have attracted comments. It has been suggested that the proposed area may not be large enough to accommodate the proposed number of visitors. However, the plans detail what would appear to be a spacious concourse area of approximately 600 sq m incorporative of 178no. seats for waiting patrons.

- 7.91 Associated facilities, staffing and concessionary areas would complement the concourse in addition to the external canopy over sailing Bradshaw Street. At the northern end of the interchange the concourse reduces into a corridor of approximately 4m in width serving the northernmost bays. There clearly exists the potential for this area to become congested, particularly at peak hours, but the concourse is well served by different access points to the south and north whereby patrons would be expected to be able to arrive from different streets and disperse efficiently. Further, the scheme will need to be able to demonstrate that it can be safely operated in order to attain building regulations approval.
- 7.92 It has been queried through the public consultation process how the canopied roof of the interchange shall be maintained and cleaned. It has also been questioned if the impact of overheating shall occur within the interchange during the summer months. It has been clarified within the Design and Access Statement that the ETFE roof cushions would have a warranty of 25 years given that they are a stable product unaffected by UV light, atmospheric pollution and other forms of weathering. The surface of the ETFE (a form of plastic) is very smooth and would not attract dirt and would self-cleanse when it rains (including bird droppings). The transparency of the ETFE panels is controlled by an applied pattern to provide sufficient solar shading in summer months whilst still allowing natural light to penetrate through. There is however a need to apply a condition so as to secure the full details of external illumination given that the Design and Access Statement references night time artificial illumination to complement the operation of the interchange – this is in the interests of safeguarding amenity.

### ***Evaluation***

- 7.93 In compliance with the NPPF, the applicants have sought to describe the significance of any heritage assets affected by the proposals and have sought to provide clear and convincing justification for the loss of significance that would occur. The applicants, in light of English Heritage's assessment that the scheme would harm the All Saints Conservation Area, have sought to outline the substantial public benefit that would come about from the scheme. This, again, is in compliance with the requirements of the NPPF.
- 7.94 The harm identified by English Heritage would be the cumulative result of the demolition of the Fishmarket, an undermining of the historic block structure (through the widening of Bradshaw Street / opening up of Silver Street) and the proposed bus interchange design not altogether successfully responding to its context in light of a somewhat fragmented main corner design of fragmented appearance with insufficient scale.
- 7.95 However, the scheme would deliver substantial public benefits; these

have been articulated by the applicant and considered within the 'Principle of Development' section (see above). Notwithstanding these benefits, the applicant has also given due weight to the sensitivity of the All Saints Conservation Area during the evolution of the scheme. That said, it is acknowledged that a bus interchange project of this scale and nature will have an impact upon its town centre environment.

- 7.96 Liaison has been ongoing throughout the planning process with heritage experts from both the Council and from English Heritage to ensure the sensitive evolution of the scheme. The scale and massing, particularly of the key main entrance, provides visual interest through the tiered canopy arrangement reinforcing the street hierarchy. This is considered to be an appropriate response to this sensitive location with any further increase to scale or mass likely to result in excessive visual prominence to the corner. This would have a negative impact upon the surrounding heritage assets, most prevalently the Georgian properties of 5 and 7 Sheep Street.
- 7.97 Highway requirements associated with the necessary upgrade to Bradshaw Street into a two-way street with a lane of bus bays and a pedestrian walkway on either side have an identified heritage impact. As a consequence of previous street widening, it is considered that any negative impacts associated with this widening are not considered significant and in any event have been mitigated through the proposed cantilevered canopy and an appropriately designed public realm scheme. The canopy would extend 4m across the street from the new elevation to be formed, thus providing a visual tightening of the street that would be accentuated by buses positioned in bus bays during operational hours.
- 7.98 The impacts of the opening up of Silver Street to the rear (to accommodate the bus bays) would be partially mitigated by the construction of a curved wall structure at the western end of the development. This would add enclosure to Bradshaw Street and act as a continuation of built form along the street frontage. It would run for a length of 20m with a variant height of between 1m and 2.5m. It should be noted that the visual sensitivity of the scheme diminishes as you move westwards from Sheep Street. Silver Street is bound by a modern hotel development to the west and links to College Street to the south, which primarily takes the form of a rear service road serving properties fronting the Drapery. The orientation of the scheme so as to position bus access and egress on Silver Street appears appropriate in this context.

### ***Other Design Matters***

- 7.99 Northants Police were consulted upon the application. Whilst offering no formal objection, they have made a number of recommendations to reduce the likelihood of crime. In terms of CCTV, it has been suggested that all seated areas are covered in addition to all entrance and bike rack areas. It has also been commented that the proposed bike racks on Greyfriars to the north of the scheme do not currently benefit from heavy footfall and may be vulnerable to crime. It is not however considered that these should be omitted from the scheme given that the area is likely to benefit from increased movements overtime as town centre regeneration schemes move forward.
- 7.100 Northants Police have also suggested that the rear service area (to be accessed via Sheep Street) is secured by way of 2m lockable gates in the interests of preventing the area being used as a congregation point for street drinkers. There is merit in this suggestion given that the rear area would be secluded without surveillance. A condition should be imposed in the event that permission is granted to secure full details of all security measures to be installed (including CCTV), which Northants Police would be consulted upon.
- 7.101 In terms of boundary treatment, full details have been provided by the applicant in respect to how the rear of the interchange is to be treated adjacent to the rear service area. This is to be fully bricked without openings in the interests of security. The site, by virtue of the need to accommodate bus movements, would be open to bus movements along Silver Street. In the interests of discouraging pedestrian movements in this rear area of the site and in the interests of safeguarding visual amenity it is important that appropriate boundary treatment is installed to the rear (western) side of the site. A curved stonewall is to be installed to Bradshaw Street, with material detail secured by condition. A further condition should be imposed to secure full details of boundary treatment to the western side of Silver Street (bordering the hotel) and also to Greyfriars to the north.
- 7.102 Another issue raised by Northants Police is that of the precise nature of the retail unit to be introduced as part of the interchange. They have suggested that the unit should not sell alcohol given the proximity of the scheme to a popular nearby drinking haunt at St. Katherine's Memorial Gardens. This matter is however non-material to the determination of the planning application and would be dealt with via a separate and independent licensing process.
- 7.103 There will be a condition covering appropriate tree protection details – particularly relating to the specimens located adjacent to the western boundary of the site. In addition there should be soft and hard landscaping scheme conditions attached in the interests of securing appropriate replacement planting to compensate for the loss of tree specimens on-site. Hard landscaping details shall be significant in the context of securing an appropriate high quality public realm.

7.104 The application is accompanied by a Sustainability Statement. This explores such matters as potential on-site renewable energy generation systems, water efficiency and the choice of durable and low-maintenance materials. It is considered that a further Sustainability Strategy should be secured via condition in the interests of securing the final details of renewable energy technologies to be installed to deliver 10% of the development's energy demands (as referenced within the submitted Sustainability Statement).

### ***Summary***

7.105 Notwithstanding the established principle of development, it is considered that the proposals, by virtue of the benefits drawn from the inclusion and refurbishment of 5 and 7 Sheep Street and in consideration of the fact that Bradshaw Street has already been widened in the past, would avoid substantial harm to the All Saints Conservation Area. The Historic Building and Area Assessment has concluded that the Fishmarket is of low significance in terms of the value it adds to the conservation area. On balance it is considered that the retention and refurbishment of 5&7 Sheep Street, along with the other potential regeneration benefits of bringing other currently vacant buildings back into use mitigates the harm caused by the loss of the Fishmarket. The scheme would also deliver substantial public benefits in compliance with Policy 26 of the EMRP and paragraph 133 of the NPPF; these policies require clear justification to accompany schemes that would incur unavoidable damage to natural and historic assets or their settings.

### **Environmental Matters**

#### ***Noise and Vibration***

7.106 The advice of the Council's Environmental Health service has been the key in the context of assessing potential noise and vibration. The Noise Chapter of the Environmental Assessment (EA) confirms that the extent and duration of the baseline noise survey was agreed with the Environmental Health Officer (EHO), as was the approach that operational noise impacts would be assessed in terms of ambient noise level changes at various noise-sensitive receptors located along the local road network (including 1<sup>st</sup> floor residential properties on both Sheep Street and Bradshaw Street).

7.107 The operational noise model was generated based upon a source noise measurement survey (undertaken at an existing bus interchange having a similar layout), the proposed layout and expected operational details. A number of assumptions were made in terms of operational details, for example movements would be split evenly between single and double deck buses and that buses will be standing with their engines idling for a maximum of five minutes.

7.108 The EHO has questioned how idling buses shall be policed and how

the taxi stand shall be managed to ensure that there are not instances of late night disturbances relating to queuing patrons, as well as re buses' reversing sirens. However the EHO it was agreed that these matters constitute procedural rather than technical matters and could therefore be acceptably controlled via an appropriately worded condition should Members be minded to grant planning permission. Such a condition would need to secure an operational site noise management plan. There would also need to be planning conditions controlling the hours of operation of both the bus interchange and taxi rank to between 6am and 11pm (which is what the Noise Chapter is based upon) and requiring the submission of a Construction Environmental Management Plan (CEMP) to adequately control noise during the construction phase of the project.

- 7.109 In terms of the actual findings of the operational noise assessment, the Noise Chapter of the EA is clear in its assertion that road traffic noise levels associated with the existing road traffic network will be by far the dominant noise source experienced once operational. Even during day time hours (7am –11pm) it is concluded that there is likely to be an adverse effect on receptors located on Bradshaw Street of Major Adverse Significance prior to the implementation of mitigation. This adverse effect would be accentuated between 6am and 7am when the interchange is also operational.
- 7.110 The EHO, based upon the predictions of the Noise Chapter of the EA, has confirmed that mitigation is required at both Bradshaw Street and Sheep Street. There is a list of potential mitigation measures available for road traffic noise contained within the Noise Chapter, these relate to such measures as traffic volume restrictions, low-noise surfaces and vehicle speed restrictions.
- 7.111 The EHO has advised that the implementation of sound insulation to affected receptors (e.g. secondary glazing complimented by the provision of alternative means of ventilation) is the only certain means of securing mitigation. Other measures would have limited scope in light of the operational requirements of the new interchange and the constraints of the application site. The EHO has agreed that this could be dealt with via condition whereby the applicant would be required to submit a scheme of noise protection measures prior to the commencement of development.

### ***Air Quality***

- 7.112 The report details a substantial deterioration in local air quality to the extent that there is the potential for the creation of an Air Quality Management Area (AQMA). This effect of high nitrogen oxide levels would be most keenly felt at the Bradshaw Street and Sheep Street receptors. The Air Quality chapter goes on to state that it is not envisaged that any suitable mitigation measures can be applied to reduce the effects of the scheme upon these receptors due to the nature of the proposed development, but instead suggests the



implementation of a monitoring programme along these two roads in light of the assessment that has been undertaken being based very much on a worst case scenario.

- 7.113 The EHO submitted a consultation response that covered the Air Quality issue. They initially sounded an objection based upon the Air Quality chapter indicating the potential creation of a new AQMA. A meeting was subsequently attended by the EHO and representatives of the applicant where the option of bringing forward alternatively fuelled vehicles as part of the bus fleet was discussed. This was considered by the EHO to be the most viable option that could hold the potential betterment required to alleviate air quality issues.
- 7.114 In a subsequent response received from the EHO it has been reiterated that the improvement that can be delivered by the gradual introduction of alternatively fuelled vehicles. Continual technical improvements in fuel efficiency and low emissions engines will also reduce pollution levels over time. The EHO is now not formally objecting to the scheme subject to this further consideration by the applicant. This can be achieved via a monitoring and mitigation regime which can be secured by condition.

### ***Archaeology***

- 7.115 NCC Archaeology has been involved in extensive pre application discussions with the applicant's archaeological consultant. A brief for the archaeological work was initially produced by NCC, which required the production of desk-based assessment in conjunction with some intrusive works. Site conditions and the restricted nature of the application's red line limited the level of fieldwork possible.
- 7.116 Observations of test pits completed for geotechnical purposes were undertaken in March 2012, these identified that a geological or archaeological feature lies within the northern section of the site, which contains varying depths of mixed natural material. The ground immediately below 7 Sheep Street did not produce any cultural material pre-dating the modern period.
- 7.117 It is stated within the ES that any archaeological deposits identified through a programme of investigation will not be of national significance and will likely be preserved by record. NCC Archaeology has noted that the development will have a detrimental impact upon any archaeological remains present, but that this does not represent an over-riding constraint to development provided that adequate provision is made for the investigation and recording of any remains affected. A suitably worded planning condition should be imposed in compliance with the requirements of the NPPF.

### ***Ecology***

- 7.118 The site, by virtue of its urban location, has limited ecological sensitivity. As part of the ecological assessment undertaken the

potential for protected and notable species was considered as part of a Phase 1 habitat survey of the site conducted in October 2011. The bat survey work that was undertaken identified 2no. mature tree specimens on site that is covered with ivy and hold the potential to support bats.

- 7.119 A further Tree Inspection Report was undertaken once roosting season had commenced in May. The results of the detailed survey work indicated that neither tree had any evidence of cracks or holes that could provide refuge for roosting bats. The bat roost potential is therefore negligible. It is considered that the scheme is acceptable in an ecological context.

### ***Cumulative Impact***

- 7.120 There is a chapter contained within the ES focusing upon the cumulative environmental affects of the development when considered in combination with other planned developments. The potential and committed developments that were identified by the LPA for consideration were redevelopment of the former Sorting Office Barrack Road; the Innovation Centre, Green Street; and the St. Johns Student housing scheme. The cumulative effects were assessed against each individual technical topic area within the ES. Effects were adjudged to be of either negligible significance or as temporary and/or acceptable.

### ***Letter of Clarification***

- 7.121 External EIA consultants were appointed by the LPA to comprehensively review the submitted ES in accordance with the Institute of Environmental Management & Assessment (IEMA) review criteria. Upon the completion of this review the EIA consultant met with environmental representatives of the applicant and representatives of the LPA to discuss the findings of the review. It was subsequently agreed that a letter of clarification should be submitted to the LPA so as to provide clarification on information used to inform the assessment, assessment methodologies adopted and confirmation that the documented significance of effects remain valid.
- 7.122 Within the letter it has been confirmed that materials to be exported from the site during the construction phase would be limited to steel and contaminated material. It has also been confirmed that the expectation is that contamination yet to be identified can be remedied on site. All mitigation measures detailed within the ES have been confirmed as committed. There are a variety of other clarifications addressed before the letter concludes that the information used and the documented significance of effects contained within the ES remains valid. Any further comments received will be reported on the addendum.

### **Water Resources**

- 7.123 The Environment Agency was consulted upon the application and has objected on the basis of no Flood Risk Assessment (FRA) being

submitted. This is even though the site is located within Flood Zone 1 with low probability of flooding. The EA consider that the site's sensitive central location may present risks of flooding if surface water runoff is not effectively managed.

- 7.124 In response to EA's request, the applicant submitted a Drainage Strategy document for consideration. This details that, in terms of surface water strategy, attenuation is to be provided in the form of underground tanks and/or oversized sewers where appropriate. The EA however have maintained their objection on the basis that the Drainage Strategy does not comply with the Northampton Strategic Flood Risk Assessments (SFRAs) level 1 and 2 and therefore does not provide a suitable basis for assessment to be made of flood risks arising from the proposed development.
- 7.125 The applicant is aware of the deficiencies identified in their drainage work and is currently working to rectify these. It is necessary for the EA to withdraw their objection to the planning application before planning permission can be formally granted. The officer recommendation is therefore subject to the withdrawal of the EA's holding objection and the imposition of any further planning conditions requested by the EA.
- 7.126 The EA is not however objecting to the Conservation Area Consent application. Any positive recommendation would not need to be subject the removal of any objection but would need to be subject to a planning condition securing details of how surface water drainage is to be affected during the demolition phase of the development.

### **Other Considerations**

- 7.127 The scheme has been subject to a far-ranging public consultation exercise. A public exhibition attracted notable public interest while letters of consultation were sent out to neighbours situated within the vicinity of the site and to persons that had previously registered an interest in town centre developments.
- 7.128 A variety of comments and concerns have been registered against the application, these are summarised within the Consultations / Representations section of the report above. The material issues raised have been discussed within the preceding sections of this report. There were however a number of non-material matters raised, which have also been listed. These are considered non-material in a planning sense because they relate to matters not directly associated with the scheme under consideration. For example, suggested works outside of the red line application boundary.

## 8 CONCLUSION

- 8.1 In assessing and determining planning applications LPAs should apply the presumption in favour of sustainable development. The NPPF defines sustainable development as *“meeting the needs of the present without compromising the ability of future generations to meet their own needs”*.
- 8.2 The NPPF explains that the purpose of the planning system is to contribute to the achievement of sustainable development and that it is policies must be taken as a whole rather than being viewed individually (para 6). It adds that there are three dimensions to sustainable development: economic, social and environmental (para 7) and that these roles should not be undertaken in isolation, because they are mutually dependent (para 8): *“Economic growth can secure higher social and environmental standards, and well-designed buildings and places can improve the lives of people and communities. Therefore, to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system.”* (para 8).
- 8.3 The CAAP Policies have been assessed against the NPPF as a whole including compliance with the three dimensions of sustainable development and the core planning principles. The economic, social and environmental aspects of the development have been considered in the context of the current and emerging Development Plan and other material considerations.
- 8.4 The Development Plan and the emerging development plan, insofar as they are current and compliant with the NPPF, make provision for the regeneration of Northampton town centre and that a vital component of this regeneration is the expansion of the Grosvenor Centre. Therefore, the principle of the re-provision of the existing bus station on a new site accords with the development plan and emerging planning policy. There is clear policy support for the requirement for a new bus interchange to serve Northampton, with the Fishmarket site specified for such purposes in the Submission CAAP.
- 8.5 When assessing the impact of the proposed development on heritage assets, there are clear links between the delivery of a new interchange, the regeneration of buildings and streets surrounding the site and perhaps more significantly assisting with facilitating the Grosvenor Centre expansion (Policy 17 of the CAAP). This is considered to be a significant public benefit that on balance justifies the (resultant) loss of the Fishmarket building and any consequential harm to the All Saints Conservation Area. This justification is further supported by such factors as the enhanced arrival experience that such a landmark facility would provide in comparison to the existing internalised station that is isolated from its wider surroundings. It is considered that the proposals, by virtue of the benefits drawn from the inclusion and refurbishment of 5 and 7 Sheep Street and in consideration of the fact

that Bradshaw Street has already been widened in the past, would avoid substantial harm to the All Saints Conservation Area.

- 8.6 With reference to the advice of the Highway Authority it is considered that there would not be any significant impact upon the capacity of the highway network as a result of the development proposals subject to appropriate conditions. The interchange has also been designed with the future growth of the bus network in mind. It has been demonstrated that there will be spare capacity, particularly in its initial years, to allow for possible delays and unexpected service alterations.
- 8.7 All other potential impacts, including environmental health, archaeology, water management and ecology can be reasonably and properly controlled and mitigated by via planning conditions.
- 8.8 For these reasons therefore, when assessed in the round against all of the policies of the NPPF and the relevant policies of the Development Plan and emerging planning policy documents, notably the CAAP, it is considered that the proposals would deliver sustainable development and substantial public benefit in compliance with the guidance contained within the National Planning Policy Framework (2012) and the emerging Central Area Action Plan (2012).

## **9 CONDITIONS**

### **Planning Application - N/2012/0314**

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. Unless otherwise agreed in writing by the local planning authority (LPA), the bus interchange use hereby permitted shall not commence until the following highway works have been completed in accordance with full engineering, drainage, and constructional details, to be submitted to and approved in writing by the LPA:

- Reversing the direction of traffic on Silver Street and making this bus only;
- A new mini-roundabout to be provided at the junction of Silver Street and Bradshaw Street;
- Signalisation of the Bradshaw Street/Drapery junction
- new bus stops on Bradshaw Street;
- Additional bus stop capacity on Drapery.

Reason: To ensure a satisfactory standard of development in the interests of highway safety and the free-flow of traffic in accordance with the NPPF.

3. Unless otherwise agreed in writing by the local planning authority (LPA), the bus interchange use hereby permitted shall not commence until full details of the required bus layover provision have been submitted to and approved in writing by the LPA, and fully implemented in accordance with the approved details retained thereafter.

Reason: To ensure a satisfactory standard of development in the interests of highway safety and the free-flow of traffic in accordance with the NPPF.

4. Unless otherwise agreed in writing by the local planning authority (LPA), the bus interchange use hereby permitted shall not commence until the pedestrian subway under Greyfriars located between the site and the Mayorhold car park has been permanently closed in accordance with the details to be submitted to and approved in writing by the LPA.

Reason: To ensure a satisfactory standard of development and in the interests of pedestrian and general highway safety and the free-flow of traffic in accordance with the NPPF.

5. Unless otherwise agreed in writing by the local planning authority (LPA), the bus interchange use hereby permitted shall not commence until a scheme for the 'stopped up' and the dedication of land as adopted Highway has been submitted to and approved in writing by the LPA and fully implemented.

Reason: To ensure a satisfactory standard of development in the interests of highway safety and the free-flow of traffic in accordance with the NPPF.

6. Unless otherwise agreed in writing by the local planning authority (LPA), the bus interchange use hereby permitted shall not commence until full details of any Traffic Regulation Orders (as indicatively referenced upon submitted highway drawing R1399/015 Rev B 'Proposed Permanent Traffic Orders') and signage required to support the development have been submitted to and approved in writing by the LPA and fully implemented in accordance with the approved details.

Reason: To ensure a satisfactory standard of development in the interests of highway safety and the free-flow of traffic in accordance with the NPPF.

7. Prior to the commencement of any part of the development hereby permitted, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the local planning authority (LPA). Development shall be carried out in accordance with the approved CEMP. The CEMP shall include and specify the provision to be made for the following:

- Vehicle sizes and numbers
- Hours of operation
- Access for construction vehicles
- Dust mitigation measures during the construction period;
- Control of noise emanating from the site during the construction period;
- Hours of construction work for the development Contractors' compounds and
- Other storage arrangements including temporary stockpiling areas;
- Enclosure of phase or sub-phase development sites;
- Provision for all site operatives, visitors and construction vehicles loading, off loading, parking and turning within the site during the construction period;
- Arrangements during the construction period to minimise the deposit of mud and other similar debris on the adjacent public highways;
- Routing agreement for construction traffic;
- Method Statement for all demolition works;
- Site Waste Management Plan;
- Traffic Management Plan incorporating the routing of construction traffic and details of heavy vehicle movement patterns.

Reason: In the interests of protecting both the general amenity of the area and the amenity of nearby residential occupiers in accordance with the NPPF.

8. Unless otherwise agreed in writing by the local planning authority (LPA) an Arboricultural Method Statement (AMS) to include specific protection measures, any required and appropriate specialist construction techniques and the specification and location (outside of tree's Root Protection Areas) in accordance with point 6.5 of the Arboricultural Report by JCA Ltd shall be submitted to and approved in writing by the LPA. The development hereby approved and any associated works shall be implemented in accordance with the approved details.

Reason: In order to ensure adequate protection of existing trees on and adjacent to the site in the interests of achieving a satisfactory standard of development and maintaining the amenity of the locality in accordance with Policy E20 of the Northampton Local Plan.

9. Building Recording shall be undertaken in respect to the Fishmarket and 5&7 Sheep Street in accordance with a brief to be issued by the Local Planning Authority prior to the commencement of any works.

Reason: In the interests of recording an understanding of the significance of heritage assets to be lost in compliance with the guidance contained within the NPPF.

10. Prior to the commencement of refurbishment works of 5 & 7 Sheep Street full details of the new ground floor shop fronts shall be submitted to and approved in writing by the Local Planning Authority. Development shall be implemented in accordance with the approved details and retained thereafter. The frontages shall be active and accessible at all times.

Reason: In the interests of enhancing the character and appearance of the All Saints Conservation Area in accordance with Policy E26 of the Local Plan and the NPPF.

11. Prior to the commencement of the refurbishment and reconstruction works for 5 & 7 Sheep Street a full schedule of works for the refurbishment and reconstruction works (including the erection of the gable wall and replacement roof) shall be submitted to and approved in writing by the Local Planning Authority. The works shall be undertaken in accordance with the submitted details and completed prior to the first occupation of the development.

Reason: In the interests of enhancing the character and appearance of the All Saints Conservation Area in accordance with Policy E26 of the Local Plan and the NPPF.

12. Unless otherwise agreed in writing by the local planning authority (LPA) prior to the first use of the development and notwithstanding the details submitted a detailed scheme for street furniture, including cycle storage facilities, to make up part of the public realm shall be submitted to and approved in writing by the LPA and the scheme shall be fully implemented in accordance with the approved details and shall be retained thereafter.

Reason: In the interests of enhancing the character and appearance of the All Saints Conservation Area in accordance with Policies E20 and E26 of the Local Plan and the NPPF.

13. Unless otherwise agreed in writing by the local planning authority (LPA), the bus interchange use hereby permitted shall not commence until an Operational Site Noise Management Plan setting out the details of ongoing measures to be undertaken to reduce noise output from the development shall be submitted to and approved in writing by the LPA. The use shall operate in accordance with the approved details at all times thereafter.

Reason: In the interests of protecting the amenities of nearby residential occupants in accordance with Policies E20 and E19 of the Local Plan and the NPPF.

14. The development including the operation of the taxi rank located on Sheep Street shall only be operational between the hours of 6am and 11pm.



Reason: In the interests of protecting the amenities of nearby residential occupants in accordance with Policies E20 and E19 of the Local Plan and the NPPF.

15. Unless otherwise agreed in writing by the local planning authority (LPA), the bus interchange use hereby permitted shall not commence until a scheme of noise protection measures relevant to residential properties located upon Bradshaw Street and Sheep Street in close proximity to the site has been submitted to and approved in writing by the LPA and the use shall be implemented in accordance with the approved details, which shall be retained at all times thereafter.

Reason: In the interests of protecting the amenities of nearby residential occupants in accordance with Policies E20 and E19 of the Local Plan and the NPPF.

16. Unless otherwise agreed in writing by the local planning authority (LPA), a scheme shall be submitted to and approved in writing by the LPA which specifies the sources of noise on the site whether from fixed plant or equipment or noise generated within the building and the provisions to be made for its control and the approved scheme shall be implemented prior to the commencement of the use hereby permitted and retained thereafter.

Reason: In the interests of protecting the amenities of nearby residential occupants in accordance with Policies E20 and E19 of the Local Plan and the NPPF.

17. Unless otherwise agreed in writing by the local planning authority (LPA), the bus interchange use hereby permitted shall not commence until full details of all external lighting shall be submitted to and approved in writing by the LPA and implemented concurrently with the development and retained thereafter.

Reason: In the interests of visual amenity, guarding against any negative affects upon residential amenity and in the interests of crime prevention in accordance with Policies E20 and E40 of the Northampton Local Plan and the NPPF.

18. Unless otherwise agreed in writing by the local planning authority (LPA), the construction of the bus interchange hereby permitted shall not commence until full details of the treatments to be installed to the western (adjacent to Silver Street) and northern (adjacent to Greyfriars) boundaries of the site have been submitted to and approved in writing by the LPA and the development shall be implemented in accordance with the approved details, which shall be retained at all times thereafter.

Reason: To ensure that the boundaries of the site are properly treated so as to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan.

19. Unless otherwise agreed in writing by the local planning authority (LPA), the construction of the bus interchange hereby permitted shall not commence until a Security Strategy has been submitted to and approved in writing by the LPA detailing all of the measures to be implemented in the interests of crime prevention including full material specifications, full details of CCTV coverage and full details of the measures to be implemented to secure the rear service yard area accessed from Sheep Street. The development shall be implemented in accordance with the approved details, which shall be retained at all times thereafter.

Reason: In the interests of crime prevention in accordance with Policies E20 and E40 of the Northampton Local Plan and the NPPF.

20. Prior to the commencement of construction full details of the methodology for monitoring air quality on properties fronting Bradshaw Street and Sheep Street shall be submitted to and approved by the local planning authority. The methodology shall make provision for annual monitoring statements and details of any required mitigation for a period of 5 years following the commencement of the use of the site

Reason: In the interests of protecting the amenities of nearby residential occupants in accordance with Policies E20 and E19 of the Local Plan and the NPPF.

21. Unless otherwise agreed in writing by the local planning authority (LPA), no construction operations shall take place outside the hours of 08:00 to 18:00 Mondays to Fridays or 09:00 to 14:00 on Saturdays. No such operations shall take place at any time on Sundays or Bank/Public Holidays.

Reason: In the interests of protecting the amenities of nearby residential occupants in accordance with Policies E20 and E19 of the Local Plan and the NPPF.

22. Unless otherwise agreed in writing by the local planning authority (LPA), within one month of the commencement of the development hereby permitted, in consultation with the County Council's Archaeologist, a programme of works shall be submitted to and approved in writing by the LPA to include a detailed design and method statement, to show the preservation of surviving archaeological remains which are to remain in situ prior to the commencement of any development. The programme of works shall:

- a) Provide design information for the pile configuration and all other ground works; and,
- b) Include the process for any archaeological investigation, a process for the recording of any archaeological remains, a scheme of archaeological works and a timetable for the carrying out of such works.

Reason: To allow investigations to be made and sufficient mitigation to be secured in an area where remains of considerable archaeological remains are understood to exist in accordance with the requirements of the NPPF.

23. Unless otherwise agreed in writing by the local planning authority (LPA), no development shall take place until the applicant in consultation with the County Council's Archaeologist, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the LPA. This written scheme will include the following components, completion of each of which will trigger the phased discharging of the condition:
- (i) Fieldwork in accordance with the agreed written scheme of investigation;
  - (ii) Post-excavation assessment (to be submitted within six months of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority);
  - (iii) Completion of post-excavation analysis, preparation of site archive ready for deposition at a store approved by the Planning Authority, completion of an archive report, and submission of a publication report to be completed within two years of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority.

Reason: To allow investigations to be made and sufficient mitigation to be secured in an area where remains of considerable archaeological remains are understood to exist in accordance with the requirements of the NPPF.

24. Unless otherwise agreed in writing by the local planning authority (LPA), prior to the commencement of construction works on site, details of the existing and proposed ground levels and finished floor levels of the development in relation to the Bear Public House shall be submitted to and approved in writing by the LPA. Thereafter the development shall be implemented in accordance with the approved details.

Reason: the interests of residential and visual amenity in accordance with Policy E20 of the Northampton Local Plan.

25. Unless otherwise agreed in writing by the local planning authority (LPA), details of the provision for the storage of refuse and materials for recycling shall be submitted to and approved in writing by the LPA and implemented prior to the occupation or bringing into use of the buildings and thereafter maintained.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan.

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

Reason: In the interests of visual amenity and to ensure that the development will harmonise with its surroundings in accordance with Policy E20 of the Northampton Local Plan.

27. Unless otherwise agreed in writing by the local planning authority (LPA), full details of the proposed surface treatment of all roads, access and pedestrian areas shall be submitted to and approved in writing by the LPA prior to the commencement of construction work on site. Development shall be carried out in accordance with the approved details.

Reason: To secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan.

28. The development shall be laid out and implemented (both internal and external) so that people with disabilities have full access to all public areas and these arrangements shall be retained thereafter.

Reason: To ensure satisfactory access for people with disabilities to the development in accordance with Policies E20 and T22 of the Northampton Local Plan.

29. No construction work shall take place until there has been submitted to and approved in writing by the Local Planning Authority a detailed scheme of hard and soft landscaping for the site. The scheme shall include indications of all existing trees and hedgerows on the land and details of any to be retained.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan.

30. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner, and which shall be maintained for a period of five years; such maintenance to include the replacement in the current or nearest planting season whichever is the sooner or shrubs that may die are removed or become seriously damaged or diseased with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan.

31. No development shall take place until site investigation in respect of possible contaminants within the site has been designed. The scope and methodology of 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 (or 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 NPPF.

32. Prior to the commencement of construction works a Sustainability Strategy detailing all sustainability measures to be installed including full details of on-site renewable energy technologies to provide a minimum of 10% of the energy demand of the total development shall be submitted to and approved in writing by the Local Planning Authority. Development shall be implemented in accordance with the approved details and retained at all times thereafter.

Reason: In the interests of securing a sustainable development in compliance with emerging Policy S10 – Sustainable Development Principles of the West Northamptonshire Joint Core Strategy (2011).

### **Conservation Area Consent - N/2012/0315**

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. No demolition work shall take place until a contract for the redevelopment of the site has been signed and evidence submitted to and acknowledged in writing by the Local Planning Authority.

Reason: To avoid a prolonged presence of gap sites in road frontages which would be detrimental to visual amenity in accordance with the NPPF.

3. Prior to the commencement of development, full details of how surface water runoff is to be managed during demolition works shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of preventing flood risk and securing adequate

drainage in accordance with the NPPF.

4. Building Recording shall be undertaken in respect to the Fishmarket and 5&7 Sheep Street in accordance with a brief to be issued by the Local Planning Authority prior to the commencement of any works.

Reason: In the interests of recording an understanding of the significance of heritage assets to be lost in compliance with the guidance contained within the NPPF.

## **10 BACKGROUND PAPERS**

- 10.1 N/2012/0314 and 0315. and all supporting and submitted documents
- 10.2 Equalities Impact Assessment
- 10.3 'Northampton Town Centre Expansion – Economic Impact Assessment Final Report' 9<sup>th</sup> October 2009 by GHK

## **11 LEGAL IMPLICATIONS**

- 11.1 None for the Council as Local Planning Authority.

## **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.

<b>Position:</b>	<b>Name/Signature:</b>	<b>Date:</b>
<b>Author:</b>	Andrew Smith	29/06/2012
<b>Development Control Manager Agreed:</b>	Gareth Jones	29/06/2012



Name: Becky Gittins  
 Date: 29th June 2012  
 Scale: 1:1250  
 Dept: Planning Department  
 Project: Site Location Plan

Title  
**5 & 7 Sheep Street, Northampton**

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