



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

**PLANNING COMMITTEE:** 4 September 2012  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**HEAD OF PLANNING:** Susan Bridge

**N/2012/0608** Additional use of the lift tower for abseiling at  
National Lift Tower, Tower Square

**WARD:** St James

**APPLICANT:** Mr Peter Sullivan  
**AGENT:** Mr Ed Wright

**REFERRED BY:** Cllr Patel  
**REASON:** Parking and Noise

**DEPARTURE:** No

---

**APPLICATION FOR DETERMINATION:**

**1. RECOMMENDATION**

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

Whilst the abseiling raises some concerns particularly in terms of the effects on the amenity of surrounding neighbours it is considered that a temporary consent is reasonable to allow the Local Planning Authority to fully assess the effect of the proposal and to ascertain whether a permanent permission should be granted following its expiry and if so what further mitigation may be required. This is to accord with the aims and intentions of the National Planning Policy Framework.

**2. THE PROPOSAL**

2.1 Planning permission is sought for the additional use of the lift tower for purposes of abseiling. This a retrospective application as the use commenced in 2011.

2.2 The table below sets out the frequency of such events that have taken place at the site for the 12 month period from August 2011 to July 2012 (details supplied by the applicant).

<b>DATE OF EVENT</b>	<b>NUMBER OF PARTICIPANTS</b>	<b>CHARITY</b>
18 September 2011 (Sunday)	8	Wooden Walls
12 November 2011 (Saturday)	62	Children in Need
14 January 2012 (Saturday)	6	Various
4 February 2012 (Saturday)	43	Alzheimers Society
10 March 2012 (Saturday)	28	Various
24 March 2012 (Saturday)	43	CLIC Sargeant
12 May 2012 (Saturday)	55	The Lowdown
19 May 2012 (Saturday)	29	Various
26 May 2012 (Saturday)	51	Life Education
24 June 2012 (Sunday)	27	Lighthouse Centre
7 July 2012 (Saturday)	39	Various

With reference to the table above, the abseiling occurs approximately 12 times in a given year averaging one event per calendar month. The numbers of participants ranged from 6 up to 62 with an average of 35-36. It should be noted that events have also taken place occasionally before August 2011; the table above is intended to give a representative snapshot over a 12 month period.

- 2.3 The abseiling takes place mainly on Saturdays with some Sundays. The day typically commences at 8.30am when the abseil team and charity arrive on site and begin setting up. This involves erecting a temporary gazebo adjacent to the building to be used as registration point. The abseil team will rig the abseiling platform near the top of the lift tower (see para 2.4 below) and drop two ropes down the outside of the building. Registration takes place from 8.45am and the first abseil starts at 9am. Two abseilers go down every fifteen minutes. Typically, the day ends at 5pm however there may be delays during the day and on these occasions the event will continue beyond 5pm.
- 2.4 The submitted plans show 3 different points where the abseiling takes place from near the top of the tower. The exact position is dependent on the wind direction on the day which determines whether the abseiling occurs from Point A at height of 123m, Point B at 120m or Point C at 102m.

### **3. SITE DESCRIPTION**

- 3.1 The site is located within a modern residential estate to the south of Weedon Road to the west of the town centre. The lift tower is a highly distinctive and prominent concrete structure measuring some 127m high and 14m in diameter at the base. It is a Grade II Listed Building (listed in 1997) and has been previously used as a lift testing facility. The tower was built during 1980 to 1982 and designed by Stimpson and Walton for Express Lifts Company. It is positioned within a circular island at the end of the main estate road (The Approach) from Weedon Road and is surrounded by residential flats and houses completed in 2005.
- 3.2 The Lift Tower was opened in 1982 as a purpose built lift testing tower as part of the wider Express Lifts factory complex. The factory was closed in 1999 following the takeover of Express Lifts by Otis. The Tower was incorporated into the surrounding residential development such that it could continue to be used for lift testing purposes by the British Standards Institute. Although it has continued to be used periodically for research and development the building became largely dormant until 2008 when it was taken over by the current owner, the applicant.

### **4. PLANNING HISTORY**

- 4.1 Planning permission was granted in November 1979 under Local Planning Authority reference 79/1017 for the construction of a lift testing tower with associated training facilities. Since then various applications have been determined for associated development connected with the tower.
- 4.2 In 1999 planning permission was granted for 411 residential dwellings, this was for the residential development which now surrounds the tower. In 2003, there was a listed building consent application submitted for the demolition of the tower which was refused and an appeal made against the refusal. The appeal was withdrawn on the first day of the resulting Public Inquiry and the Council was awarded costs. In 2010 the owner submitted a planning application and associated listed building application for erection of 2 storey visitors centre at the base of the tower. This was refused on the impact on the listed building and residential amenity and later dismissed on appeal by the Planning Inspectorate.

### **5. PLANNING POLICY**

#### **5.1 Development Plan**

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

County Structure Plan and Northampton Local Plan 1997.

5.2 **National Policies:**

National Planning Policy Framework

5.3 **Northampton Borough Local Plan**

E40 Crime and Vandalism

5.4 **Supplementary Planning Guidance**

Northamptonshire County Parking Standards SPG 2003

Planning Out Crime in Northamptonshire SPG 2004

6. **CONSULTATIONS/ REPRESENTATIONS**

6.1 **Public Protection (NBC)** - Have concerns with regard to the noise from the proposed development. This department has previously received a complaint that crowds can build before the event starts and the associated noise of people talking, car engines running etc and that it has been disturbing to local residents. As a department we have no powers to enforce noise in the street that arises from behaviour of the public and unless this is giving to rise to public disorder the Police would also be unable to respond.

6.2 **Built Conservation (NBC)** - There is limited information about the impact on the listed structure and the only detail is in the Management Strategy. It is positive that a number of different abseil points are used as this prevents too much activity in one area of the tower. Consideration must be given to restricting the number of events that take place.

6.3 **Highway Authority (NCC)** - Have concerns on increased parking in the area, increased traffic and spectator flow.

6.4 **Northants Police (NCC)** - Concern over the issues associated with overspill parking from nearby commercial ventures. Parking problems are particularly acute on Saturdays when the Rugby Club is being used making movement around the area by local residents difficult. The Saints Rugby Club have invested a lot of money this year in an attempt to manage traffic problems but it is the view of the Police that further commercial activity will exacerbate the current problem.

6.5 **English Heritage** - No comments

6.6 **Natural England** - It is up to the Local Planning Authority to determine whether the application is consistent with national or local policies on biodiversity and landscape.

6.7 **Councillor S Patel** - refers to committee due to concerns over parking, noise and road safety.

6.8 **A petition with 129 signatories have been received and letters**

**from** numbers 2, 7, 10, 34 Tower Square, 52 Nearside and 51 Standside raising the following points:

- Residents should be given prior notice of the events
- Parking is difficult to manage and enforce
- Concern that events may conflict with events at Rugby Stadium
- Inadequate parking arrangements
- Impact on residents of the estate in a quiet residential area
- Highway safety concerns from conflict of spectators and traffic
- Concern over problems with managing the events and inadequate marshalling
- Illegal parking of vehicles
- Limited provision for spectators attending the events
- Impact of noise on residents
- Effect on residents' privacy
- Road safety concerns
- Impact on birds at top of tower

## **7. APPRAISAL**

### ***Main issues***

- 7.1 The principal considerations for the determination of this planning application relate to the impact on the amenity of neighbouring properties, whether there is sufficient parking and security and the effect on the character of the listed building, while also taking into account the potential contribution the proposal would make to the long term use and maintenance of the listed building.
- 7.2 Officers have a number of reservations regarding the potential impact of the use as discussed below. Therefore it is recommend that if the Committee is minded to grant planning permission that this should be on a temporary basis only in order to allow appropriate monitoring and if necessary additional controls to be put in place to mitigate any impact.

### ***Policy context***

- 7.3 Saved policy E40 of the Northampton Local Plan relates to the need for new development to reduce the potential for crime and vandalism.
- 7.4 The recently published NPPF provides national planning policy giving local authorities a steer on determining planning applications. Paragraph 123 of the document states that decisions should aim to avoid noise from giving rise to significant impacts on quality of life. The NPPF goes on to say that when considering the impact of a proposed development on a heritage asset (e.g. listed building) then weight should be attached to the asset's conservation. National Policy also emphasises the importance of sustainable transport and stresses the need for proposals to encourage sustainability.

### ***Parking provision***

- 7.5 Parking is provided primarily on designated parking spaces on the island encircling the tower. The Parking Layout submitted with the application shows 14 existing spaces and 8 temporary spaces set aside for the proposal giving a total of 22 off-road space.
- 7.6 The applicant has provided a Management Statement which explains that parking is managed on event days by a marshal who advises visitors where to park *“ensuring that cars are not parked illegally or inconsiderately on Tower Square”*.
- 7.7 The Highway Authority has raised concerns on the parking provision and increase in demand created in this residential area. Many of the objectors are also concerned that parking is enforced properly and that the abseiling events occur at the same time as events at the nearby Rugby Stadium.
- 7.8 The case officer observed the event that took place on 24 June 2012 when 27 people took part in the abseiling. He observed that on that occasion there was sufficient parking spaces on-site left available for use. While it is acknowledged that there may be some conflict with parking demand generated from the nearby Rugby Club, it is not that frequent occurrence when the Rugby Ground is used at the same time as the abseiling. In the last year there has only been one rugby fixture at nearby Franklins Gardens that has clashed with the operation of the abseiling at the tower. There is also adequate and well-marshalled car parking for the Rugby Ground with its car parks at the stadium and off Edger Mobbs Way such that there is unlikely to conflict between the two uses.
- 7.9 The roads within the residential estate around the Lift Tower are not yet adopted as public highway. Whilst it is recognised that the designated marshalling team hold no legal remit to enforce parking on the estate as the roads are not in the applicant’s ownership although they are also monitored by civil enforcement officers who monitor and regulate illegal parking on The Approach (the main access road leading up to the tower) on behalf of the owner. The applicant also provided evidence that they have an arrangement to use Wrefords Transport facility Edgar Mobbs Way to provide overflow parking for the use if required. However this is not a matter that can be controlled / secured through this planning application as it is not with the application site.
- 7.10 On balance officers considered that parking associated with the use could be problematic given the local circumstances. It is considered that a temporary consent would allow reasonable opportunity to assess the impact and also the planning authority opportunity to potentially limit the number of the events and / or participants to mitigate the impact.

### ***Impact on character and setting of the listed building***

- 7.11 The Council's Conservation service has express reservations about the amount information provided with the submission about the effect on the listed building. They request that further information be sought on how the scaffolding used is attached to the structure. They also have some reservations on the frequency of the events as this would potentially result in greater wear and tear on the building the more often the events occur. Nonetheless the application is for change of use only and this equipment does not represent operational development. Therefore it does not require planning permission and cannot be controlled under this planning application.

### ***Security***

- 7.12 The applicant outlines that in terms of site security there is a single point of entry into the building on a given day which is supervised by a dedicated member of staff who ensures that only authorised persons can obtain entry to the building. Northants Police has also provided comments on the application. They raise concerns that there are parking issues associated with the use of the site in relation to nearby sporting activities at the Rugby Ground causing increased congestion and problems with movement around the estate by residents.

### ***Community and Economic Benefits***

- 7.13 The proposal provides some benefit to the wider community due to raising money for a number of worthwhile causes including various charitable organisations. In addition, the abseiling requires a team of ten individuals to run an event including six abseil specialists responsible for training, fitting of equipment to participants etc. two supervisors who support the marshalling team, liaising with the charities and other related issues. A marshall is also provided to direct traffic and a security guard too.

### ***Impact on amenity of neighbours***

- 7.14 The frequency of the abseiling events varies from month to month as does the number of participants at any one event. Judging by the first 7 events of 2012 the abseiling attracted on average 35 participants. The Council's Environmental Health Officers have concerns relating to noise generated from the proposed development particularly in respect of noise associated with the congregation of spectators.
- 7.15 It is acknowledged that the noise generated from spectators is difficult to govern effectively however with careful marshalling and management the effect can be reduced. On his inspection of the site on a weekend (see para 7.7 above) the case officer noted that the event was well marshalled and that abseiling itself is not inherently noisy. The effect on amenity largely depends on the number and behaviour of spectators who attend the events.

- 7.16 Officers consider that granting a temporary consent would allow the authority to fully monitor the events taking place and provide a better indication as to whether the intensity of the proposal is acceptable in granting a permanent permission at a later date.

***Other Matters***

- 7.17 The potential nesting of peregrines on the top of the tower has been raised by one objector although it is noted that Natural England as a consultee has not identified this as an objection to the planning application.

**8 CONCLUSION**

- 8.1 Whilst officers note that the proposed operation raises concerns to local residents and some of the consultees it is considered that there is no objection to the principle of development. In order to allow the use to be assessed properly officers recommend the granting of a temporary consent to 31 March 2013 following which the use will cease or the applicant will submit a further planning application for a permanent operation of the abseiling. This would also the Council to add appropriate controls that may prove to be necessary such a limit on the number of events / number of participants.

**9. CONDITIONS**

- (1) The use hereby permitted shall be limited to a temporary period only and the land restored to its former condition on or before 31 March 2013.

Reason – To allow the Local Authority to monitor the use prior to considering whether a permanent consent is acceptable.

**10. BACKGROUND PAPERS**

- 10.1 N/2012/0608.

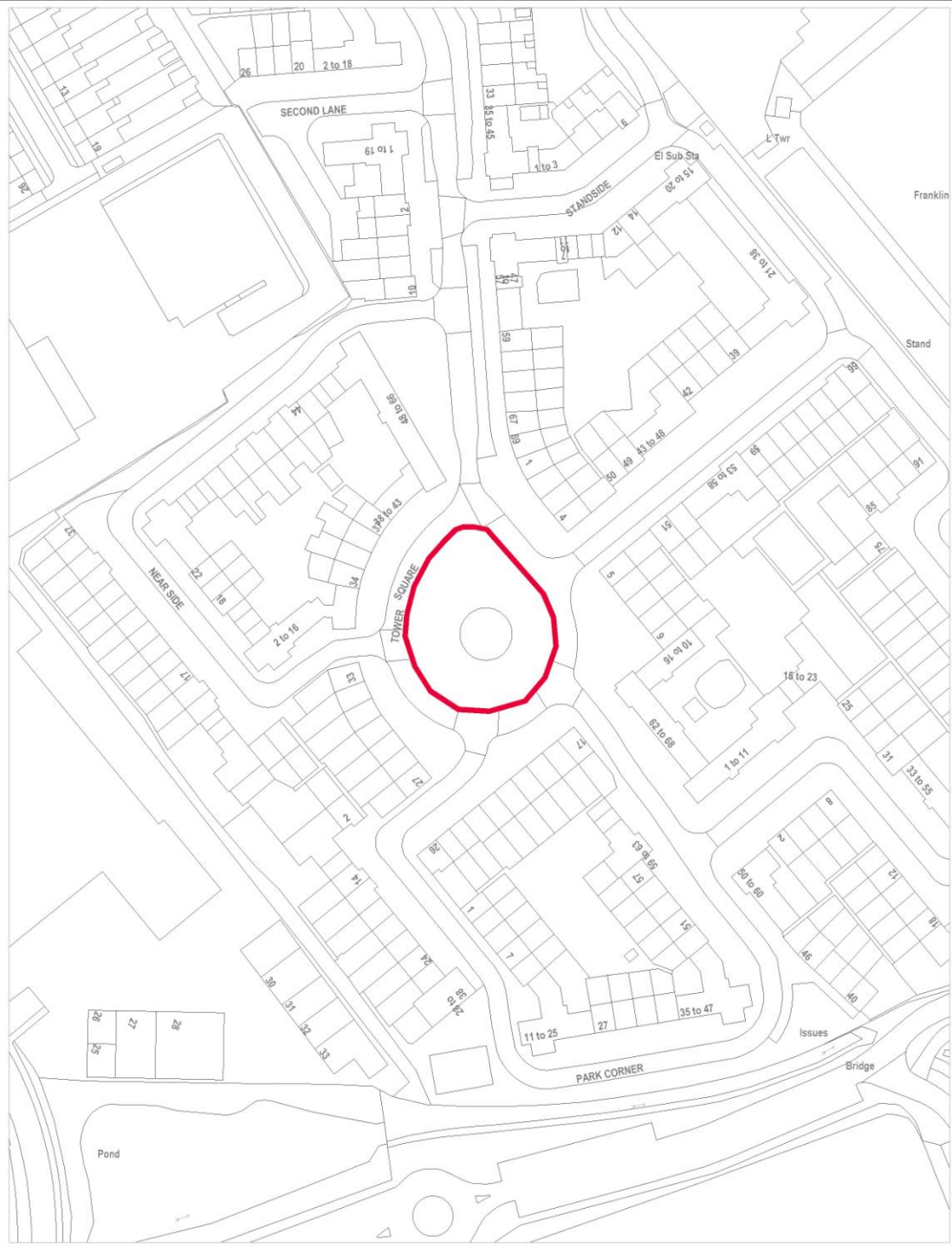
**11. LEGAL IMPLICATIONS**

- 11.1 None.

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

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





Name: BG  
 Date: 23rd August 2012  
 Scale: 1:1250  
 Dept: Planning  
 Project: Location Plan

Title  
**Lift-Testing Tower, Weedon Road**

Produced from the 2011 Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office. © Crown Copyright  
 Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Licence number: 100019655