

The following layout is proposed:

- Lower Ground Floor - pedestrian entrance from servicing / taxi drop area off St Johns Terrace, lifts, linen area, ancillary office, refuse storage, servicing / delivery good area, plant and operational machinery;
- Upper Ground Floor - main entrance, office, reception area, lounge, linen room, lifts, staff changing room, team room, bottle store, kitchen, restaurant / dining area, wc's and 15 bedrooms;
- First Floor - 29 bedrooms, store and a linen room;
- Second Floor - 29 bedrooms, store and a linen room;
- Third Floor - 19 bedrooms and a linen room; and
- Fourth Floor - would contain 12 bedrooms and a linen room.

2.2 The proposed building would have a T-shaped footprint, with the main elevation entrance facing towards the Royal & Derngate Theatre.

2.3 The building would have maximum width of 38m and a depth which varies between a maximum of 42m and a minimum of 15.5m. The height would be a maximum of 18m to the roof plant. The overall gross internal floorspace would be 3,550 m². The site area is 0.21 hectares.

2.4 The existing vehicular access at the St Johns/Swan Street/ St John Terrace junction would be retained with a servicing and taxi drop-off / pick-up area provided to facilitate the proposal. Two vacant former commercial units along St Johns Terrace would be demolished. No on-site parking spaces are proposed. A new stepped access along Swan Street would be provided. Cycle stands are indicated outside the main entrance.

2.5 A number of physical other alterations are proposed including the removal of a stepped access to a former toilet facility attached to the St Johns multi storey car park to enable St Johns Terrace to be widened and the existing steps along the eastern elevation of the proposed development off St Johns Terrace being realigned.

2.6 The following documents accompany the application:

- Design & Access Statement
- Transportation Statement
- Travel Plan
- Statement of Community Involvement
- Planning Statement
- Flood Risk Statement
- Archaeological Desk Based Assessment
- Daylight & Sunlight Report
- Sustainability Considerations/Utilities

3. SITE DESCRIPTION

3.1 The site currently forms part of the Albion Place surface level car park and contains two vacant commercial buildings facing towards St Johns Terrace.

St Johns multi storey car park is located to the south of the site. The Royal & Derngate Theatre is sited 60m to the north. Part of the theatre fronting Guildhall Road is listed.

- 3.2 To the western perimeter of the site there is an 8 storied residential block, Bloomsbury House (27 Guildhall Road) containing 135 flats, which is listed Grade II. The eastern perimeter of the site faces on to Albion Place and Albion Court. Nos. 3 – 24 (consec) Albion Place are listed Grade II.
- 3.3 Nos. 5, 6, 7 and 10 – 16 (consec) Albion Place are dwellinghouses. The other remaining properties form commercial offices for solicitors and architectural practices. The boundary of the Derngate Conservation Area runs along the northern, eastern and western edges on the locality. There is a change in levels of approximately 3 metres as the site falls southwards to St Johns Terrace.

4. RELEVANT PLANNING HISTORY

- 4.1 The site currently serves as part of the Albion Place surface level car park and also contains vacant commercial offices.

5. PLANNING POLICY

5.1 Development Plan

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan comprises the Northampton Central Area Action Plan (2013) and saved policies of the Northampton Local Plan (1997).

5.2 Central Area Action Plan (CAAP)

Policy 1 – Promoting Design Excellence
Policy 4 – Green Infrastructure
Policy 5 – Flood Risk & Drainage
Policy 10 – Parking
Policy 20 – St. Johns

5.3 National Policies

National Planning Policy Framework (NPPF)

5.4 West Northamptonshire Joint Core Strategy (Submitted)

E6 - Education Skills & Training
Paragraph 8.32 - Tourism, Visitor & Cultural Industries

5.5 Supplementary Planning Guidance

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

6. CONSULTATIONS

- 6.1 The applicants carried out a community consultation exercise in June 2013 prior to the submission of the planning application. Further to this the

Borough Council carried out consultation with statutory and non-statutory consultees on the application which are summarised as follows:

- 6.3 **Northamptonshire Police Crime Prevention Design Adviser** – No objections.
- 6.4 **Environment Agency** – With regard to surface drainage have reviewed additional information outlining the drainage proposals by the applicant and has indicated that it is not in a position to approve the surface water drainage strategy. Any drainage scheme proposed should provide a sustainable drainage strategy to include SUDs elements with attenuation, storage and treatment capacities incorporated as detailed in the SUDs Manual. This is a matter for the Anglian Water.
- 6.5 **English Heritage** – Based on the original information provided by the applicant considered that insufficient information has been provided to allow the proposal to be fully assessed in terms of the effect on the setting of nearby listed buildings and they also require further consideration to be given to the way the development addresses St. Johns Terrace. This information has been submitted and passed to English Heritage. At the time of drafting the report no objection received in connection with revised information submitted by the applicant.
- 6.6 **Anglian Water** – both foul drainage and sewerage system have available capacity for these flows. The surface water strategy / flood risk assessment submitted with the planning application relevant to Anglian Water is acceptable.
- 6.7 **Construction Futures** – request a payment to provide training provision for 73 training weeks.
- 6.8 **Town Centre Conservation Area Advisory Committee** - noted that the application had attempted to link the external design to complement the near of the Derngate Theatre, as well as keeping the height to 3 stories on the eastern side backing onto the Albion Place. Concerned that the design is bland and very uninspiring. The Committee request that improvements are sought to the external design, scale and appearance to reflect and complement the surrounding historic area and if minded to grant permission, ensure that the historic features such as the stone steps to the south of the site be protected and retained.
- 6.9 **County Archaeology** – raise no objections to the principle of the development subject to planning condition.
- 6.10 **Highway Authority (NCC)** – advise that it has had extensive pre-application discussions with the applicant. It does not object to mitigation measures to be secured by S106 obligations or by conditions:
- The highway improvements shown on the submitted drawing no. A.03 (including the removal of the existing steps, ramp and planter adjacent to the multi-storey car park subject to full details being provided).
 - Servicing of the hotel shall be limited to vehicles no greater in length than

- 12m accessing the premises from St Johns Terrace
 - Pedestrianisation of the northern section of Swan Street
 - £125,000 payment for off-site highway and public realm improvements in the vicinity of the development.
- 6.11 **NCC Planning Management** - request financial contributions towards fire hydrants and other similar provisions.
- 6.12 **NCC Natural Development Team** - in the interests of biodiversity & green infrastructure promotes the use of green roof being incorporated on the proposed hotel and high quality landscaping being provided.
- 6.13 **NBC Environmental Health** – no objections to the principle of the development. Recommend conditions to deal with noise, contamination, plant/odour control and restrictions on the outdoor seating area.
- 6.14 **NBC Community Safety Partnership Manager** – comments that the new building may cover the radio aerial for the Retail Radio Link and Pubwatch Radio Link for the town and consideration may have to be given to an aerial to be placed on the roof of the hotel.
- 6.15 **NBC Heritage** – No objections (verbal).

7. REPRESENTATIONS

- 7.1 Press notice and 12 site notices displayed and over 500 surrounding occupiers / businesses notified individually by letter.
- 7.2 7 letters of objection have been received from **8 Albion Place, 2 Derngate** (Funeral Directors), **Flats 62, 93, 113 & 115 at Bloomsbury House, a general user** of the Albion Place car park. These objections can be summarised as follows:
- The loss of the car parking spaces will leave the cultural quarter with very little parking, potential visitors will need to walk considerable distances;
 - Parking area should be retained to assist in the future economic revival of the town;
 - Public safety will be worsened by increased traffic particularly from people exiting the Theatre;
 - Proposal will devalue existing flat on Bloomsbury House and affect views and outlook;
 - Proposal is not in keeping with the cultural quarter;
 - Proposal would result in the closing-off of Swan Street to cars / vans; couriers will not be able to deliver to Swan Street and the disabled will not be able to get their parcels as this is the entrance for disabled tenants;
 - Existing hotel facilities are considered adequate to serve the town;

- Proposal would result in loss of privacy, light and create noise to residents / commercial operators within Albion Place and Bloomsbury House.
- The hotel has a restaurant and what looks like outside seats and tables will cause noise, drinking and smoking until late hours of the night;
- Alterations to the steps would evoke Party Wall legislation.
- An existing passage way and access to the rear of 8 Albion Place could be affected by the proposal, will not accept interruption of the access to car park.

7.3 A letter of concern has been received from **10 Albion Place** - wish to see details of landscaping, lighting and also alterations to the siting of existing CCTV coverage on the St Johns multi-storey car park.

7.4 A letter of support has also been received from **29 Albion Court**. The proposed building would make better use of the present car park. The older buildings near the multi-storey car park are a real mess and should have been demolished long ago.

7.5 **CPRE Northants** – whilst in line with the CAAP, the proposed hotel will provide much needed accommodation for the Cultural Quarter area. The loss of parking spaces will leave the Cultural Quarter with very little parking.

8. APPRAISAL

8.1 The key issues in connection with this application relate to the principle of the proposed use, heritage asset related impacts, impact on the visual amenities of the locality, on the amenities of nearby residential and commercial occupiers, particularly through loss of light and transportation related matters.

Principle of Use

8.2 The National Planning Policy Framework (NPPF) states that planning policies should be positive, promote competitive town centre environments and set out policies for the management and growth of centres over the plan period. Local Planning Authorities are encouraged to recognise town centres as the heart of their communities and pursue policies to support their viability and vitality; define a network and hierarchy of centres that is resilient to anticipated future economic changes and promote competitive town centres uses that provide customer choice and which also reflect the individuality of town centres.

8.3 One of the objectives of the CAAP is to not only bring people into the town centre in the evenings and at weekends but also draw a more diverse mixture of people into the centre and in particular encourage them to remain for a longer period to consolidate and contribute to the success of the area. As part of the wider regeneration agenda, there is potential to accommodate additional demand for a variety in the type and size of hotels within the Central Area. Hotels are viewed as a main town centre use by national and local planning policy; past research has indicated that there is anticipated demand

for such uses in Northampton. Policy 20 of the CAAP, which specifically considered the redevelopment of the St Johns area, identifies the site as being suitable for hotel development and the wider adjoining area is considered suitable for a mixture of offices/cafes. There are no objections to the principle of the use on policy grounds at this location.

Impact on Character, Design and Appearance

- 8.4 The NPPF seeks to ensure that developers provide attractive, usable, durable and adaptable places to live based on achieving and promoting sustainable goals. Policy 1 of the CAAP promotes high quality inclusive design in the layout of new development in terms of the quality of an area based on a sustainability approach. Proposals are specifically required to have regard to the existing urban grain, scale, massing, and materials of its surroundings and seek to make efficient use of land.
- 8.5 The appearance, design, height, and massing of the proposed development have been subject to complex negotiations with Officers. The design of the proposed development is intended to be primarily five storeys. The height of the proposal seeks to respect the general heights of older established buildings in the locality. The proposed building is to be orientated facing out over the main retained Albion Place car park to the north the creating a strong building line and visual presence. The proposal has also been designed so that it takes the opportunity to maximise active street frontages. The main entrance faces on to the public realm. An existing change in levels along St Johns Terrace has enabled the hotel to create a lower ground floor and service yard /drop-off area with a further defined key pedestrian entrance to the south along St John's Terrace.
- 8.6 A significant amount of vertical articulation has been provided creating step-backs in and out of the facades to reflect the urban grain of the locality. Key materials would include brickwork, white render and zinc cladding. Every elevation would have a high level of architectural detailing. The façade area has been broken down to reduce visual mass and avoid being repetitive. The distinctive features of the Royal & Derngate has been utilised by the developer to inform the evolution of the design. For instance copper cladding has been utilised on prominent corners to help distinguish the new building and establish an identifiable sense of place. A glazed staircase on the western elevation is a key design feature. The elevational treatment and the appearance of the proposed hotel has been modelled to produce a scheme in keeping with its prominent location and its heritage surroundings and which would be sympathetic to the topography of the site. The proposal would visually improve the immediate surroundings which are currently visually fragmented. Details of all external and surfacing materials and all boundary treatment would be strictly controlled by planning conditions to protect the character and quality of the area.
- 8.7 Additionally extensive hard and soft landscaping would be provided, subject to further details and include the semi-public realm outside the main façade along Swan Street and towards the rear at the drop off/pick up / service delivery area.

- 8.8 The hotel has been designed to cater for the needs of people with disabilities with level access from the public realm. The proposed layout helps to maximise the use of the development site. The submitted scheme reflects the local site context and avoids the use of standard design, layout and appearance. There is a considerable variety in terms of articulation in the design of the proposed development. Careful consideration has been given to addressing the scale, massing, rhythm and vertical proportions, which respond positively to the topography of the site and the surrounding area. For these reasons it is considered that the scheme achieves the design requirements of the National Planning Policy Framework and the adopted CAAP.
- 8.9 The NPPF states planning authorities should plan positively for the provision and use of shared space and community facilities and planning decisions in turn, should aim to achieve places which promote opportunities for safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion. The proposed hotel has been purposefully designed to provide natural surveillance around the perimeter of the site.
- 8.10 The Police Crime Prevention Adviser has been proactively involved in the pre-application discussions and negotiations for this planning application and the advice given has been accepted by the applicant to improve security measures and design changes have been made to reflect the guidance in Secured by Design.

Impact on Residential Amenity

- 8.11 In terms of the effect on the amenities of surrounding residential occupiers, the eastern elevation of Bloomsbury House faces towards the development site. Objections have been received by occupiers of Bloomsbury House concerned with the potential effect of the proposed development in terms of loss of light and impact on privacy. It should be noted that the site is within a town centre location where buildings are expected to be constructed in close proximity to each other at higher densities to maximise land use and respect the existing character and pattern of development. With regard to the concern of loss of outlook and light, the design of the hotel is intended to minimise its effect on nearby residents particularly those occupiers of Bloomsbury House and dwellings along Albion Place. The footprint of the proposed hotel has reconfigured so as to increase the separation distance between the nearest part of the hotel and Bloomsbury House and all potential habitable room windows were removed from the proposed elevation located closest to these neighbouring properties.
- 8.12 A daylight / sunlight assessment has been submitted as part of the application. This identifies that a small amount of sunlight would be lost to Bloomsbury House during the early part of the morning before the sun path continues in a westerly direction. However it also demonstrates that a significant amount of sunlight entering Bloomsbury House would remain unchanged from the current position. In line with good practice the

assessment demonstrates that the impact of sunlight / daylight levels to the surrounding properties is considered to be acceptable and that adequate amounts of sunlight would remain to the existing residential occupiers of the surrounding buildings for the majority of the day. Furthermore the habitable rooms of Bloomsbury House along this elevation are served with generous sized windows allowing more light to enter the rooms. The ground floor of Bloomsbury House currently facing onto the development site forms a basement parking area, therefore loss of light to this space is not considered to be an overriding concern.

- 8.13 The proposed hotel has also been designed to have a minimal amount of façade along the closest part of Bloomsbury House on Swan Street to minimise its impact on the residents of Bloomsbury House. The nearest part of the proposed hotel to the habitable rooms of Bloomsbury House on Swan Street would now achieve a separation distance 9 metres, which is an improvement from the earlier schemes which showed varying separation distances of between 6 and 8 metres.
- 8.14 On the issue of privacy, there would be no habitable room windows serving the proposed hotel along its closest part with Bloomsbury House facing towards Swan Street. The nearest facing bedroom windows of the proposed hotel which would be located 33m away from Bloomsbury House. Therefore there would not be any significant issue relating to loss of privacy. Overall, it is concluded that adequate separation distances would be achieved to prevent the significant loss of privacy
- 8.15 The nearest house in the southern row of Albion Place is no 10, which would be over 26m away from the proposed hotel. This separation distance is considered acceptable. The nearest house in the northern row is no. 7. Although it is positioned considerably closer, due to the oblique relationship between this building and the proposed hotel, it is not considered that there would be any overriding impact on residential amenity.

Impact on Heritage Assets

- 8.16 The NPPF requires applicants to describe the significance of any heritage assets affected including any contribution made by their setting. The level of detail should be proportionate to the assets importance taking account of all available evidence and necessary expertise. This information should be used to minimise the conflict between the heritage assets conservation and any aspect of the proposal. The boundary of the Derngate Conservation Area runs along the northern, eastern and western perimeters of the development site. No. 27 Guildhall Road (Bloomsbury House) is listed Grade II. Nos. 3 – 24 (consec) Albion Place are also listed Grade II.
- 8.17 Within the Derngate Conservation Area, most of the buildings date from the 19th Century. Subsequent developments have complemented the surviving Georgian and Victorian elements. The proposed development would be significantly screened by existing large buildings which surround the site and the local topography.

- 8.18 English Heritage initially raised a concern that insufficient information had been provided to allow the proper assessment of the effect of the scheme mainly on the effect of the listed buildings. The Design and Access Statement does contain a heritage assessment which seeks to identify the potential impact upon the significance of heritage assets in the vicinity of the development site. In response to the observations from English Heritage, the applicants submitted additional information for consideration. No further concern has been received in connection with the revised documentation that has been submitted. The concerns of the Town Centre Conservation Advisory Committee are noted, however the proposal is considered to be of high quality which respects its historic surroundings. The eastern elevation faces towards the listed Georgian properties along Albion Place. The scale of this eastern elevation has been reduced to a more traditional and domestic level. Furthermore the classical proportions of listed terraced buildings on Albion Place are reflected with traditional and hierarchical window opening sizes to each floor of the proposed. Albion Place would remain a peaceful row of listed Georgian terraced properties with long gardens at the frontage and parking at the rear. Policy 137 of the NPPF advises planning authorities should look for opportunities for new development within the setting of heritage assets to enhance or better reveal their significance. Proposals that make a positive contribution of the asset should be treated favourably.
- 8.19 In essence the proposed development would be largely screened from the town centre by the existing scale of the surrounding development notably Bloomsbury House and the theatres complex and is therefore not visible from the majority of the Conservation Area. The development site is a vacant piece of land serving as a car park. The existing site currently makes little contribution to its heritage significance. The proposal would benefit the area in terms of knitting together the townscape and reinstating coherence and definition to the street and enhancing the immediate locality. Although Town Centre Conservation Area Advisory Committee has expressed concerns officers are of the view that this proposal would enhance the setting of the adjacent Conservation Area.
- 8.20 The applicant has demonstrated that the proposal has been designed to enhance the setting of the Derngate Conservation Area and setting of the surrounding statutory listed buildings and would comply with the aims and objectives of the NPPF.

Transportation

- 8.21 The NPPF seeks to achieve a balance of land uses and encourage multiple benefits from the use of land and also actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling and in essence states the aim of planning policies should be to encourage people to minimise journey lengths for employment, shopping, leisure, education and other activities. Furthermore government policies recognise that different policies and measures will be required in different communities. There is a need for planning authorities to be sensitive to existing circumstances and support appropriate development and economic growth.

- 8.22 Objections have been raised to the loss of car parking that would arise from the proposed development. The proposed development of part of the site for hotel purposes formed part of the public consultation on the Central Area Action Plan. Policy 10 of the CAAP states that within the Central Area, unless it can be shown that there are exceptional reasons that justify additional private off-street car parking within the town centre boundary, no additional parking for non-residential development will be permitted. No on-site parking spaces are propose to serve the new hotel. There would be a reduction of 49 spaces on the existing car park itself as a result of the development.
- 8.23 The draft Northampton Car Parking Strategy (2012) prepared by the Highway Authority established that whilst there are pressure points within the town centre, generally there is an oversupply of public car parking. Given the existing parking excess identified in this Strategy by the Highway Authority, there is little justification in seeking any on-site car parking provision. It is recognised that the availability of car parking does have a major influence on the means of transport people choose for their journeys.
- 8.24 A Transportation Assessment has been submitted with the application. It concludes that the site is located within an area of good public transport accessibility, the development would have a negligible impact on the local highway network, and existing public parking facilities would be able to satisfactorily accommodate the proposed hotel development.
- 8.25 A Green Travel Plan has also been submitted, it seeks to ensure that alternative measures to the private car are available for employees and to potential hotel guests. In order to reduce the number of single occupancy car journeys, the key measures include: the appointment of a travel coordinator; provision of an information pack giving details of public transport; limiting service deliveries including refuse collection to a minimum; promote car sharing, cycle / motor cycle usage and work with the travel officers at the County Council. The submitted Green Travel Plan is considered robust.
- 8.26 The Highway Authority has raised no objection to the loss of the existing parking spaces or to the lack of any new on site car parking provision. The adjacent multi-storey with 585 spaces has sufficient capacity to accommodate the car parking demand arising from the development proposal.
- 8.27 The Highway Authority has raised no objections to this application subject to those matters set out in paragraph 6.10 of this report.
- 8.28 The highway improvements can be adequately addressed and controlled via condition and these matters are proposed by the applicant. The payment for off-site highways and public realm works and control of delivery vehicle are matters that would normally be controlled and secured via a S106 legal agreement, however the land is owned by the Borough Council and the Council cannot enter into a legal agreement with itself. Therefore these matters are recommended to be addressed by the Council as land owner through the land transaction with the prospective developer / operator. This approach was successfully adopted with the planning application / development of the student accommodation to the south west of this

development and can be secured through the use a 'Grampian-style' condition – see recommended condition 27.

- 8.29 The final matter relates to the pedestrianisation of the northern section of Swan Street. This does not form part of the applicant's proposals and nor is there any evidence to indicate that it is required for the development proposed. The Community Infrastructure Levy Regulations specify three key legal tests in ascertaining whether a particular obligation would be required, it must be 'necessary to make the development acceptable in planning terms', 'directly related to the development' and 'fairly and reasonably related in scale and kind to the development'. There is no information to indicate or demonstrate that the pedestrianisation of the northern part of Swan Street meets any of these tests. Therefore, it is recommended that it is not pursued as part of this planning application.
- 8.30 The site is a town centre location and is considered highly sustainable and adequately served by public transport. Overall the proposal is considered to be in compliance with the aims and objectives local and national planning guidance.

Flood Risk Assessment

- 8.31 The NPPF and the associated technical guidance require that all risks of flooding to and from the site are identified and their implications assessed. They encourage development to be located in areas of low flood risk and stress the importance of preventing increases in flooding risk off site to the wider catchment area. Policy 5 of the CAAP advises that developments will be expected to implement measures that will ensure that there is no increase in the flow of surface water/foul sewage to the existing network.
- 8.32 A Flood Risk and Drainage Statement has been submitted with the application. The site falls within Flood Zone 1 with a low probability of flooding and there is no significant identifiable flood risk with this proposal. The Environment Agency has considered the latest revised information submitted by the applicant relating to surface water drainage and confirmed that it is not in a position to approve the details agreed with Anglian Water. Notwithstanding this the applicant has submitted a revised plan which indicates that the surface water from the site is to be drained to a new holding tank which would be constructed below the service area on St John Terrace. The latest information provided by the applicant technical consultants demonstrates that there is no alternative for discharge possible within the area. Anglian Water has confirmed previously that the surface water strategy / flood risk statement is acceptable and if applicable the developers can connect to the existing surface water / foul water systems, both have existing capacity. The CAAP recognises this is an acceptable solution if there are no other practicable options for discharge of surface water run-off. The surface water strategies are satisfactory and comply with the approach advocated by the CAAP, and this matter has been reviewed and confirmed by NBC Policy Team and the applicant's technical advisors.

Archaeology

- 8.33 A desk based Archaeological Assessment has been submitted followed by targeted trial trenching. This identified that the proposed development area had the potential to contain archaeological remains. Selected trial trenching archaeological works by Northamptonshire Archaeology at the site were carried out in late July 2013, under the supervision of the County Archaeologist. The investigation found the area has been subject to extensive terracing and ground disturbance activities, therefore the archaeological deposits would be dependent on past building construction. The County Archaeologist raised no objections subject to a condition to secure the implementation of archaeological investigation on site.

Contamination, Noise and Odour

- 8.34 Environmental Health Officers advises that there are no prevailing factors to prevent the development of the site. Conditions to protect residential amenities relating to noise, odour and contamination are recommended.

Impact on the Economy

- 8.35 The site is within the designated Enterprise Zone in Northampton's Waterside and identified as a strategic development area. Up to 58 new jobs are expected to be created. The influx of additional visitors into the town centre would have a positive benefit on the local economy and would reinforce the cultural offer of the town.

Other Issues

- 8.36 With regard to the advice from the County Council request for a green roof, the potential hotel operator has given consideration to this and it advises that the addition of a green roof would impact on viability and would be impractical from a maintenance point of view. There is no policy basis to insist upon a green roof.
- 8.37 Construction Futures have asked for training support for apprenticeships and this matter is to be dealt with through the land agreement between the developer and NBC Asset Management. Financial contributions have been requested by the County Council towards infrastructure provision (see paragraph 6.11). There is no adopted development plan policy support for this and it is not clear what facilities would be secured / needs would be addressed by this requirement. For these reasons it is not considered that this request cannot be supported. The comments made by the Community Safety Partnership Manager have been forwarded to the applicant.

9. CONCLUSION

- 9.1 In summary, the principle of the development is considered acceptable in policy terms. The proposal would bring significant benefits to the community and lead to local employment opportunities. The scheme accords with the policies in the adopted CAAP, the submitted West Northamptonshire Joint Core Strategy and the NPPF. The proposed development is considered

acceptable and should be permitted subject to conditions.

10. CONDITIONS

1. The development hereby permitted shall begin no later than 3 years from the date of this permission, the developer shall notify the Borough Councils Planning Authority in writing within three weeks of the following dates;
 - a) The date of commencement of the development hereby permitted; and
 - b) The date when the development hereby permitted is bought into use.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of Planning and Compulsory Purchase Act 2004 and enable to compliance with other conditions of this planning permission.

2. The development shall be carried out in accordance with the following approved plans; A.01; A.02; A.03; A.04; A.05; A.06; A.07; A.08; A.09; A.10; A.11; A.12 and NTW/2175/W001 Rev P1.

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

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification), the premises shall be used as a hotel with ancillary restaurant / bar and for no other purpose including any other purpose in Class C1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument amending, revoking and/or re-enacting that Order with or without modification.

Reason: In order to allow the Local Planning Authority to assess the implication of other uses within this Class, in the interests of amenity and highway safety and to accord with objectives of the National Planning Policy Framework.

4. Prior to the commencement of the development hereby permitted, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved CEMP. The CEMP shall include, though not necessarily be restricted to the following details:
 - a) A site Waste Management Plan;
 - b) A Traffic Management Plan incorporating the routing construction traffic and details of heavy vehicle movement patterns (including earliest and latest times and suspension of trips during local peak traffic times along Victoria Promenade / St Johns Street / Swan Street / Guildhall Road / Albion Place;
 - c) Measures to minimise and control noise, vibration, dust and fumes during site preparation works and construction, including vehicle reversing

- alarms;
 - d) Details of siting of all vehicles of site operatives and visitors;
 - e) The unloading and loading arrangements for heavy plant and machinery;
 - f) Details of the design, appearance, erection and maintenance of security hoardings to include informative displays;
 - g) The location, extent and duration of any temporary stockpiling areas;
 - h) Measures to prevent mud being deposited on the surrounding highway;
 - i) A programme of implementation for items (a) – (h).
5. 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.

Reasons 4 & 5: To protect the amenity of neighbours and in accordance with objectives of the National Planning Policy Framework.

6. Within four months of the date of commencement of the development hereby permitted, a landscape and aftercare scheme detailing both hard and soft landscaping works and 5 year aftercare shall be submitted in writing for the written approval of the Borough Council's Planning Authority.
- The scheme shall include the following;
- a) Landscaping of the boundaries to the site, including a detailed design of the layout of the semi – public square, serving / taxi pick-up / drop-off area, steps, pedestrian circulation area and external seating area.
 - b) Fully annotated planting plans, showing locations of individually planted semi mature trees, shrubs, hedges and areas of grass. Within ornamental planting area plans should be sufficiently detailed to show the locations of different single groups in relation to one another, and the location of any individual to one another, and the location of any individual specimen shrubs. Other information shall include planting schedules noting species, plant sizes and proposed numbers/densities, method of cultivation and details of the proposed planting implementation programme;
 - c) Surfacing materials for the semi–public space, paths and servicing area;
 - d) The types, heights and design of all fencing / boundary treatment
 - e) Details of the siting and design of all street and courtyard furniture including litter bins and cycle stands;
 - f) A scheme for biodiversity enhancement of the Site which shall include the creation of habitats for bats and details of the number, design location of bird nesting boxes / bat boxes / bricks / tubes and
 - g) The 5 year aftercare for landscape management and maintenance, which among other things shall provide for replacement trees and shrubs of the same species and size as that originally planted to be planted for any tree / scrub which, within 5 years from its date of planting, is removed, uprooted or is destroyed or dies or becomes in the opinion of the Borough Council's Planning Authority, seriously damaged or defective.
7. The details approved in connection with Condition 6 (a), (c), (d), (e) and (f) above shall be fully implemented prior to the first use of the development hereby permitted.

8. The landscaping and aftercare scheme approved in connection with Condition 6(b) above 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 as required by condition 6(g).

Reasons 6, 7 & 8: To ensure a high quality of external environment and biodiversity in accordance with Policy 1 of the Central Area Action Plan and in accordance with the objectives of the National Planning Policy Framework.

9. Within four months of the commencement of the development hereby approved, samples of all materials to be used in the construction of the external surfacing (including window frames, doors and glazing of the ground floor entrance, office/restaurant area) hereby permitted shall be submitted to and approved in writing by the Borough Councils Planning Authority. Sample panels of the proposed materials (walling) (render) (brickwork) at least one metre square (showing where appropriate the proposed coursing, method of pointing and colour of mortar/render) shall be erected on the site for consideration and subsequently approval in writing by the Borough Council's Planning Authority. The panels shall be retained on site until the completion of the works. The development shall be implemented in accordance with the approved details.
10. Within five months of the commencement of the development hereby permitted details of the design, materials, appearance of the entrance canopies at the front and rear of the proposed building shall be submitted to and approved in writing Borough Council's Planning Authority. The development shall be implemented in accordance with the approved details and thereafter maintained/ retained.
11. The use hereby approved shall not commence until a detailed external lighting scheme has been submitted to and approved in writing by the Borough Council's Planning Authority. The detailed lighting scheme shall include site annotated plans showing lighting positions for the external spaces, facades, building elevations and structures they illuminate and details of the lighting fittings including colour, watts and period of illumination. All lighting works shall be implemented in accordance with the approved details and thereafter maintained / retained.
12. Within six months of the development hereby permitted commencing, full details of all the external signage, involving the design, size, siting and appearance shall be submitted to and approved in writing by the Borough Councils Planning Authority. The approved detailed signs shall thereafter be erected before the development hereby permitted is brought into use and thereafter no signage shall be displayed other than those authorised by this permission.

Reason 9, 10, 11 & 12: To ensure a high quality of external environment in accordance with Policy 1 of the Central Area Action Plan and in accordance with objectives of the National Planning Policy Framework.

13. No development shall take place until a desktop study, including a site walkover, in respect of possible contaminants within the site is completed and the need for a site investigation is determined. The scope and methodology of the desk top study and the site investigation report shall be submitted to and approved in writing by the Borough Council's Planning Authority.
14. Any site investigation found to be required under Condition 13 shall be carried out prior to any development taking place and the results shall be used to produce a method statement for any remedial works (and a phasing programme), which shall be submitted to and approved in writing by the Borough Council's Planning Authority.
15. All remedial works found to be required under Contaminated Land Condition 13 above shall be fully implemented, prior to any development taking place and 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.
16. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Condition 13 and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Contaminated Land Condition 14, which is subject to the approval in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing by the Local Planning Authority in accordance with the Contaminated Land Conditions.

Reasons; 13, 14, 15 & 16: To ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety in accordance with objectives of the National Planning Policy Framework.

17. The operational hours for the external seating area shall only be as follows:
07:30 to 23:00 on Mondays to Saturdays and 08:00 to 22:30 on Sundays and Public / Bank Holidays.

Reason: To safeguard the amenities of occupiers of dwellings in the vicinity and in accordance with the objectives of the National Planning Policy Framework.

18. Within five months of the development hereby permitted commencing a scheme for the collection, treatment and dispersal of cooking smells and fumes shall be submitted to and approved in writing by the Local Planning Authority and the approved scheme shall have been implemented prior to the premises being used for the permitted purpose and retained thereafter.

19. Within five months of the development hereby permitted commencing a scheme shall be submitted to and approved in writing by the Local Planning Authority 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.

Reasons 18 & 19: To protect the amenities of nearby occupants from noise, vibration and odour amenity and in accordance with the objectives of the National Planning Policy Framework.

20. The recommendations set out in the submitted Travel Plan (June 2013) shall be implemented in accordance with a timetable to be submitted to and agreed in writing by the Local Planning Authority. The approved details shall thereafter be implemented in full and shall thereafter be maintained / retained.

21. Prior to the occupation of the proposed hotel hereby approved the highway measures indicated on drawing no. A.02 relating to the servicing area and taxi drop off area along St Johns Terrace shall be completed in accordance with the submitted details.

Reasons: 20 & 21: To promote travel other than by private car, in the interests of highway safety, health and sustainability and to accord with Policy 10 of the Central Area Action Plan and in accordance with objectives of the National Planning Policy Framework.

22. Within five months of the development hereby permitted commencing, a scheme shall be submitted to and approved in writing by the Local Planning Authority which specifies details of the extract ventilation and odour control equipment, including any details of any noise levels from fixed machinery. The development shall be implemented in accordance with the approved details and thereafter maintained / retained.

Reason: In order to secure the satisfactory development of the application site and safeguard the amenities of occupiers of dwellings in the vicinity and in accordance with the objectives of the National Planning Policy Framework.

23. No development shall take place within the area indicated until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that features of archaeological interest are properly examined and recorded, in accordance with the objectives of the National Planning Policy Framework.

24. Within five months of the development hereby permitted commencing, full details of facilities for the secure parking of bicycles shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the development hereby permitted being first brought into use and retained thereafter.

Reason: To ensure the provision of adequate facilities in accordance with the objectives of the National Planning Policy Framework.

25. No sound reproduction or amplification equipment (mechanical or electrical) shall be installed on or used in any part of the building for external use.

Reason: To safeguard the amenities of occupiers of dwellings in the vicinity and in accordance with the objectives of the National Planning Policy Framework.

26. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order amending, revoking and/or re-enacting that order with or without modification), no fences, hedges, gates, walls or any other means of enclosure shall be erected without the prior written consent of the Local Planning Authority, other than those expressly authorized by this permission.

Reason: In order to define the permission and ensure the satisfactory development of the application site in accordance with saved policy E20 of the Northampton Local Plan and in accordance with objectives of the NPPF.

27. No development shall take place until a scheme and / or mechanism to secure off-site highway / public realm improvements along with the details of the timetable for their implementation and to control the length of vehicles that may service the hotel has been approved in writing by the Council as local planning authority. The development shall only proceed in accordance with the approved details.

28. No development shall take place until a detailed scheme of highway works consistent with approved drawing no A.03 (including the removal of the existing steps, ramp and planter adjacent to the St Johns multi-storey car park) has been submitted to and approved in writing by the Council as local planning authority. The approved scheme shall be fully implemented prior to the first use of the development hereby permitted.

Reasons: 27 & 28: In the interests of highway safety and visual amenity to accord with Policy 10 of the Central Area Action Plan and in accordance with objectives of the National Planning Policy Framework.

29. No development shall take place until a detailed Sustainable Drainage System scheme with appropriate attenuation, storage and treatment has been submitted to and approved in writing by the Council as local planning authority. The approved scheme shall be fully implemented prior to the first use of the development hereby permitted.

Reason: In order ensure satisfactory drainage arrangements are put in place to support and mitigate the development in accordance with the National Planning Policy Framework.

Informative:

Development hereby permitted should not commence until all necessary highway consents, licenses, permits or highway agreements have been obtained in respect of such measures. The development should not be occupied until all such measures have been completed in accordance with the approved details.

11. BACKGROUND PAPERS

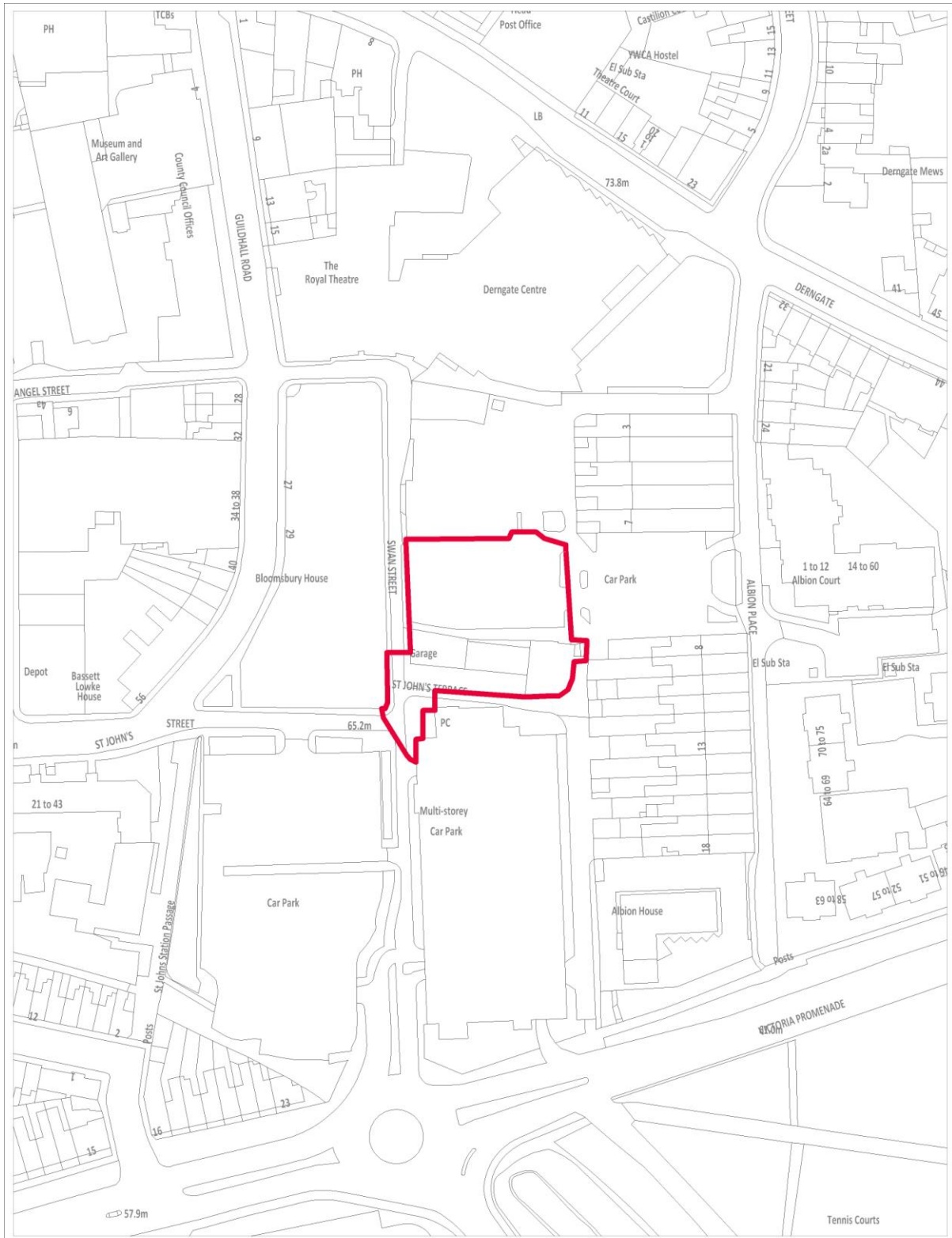
11.1 N/2013/0728.

12. LEGAL IMPLICATIONS

12.1 None.

13. SUMMARY AND LINKS TO CORPORATE PLAN

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



Name: **Planning**
 Date: **19th August 2013**
 Scale: **1:1250**
 Dept: **Planning**
 Project: **Committee**

Title

East of Swan Street/St Johns Terrace

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