

PLANNING COMMITTEE: 12th April 2016
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

APPLICATION REF: N/2016/0123

LOCATION: Northampton & County Club, 8B George Row

DESCRIPTION: Erection of electronic gate and pedestrian gate with surrounding fencing at the entrance to the club carpark via Angel Street - retrospective application

WARD: Castle Ward

APPLICANT: Northampton and County Club
AGENT: Northampton and County Club

REFERRED BY: Director of Regeneration, Enterprise and Planning
REASON: Council Members are members of Northampton and County Club

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 **APPROVAL** subject to the conditions as set out below and for the following reason:

The retention of the gates and fencing as proposed is considered to be of less than substantial harm, whilst providing wider public benefits in securing the site in order to reduce crime and anti-social behaviour issues, and would assist in ensuring the continued viable use of the listed building. The retention of the gates and fencing would not lead to any unacceptable adverse impact on the setting of the Grade II* listed premises which form part of the application site, or the adjacent listed buildings to the north and north east. Nor would they adversely impact on the character and appearance of the conservation area. The proposal is, therefore, in accordance with the requirements of Policies S10 and BN5 of the West Northamptonshire Joint Core Strategy, Policy 1 of the Northampton Central Area Action Plan and the aims and objectives of the National Planning Policy Framework.

2. THE PROPOSAL

2.1 The applicant seeks planning permission to retain an electronic access gate (approximately 2.1m in height) and fencing to the rear of the club. Works to implement the development commenced earlier this year, without the benefit of planning permission; however, this application seeks to regularise the situation.

- 2.2 The submitted Heritage Impact Assessment advises that there have been issues of illegal parking, anti-social behaviour and illegal activities in the car park which is prevalent at the weekends. The security gates are intended to resolve the parking issues and limit the ability of the public to access the site without permission.

3. SITE DESCRIPTION

- 3.1 The application site comprises of a private members' club, three offices on George Row and separately accessed first, second and third floor offices and studios situated within All Saints Conservation Area within the Town Centre. The upper rooms extend across Nos. 8, 8A, 9 & 9A George Row, all of which are Grade II* listed buildings. The main pedestrian entrance to the club is from George Row. All Saints' Church, a Grade I listed building is located directly opposite the front entrance and County Hall, a Grade II* building, is located to the north east. The premise has a car park to the rear accessed from Angel Street. The gates and fencing proposed for retention are situated at the rear entrance to the car park.

4. PLANNING HISTORY

- 4.1 There is no relevant planning history.

5. PLANNING POLICY

5.1 Statutory Duty

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted West Northamptonshire Joint Core Strategy (2014) and Northampton Central Area Action Plan (2013)

Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 require Local Planning Authorities when considering development to pay special attention to preserving a listed building or its setting and to the desirability of preserving or enhancing the character or appearance of a conservation area.

5.2 National Policies

The National Planning Policy Framework (NPPF) sets out the current aims and objectives for the planning system and how these should be applied. In delivering sustainable development, decisions should have regard to the mutually dependent social, economic and environmental roles of the planning system. The NPPF should be read as one complete document. However, the following sections are of particular relevance to this application:

Paragraph 58 advises on the need to create safe and accessible environments.

Paragraph 131 – account should be taken of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.

Paragraphs 132 in considering the impact of proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be.

Paragraph 134 advises that where a development proposal will lead to less than substantial harm to the significance of a heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

5.3 **West Northamptonshire Joint Core Strategy (2014)**

The West Northamptonshire Joint Core Strategy (JCS) provides an up to date evidence base and considers the current Government requirements for plan making as it has been prepared in full conformity with the NPPF. Policies of particular relevance are:

Policy S10: Sustainable Development Principles - seeks to achieve the highest standards of design incorporating safety and security considerations and to protect, conserve and enhance heritage assets and their settings.

Policy BN5: The Historic Environment and Landscape – heritage assets and their settings and landscapes will be conserved and enhanced in recognition of their individual and cumulative significance.

5.4 **Northampton Central Area Action Plan 2013**

The Central Area Action Plan (CAAP) provides specific planning policy and guidance for the town centre and adjoining areas where significant regeneration and investment is proposed in the period up to 2026 and is in conformity with the objectives of the NPPF. Relevant policies include:

Policy 1: Promoting Design Excellence – development in the Central Area must demonstrate a high design standard and preserve and enhance the character, appearance and setting of the central area's heritage assets and pay suitable regard to the adopted Conservation Area Appraisals and Management Plans.

Policy 21: Angel Street – development to be consistent with the Development Principles set out in Policy 21 and expected to play major role in the provision of new offices.

5.5 **Supplementary Planning Documents**

All Saints Conservation Area Appraisal & Management Plan (2007)

6. **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **NBC Conservation** – no objection. The bow-top fencing and electronic sliding gates are painted and are of an acceptable design. They are not unduly prominent in the street scene and do not harm the character or appearance of the conservation area. They are a considerable distance from the rear of the Grade II* listed premises, such that its setting and the setting of the adjacent listed buildings are not harmed.
- 6.2 **Historic England** – note the problems with anti-social behaviour and appreciate the desire to address these issues. It therefore seems that there is a genuine need to make the car park secure, and there is some public benefit in doing so. Railings of a more traditional design would be more appropriate for this sensitive heritage location and would have a more positive effect on the character and appearance of the conservation area. Recommend that the applicant is encouraged to consider proposal as an interim solution and that a longer term solution of a design and aesthetic quality, more sympathetic to the historic environment and its respective heritage assets. Recommend the application is determined in accordance with national and local policy guidance and on basis of Council's specialist advice.
- 6.3 **Town Centre Conservation Advisory Committee** – the gates are very plain and boring for an important pedestrian street. Should not be treating this as a back alley and the argument in the Heritage Statement is weak.

- 6.4 Observation from **resident of Portland Place** – the fact that a Councillor sits on the committee of this club could not have anything to do with the club not being penalised for carrying out this work without permission.
- 6.5 Letter from **Chelton Brown Lettings & Sales, 45 George Row**:
- Chelton Brown has had corporate membership of the club for approximately 10 years.
 - Our principle reason for using membership is for the use of the car park which gives us use of up to ten spaces.
 - Over recent years cars have been broken into and vandalised.
 - Issues of anti-social behaviour.
 - Fully support the gates which will improve the security of our cars, property and staff.
 - Opposing the visual appearance whilst building works within meters of the access is ridiculous.

7. APPRAISAL

- 7.1 The main issues for consideration are as to whether the development adversely impacts on the setting of the host and adjacent listed buildings and the character and appearance of the conservation area.
- 7.2 The NPPF advises on the desirability of sustaining and enhancing heritage assets whilst putting them to viable uses consistent with their conservation. The impacts arising from development proposals considered to lead to less than substantial harm to the significance of a heritage asset should be weighed against the public benefits of the proposal, including securing its optimum viable use.
- 7.3 Nos. 8, 8A, 9 & 9A are located within the application site and are Grade II* listed. To the north east of the application site car park is the Grade II* listed County Hall building. As defined by Historic England, Grade II* listed buildings are ‘particularly important buildings of more than special interest’.
- 7.4 The gates and fencing are located to the rear of the site and, whilst visible within the setting of the above listed buildings, are situated a considerable distance away from the Grade II* listed premises such that it is not considered that the setting of the listed buildings within or adjacent to the application site would be harmed.
- 7.5 The gated and fencing are not unduly prominent within the street scene, being set back from the road frontage, thereby reducing their visual prominence from the east and west along Angel Street. Whilst a more traditional appearance may have been more sympathetic to the setting of the listed buildings, both within and adjacent to the site, and to the character and appearance of the conservation area, the design of the bow top fencing and gates and dark green colour are considered acceptable. The structures do not appear as an incongruous feature in the street scene and are not considered to adversely impact on the character of the conservation area. The impact on the setting of the host and adjacent listed buildings is considered less than substantial.
- 7.6 The gates and fencing are required in order to provide a more secure environment for the premises and would assist in allowing the continued viable use of the listed building. Furthermore, the works are readily reversible without causing any harm to historic assets.

8. CONCLUSION

- 8.1 The retention of the gates and fencing as proposed is considered to be of less than substantial harm whilst providing wider public benefits in securing the site in order to reduce crime and anti-social behaviour associated with the site, and would assist in ensuring the continued viable use of the building. The retention of the gates and fencing would not lead to any unacceptable

adverse impact on the setting of the Grade II* listed premises, adjacent listed buildings or the character and appearance of the conservation area and the application is therefore recommended for approval.

9. CONDITIONS

9.1 None.

10. BACKGROUND PAPERS

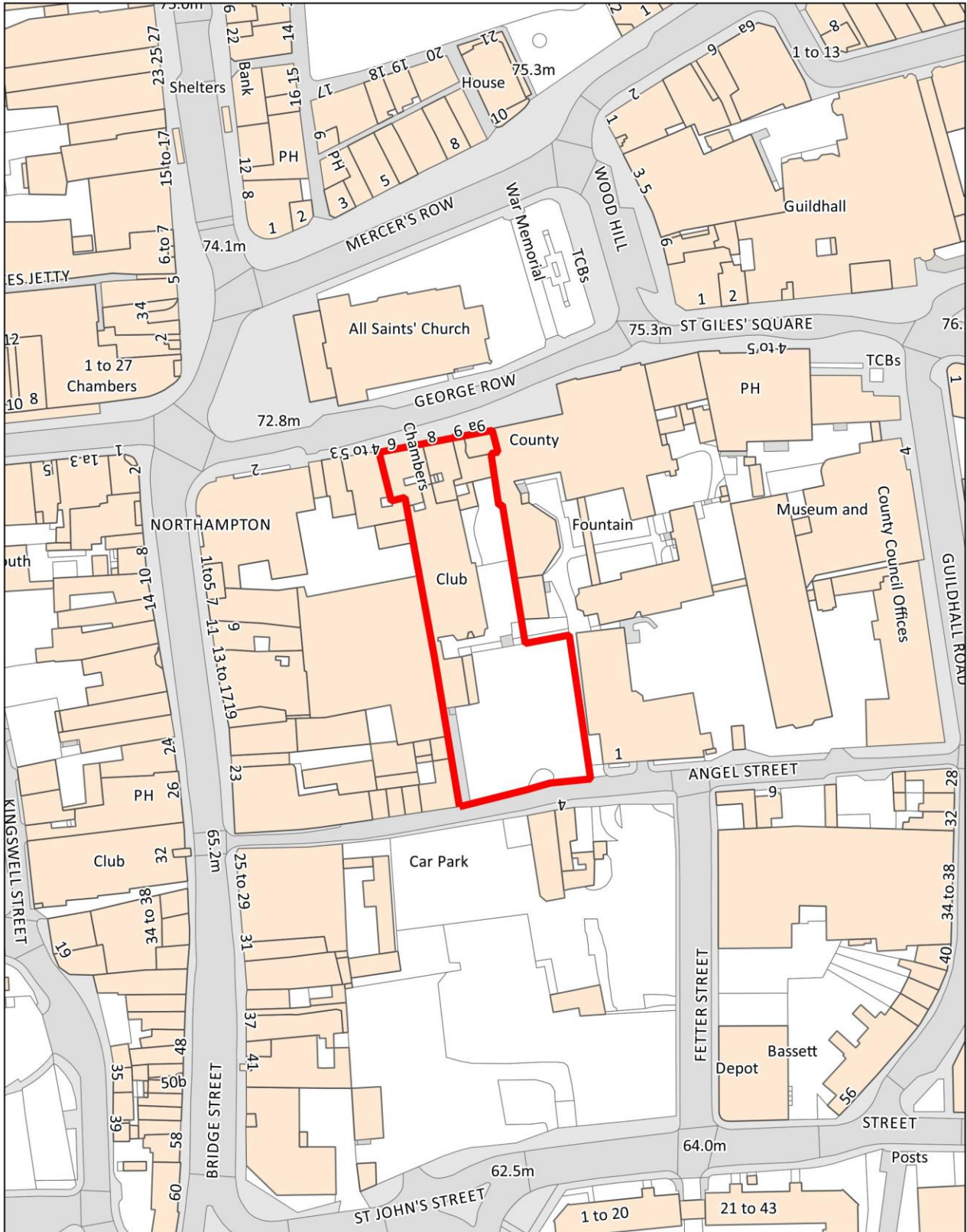
10.1 N/2016/0123.

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.



Title: **8B George Row**

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Date: 31-03-2016

Scale: 1:1,250

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