

**PLANNING COMMITTEE:** 13<sup>th</sup> February 2018  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**HEAD OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2017/1144

**LOCATION:** Belgrave House, Greyfriars

**DESCRIPTION:** Change of Use of Belgrave House from offices (Use Class B1a) to student accommodation (Sui Generis)

**WARD:** Castle Ward

**APPLICANT:** Northampton Shopping Centre Limited Partnership  
**AGENT:** Deloitte Real Estate

**REFERRED BY:** Head of Planning  
**REASON:** NBC owns part of the land

**DEPARTURE:** No

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#### **APPLICATION FOR DETERMINATION:**

#### **1. RECOMMENDATION**

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

The development represents an acceptable land use and, subject to conditions, would improve the character and appearance of the surrounding area, neighbour amenity and community safety. The development is therefore in conformity with the requirements of the National Planning Policy Framework, Policies H1, N2 and S10 of the West Northamptonshire Joint Core Strategy and Policies 1, 10, 15, 16 and 17 of the Northampton Central Area Action Plan.

#### **2. THE PROPOSAL**

2.1 The applicant seeks planning permission to change the use of the building from offices to dedicated student accommodation (for a maximum of 248 residents). The composition of the development would comprise 64 studio apartments (each occupied by a single individual) and 184 single bedrooms. These would be arranged in clusters of either four or six bedrooms, with each cluster featuring some communal facilities, including kitchens. The development would also include, on the lowest floor some communal facilities, such as a social room, gym facility and laundry. This application is solely for the change of use of the building only, with a separate application for external alterations also under consideration by the Council.

#### **3. SITE DESCRIPTION**

- 3.1 The application site consists of a disused office block within the town centre. The surrounding land uses are therefore commensurate with this location. In addition, the site is in close proximity to the North Gate bus station, the Mayorhold multi storey car park and the Greyfriars site. The surrounding roads include Greyfriars (to the north) and Sheep Street (which although not directly adjacent, is to the west). In addition, to the west of the site is pedestrian walkway that runs from Greyfriars to the Market Square. The site does not contain any dedicated off street car parking.

#### **4. PLANNING HISTORY**

- 4.1 None relevant

#### **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 the Northampton Central Area Action Plan (2013).

##### **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 17 – objectives for the planning system

Paragraph 29 – the role of transport policies in facilitating sustainable development

Paragraph 39 – local parking standards

Paragraph 47 – significantly boosting the supply of housing; objectively assessed housing needs; delivery of 5 years' worth of housing; identifying specific sites; housing trajectory

Paragraph 49 – presumption in favour of sustainable development for housing applications

Paragraph 50 – delivering a wide choice of high quality homes

Paragraph 51 – bringing back into residential use empty housing and buildings

Paragraph 56 – requiring good design

##### **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:

BN7 – Flood Risk

H1 – Housing Density and Mix and Type of Dwellings

N2 – Northampton Central Area

S10 – Sustainable Development Principles

##### **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:

- 1 – Promoting Design Excellence
- 10 – Parking
- 15 – Office and Business Uses
- 16 – Central Area Living
- 17 – Grosvenor Centre Redevelopment

## **6. CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **Conservation (NBC)** – No objections.
- 6.2 **Environment Agency** – No objections.
- 6.3 **Public Protection (NBC)** – Whilst a noise assessment has been carried out, further work is required to devise a mitigation strategy, which can be secured by a condition. A condition is also required in respect of refuse storage.
- 6.4 **Highway Authority (NCC)** – Request conditions regarding the submission of a management plan and a travel plan. A financial contribution is also requested in order to provide enhancements to bus infrastructure within the town centre.
- 6.5 **Lead Local Flood Authority (NCC)** – No objections.
- 6.6 **Northamptonshire Police Crime Prevention Design Advisor** – Raise objections regarding the lack of detail regarding how the development would be run. In particular, details such as staffing, access and accessing controls and codes of conduct.

## **7. APPRAISAL**

### **Principle of the development**

- 7.1 It is acknowledged that the provision of office accommodation is directed to the town centre within the NPPF. As a consequence, the proposed development would be contrary to this objective given that it would result in the loss of office accommodation. However, it is noted that the building has been wholly vacant for a period in excess of four years and that the property has been marketed during the time in various media sources. However, during this period, there has been no meaningful interest from commercial occupiers. In particular, the applications highlights some reasons why it has not been possible to let the property and, broadly, these can be summarised as being that the design and internal layout do not meet modern business needs.
- 7.2 Given the period of time that the building has been vacant and the apparent lack of interest from commercial occupiers, it is therefore considered appropriate to consider the merits of alternative uses for the site, particularly given its prominence and scale. Furthermore, Policy 15 of the CAAP permits changes of use away from business uses where it can be demonstrated that the overarching strategic objectives of the plan may be contributed to. One such objective is to increase opportunities for town centre living. Whilst the proposed development does not fall within Use Class C3 (residential dwellings), it is noted that the type of development is a form of accommodation, which would add to the variety of housing types on offer within the Borough. This is also in conformity with the NPPF.
- 7.3 Furthermore, it also noted that a further strategic objective of the CAAP is to promote more sustainability. Whilst it is appreciated that the proposed development would not be 'tied' to a particular institution, it likely that the bulk of residents would be studying at the new university

campus. As such, the provision of dedicated student accommodation within the town centre is likely to promote more sustainable means of travel due to the general proximity between the proposed development and the new campus.

- 7.4 In addition, it is also noted that Policy 16 of the CAAP discusses the need to increase residential opportunities within the town centre, including student accommodation, with the preamble to the policy discusses the possibility of creating up to 700 student accommodation spaces within the town centre over the five years following the adoption of the CAAP.
- 7.5 It is appreciated that the application site is located within the town centre and, as a consequence, the residents of the development would be exposed to a level of background noise that may be higher than in other locations. The application has undertaken a noise assessment of site and has identified matters, such as glazing elements, which would provide some degree of mitigation. These would be secured by condition. The submitted assessment also highlights the need for further assessment in respect of ventilation and thermal comfort options for the occupant, but this cannot be carried out at this stage. As a consequence, an additional condition is recommended in respect of this matter.
- 7.6 The submitted noise assessment also demonstrates that the operation of plant and equipment would not cause any undue detrimental impact to the occupiers of neighbouring properties. It is appreciated that, given the number of residents likely to occupy the proposed development, some noise may be generated associated with the general level of comings and goings. However, given the context of the development (i.e. within the town centre), and the likely levels of background noise, it is considered that any such noise and activity is unlikely to be significant and, as a consequence, is unlikely to lead to a significant adverse impact upon the amenities of adjacent properties or the surrounding area.
- 7.7 As discussed previously, the accommodation would be arranged in a variety of types ranging from single rooms, to larger studio apartments. This ensures that residents would have a satisfactory level of light, outlook and privacy. The development would utilise existing window apertures and, as such, would not unduly harm the amenities of surrounding properties.

## **Highways**

- 7.8 The development does not include any off street car parking, to which no objections have been received from the Highway Authority. This level of provision is considered appropriate given that the application site is within the town centre and as such residents would have ready access to a variety of services/facilities. Furthermore, the site is in close proximity to the bus and railway stations.
- 7.9 The applicant has submitted a framework management plan (which would be expanded through the submission of a more detailed plan, once an operator for the development has been identified). As this would be secured by condition, there can be some certainty that the process of students moving into and out of the development can be managed. Furthermore, a travel plan would be secured by a separate condition.
- 7.10 It is appreciated that the Highway Authority have requested a Section 106 Agreement contribution towards enhancing bus stop provision within the town centre (such as by providing additional covers and real time updates). However, such requests for legal obligations can only be supported in instances where they are necessary to make the development acceptable in planning terms, that they are directly related to the development, and fairly related in terms of scale.
- 7.11 Whilst it can be reasonably anticipated that the proposed development may result in an increase in people utilising public transport, it is questionable that the proposed development would

require a general improvement to bus stops across the town centre, and as a result, it is considered that such a request would not comply with the aforementioned legal tests. Given the position of the application site it is likely that most residents would place the greatest amount of use on those bus stops within the North Gate bus station or the Drapery. The bus stops within these locations are already covered and benefit from real time updates. This further reduces the justification for such a legal obligation

- 7.12 The applicant is also proposing that residents be supplied with travel information upon taking up residence within the development and it is proposed that this be secured through conditions. A condition is also recommended to secure appropriate cycle storage.

### **Management**

- 7.13 In addition to the points raised previously, it is considered necessary to impose a condition limiting the number of residents within the proposed development to no more than 248. This is in accord with the details submitted within the planning application and also to prevent any amenity issues from arising. A further condition reinforcing that the only permitted use of the building is for student accommodation is considered necessary for the avoidance of doubt.
- 7.14 The development would feature a reception facility, which would ensure that there would be a permanent staffing presence on site. The development would also include measures to ensure that residents would only be able to access the sections of the building relevant to their tenancy agreement and therefore this minimises the risk of unauthorised access to the varying sections of the building, and therefore ensures a safe and secure form of development. A separate application for planning permission for external works including lighting and CCTV is also under consideration by the Council and will be considered at this committee.
- 7.15 It is appreciated that concerns have been raised by Northamptonshire Police's Crime Prevention Design Advisor regarding the need for a management plan to cover the operation of the building. This has been discussed with the applicant and because a final operator for the development has yet to be identified it is not possible to finalise such arrangements. However, a Framework Management Plan has been submitted which sets out a number of parameters for how the development would be run. These include the fact that there would be a staffing presence on site, that security measures would be installed in order to prevent access by residents to parts of the building that are not directly related to their tenancy, a process by which the occupiers of surrounding buildings would be able to raise issues, that occupiers would be required to follow a code of conduct, and the provision of external lighting and CCTV. A condition is recommended that would require the submission of a more detailed Management Plan that would provide further details to these points. As a consequence, it is considered that the risks of anti-social behaviour arising from the development can be appropriately managed.
- 7.16 The development would utilise the existing refuse collection system associated with the office building, which is considered appropriate given the commercial nature of the extant use, and the need for adequate provision for such facilities for environmental reasons. This would also be secured by condition.

### **Flood risk**

- 7.17 Given that the proposal would result in the reuse of the building only and would not increase its footprint, it is considered that the proposed development would not have a significant adverse impact on flood risk. No objections have been received from the Environment Agency or the Lead Local Flood Authority.

## **8. CONCLUSION**

- 8.1 The proposed development represents an appropriate use for this property, which has been vacant for a significant period of time. The development would, subject to conditions, have a neutral impact upon the amenities of surrounding properties and the highway system. Suitable conditions can also be imposed that would ensure that the proposal would be operated in an appropriate manner.

## 9. CONDITIONS

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. The development hereby permitted shall be carried out in accordance with the following approved plans 100, 101, 112, 113, 114, 115, 116, 121, 122 and 123.

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

3. The development hereby approved shall be occupied by a maximum of 248 students only and use solely as student accommodation only (sui generis use).

Reason: For the avoidance of doubt and to secure a satisfactory standard of development in accordance with the requirements of the National Planning Policy Framework.

4. Prior to the commencement of the use hereby permitted, a Full Site Management Plan (in conformity with the general principles established within the submitted Framework Management Plan) shall be submitted to and agreed in writing by the Local Planning Authority. The Full Site Management shall include, but not be limited to, the following:

- i) The process for managing students to move into, and out of, the development.
- ii) On site management.
- iii) A Code of Conduct for occupiers of the development
- iv) Security Controls
- v) CCTV
- vi) External lighting

The Management Plan shall be fully implemented prior to the first occupation of the development and shall be retained thereafter.

Reason: In the interests of securing a satisfactory standard of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy.

5. Prior to the commencement of the use hereby permitted, full details of facilities for secure cycle storage shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, be fully implemented prior to the commencement of the use hereby permitted and retained thereafter.

Reason: In the interests of promoting sustainable travel in accordance with the requirements of the National Planning Policy Framework.

6. Prior to the commencement of the use hereby permitted, full details of strategy for the management of waste, including storage and collection points, shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, be fully implemented prior to the commencement of the use hereby permitted and retained thereafter.

Reason: In the interests of amenity and securing a satisfactory standard of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy.

7. Prior to development commencing, the applicant shall submit to the Planning Authority an assessment of the noise exposure of each habitable room and/or outdoor amenity spaces due to transportation noise. This must take into account, the likely growth of traffic over the next 15 years.

Where noise levels in any habitable room or amenity space may exceed:

- Indoor habitable areas –  $L_{Aeq,16H}$  35 dB window open, during the daytime period (07:00 – 23:00)
- Bedrooms –  $L_{Aeq,8H}$  30 dB and  $L_{AMAX}$  45 dB (for 2+ events per hour) window open, during the night time period (23:00 – 07:00)
- Outdoor Amenity Spaces –  $L_{Aeq,16H}$  50 dB

A scheme to protect any affected habitable rooms/bedrooms or out outdoor amenity spaces shall be submitted to the Local Planning Authority for written approval. For habitable rooms/bedrooms this will require the provision of a ventilation, or heat control system that enables the windows to be kept closed in warm weather.

Development shall be carried out in accordance with the approved details, be implemented prior to the first occupation of the development hereby permitted, and retained thereafter.

Reason: In order to safeguard the amenities of future occupiers in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy.

8. Notwithstanding the details submitted, a full Travel Plan shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details which shall be fully implemented prior to the commencement of the use hereby permitted and shall be retained thereafter.

Reason: In the interests of sustainable transport in accordance with the National Planning Policy Framework.

## **10. BACKGROUND PAPERS**

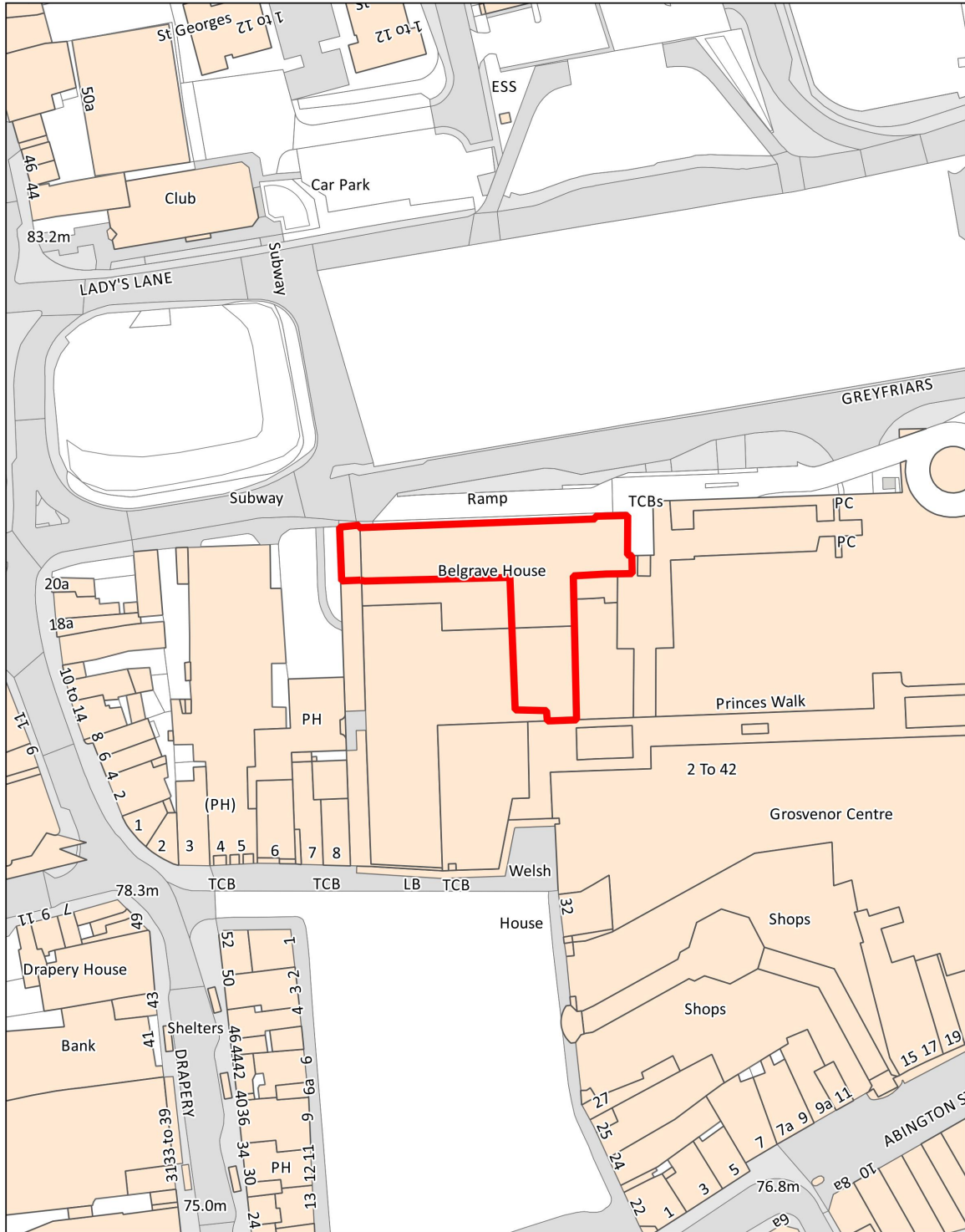
10.1 N/2017/1144.

## **11. LEGAL IMPLICATIONS**

11.1 The development is not CIL liable.

## **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



 <p><b>NORTHAMPTON</b> BOROUGH COUNCIL</p>	<p>Title: <b>Belgrave House, Greyfriars</b></p>	<p>Date: 02-02-2018</p>
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associated Frameworks and Strategies.