



PLANNING COMMITTEE: 28th July 2020
DEPARTMENT: Planning Service
DIRECTOR OF PLANNING: Peter Baguley

APPLICATION REF: N/2019/0755

LOCATION: Belgrave House, Greyfriars

DESCRIPTION: Conversion and addition of two new upper floors incorporating fenestration changes and alterations to external façade to create 122no apartments for affordable housing and alterations to layby and new crossing points and footways to Greyfriars

WARD: Castle Ward

APPLICANT: Northampton Partnership Homes
AGENT: Waterman

REFERRED BY: Director of Planning and Sustainability
REASON: Major application requiring S106 agreement

DEPARTURE: No

APPLICATION FOR DETERMINATION:

RECOMMENDATION

- 1.1 **APPROVAL IN PRINCIPLE** subject to the completion of a S106 Agreement to secure 100% on-site affordable housing together with the Council's monitoring fee and the conditions as set out below and for the following reason:

The proposed development would represent a regeneration opportunity in the town centre and contribute to the Council's five year housing land supply. As part of a balanced assessment, it is considered acceptable and no objections are raised to the proposal with regards to the National Planning Policy Framework, Policies SA, S1, S3, S10, S11, H1, H2, N2, BN2, BN5, BN7, BN9, E1, INF1 and INF2 of the West Northamptonshire Joint Core Strategy; and Policies 1, 10, 15, 16 and 17 of the Northampton Central Area Action Plan.

- 1.2 It is also recommended that in the event of the Section 106 Legal Agreement not being completed within three calendar months of this Committee meeting, in addition to being able to grant planning permission as recommended above, the Director of Planning and Sustainability be given delegated authority to either refuse or finally dispose of the application (at his discretion) on account that the necessary mitigation measures have not been secured in order to make the proposal acceptable in line with the requirements of Policies INF1 and INF2 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

2 THE PROPOSAL

- 2.1 The application seeks planning permission for the conversion, external alterations and addition of two new upper floors to create 122 apartments for affordable housing. The proposed apartments would comprise 70 x 1 bed units and 52 x 2 bed units and the resultant building would be 11 storeys high with a flat roof form.
- 2.2 The proposed external alterations would include the removal of the existing precast concrete panels and glazing that span the building, and the installation of floor to ceiling glazing incorporating Juliette balconies. In addition, stained glass feature panels running the full height of the 9 residential floors would be introduced, with vertical lettering and clock features also added to the extended building. There would also be glass balustrades to roof level, with the flat roofs incorporating planting boxes, condensers, and photovoltaic panels.
- 2.3 The apartments would utilise the existing pedestrian accesses to Belgrave House, comprising an external entrance off Greyfriars and an internal entrance from the Grosvenor Shopping Centre. In addition, a new pedestrian access would be created from the top floor of the Grosvenor Centre multi-storey car park. The applicant has indicated that the top floors of the multi-storey car park could be used by residents of the flats, however this car park is not within the red edge of the application site. The extended building would also benefit from two fire escapes in addition to the previously referenced entrances, one onto the service yard on the roof of the Grosvenor Centre and the other onto Emporium Way.
- 2.4 The proposal also includes alterations to the existing layby on Greyfriars and new crossing points and footways to the Greyfriars site to connect into the footway on Lady's Lane.

3 SITE DESCRIPTION

- 3.1 The application site is in the town centre and comprises a 9 storey office building with an 11 storey lift/stairwell tower to the eastern side that is attached to the Grosvenor Shopping Centre and a multi-storey car park. The office building dates from the 1970s with a T- shaped plan form and has been disused for some time. It has 7 upper floors of office accommodation accessed from a lower ground floor. The lower ground floor has pedestrian access to Greyfriars to the north and the shopping centre to the south. The upper ground floor is in separate use as storage for Sainsburys and does not form part of the application proposals. There is a service yard to the south of Belgrave House which serves Sainsburys and other units within the Grosvenor Shopping Centre.
- 3.2 The application building fronts onto Greyfriars but, due to its large size, is visible from the Market Square to the south and Sheep Street to the west, as well as in wider views of the Northampton townscape. The Market Square and Sheep Street falls within the All Saints Conservation Area which includes a number of listed buildings. There are, however, other large scale buildings in the immediate locality, including the Grosvenor Centre multi-storey car park, which has a similar upper floor height to the application property, and Northampton House to the east of the car park, which is 12 storeys in height.

4 PLANNING HISTORY

- 4.1 N/2019/0722: Change of Use to Residential (Use Class C3) for social housing with the addition of two new upper floors, to create 124no apartments with changes to fenestration, alterations to external façade, and the addition of an external lift on to the existing building. Withdrawn.
- 4.2 N/2017/1145: External alterations to include replacement double glazing and associated column panelling, erection of lift core and new access from lower level and associated works. Approved.
- 4.3 N/2017/1144: Change of Use of Belgrave House from offices (Use Class B1a) to student accommodation (Sui Generis). Approved.

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:

Paragraphs 7-12 - Presumption in favour of sustainable development.

Section 5 - Delivering a sufficient supply of homes

Section 7 - Ensuring the vitality of town centres

Section 8 - Promoting healthy and safe communities

Section 9 - Promoting sustainable transport

Section 11 - Making effective use of land

Section 12 - Achieving well-designed places

Section 14 - Meeting the challenge of climate change and flooding

Section 15 - Conserving and enhancing the natural environment

Section 16 - Conserving and enhancing the historic environment

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 SA - Presumption in Favour of Sustainable Development

Policy S1 - Distribution of Development

Policy S3 - Scale and Distribution of Housing Development

Policy S10 - Sustainable Development Principles

Policy S11 - Low Carbon and Renewable Energy

Policy H1 - Housing Density and Design

Policy H2 - Affordable Housing

Policy N2 - Northampton Central Area

Policy C2 - New Developments

Policy BN2 - Biodiversity

Policy BN5 - Heritage Assets

Policy BN7 - Flood Risk

Policy BN9 - Planning for Pollution Control

Policy E1 - Existing Employment Areas

Policy INF1 - Infrastructure Delivery

Policy INF2 - Infrastructure Requirements

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
Policy 10 - Parking
Policy 15 - Office and Business Uses
Policy 16 - Central Area Living
Policy 17 - Grosvenor Centre Redevelopment

5.5 **Supplementary Planning Documents**

Planning out Crime in Northamptonshire SPG 2004
Affordable Housing Interim Statement 2013
Planning Obligations SPD 2013
Northamptonshire County Parking Standards 2016
Northampton Parking Standards 2019

6 **CONSULTATIONS / REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **Anglian Water:** There is available capacity for the foul drainage and sewerage system also has capacity at present for these flows. There are assets owned by Anglian Water within or close to the site and informative should be imposed to highlight this to the applicant. Details of surface water drainage should be secured by condition.
- 6.2 **Archaeology (NCC):** The scheme in its current form does not require any archaeological investigation as it is a conversion of an existing building with no significant new build.
- 6.3 **Conservation (NBC):** No objection. The conversion and addition of the extra floors and the proposed alterations to the external appearance of the building will not have an adverse impact on views from adjacent Conservation Areas or harm the setting of nearby listed buildings. The alterations to the external access will also have an acceptable impact.
- 6.4 **Construction Futures:** A financial contribution should be made to secure a construction training programme.
- 6.5 **Development Management (NCC):** A development of the proposed size and mix is expected to generate 16 nursery / pre-school places, 7 Primary School Pupils and 4 Secondary and Sixth-form School Pupils. However, there is insufficient education capacity to serve the development and a financial contribution is therefore required. In addition, a financial contribution should be made to libraries and a condition imposed to secure sprinklers and fire hydrants. Also, an advisory note relating to broadband is recommended.
- 6.6 **Ecology (NCC):** There are no ecological constraints to this development and the proposal offers an opportunity for biodiversity enhancements in the form of swift bricks to the northern elevation.
- 6.7 **Environment Agency:** No comments.
- 6.8 **Highway Authority (NCC):** Although the Highway Authority will not be seeking any mitigation as a result of this application other than a Construction and Environmental Management Plan, it should be noted that the proposed development would increase parking demand in the area. Furthermore, as more applications come forward to increase the residential density in the town

centre area, the Highway Authority will consider each on a case by case basis and may ask for some form of mitigation going forward.

- 6.9 **Lead Local Flood Authority (NCC):** No drainage information has been provided.
- 6.10 **Northamptonshire Police Crime Prevention Design Advisor:** Pleased that a lot of the crime prevention recommendations made in previous responses to this application have been included in this iteration of the scheme, however the following matters require further clarification by condition:
- The new pedestrian route into the front of the building requires both street lighting and CCTV coverage to ensure the personal safety of pedestrians using it.
 - The description of the site management is very comprehensive but fails to address how the building is managed 'out of hours'.
 - The new flat doors should meet the requirements of BS PAS24:2016.
 - The bin and cycle stores should have access-controlled doors to reduce opportunities for anti-social behaviour.
 - The access to the top floor of the car park should be adequately controlled to ensure only residents can access it.
- 6.11 **NHS England:** The development could result in an increased patient population of 296 and therefore a financial contribution should be made to general medical services facilities.
- 6.12 **Public Protection (NBC):** No objections subject to the following comments/conditions:
- The submitted Preliminary Investigation report recommends intrusive soil testing and radon protection measures be further investigated and this should form the basis of a site investigation condition.
 - The Noise Report details acoustic glazing measure to protect end users from road traffic noise which appear acceptable, however the ventilation solution proposed may not be acceptable on air quality grounds. In addition, further work is required regarding plant noise and these matters could be addressed via noise conditions.
 - Whilst the site is not in an Air Quality Management Area, Greyfriars is heavily trafficked and a modelled health exposure assessment should be provided together with a mitigation strategy including an acoustic / air quality filtered ventilation scheme to allow the windows to remain closed and prevent exposure to elevated levels of Nitrogen Dioxide and traffic noise.
 - Electric Vehicle Charging Points should be included as part of development.
- 6.13 **Town Centre Conservation Area Advisory Committee:** The reuse of the building for key worker housing with good internal space standards is welcomed and the scheme would also improve the Greyfriars frontage. The main concern of the Committee is the impact of the extra two storeys, although it is noted that these would be set back from at the rear section of the building and it is recommended that an impact assessment is undertaken on heritage assets and views. In addition, it is suggested that the stained-glass detailing should have a local theme (e.g. boots and shoes; Northampton's history, etc) and long-term maintenance of the green roof is also important.
- 6.14 There have been **no neighbour / third party representations** regarding this application.

7 APPRAISAL

Principle of development

- 7.1 The application site is in a residential area within the urban area of Northampton and, therefore, development of the site for residential purposes is acceptable in principle under Policy S1 of the Joint Core Strategy (JCS).
- 7.2 It is acknowledged that Policy E1 of the JCS and Policy 15 of the Central Area Action Plan (CAAP) seek to safeguard existing employment premises and promote the central area as an office and business centre. However, the existing offices have been vacant and marketed for a period in excess of 7 years and the principle of the conversion of Belgrave House to residential student accommodation has previously been accepted under application N/2017/1144. Furthermore, and

in any event, Policy 15 of the CAAP allows for change of use away from business uses where it can be demonstrated that the overarching strategic objectives of the plan may be contributed to and one such objective is to increase opportunities for town centre living. Moreover, Policy 16 of the CAAP promotes town centre living to add to the vitality, viability and sustainability of the town centre. In addition, the NPPF supports the redevelopment of under-utilised buildings and brownfield land to meet the need for new homes and the proposal would also help support the regeneration of the central area. As such, no objections are raised to the principle of the loss of the employment generating use in this instance.

- 7.3 Notwithstanding the above, the Council cannot presently demonstrate a five year housing land supply. Therefore, in accordance with the presumption in favour of sustainable development in Paragraph 11 of the NPPF, development should be permitted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. The development of the site for 122 flats would contribute towards the Council's housing supply, and specifically the need for additional affordable units, with associated social and economic benefits and this therefore weighs in favour of the proposal. In addition, the proposal would benefit the vitality, viability and sustainability of the town centre and contribute to the regeneration of the central area. Furthermore, the NPPF advises that substantial weight should be given to the value of using suitable brownfield land within settlements for new homes.

Design and Heritage Assets

- 7.4 Policy H1 of the JCS and Policy 1 of the CAAP place great importance on the quality of design of new developments and are in conformity with the NPPF, which advises that planning should always seek to secure high quality design.
- 7.5 In addition, the site is located close to the All Saints Conservation Area and there are several listed buildings in the vicinity of the application property on the Market Square and Sheep Street. As such, special attention must be paid to preserving or enhancing the character or appearance of the conservation area and the setting of the listed buildings, with great weight given to the conservation of the heritage assets.
- 7.6 The existing building has a somewhat dated appearance with its elevations dominated by large concrete panels that span the width of the building between rows of small windows. It comprises one of a cluster of high-rise and large-scale buildings of varied design that front onto Greyfriars and are visible from the Market Square, the All Saints Conservation Areas and in wider views of the townscape. Indeed, the application property comprises a 9 storey high 1970s office building with an 11 storey lift/stairwell tower; it neighbours a multi storey car park with a similar top floor level to the application property; and Northampton House to the east comprises a 12 storey building that was converted from offices to flats in the late 1990s / early 2000s.
- 7.7 The application proposes the addition of two further storeys of accommodation to Belgrave House and, as such, the scale of the building and its prominence in the streetscene would be increased. However, given the large-scale and varied design of nearby buildings, the extended property would not appear out of scale with its neighbours or overly dominant in wider views of the townscape. Furthermore, the additional storeys would only be introduced to the part of the building fronting Greyfriars and thus would be set well back from and not dominate the historic Market Square, with the separation to the listed former corn exchange to the west also maintained. In addition, the new upper floors would be slightly recessed to help break up the additional mass of the building and create a sense of subservience to the upper floors. The new storeys would also have a lightweight design with floor to ceiling glazing that would help reduce the prominence of the enlarged building. The external façade of the existing building would also be changed to floor to ceiling glazing and this would help to modernize and enhance the appearance of the property, with particular benefit to the Greyfriars elevation. Also, design features would be added to the building to seek to further enhance its appearance, comprising vertical stained-glass panels, clock features, lettering and roof planting boxes with a green wall balustrade, and full details of these together with all the external material for the proposed development can be secured by condition.

- 7.8 It should also be acknowledged that the application has been accompanied by a Townscape Visual Impact Assessment. This document assesses the application proposals from 15 viewpoints, including close-range, mid-range and long distances. It concludes that the proposal would not protrude above the existing skyline and would be a similar size and scale to existing built form in the town centre. Furthermore, it finds that whilst there would be some adverse visual impacts during the construction, the refurbishment of the building has the potential to enhance the appearance of the townscape post construction.
- 7.9 Overall, it is considered that the proposal would enhance the Greyfriars elevation of the property and that it would not have an adverse impact on views from the All Saints Conservation Area or the setting of listed buildings. Furthermore, it is considered that the impact of the development on the wider views of the townscape would also be acceptable and that the proposal would not have a detrimental impact on the character and appearance of the area.

Residential amenity

- 7.10 Policy H1 of the JCS and the guidance in the NPPF all seek to secure a good standard of amenity for all existing and future occupants of land and buildings.
- 7.11 In terms of the residential amenity of neighbours, the proposal would not introduce windows to any elevation that does not presently already benefit from windows, with the additional storeys replicating the window orientation of the lower floors such that there would not be an unacceptable loss of privacy to any neighbours. Furthermore, the existing separation to neighbouring buildings would also be maintained and the additional storeys would not result in an unacceptable overbearing or overshadowing impact or a detrimental loss of daylight. As such, it is considered that the proposal would not have an unacceptable impact on the amenities of neighbours.
- 7.12 Turning to the amenities of future occupiers of the new dwellings, the proposal would comprise a mixture of one and two bed apartments and all the units would benefit from generous floor areas that exceed the national space standards to the benefit of the amenity of future occupiers. Furthermore, all habitable rooms would be served by windows affording outlook. It is acknowledged that some of the apartments would have relatively deep plan forms or include alcove areas to the open plan kitchen/living rooms. However, kitchens, bathrooms and stores are proposed to the areas that would receive less light and all the apartments would benefit from floor to ceiling glazing to maximise daylight. There would also be some views between the apartments in the rear elevation and those on the rear projection of the property, however this relationship is not unusual in a town centre environment. The proposal includes a roof top garden area on the rear projection for residents with 12 planting boxes for residents to use and a buffer area to the sixth-floor apartments that face directly onto the roof garden. Whilst this roof top garden is only a small facility that would be available to a limited number of residents, its inclusion is welcomed subject to appropriate management which can be secured by condition. Furthermore, it is also acknowledged that there are several parks and other outdoor amenities within walking distance of the development. In addition, the scheme has been assessed by Environmental Health and it is considered that the noise and air quality impacts associated with vehicle traffic and commercial plant can be mitigated subject to conditions. The proposal has been amended to omit refuse chutes and include internal bin stores on each floor and the management arrangements for these can also be secured by condition. Overall, it is considered that the proposal would afford an acceptable standard of amenity for future occupiers.

Parking, access and safety

- 7.13 The County and Borough Councils' Parking Standards provide guidance on the parking requirements for different use classes. In addition, Policy C2 of the JCS and Section 9 of the NPPF seeks to promote sustainable transport and modal shifts to non-car modes of travel. Furthermore, the guidance in the NPPF requires and safe and suitable access for all developments and details that developments should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe.

- 7.14 The Parking Standards indicate that one car parking space should be provided per 30sqm gross floor area for office uses and per bedroom for residential dwellings. As such, the existing offices would require some 330 parking spaces under the Standards, and the proposed conversion and extension to residential should provide 174 parking spaces. The existing property does not however benefit from any on-site parking and as such there is an existing parking shortfall which would be reduced by the proposal. It is acknowledged that the occupiers of the existing offices could utilise the existing Grosvenor Centre multi-storey car park, however there is no mechanism presently in place to secure this in perpetuity. In addition, the proposed layout introduces a direct pedestrian access to the multi-storey car park such that there is also potential for residents to utilise the existing Grosvenor Centre multi-storey car park should an agreement be reached between the applicant and the owners/operator of the car park. However, such car parking proposals do not form part of the current proposal and therefore cannot be controlled under this application. Furthermore, and in any event, the supporting text in the County Parking Standards detail that flatted schemes should be treated on their own merit based on the character of the area. In addition, Policy 10 of the CAAP promotes a reduction in Parking Standards in the town centre. In this instance, the application site occupies a highly sustainable location in the town centre, with a direct link to the Grosvenor Centre, which includes a supermarket and is only a short walking distance to the Northgate bus station from the pedestrian entrance on Greyfriars. In addition, the proposal includes cycle stores on each floor of the development and has been accompanied by travel plan framework to seek to promote sustainable travel. Also, the locality benefits from parking restrictions in the form of double yellow lines such that there are controls to prevent on-street parking in inappropriate locations in the immediate vicinity of the site. As such, and given that Highway Authority raise no objections, it is considered that this particular proposal is acceptable as a zero parking scheme subject to conditions to secure cycle parking, a travel plan, and a management plan for the building to deal with matters including arrangements from residents moving in and out of the building.
- 7.15 The Northampton Parking Standards also seek the provision of electric vehicle charging points for new residential developments. However, as the proposal would not provide any additional parking spaces and thus occupiers would likely need to rely on sustainable form of transport, it is not considered that it would be reasonable or necessary to require the provision of electric vehicle charging points by condition.
- 7.16 The application has been amended since its submission to improve the access arrangements to the property. The application originally proposed the primary access to the development to be located off Emporium Way, however there were practical and accessibility issues with such an approach and the Police Crime Prevention Design Advisor (CPDA) also raised strong concerns from a crime and safety perspective. The amended scheme proposes to utilise the existing entrance to Belgrave House at lower ground floor level off Greyfriars as the primary access to the property served by a new concierge office/reception area and further details of management arrangements to ensure the safety of residents can be secured by condition. To facilitate access to the building from Greyfriars, the proposal also includes a new pedestrian crossing on Greyfriars and a footway around part of the Greyfriars site to connect into the existing footway network. These works and an associated lighting and CCTV scheme can be secured by conditions. The internal access into the Grosvenor centre from Belgrave House would also be retained as part of the proposal, however this would only be available during the opening hours of the shopping centre. The amended scheme also includes a new pedestrian access on the seventh floor to the top deck of the multi-storey car park to improve the accessibility of the scheme. Overall, and given the town centre location of the site and subject to conditions to address external lighting, CCTV, access controls and details of the management of the building as recommended by the Police CPDA, it is considered that the amended access arrangements to the property are acceptable.

Section 106 Obligations and Affordable Housing

- 7.17 Policies INF1 and INF2 of the Joint Core Strategy seek to secure the provision of infrastructure needed to serve new developments, such as education, healthcare, open space provision and

construction training, either directly on site or by a financial contribution secured through a Section 106 planning obligation.

- 7.18 In addition, the NPPF details that major housing developments should be expected to provide at least 10% affordable housing. Policy H2 of the JCS seeking the provision of 35% affordable housing, subject to the assessment of viability, to be provided as an integral part of the development with a tenure to reflect local housing need.
- 7.19 In terms of viability, the NPPF advises that the weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances, including whether the plan and the viability evidence underpinning it, is up to date. Furthermore, the Planning Practice Guidance supporting the NPPF provides detailed standards for viability appraisals and indicates that an assumption of 15-20% profit is a suitable developer return.
- 7.20 In respect of this application, the development proposes the provision of a 100% affordable housing scheme at affordable rent. Whilst this would exceed the requirements of Policy H2 of the JCS and not provide a mix of tenures as sought by Policy H1 of JCS, it would provide a mix of one and two bed units as sought under CAAP Policy 16. Furthermore, it would make a significant contribution towards an identified need for affordable housing in the Borough, which would be a significant benefit arising from the scheme.
- 7.21 Notwithstanding the affordable housing benefits, the development still needs to be assessed in respect of the provision of the necessary infrastructure. In this respect, consultees have indicated a requirement for contributions for education, medical facilities, and construction training and these contributions would be policy compliant, as would a contribution towards off-site open space. In addition, contributions have been suggested towards the provision of fire infrastructure and libraries, but the development is not required to provide such infrastructure under existing planning policies.
- 7.22 The applicant, however, has submitted a viability assessment which details that the development would not turn a profit and that financial contributions for infrastructure would make the scheme unviable. The applicant's viability assessment has been assessed by an independent viability consultant on behalf of the Council and the consultant confirms that the values and underlying assumptions in the appraisal are not unreasonable, and that the development would not be profitable on a 30 year term. Furthermore, the consultant details that the principal reason for the lack of viability is due to the complications of refurbishing the application building. As such, it is accepted that should financial contributions for infrastructure be sought, the proposed scheme would not be viable and the development would be undeliverable, such that it is likely that the application property would remain vacant for a further period of time.
- 7.23 It is therefore necessary to balance the harm arising from the provision of no financial contributions towards education, health and open space infrastructure to mitigate the impacts of the scheme against the benefits arising from the proposal. In this case, the proposal would deliver additional dwellings within Northampton to contribute to the Council's five year housing land supply, and specifically would deliver much needed affordable housing. Furthermore, the proposal would assist in the reuse and regeneration of a prominent site within the town centre. As such, it is considered that the benefits of the scheme are significant. In addition, the applicant has confirmed that, as a 100% affordable housing scheme, occupiers for the development would be drawn from existing Council housing lists such that they would already be resident within the Borough. Therefore, should they have children for example, then the children would already have school places allocated to them and the future occupiers would already been utilising existing health and other facilities in the Borough. Furthermore, it is understood that consideration would also be given to prioritising key workers on the housing list who are employed in the town centre and thus already utilising existing facilities in the town centre.
- 7.24 Overall, and as part of a balanced assessment, it is considered that benefits of delivering the development outweigh the harm that emanates from the lack of financial contributions for infrastructure. Given this conclusion, and being mindful that the building is currently owned by a

third party, it is considered necessary and reasonable to require a Section 106 legal agreement to secure the entire development for occupation as affordable housing.

Other considerations

- 7.25 A preliminary assessment relating to land contamination has been submitted and Environmental Health recommends conditions to require further investigation work in accordance with the recommendations in the report and Policy BN9 of the JCS.
- 7.26 In terms of air quality impacts, sustainability and climate change, Policy BN9 of the JCS requires proposals to improve air quality and Policy S11 of the JCS seeks the provision of low carbon and renewable energy for major developments. The application has been accompanied by an air quality impact assessment which proposes photovoltaic panels and heat pumps on the roof of the application property to seek to mitigate the air quality impacts of the development. Furthermore, this renewable and low carbon technology would also address sustainability matters and further details of this equipment can be secured by condition.
- 7.27 The County Ecologist advises that there are no ecological constraints to the proposal and, subject to a condition to secure biodiversity enhancements in the form of 15-20 swift bricks to the northern elevation of the building, raises no objections to the proposal.
- 7.28 The application property is not in Flood Zone 2 or 3 but comprises a major development and therefore it has been accompanied by a Flood Risk Assessment. Whilst the Environment Agency raise no concerns, it is noted that Anglian Water and the Lead Local Flood Authority are seeking further details relating to surface water drainage. However, as the proposal would not increase the impermeable area within the site, it is considered that it would not be reasonable to condition details of surface water drainage and such matters are also addressed under the Building Regulations. As such, no objections are raised to the proposal with regards to flood risk and surface water drainage.
- 7.29 A Construction Environmental Management Plan is recommended due to constrained nature of the site and its surrounds.
- 7.30 It is acknowledged that the County Council are seeking a condition relating to fire hydrants and sprinklers, however there is no policy basis for such a condition and these matters are addressed under the Building Regulations. Notwithstanding this, it is noted that the documents supporting the application detail that the development would be served by sprinklers and it should also be noted that the amendments to the scheme, including the revised pedestrian access arrangements, are in part a response to informal discussions involving the Fire and Rescue Service.

8 CONCLUSION

- 8.1 To conclude, the conversion and extension of the application property to facilitate town centre living is acceptable in principle under the development plan. Notwithstanding this, the Council cannot presently demonstrate a five year housing land supply and, therefore, it is necessary to assess the proposal against the presumption in favour of sustainable development. In this instance, there would be harm arising from inability of the scheme to mitigate the impact of the development on education, health and open space infrastructure. However, it is considered that this harm is outweighed by the benefits arising from the scheme, including the delivery of a significant number of affordable housing units to contribute to an identified need; the increase in central area living to improve the vitality, viability and sustainability of the town centre; the reuse of a vacant brownfield site; the potential for the scheme to act as catalyst for the regeneration of the central area; and the introduction of renewable energy technology, and biodiversity enhancements.

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 attached schedule of approved plans.

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

3. 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 then be carried out in accordance with the approved CEMP which shall include:

- i. Traffic management and signage during construction.
- ii. Parking for site operatives and visitors.
- iii. Storage areas for plant and materials.
- iv. The erection and maintenance of security fencing/hoardings and lighting.
- v. Welfare and other site facilities.
- vi. Working hours and delivery times.
- vii. Measures to control noise, vibration, dust and fumes during construction
- viii. Crane positions

Reason: To minimise the impact of the development during the construction phase in accordance with the National Planning Policy Framework. Pre-commencement condition to ensure details are agreed in a timely manner.

4. Prior to the commencement of the development hereby permitted, an investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination of the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority prior to the commencement of development. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced which must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The report of the findings must include:

- (i) identification of all previous uses and contaminants associated with those uses;
- (ii) a survey of the extent, scale and nature of contamination;
- (iii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings and adjoining land,
 - groundwaters and surface waters, (including a conceptual model of the site indicated sources, pathways and receptors);
 - ecological systems,
 - archaeological sites and ancient monuments;
- (iv) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason: Pre commencement condition to ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with paragraph 170 of the NPPF and Policy BN9 of the West Northamptonshire Joint Core Strategy.

5. Prior to the commencement of the development hereby permitted, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings, and other property and the natural and historical environment must be prepared, and shall be subject to approval in writing by the Local Planning Authority. The scheme

must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures.

Reason: To ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy. Pre-commencement condition to ensure details are agreed in a timely manner and to ensure a satisfactory standard of development.

6. The remediation scheme approved pursuant to Condition 5 must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and shall be subject to approval in writing by the Local Planning Authority.

Reason: To ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy. Pre-commencement condition to ensure details are agreed in a timely manner and to ensure a satisfactory standard of development.

7. 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 and where remediation is necessary a remediation scheme must be prepared which is subject to the approval in writing of 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 of the Local Planning Authority.

Reason: To ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy. Pre-commencement condition to ensure details are agreed in a timely manner and to ensure a satisfactory standard of development.

8. Prior to the construction of the roof extension or installation of the new façades hereby permitted, full details of all proposed external facing materials (including details of the curtain wall glazing and Juliette balconies, cladding, vertical stained-glass panels, external lettering and clock features) shall be first submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and to ensure that the development will harmonise with its surroundings in accordance with Policies H1 and BN5 of the West Northamptonshire Joint Core Strategy and Policy 1 of the Northampton Central Area Action Plan.

9. Prior to the construction of the roof extension or installation of the new façades hereby permitted, a full scheme of works including a timetable for the provision of the works to alter the layby and install a new pedestrian crossing and footway to the Greyfriars site in accordance with the details shown the submitted Greyfriars Road S278 Works Plan drawing number 001 A01 shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.

Reason: In the interests of promoting sustainable transport methods and to ensure a safe and satisfactory standard of development in accordance with the requirements of Policies S10 and C2 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

10. Prior to the occupation of the development hereby permitted, full details of external lighting and CCTV to serve the entrances to the development, altered layby and the new pedestrian crossing

and footway shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details prior to the occupation of the development hereby permitted and retained thereafter.

Reason: In the interests of appearance of the locality, residential amenity and crime prevention in accordance with Policies H1 and S10 of the West Northamptonshire Joint Core Strategy and Policy 1 of the Northampton Central Area Action Plan.

11. Prior to the occupation of the development hereby permitted, a Full Site Management Plan (in conformity with the general principles established within the submitted Management and Operations Overview 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 residents moving into, and out of, the development
- ii) On site management/security
- iii) A code of conduct for occupiers of the development
- iv) Access controls, compartmentalisation and security performance of doors
- v) CCTV
- vi) Roof top management
- vii) Refuge strategy
- viii) Cleaning/maintenance strategy for external curtain glazing and stained-glass feature panels
- ix) Clock feature maintenance strategy

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 visual and residential amenity, highway safety and to ensure the provision of a safe and secure development in accordance with Policies H1, S10, BN5 and C2 of the West Northamptonshire Joint Core Strategy, Policy 1 of the Northampton Central Area Action Plan and the requirements of the National Planning Policy Framework.

12. Prior to occupation of the development hereby permitted, full details of the proposed photovoltaic panels and air source heat pumps to accord with the recommendations of the Air Quality Assessment (report reference WIE13992-100-R-8-1-3-CB) and Energy Statement (report/project reference BSD13145) shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be provided in full prior to occupation of the development hereby permitted and retained thereafter.

Reason: In the interests of minimising the environmental impact of the development and air quality and visual amenity in accordance with Policies S10, S11, H1, BN5 and BN9 of the West Northamptonshire Joint Core Strategy and Policy 1 of the Northampton Central Area Action Plan

13. The windows to serve the development hereby permitted shall be provided in accordance with the glazing specification detailed in Table 5 of the submitted Noise Report (reference WIE13992-100-R-3.1.4) and retained thereafter.

Reason: To protect future occupiers of their dwellings and in the interests of residential amenity in accordance with Policies H1, BN9 & S10 of the West Northamptonshire Joint Core Strategy.

14. Notwithstanding the submitted details and prior to the occupation of the development hereby permitted, a health exposure assessment including an acoustic / air quality filtered ventilation scheme to serve the new flats shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the first occupation of the development hereby permitted and thereafter retained and maintained in accordance with the approved details.

Reason: To protect future occupiers of their dwellings and in the interests of residential amenity in accordance with Policies H1, BN9 & S10 of the West Northamptonshire Joint Core Strategy.

15. Prior to the occupation of the development hereby permitted, full details of all external plant and machinery and a scheme for associated noise mitigation measures shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details and retained thereafter.

Reason: To protect future occupiers of their dwellings and in the interests of residential amenity in accordance with Policies H1, BN9 & S10 of the West Northamptonshire Joint Core Strategy.

16. The new bin and cycle stores shown on the plans hereby approved shall be implemented in full prior to the occupation of the development hereby permitted and retained thereafter.

Reason: To ensure the provision of adequate facilities in accordance with Policies C2 and S10 of the West Northamptonshire Joint Core Strategy.

17. Notwithstanding the submitted details and prior to the occupation of the development hereby permitted, a travel plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall be fully implemented within two months of the first occupation of the development hereby permitted and retained thereafter.

Reason: In the interests of promoting more sustainable means of travel in accordance with Policies S10 and C2 of the West Northamptonshire Joint Core Strategy and the requirements of the National Planning Policy Framework.

18. Notwithstanding the submitted details and prior to the occupation of the development hereby permitted, a scheme for the provision and management of the roof planting boxes and green wall balustrade shall be submitted to and agreed in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the first occupation of the development hereby permitted and thereafter retained and maintained in accordance with the approved details.

Reason: In the interests of amenity and to enhance biodiversity in accordance with Policies H1, S10, BN2 and BN5 of the West Northamptonshire Joint Core Strategy, Policy 1 of the Northampton Central Area Action Plan and the requirements of the National

19. Notwithstanding the submitted details and prior to the occupation of the development hereby permitted, full details of all roof top enclosures shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the first occupation of the development hereby permitted and thereafter retained.

Reason: In the interests of visual and residential amenity and to secure a satisfactory standard of development in accordance with Policies H1, S10 and BN5 of the West Northamptonshire Joint Core Strategy and Policy 1 of the Northampton Central Area Action Plan

20. Prior to the occupation of the development hereby permitted, 20 swift boxes shall be installed in accordance with the details shown on drawing number NPH-AHR-02-ZZ-DR-A-20-101 Rev C and retained thereafter.

Reason: In the interests of biodiversity in accordance with Policy BN2 of the West Northamptonshire Joint Core Strategy and the requirements of the National Planning Policy Framework.

10 BACKGROUND PAPERS

- 10.1 N/2019/0722, N/2017/1145 and N/2017/1144.

11 LEGAL IMPLICATIONS

- 11.1 The development is 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 associated Frameworks and Strategies.