



NORTHAMPTON
BOROUGH COUNCIL
Planning Committee

PLANNING COMMITTEE: 22nd November 2016
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2016/1193 & N/2016/1196

LOCATION: 34 Guildhall Road

DESCRIPTION: N/2016/1193 - Variation of Conditions 3, 9, 10, 11, 12 and 14 of Planning Permission N/2014/1328 - Change of use to provide a community arts hub including 57 workshops, meeting spaces and associated amenities including alterations and refurbishment of existing buildings, erection of three storey building and demolition of existing structures and associated external works to change conditions from 'pre-commencement' to 'pre-commencement' on that part of works.

N/2016/1196 - Variation of Conditions 3, 6 and 7 - Listed Building application for change of use to provide a community arts hub including 57 workshops, meeting spaces and associated amenities including alterations and refurbishment of existing buildings, erection of three storey building and demolition of existing structures and associated external works to change conditions from 'pre-commencement' to 'pre-commencement' on that part of works.

WARD: Castle Ward

APPLICANT: Northampton Borough Council
AGENT: Purcell LLP

REFERRED BY: Head of Planning
REASON: Council owned land

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

1.1.1 **N/2016/1193 Planning Application**

The proposed variations of conditions are acceptable and would not result in any adverse impacts on the historic interest or character of the Grade II listed building, the Conservation Area or flood risk. The development would provide significant regeneration opportunities within the

town centre and would result in under used listed buildings being brought back into a long term viable use with no significant harm to heritage assets having been demonstrated. There would be no adverse highway or flooding implications and acceptable relationships with surrounding properties. This would accord with the aims and objectives of the National Planning Policy Framework, Policies S7, S10, E7, BN5, BN7, N1 and N2 of the West Northamptonshire Joint Core Strategy, and Strategic Objectives 1 and 2 and Policies 1, 5 and 21 of the Northampton Central Area Action Plan.

1.1.2 **N/2016/1196 Listed Building Consent Application**

The proposed variations of conditions are acceptable and would not result in any adverse impacts on the historic interest or character of the Grade II listed building or the Conservation Area. The development would provide significant regeneration opportunities within the town centre and would result in under used listed buildings being brought back into a long term viable use with no significant harm to heritage assets having been demonstrated. This would accord with the aims and objectives of the National Planning Policy Framework, Policies S10 and BN5 of the West Northamptonshire Joint Core Strategy and Policy 1 of the Northampton Central Area Action Plan.

2. THE PROPOSAL

- 2.1 The application seeks to vary pre-commencement conditions attached to the existing planning permission and listed building consent for the development of the site as a community arts hub including 57 workshops, permitted in May 2015. The conditions sought to be varied relate to the submission of details of materials, window and door details, a methodology for the treatment of a wall, roof repairs, glazed courtyard roof, a surface water drainage scheme, and external lighting. The application seeks to vary the wording of the relevant conditions to allow submission of details prior to commencement on that part of the works referred to in the condition, in order to allow enabling works to commence on site for the repair of the existing buildings.

3. SITE DESCRIPTION

- 3.1 The site is situated in Dergate Conservation Area and sits between Guildhall Road, Fetter Street and Angel Street and was originally used for the production of machinery associated with the Boot and Shoe industry.
- 3.2 The buildings which front Guildhall Road are 19th Century and of brick construction with a decorative façade. These are Grade II listed.
- 3.3 The buildings fronting Fetter Street are of a later period and were an extension to the Guildhall Road buildings. These have north/south roofs with a more industrial appearance. Given their relationship with the listed Guildhall Road buildings these buildings are also listed.
- 3.4 The buildings fronting Angel Street consist of a single storey flat roofed brick built building and a two storey building which has the appearance of a dwelling. The single storey building was originally the Weights and Measures building and would have been associated with the group of civic buildings on the opposite side of Angel Street. There is also a single storey building which runs at a right angle to Angel Street which is proposed to be demolished under the existing approvals, as well as boundary walls.
- 3.5 There are a variety of land uses in the vicinity of the site with office, retail, commercial and residential premises. On the opposite side of Angel Street, to the north, is the County Hall group of buildings, while on the opposite side of Fetter Street is the site of Project Angel the County Council's proposed new headquarters, currently under construction.

4. PLANNING HISTORY

- 4.1 N/2014/1328 – Change of use to provide a community arts hub including 57 workshops, meeting spaces and associated amenities including alterations and refurbishment of existing buildings, erection of a three storey building and demolition of existing structures and associated external works. Permitted 11/05/15.
- 4.2 N/2014/1329 – Listed building application (details as above). Approved by the Secretary of State 11/05/15.

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).

Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities in considering whether to grant listed building consent for any works to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

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 23 advises on the need to promote competitive town centres and for the provision of a range of suitable sites to meet the scale and type of retail, leisure, commercial, office, tourism, cultural, community and residential development needed in town centres.

Paragraphs 56 and 57 promote the importance of good design.

Part 12 of the NPPF advises on the requirement to conserve and enhance the historic environment weighing any harm to heritage assets arising from development proposals against the public benefits.

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 S7 requires provision to be made for a net increase of 28,500 jobs to 2029.

Policy S10 sets out sustainable development principles including the achievement of high standards of design.

Policy E7 states that cultural development proposals will be supported where they contribute to the achievement of regeneration aims and objectives.

Policy BN5 stipulates that heritage assets will be protected.

Policy BN7 states that development proposals will comply with flood risk assessment and management requirements.

Policy N1 supports the regeneration of Northampton with a focus on development in the central area which provides high quality urban design and public realm and which protects heritage assets.

Policy N2 makes provision for major office, leisure and cultural development within the central area.

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:

Strategic Objective 1 seeks to regenerate the town centre by expanding town centre facilities and employment opportunities.

Strategic Objective 2 aims to achieve a well-designed town centre.

Policy 1: Promoting Design Excellence - seeks to promote design excellence which positively contributes to the character of the area and preserves and enhances the character, appearance and setting of the central area's heritage assets.

Policy 5: Flood Risk and Drainage requires development to have no adverse impact in terms of flood risk.

Policy 21: Angel Street – promotes the site for the provision of office development, with Nos. 34-38 Guildhall Road accommodating small scale creative businesses.

5.5 **Supplementary Planning Documents**

Northamptonshire Parking Standards (September 2016)

Planning out Crime in Northamptonshire SPG 2004

Derngate Conservation Area Appraisal and Management Plan

6. **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

6.1 **NBC Conservation** – no objection. The variation will not result in loss of historic interest or harm to the character of the Grade II listed building and is justified as a means of securing a viable conversion and re-use of the premises.

6.2 **Town Centre Advisory Committee** – no objections, if the variations assist the development, and the advice of the Conservation Officer is taken into account.

- 6.3 **Historic England** – no comments. Determine in accordance with Conservation Officer advice.
- 6.4 **Environment Agency** – no objection.
- 6.5 **NBC Public Protection** – no objection.
- 6.6 **Anglian Water** – no objection.
- 6.7 Site Notice posted and neighbouring properties notified – no comments.

7. APPRAISAL

- 7.1 The main issues to consider are as to whether the proposed variations of conditions would allow the Local Planning Authority to still consider the submission of the relevant details in a timely manner and ensure development remains appropriate, and to ensure that that the historic interest and integrity of the Grade II listed building is preserved as intended by the original consents.
- 7.2 The proposed variations would allow an element of enabling works to commence on site and assist in bringing the development forward, whilst still requiring the submission of details relevant to the individual conditions concerned prior to any works being carried out in respect of that particular element. For instance, surface water drainage details would be submitted for approval prior to any works being carried out in relation to surface water drainage.
- 7.3 The variations as proposed would not result in the loss of historic interest or harm to the character of the Grade II listed building, and are justified as a means of securing a viable conversion and re-use of the premises.

8. CONCLUSION

- 8.1 The variation to conditions as proposed on both the planning permission and listed building consent are considered acceptable for the reasons outlined above, and the applications are therefore recommended for approval.

9. CONDITIONS

9.1 N/2016/1193 (Planning)

(1) The development hereby permitted shall be begun before 11th May 2018.

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: 130 B, 131 A, 132 A, 135 B, 136 A, 205 B, 206 B, 207 B, 209 A, 211 C, 212, 215, 216, 217 A, 225, 226, 14187/210 B, 14187/230 C, 14187/240 B, 14187-260 & 14187-265.

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

(3) Details of all proposed external facing materials, including all new windows and doors, shall be 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 Policy E20 of the Northampton Local Plan.

(4) No occupation of the development hereby permitted shall take place until there has been submitted to and approved in writing by the Local Planning Authority a detailed scheme of hard and soft landscaping for the site.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan.

(5) All planting, seeding or turfing comprised in the approved details of landscaping 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; such maintenance to include the replacement in the current or nearest planting season whichever is the sooner or shrubs that may die are removed or become seriously damaged or diseased with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan.

(6) All existing windows and external doors shall be retained in situ unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the appearance of the completed development to accord with Policy E20 of the Northampton Local Plan

(7) No development shall take place 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: In the interests of archaeological research in accordance with the advice contained in the National Planning Policy Framework. This is a pre-commencement condition as any archaeological work needs to be undertaken before development commences and any features of potential archaeological interest are lost.

(8) No alteration or demolition shall take place until a programme of building recording has been compiled and submitted to and approved in writing by the Local Planning Authority in accordance with the recording brief issued by the Local Planning Authority.

Reason: In the interests of archaeological research in accordance with the advice contained in the National Planning Policy Framework. This is a pre-commencement condition as any building recording needs to be undertaken before development commences and any features of potential historic interest are lost.

(9) Prior to any works commencing on the north wall of the Vulcan Works/south wall of the new building, a detailed methodology for the treatment both walls shall first be submitted to and approved in writing by the Local Planning Authority. The submitted scheme should include details of the extent of any demolition and the justification for this as well as details of any new wall. The development shall only be carried out in accordance with the approved scheme.

Reason: To ensure that the works to this wall can be fully considered in the interests of the historic environment in accordance with the National Planning Policy Framework.

(10) Prior to any works being carried out in respect of the roof repairs/replacement, a detailed methodology in respect of these works shall be submitted to and approved in writing by the Local

Planning Authority. The development shall only be carried out in accordance with the approved scheme.

Reason: To ensure that the works to the roof can be fully considered in the interests of the historic environment in accordance with the National Planning Policy Framework.

(11) Prior to any works being carried out to the glazed 'courtyard' roof, further details of this element shall be submitted to and approved in writing by the Local Planning Authority including a full specification and method of fixing. Development shall be carried out in accordance with the approved details.

Reason: To allow for detailed consideration of this feature in the interests of the appearance of the completed development to accord with Policy E20 of the Northampton Local Plan.

(12) Prior to any works being carried out in relation to surface water drainage, a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall include:

- Full detailed surface water calculations and drawings to ensure adequate surface water drainage facilities on site all events up to and including 0.5% (1 in 200 AEP) plus climate change.
- Confirmation of the sites surface water discharge point and rate. If discharging surface water to Anglian Water Sewers evidence that the rate and location is acceptable.
- Details of how the scheme shall be maintained and managed after completion for the lifetime of the development.

Reason: To prevent the increased risk of flooding, both on and off site in accordance with the requirements of the National Planning Policy Framework.

(13) No development shall take place until a desk top study in respect of possible contaminants within the site is completed and a site investigation has been designed. The scope and methodology of the desk top study and the site investigation report shall be submitted to and approved in writing by the Local Planning Authority. The site investigation and appropriate risk assessments shall be carried out and the results shall be used to produce a method statement for the necessary remedial works (and a phasing programme), which shall be submitted to and approved in writing by the Local Planning Authority. All remedial works shall be fully implemented 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 (or within 2 weeks of completion of each respective phase).

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 the advice contained in the National Planning Policy Framework. This is a pre-commencement condition as the issue of ground contamination needs to be addressed in the preliminary stages of development.

(14) Full details of all external lighting shall be submitted to and approved in writing by the Local Planning Authority prior to installation. The development shall be carried out in accordance with the approved details and retained thereafter.

Reason: To secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan.

(15) Before the first occupation of the development hereby permitted 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.

Reason: To safeguard the amenity of nearby residents in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

(16) Before the first occupation of the development hereby permitted a scheme for the control of cooking odours, including the on-going maintenance of any equipment, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the commencement of the use hereby permitted and retained thereafter.

Reason: To safeguard the amenity of nearby residents in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

(17) Before the first occupation of the development hereby permitted a scheme for the control of fats, oils and grease arising from cooking, including the on-going maintenance of any equipment, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the commencement of the use hereby permitted and retained thereafter.

Reason: To safeguard the environment of the area in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

(18) Before the first occupation of the development hereby permitted a management plan for the operation of the development hereby permitted, including details of hours of opening and timing of deliveries, shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure that the development operates in a way which minimises the impact on the amenity of nearby residents and businesses to accord with Policy S10 of the West Northamptonshire Joint Core Strategy.

(19) Before the first occupation of the development hereby permitted details of the provision for the storage and collection of refuse shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the commencement of the use hereby permitted and retained thereafter.

Reason: To safeguard the environment of the area in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

(20) No development shall commence until a scheme to provide a programme of construction training opportunities has been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed programme.

Reason: To ensure the development provides training opportunities in accordance with the Council's SPD on Planning Obligations. This is a pre-commencement condition to ensure that the training opportunities can be maximised for the full development programme.

(21) Notwithstanding the submitted details, before the development hereby permitted is first brought into use a Travel Plan, incorporating a timetable for implementation and a monitoring/management strategy, shall be submitted to and approved in writing by the Local

Planning Authority. The approved Travel Plan shall be fully implemented thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that measures are taken to limit the impact of the development on the local road network and to encourage sustainable transport in accordance with the advice contained in the National Planning Policy Framework.

9.2 **N/2016/1196 (Listed Building Consent)**

(1) The works hereby permitted shall be begun before the 11th May 2018.

Reason: To comply with Section 18 of the Planning (Listed Building and Conservation Areas) Act 1990.

(2) The works hereby permitted shall be carried out in accordance with the following approved plans: 130 B, 131 A, 132A, 135 B, 136 A, 205 B, 206 B, 207 B, 209 A, 211 C, 212, 215, 216, 217 A, 225, 226, 14187/210 B, 14187/230 C, 14187/240 B, 14187-260 & 14187-265.

Reason: For the avoidance of doubt and to accord with the terms of the listed building consent.

(3) Details of all proposed external facing materials, including all new windows and doors, shall be 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 Policy E20 of the Northampton Local Plan.

(4) All existing windows and external doors shall be retained in situ unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the appearance of the completed development to accord with Policy E20 of the Northampton Local Plan

(5) No alteration or demolition shall take place until a programme of building recording has been compiled and submitted to and approved in writing by the Local Planning Authority. The submitted scheme should include details of the extent of any demolition and the justification for this as well as details of any new wall. The development shall only be carried out in accordance with the approved scheme.

Reason: In the interests of archaeological research in accordance with the advice contained in the National Planning Policy Framework. This is a pre-commencement condition as any building recording needs to be undertaken before development commences and any features of potential historic interest are lost.

(6) Prior to any works commencing on the north wall of the Vulcan Works/south wall of the new building, a detailed methodology for the treatment both walls shall first be submitted to and approved in writing by the Local Planning Authority. The submitted scheme should include details of the extent of any demolition and the justification for this as well as details of any new wall. The development shall only be carried out in accordance with the approved scheme.

Reason: To ensure that the works to this wall can be fully considered in the interests of the historic environment in accordance with the National Planning Policy Framework.

(7) Prior to any works being carried out in respect of the roof repairs/replacement, a detailed methodology in respect of these works shall be submitted to and approved in writing by the Local

Planning Authority. The development shall only be carried out in accordance with the approved scheme.

Reason: To ensure that the works to the roof can be fully considered in the interests of the historic environment in accordance with the National Planning Policy Framework.

10. BACKGROUND PAPERS

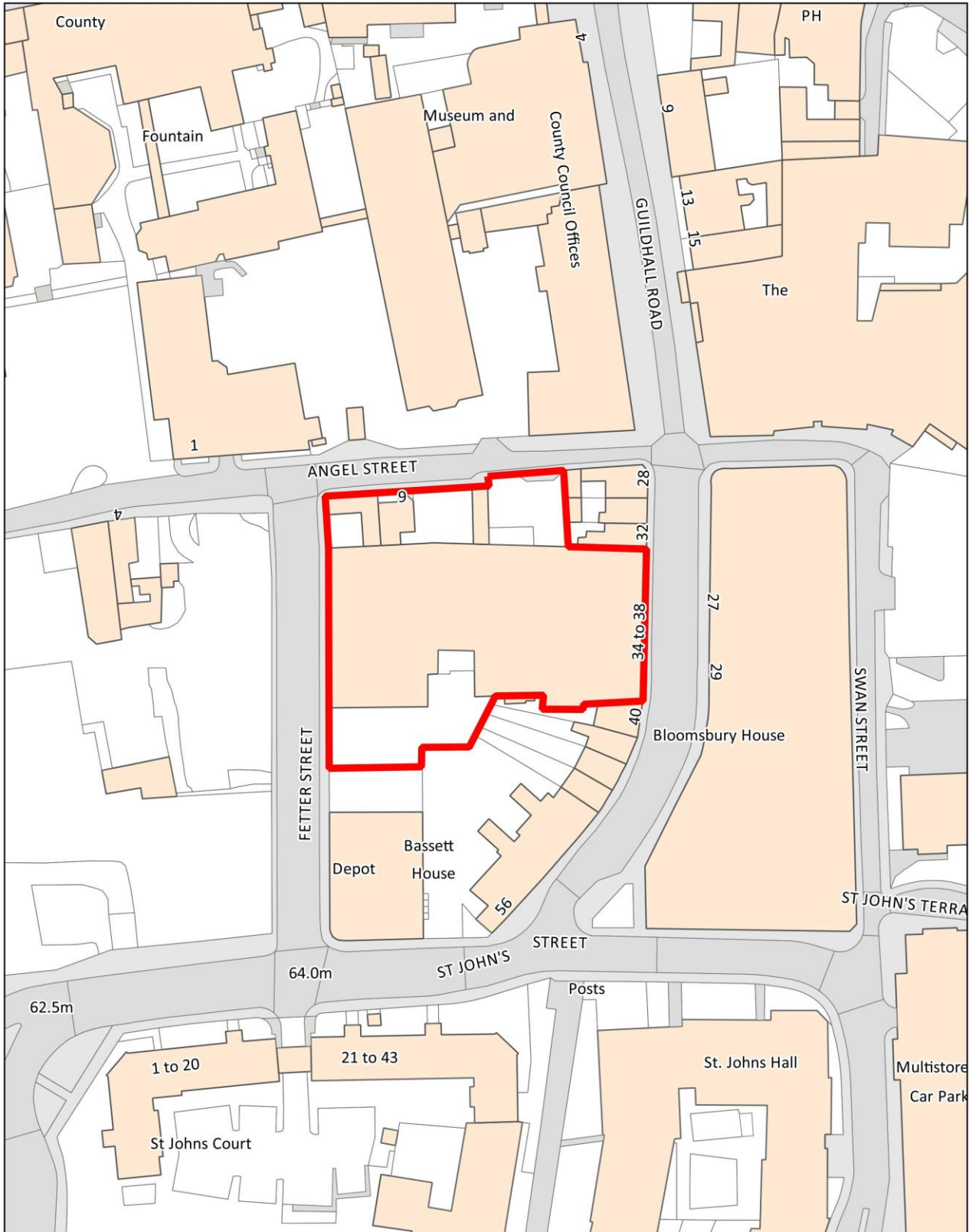
10.1 N/2016/1193 & N/2016/1196

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 associated Frameworks and Strategies.



Title: **Vulcan Works, Guildhall Road**

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Date: 14-11-2016

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