

**PLANNING COMMITTEE:** 23<sup>rd</sup> October 2018  
**DEPARTMENT:** Planning Service  
**HEAD OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2018/1220

**LOCATION:** Linnells Motors , Fetter Street

**DESCRIPTION:** Variation of Condition 2 of Planning Permission N/2016/1425 (New 4 storey building to provide shared office space and unit rooms for creative new small and medium-sized enterprises (SMEs)) to allow for minor external alterations including passenger lift overrun to roof

**WARD:** Castle Ward

**APPLICANT:** Northampton Borough Council  
**AGENT:** Purcell LLP

**REFERRED BY:** Head of Planning  
**REASON:** Council owned land and is the applicant

**DEPARTURE:** No

---

## **APPLICATION FOR DETERMINATION:**

### **1 RECOMMENDATION**

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

The proposed variation of condition is acceptable and would not result in any adverse impacts on historic interests or character of Grade II listed buildings, the Conservation Area or flood risk. The development would provide significant regeneration opportunities within the town centre 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 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.

### **2 THE PROPOSAL**

#### **2.1** The application seeks to vary Condition 2 (approved drawings) attached to the existing planning permission. Condition 2 requires development to be carried out in accordance with approved drawings. The application seeks to substitute previously approved drawings to reflect consequential changes to the scheme as it has been finalised, and following the withdrawal of the University from the project.

2.2 The previous application (N/2016/1425) proposed the demolition of the former Amalgamated Tyres/Linnells Motors building and redevelopment of the site with the erection of a four storey building to provide a creative industries hub with managed workspaces for creative small to medium enterprises (SMEs). Site clearance has since taken place since grant of permission on 12 April 2017. Minor revisions are proposed to the approved scheme, these are summarised as follows:

- Internal layout changes.
- The ramp has been altered to form a gentle slope.
- Elevational changes to include lift shaft housing and louvres on the northern elevation.
- Omission of PV panels.
- Waste storage relocated from building to yard.

### **3 SITE DESCRIPTION**

3.1 The application site is a former commercial vehicle repair workshop located adjacent to the Derngate Conservation Area and sits on the corner of Fetter Street and St John's Street, to the south of the Grade II listed Vulcan Works/Fetter Street buildings.

3.2 To the east, fronting onto Guildhall Road, are the locally listed residential terraces known as Basset Lowke House, the rear elevation of which faces towards the application site with residential parking to the rear. To the south, facing towards the application site at a slightly lower level on St John's Street, are two 4-storey blocks of residential flats. The newly constructed Project Angel, which is 5-storeys high, is located to the west of the site.

3.3 There are a variety of land uses in the vicinity of the site which include office, retail, commercial and residential premises.

3.4 The land slopes upwards to the north with the Fetter Street stores situated to the north stepping up with the change in gradients.

### **4 PLANNING HISTORY**

4.1 N/2016/1425 - New 4 storey building to provide shared office space & unit rooms for creative new small and medium-sized enterprises (SMEs). Granted 12 April 2017.

4.2 N/2015/0586 - Prior notification for the proposed demolition of building. Prior Notification not required 09.06.2015.

### **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).

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 2018) 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 2 states that planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.

Paragraphs 8, 10 and 11 attach great weight to the presumption in favour of sustainable development.

Part 6 is committed to building a strong and competitive economy.

Paragraph 85 promotes vitality and viability of town centres.

Paragraph 124 advises on the creation of high quality buildings and places, good design being integral to achieving sustainable development.

Paragraph 184 refers to conserving heritage assets in a manner appropriate to their significance.

Paragraph 193 considers the weight that should be given to the conservation of heritage assets.

Paragraph 194 advises that justification for any harm or loss of the significance of a designated heritage asset where harm or loss of assets of the highest significance should be wholly exceptional.

Paragraph 195 states that consent should be refused where a proposed development will lead to substantial harm.

Paragraph 212 states that The Framework is a material consideration which should be taken into account in dealing with applications.

### **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 in the period up to 2029.

Policy S10: Sustainable Development Principles – seeks to ensure development proposals achieve the highest standards of design and security; protect, conserve and enhance the built environment and heritage assets and their settings; minimise pollution from noise, air and run off.

Policy E7: Tourism, Visitor and Cultural Industries – proposals in this regard will be supported where they contribute to regeneration aims and objectives, strengthen the overall tourism offer, benefit local communities and businesses and is of a use, form and scale which does not harm the quality of the built environment.

Policy BN5: The Historic Environment and Landscape – heritage assets and their settings and landscapes will be conserved and enhanced.

Policy BN7: Flood Risk – development proposals are required to demonstrate there is no increased flood risk and proposed development is, or can be made, safe.

Policy BN9: Planning for Pollution Control – development proposals likely to result in exposure to sources of pollution will minimise or where possible reduce pollution.

Policy N1: The Regeneration of Northampton – will be supported by a focus on the Town Centre and Central Area for office, retail, leisure and service development providing high quality urban design and protection of heritage assets and historic character through managed change.

Policy N2: Northampton Central Area – major office, leisure and cultural development will take place in the central area.

### 5.3 **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 S01 – seeks to regenerate the town centre by expanding retail, town centre facilities and the scale of employment opportunities in the centre.

Strategic Objective S02 – seeks to ensure a well-designed Town Centre with the development of the highest standard that reflects and contributes to the rich architectural heritage assets and add to the sense of place.

Policy 1: Promoting Design Excellence – seeks to ensure that all new development within the Central Area positively contributes to the character of the area; makes efficient use of land by promoting an appropriate mix of uses in order to increase the vitality and vibrancy of the area; preserves and enhances the character, appearance and setting of heritage assets and pays suitable regard to the adopted Conservation Area Appraisals and Management Plan.

Policy 2: Tall Buildings – Development proposals for tall buildings which are taller than their surroundings must be justified and demonstrate their impact.

Policy 5: Flood Risk and Drainage – developments in the Central Area will be expected to implement measures that ensure there is no increase in the flow of surface water or foul sewage to the existing network.

Policy 10: Parking – within the Town Centre Boundary no additional private car parking for non-residential development will be permitted.

Policy 15: Office and Business Use – the Council will promote the central area as an office and business centre.

Policy 21: Angel Street – promotes for the accommodation of some small-scale creative businesses and office accommodation.

### 5.4 **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 **Northamptonshire Police – No objections.**

- 6.2 **Town Centre Advisory Committee** – No objections, but suggests that the building should be copper clad to reflect buildings in the surrounding area such as St. John University Halls of Residence.

## 7 APPRAISAL

- 7.1 The principle of development on this site has already been established by the grant of the previous permission.

- 7.2 The changes entailing the submission of the current application have arisen as the scheme is finalised prior to commencement of works. The alterations proposed are minor and summarised as follows:

- Internal layout changes.
- The ramp has been altered to form a gentle slope.
- Elevational changes to include lift shaft housing and louvres on the northern elevation.
- Omission of PV panels.
- Waste storage relocated from building to yard.

- 7.3 The Town Centre Advisory Committee has suggested the use copper cladding. Details of materials are recommended to be conditioned for future approval.

- 7.4 The proposed changes are minor in nature and would have less than substantial harm on the character and appearance of adjacent heritage assets and that this would be outweighed by the benefits of the proposed development in regenerating this underused site within the town centre and conservation area, and contributing towards the provision of employment opportunities within the town centre.

## 8 CONCLUSION

- 8.1 The variations as proposed are not significant and would not lead to any undue impacts on the setting of the Derngate Conservation Area or the setting of adjacent listed buildings, in terms of flood risk, highways or on surrounding amenity. The proposal is therefore considered to be in accordance with the National Planning Policy Framework and the Development plan and it is recommended permission should be granted.

## 9 CONDITIONS

1. The development hereby permitted shall be begun before 12 April 2020.

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: 150B, 151B, 152B, 251B, 252B, 253B, 255E, 256F, 257E, 265F, 266B & 270C.

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 window and door details, shall first 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 Policies S10 and BN5 of the West Northamptonshire Joint Core Strategy.

4. Notwithstanding the submitted details, prior to the commencement of development, full details of the method of the treatment of the external boundaries of the site, including gates, shall be submitted to and approved in writing by the Local Planning Authority, implemented prior to the first occupation of the development hereby permitted and retained thereafter.

Reason: To ensure that the boundaries of the site are properly treated so as to secure a satisfactory standard of development in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to ensure timely submission of information.

5. Notwithstanding the submitted details, 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 landscaping for the site. The development shall be carried out in accordance with the approved details prior to occupation.

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

6. Prior to the commencement of the development, details of the provision for the storage of refuse, materials for recycling and waste materials shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the first occupation of the development hereby permitted and thereafter retained.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to ensure timely submission of information.

7. 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 S10 of the West Northamptonshire Joint Core Strategy.

8. 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 occupation of the development 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.

9. The development shall be carried out in accordance with the Conclusions and Recommendations specified in the submitted BSP Consulting Report 'Amalgamated Tyres Site, Fetter Street, Northampton – Phase II Exploratory Investigation for Wates Construction Limited for and on behalf of Northampton Borough Council (14187 – October 2015). This should be applied from the demolition and implementation 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 Policy BN9 of the West Northamptonshire Joint Core Strategy.

10. 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.

11. 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. The development shall be carried out in accordance with the approved details and maintained as such thereafter.

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.

12. 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.

13. Development shall not commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following:-

- a) The management of traffic and routing during construction: to address site access, routes within site kept free from obstruction, wheel washing, travel plan for construction workers, loading and unloading, vehicle parking and turning areas, a scheme for prevention of surface water discharges onto the highway;
- b) Detailed measures for the control of dust during the construction phase of development
- c) The location and size of compounds;
- d) Details for the safe storage of any fuels, oils and lubricants;
- e) A scheme for the handling and storage of topsoil;
- h) Details of any temporary lighting
- i) Procedures for maintaining good public relations including complaint management, public consultation and liaison;
- j) Measures for the control of noise emanating from the site during the construction period;
- k) Construction Plant Directional signage (on and off site);
- l) Provision for all site operatives, visitors and construction vehicles, loading and unloading of plant and materials;
- m) Waste audit and scheme for waste minimisation and recycling/disposing of waste resulting from construction works including confirmation of any material exports, routing and deposition sites.

The approved CEMP and measures contained therein shall be adhered to throughout the construction period.

Reason: To ensure that appropriate consideration is given to environmental assets and safeguard the amenities of the locality in accordance with the National Planning Policy Framework and Policy S10 of the West Northamptonshire Joint Core Strategy and is required pre-commencement in order to ensure suitable measures are in place from the start of development.

14. No development shall take place until full details of the surface water drainage scheme for the site, based on the approved Flood Risk Assessment (prepared by bybsp Consulting dated November 2016) have been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details. The scheme shall include;
- i) Details (i.e. designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets and attenuation structures (if required). Details of the drainage system are to be accompanied by full and appropriately cross-referenced supporting calculations.
  - ii) Full detailed surface water calculations and drawings to ensure adequate surface water drainage facilities on site for all events up to and including 0.5% (1 in 200 AEP) plus climate change (20% and 40% sensitivity).

Reason: To prevent the risk of flooding, both on and off-site in accordance with the requirement of the National Planning Policy Framework and Policy BN7 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition as the drainage scheme will need to be incorporated into the preliminary stages of the development.

15. No development shall take place until a detailed scheme for the ownership and maintenance for every element of the surface water drainage system proposed on the site has been submitted to and approved in writing by the Local Planning Authority and the maintenance plan shall be carried out thereafter.

Reason: To reduce the risk of flooding both on and off-site in accordance with the National Planning Policy Framework and Policy BN7 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to ensure timely submission of information.

16. 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 Supplementary Planning Document on Planning Obligations. This is a pre-commencement condition to ensure that the training opportunities can be maximised for the full development programme.

17. 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 and Policy BN5 of the West Northamptonshire Joint Core Strategy. 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.

18. Notwithstanding the submitted details prior to occupation of the development hereby permitted a scheme shall be submitted that identifies measures to achieve Secured by Design standards within the development and a timetable for their implementation. The development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory and secure standard of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy and the NPPF.

## **10 BACKGROUND PAPERS**

- 10.1 N/2016/1425

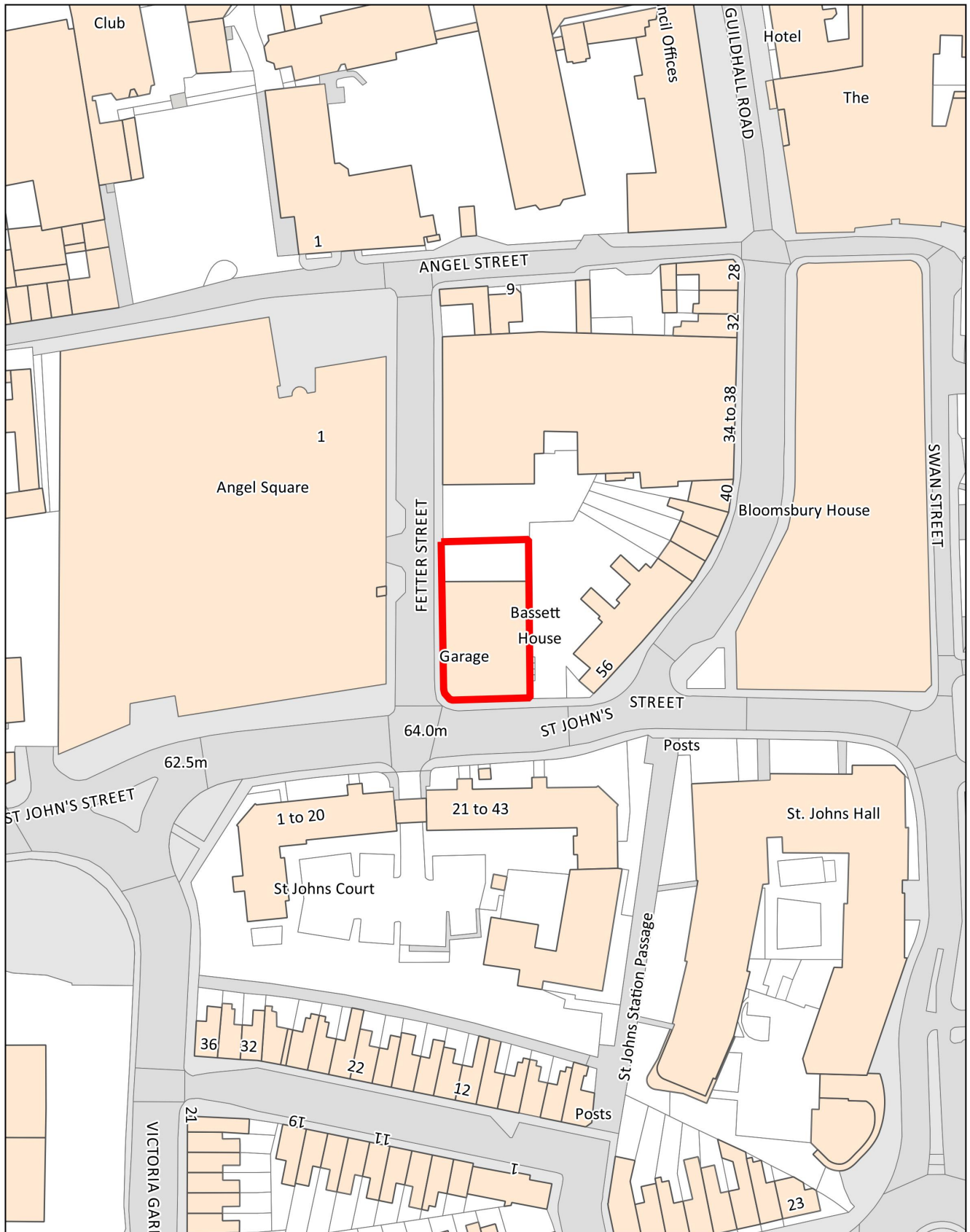


## **11 LEGAL IMPLICATIONS**

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.



**NORTHAMPTON**  
BOROUGH COUNCIL

Title: **Linnells Motors, Fetter street**

© Crown copyright and database rights 2018 Ordnance Survey licence no. 10019655

Date: 04-10-2018

Scale: 1:1.000

Drawn by: -----