

PLANNING COMMITTEE: 19th May 2020
DEPARTMENT: Planning Service
DIRECTOR OF PLANNING: Peter Baguley

APPLICATION REF: N/2020/0148

LOCATION: Former Pearce Leather Works, Wellingborough Road

DESCRIPTION: Variation of Conditions 2 and 24 of Planning Permission N/2019/0851 (Alterations and extension to existing building and conversion to 20no flats including 3no offices as part of live-work units, provision of bin store areas and car parking) to broaden the use of two of the offices to include use by the management company of the building

WARD: Billing Ward

APPLICANT: Clayson Country Homes
AGENT: N/A

REFERRED BY: Director of Planning and Sustainability
REASON: Major application

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1 RECOMMENDATION

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

The proposal would bring about the development of a disused Grade II listed building in an area surrounded by residential development in a sustainable location, the renovation of which would make an overall positive contribution to the environmental character of the area. It is acknowledged that the proposed alterations may cause harm to the historic integrity of the listed building but it is considered that this is outweighed by the public benefits identified above and the positive contribution that the residential development of the site would make towards meeting housing need in the area and the Council's 5-year housing supply. The proposal is therefore considered in accordance with the requirements of Policies S3, S10, E1, H1 and BN5 of the West Northamptonshire Joint Core Strategy, Policy E20 of the Local Plan and the aims and objectives of the National Planning Policy Framework.

2 THE PROPOSAL

2.1 Variation of Conditions 2 and 24 of Planning Permission N/2019/0851 (Alterations and extension to existing building and conversion to 20no flats including 3no offices as part of live-work units,

provision of bin store areas and car parking) to broaden the use of two of the offices to include use by the management company of the building.

2.2 Condition 2 is the plans condition, and it is proposed to amend this to include a new ground floor plans which outlines two of the offices to be used by the management company.

2.3 Condition 24 outlines:

'The office floor space as detailed on drawing nos. 2371/1D and 2371/2D shall be used as ancillary accommodation for the use of residents of the site only and shall at no time form a separate planning unit.

Reason: For the avoidance of doubt and to ensure that a satisfactory standard and layout of accommodation is provided in the interests of the amenity of occupants of the building in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.'

2.4 It is proposed to amend Condition 24 to permit two offices on the ground floor to also be used by the management company of the building.

3 SITE DESCRIPTION

3.1 The application site is located on the south-eastern side of Wellingborough Road. The application site comprises a Grade II listed building, set back from Wellingborough Road and framed with Grade II listed entrance gate piers, gates, and forecourt pool.

3.2 The entire building is now disused.

4 PLANNING HISTORY

4.1 N/2019/0851 - Alterations and extension to existing building and conversion to 20no flats including 3no offices as part of live-work units, provision of bin store areas and car parking – Approved 22/1/2020

4.2 N/2019/0852 - Listed Building Consent Application for alterations and extension to existing building and conversion to 20no flats including 3no offices as part of live-work units, provision of bin store areas and car parking – Approved 18/12/2019

4.3 N/2016/0446 - Listed Building Consent for Alterations of building to form residential units including ground and first floor extensions, installation of new windows and doors, removal of sky lights, internal walls, north lights, erection of garden fence and internal walls – Approved 17/3/17

4.4 N/2016/0365 - Alterations and extension to existing building and conversion to 14 flats and offices as part of livework units provision of bin storage areas and car parking – Approved 17/3/17

4.5 N/2012/0926 - Conversion of existing power house to 17 dwellings – Approved 8/8/13

4.6 N/2012/0888 - Listed Building application for the conversion of the power house to 17 dwellings – approved 7/12/12

4.7 N/2010/0244 - Partial demolition of Pearce Leather Works and outbuildings with remaining building to be an office use. Erection of new screen wall to enclose retained part of building and alterations to business area parking. Construction of 126 dwellings (including conversion of existing Power house to 6 units), associated highway works, public open space, landscaping and ancillary works (WNDC Consultation) – Approved 14/10/10

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 Local Plan saved policies.

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.

Paragraph 60 - Housing needed for different groups in the community.

Paragraph 127 - Create places with a high standard of amenity for existing and future users.

Section 8 - Promoting healthy and safe communities.

Section 9 - Promoting sustainable transport.

Section 12 - Achieving well-designed places.

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:

S1 – The distribution of development

S2 – Hierarchy of Centres

S3 – Scale and distribution of housing development

S10 – Sustainable Development Principles

C2 – New developments

E1 – Existing employment areas

H1 – Housing density and mix and type of dwellings

BN5 – Historic Environment

BN9 – Pollution control

INF1 and 2 – Infrastructure delivery

N1 – The regeneration of Northampton

5.4 Northampton Local Plan 1997 (Saved Policies)

Due to the age of the plan, the amount of weight that can be attributed to the aims and objectives of this document are diminished, however, the following policy is material to this application:

Policy E20 - New Development (Design)

5.5 Supplementary Planning Documents

Northampton Parking SPD (2019)

Planning out Crime in Northamptonshire SPG 2004

6 CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **NBC Public Protection** – No objection to the changes proposed.
- 6.2 **NBC Conservation Officer** – No objection, the proposed use of two of the ground floor offices will not harm the overall character/significance of the listed building.
- 6.3 **NCC Highways** – No comment on application.

7 APPRAISAL

- 7.1 The current application is a variation application to N/2019/0851 which was approved on the 22nd January 2020. The only alteration proposed from this recent approval is to allow two of the approved offices to be used by the management company of the building.

Principle of development

- 7.2 The application proposes the conversion of the existing disused former leatherworks factory to 20 flats, 3 of which would form live work units with office units attached. The principle of converting the existing building into residential units, some as live work units, has been established within previous application N/2019/0851. In line with this, it is considered that the principle of providing residential units is acceptable. The proposal would also contribute to the Council's housing land supply.

The impact of the proposed conversion on the character and appearance of the listed building and conservation area

- 7.3 The application site comprises a Grade II listed building, and Grade II listed entrance gate piers, gates, and forecourt pool.
- 7.4 The application proposes a change in the permitted use of two rooms within the approved scheme. No alterations are proposed to the building itself as a result of this. The Council's Conservation Officer has been consulted and advises that the proposed use of two of the ground floor offices will not harm the overall character/significance of the listed building.

Residential amenity

- 7.5 The application proposes to allow two of the previously approved offices, which were conditioned to be ancillary accommodation for the residents of the building, to be used by the management company of the building. The two offices in question are located within the central atrium, away from the approved flats.
- 7.6 The Council's Public Protection team have been consulted on this amendment and raise no objection to the alteration proposed. In line with this, the offices being within the central atrium away from any of the approved flats, and with the use restricted to be the management company of the flattened scheme itself, it is not considered that the proposed alterations would have an unacceptable impact upon the living conditions of future occupiers.

Neighbouring amenity

- 7.7 It is not considered that the proposed internal change to the use of two offices would have an unacceptable impact upon existing neighbouring amenity.

Highways

- 7.8 The proposal includes the provision of 47 parking spaces. 34 parking spaces are required for the residential units previously approved, and as such 13 spaces are available for the use by the staff

within the management company alongside visitors to the site. NCC Highways have been consulted on the proposal and raise no objection to the proposed alterations.

Planning Obligations

- 7.9 Within previous approval N/2019/0851, NHS England requested a contribution for health facility. NCC Planning requested a contribution for primary education, and Fusion 22 requested a contribution for construction training. It was also the case that with the development being over 15 units, affordable housing at 35% should have been provided on site, and a contribution towards open space should also have been provided.
- 7.10 It was, however, demonstrated through a viability assessment that the scheme cannot provide any contributions or affordable housing. This was independently assessed and it was confirmed that the scheme could not provide any contributions of affordable housing. The scheme was subsequently approved by the Planning Committee on the 21st January 2020 with no requirement for contributions or affordable housing.
- 7.11 There is no change in circumstance since this recent approval, and the proposed alteration to the use of two offices does not alter this requirement.

8 CONCLUSION

- 8.1 To conclude, the proposal would bring about the development of a disused Grade II listed building in an area surrounded by residential development in a sustainable location, the renovation of which would make an overall positive contribution to the environmental character of the area. It is acknowledged that the proposed alterations may cause harm to the historic integrity of the listed building, but it is considered that this is outweighed by the public benefits identified above and the positive contribution that the residential development of the site would make towards meeting housing need within the area and the Council's 5-year housing supply. The proposal is therefore considered in accordance with the requirements of Policies S3, S10, E1, H1 and BN5 of the West Northamptonshire Joint Core Strategy, Policy E20 of the Local Plan and the aims and objectives of the National Planning Policy Framework. Therefore, it is recommended that planning permission is granted subject to conditions.

9 CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: Site location plan, 2371/1F, 2371/2D, 2371/3, 2371/4A, 2371/5, 2371/9, 2371/10, 2371/11, 2371/12, 2371/30A, 2371/31A, 2371/32A.

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 new doors and windows 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 the historic integrity of the building and to ensure that the development will harmonise with its surroundings in accordance with Policies BN5, H1 and S10 of the West Northamptonshire Joint Core Strategy.

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. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures.

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 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 is subject to the approval in writing of 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: 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 Policy BN9 of the West Northamptonshire Joint Core Strategy.

6. The approved remediation scheme 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 is subject to the approval in writing of the Local Planning Authority.

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 Policy BN9 of the West Northamptonshire Joint Core Strategy.

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 in accordance with the requirements of Condition 5 above, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Condition 6 above, 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 in accordance with Condition 7.

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.

8. The parking spaces shown on the submitted plan (reference 2371/5) shall be constructed prior to the first occupation of the building hereby approved and retained solely for the parking of vehicles thereafter.

Reason: To ensure that the proposed development does not prejudice the free flow of traffic or conditions of highway safety in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

9. No development shall 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, but not be limited to, details of the intended hours and duration of work, measures proposed to minimise dust and noise, on and off site traffic management proposals (including details of wheel washing facilities) and the location of waste management and site compound areas within the site. Development shall be carried out in accordance with the approved details during construction works.

Reason: Pre-commencement condition to manage the impact of the development upon the local area during its construction in the interests of public amenity and the local natural environment in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

10. The first floor windows on the southern elevation shall be obscure glazed up to 1.8 metres above first floor level in accordance with details on submitted drawing no. 2371/3. Prior to installation a sample of the obscure glazing shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented and retained in that form at all times.

Reason: To safeguard the privacy of the adjoining properties in accordance with Policy E20 of the Northampton Local Plan and Policy H1 of the West Northamptonshire Joint Core Strategy.

11. Notwithstanding the submitted plans, further details of an enclosed bin store to be sited in the south west corner of the site shall be submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved details prior to occupation of the development hereby permitted.

Reason: In the interests of residential amenity in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

12. Prior to the first occupation of the building hereby approved, the applicant shall submit to the Local Planning Authority an assessment of the Noise Exposure Category of each habitable room due to its exposure to transportation (and street noise). This must take into account the likely growth of traffic over the next 15 years.

Reason: In the interests of residential amenity in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

13. Where any part of a façade of any residential premises does not fall into NEC A, a noise insulation scheme to protect habitable rooms on that façade, which will require the provision of suitable mechanical ventilation, shall be submitted to the Local Planning Authority for written approval. The approved scheme shall be implemented prior to the properties being occupied.

Reason: In the interests of residential amenity in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

14. The area for cycle storage shall be provided in accordance with the approved details as shown on drawing no. 2371/1F prior to occupation of the development hereby permitted and retained thereafter.

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

15. No development 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. The scheme shall include, where present, the location and species of any existing trees and hedgerows on the land and details of any to be 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.

16. 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.

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.

17. All trees shown to be retained in the approved plans shall be protected for the duration of the development by stout fences to be erected and maintained on alignments to be approved in writing by the Local Planning Authority before any development works shall take place. Within the fenced area no development works shall take place on, over or under the ground, no vehicles shall be driven, nor plant sited, no materials or waste shall be deposited, no bonfires shall be lit nor the ground level altered during the periods of development.

Reason: In order to ensure adequate protection of existing trees on the site in the interests of achieving a satisfactory standard of development and maintaining the amenity of the locality in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

18. Details of the repair and proposed maintenance of the forecourt pool, entrance gate piers and gates shall be submitted to and approved in writing by the Local Planning Authority and implemented prior to the occupation of the building.

Reason: In the interests of amenity, the preservation of heritage assets and to secure a satisfactory standard of development in accordance with Policies S10 and BN5 of the West Northamptonshire Joint Core Strategy.

19. Full details of boundary fencing as indicated on drawing no. 2371/5 shall be submitted to and approved in writing by the Local Planning Authority, implemented prior to the occupation of the building hereby permitted and retained thereafter.

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

20. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extensions or other form of enlargement to the units hereby permitted, nor erection of porches, outbuildings, hardstandings, storage tanks, gates, fences, walls or other means of enclosure, shall take place.

Reason: To prevent overdevelopment of the site in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

21. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no doors or windows, other than those shown on the approved plans, shall be installed or altered and no other material alterations carried out to the external appearance of the building without the prior written consent of the Local Planning Authority.

Reason: In order to ensure that the design of any alteration is appropriate to the general character and architecture of the building in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

22. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or

without modification), no satellite dishes shall be erected on the building unless permission has been granted by the Local Planning Authority.

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.

23. Prior to first occupation of the development hereby permitted, details of access control systems for the development shall be submitted to and approved in writing by the Local Planning Authority. The approved access control system shall be implemented on site in full accordance with the approved details and retained on site thereafter.

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

24. The office floor space as detailed on drawing nos. 2371/1F and 2371/2D shall be used as ancillary accommodation for the use of residents of the site only and shall at no time form a separate planning unit, other than the two units shown hatched within plan 2371/1F which can be used as ancillary accommodation for the use of residents of the site or can be used by the management company of the flats within the application site only.

Reason: For the avoidance of doubt and to ensure that a satisfactory standard and layout of accommodation is provided in the interests of the amenity of occupants of the building in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

25. Full details of 5 electric vehicle charging points for the approved residential units hereby approved shall be submitted to and approved in writing prior to first occupation of the development hereby approved. The approved charging points shall be provided on site in accordance with the approved details prior to first occupation of the development hereby approved and retained thereafter.

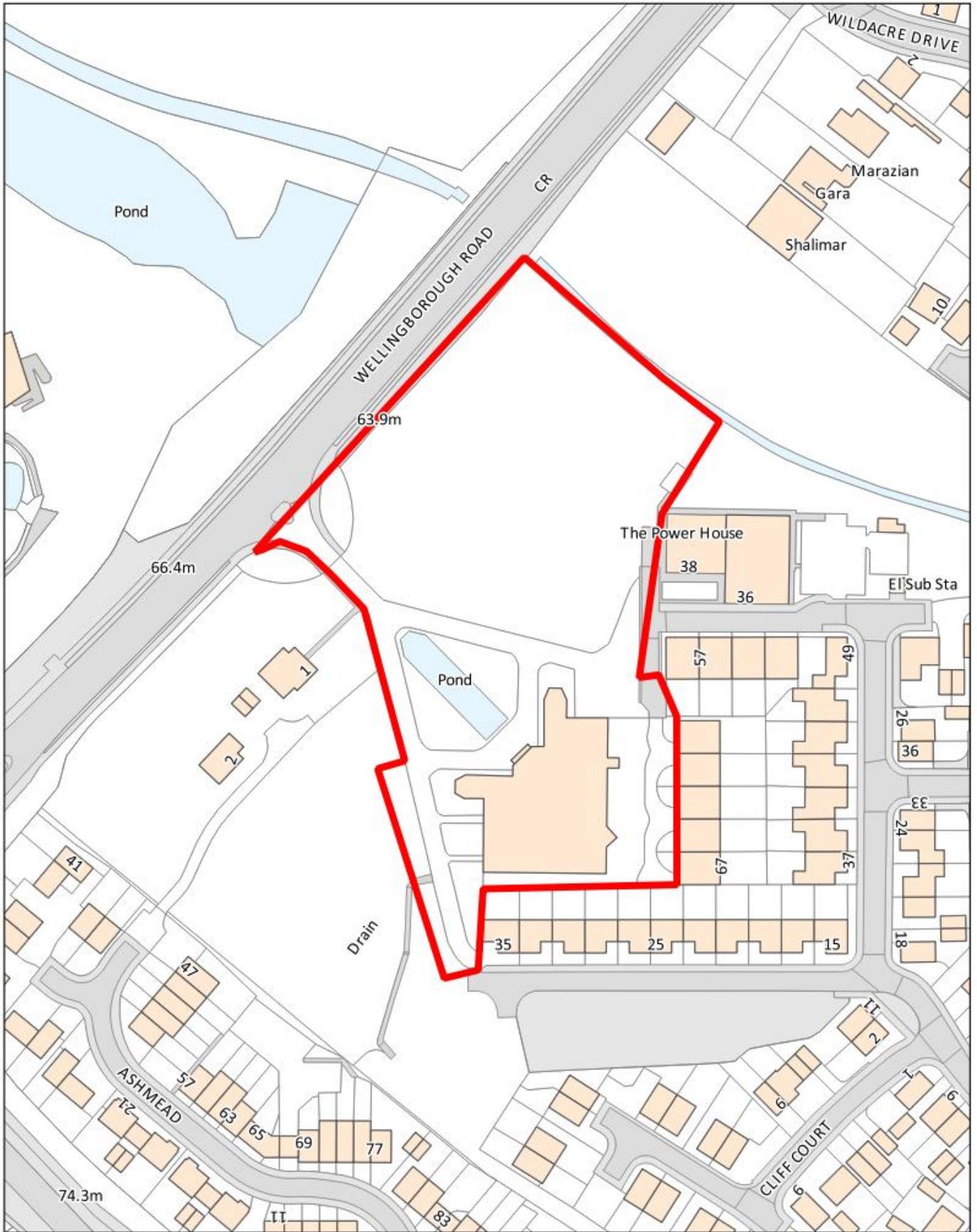
Reason: To ensure the provision of adequate facilities in accordance with the Northampton Parking Standards SPD.

10 LEGAL IMPLICATIONS

- 10.1 The development is CIL liable on the extended element.

11 SUMMARY AND LINKS TO CORPORATE PLAN

- 11.1 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: **Former Pearce Leather Works, Wellingborough Rd**

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Scale: 1:1,250

Drawn by: -----