



**PLANNING COMMITTEE:** 27<sup>th</sup> October 2020  
**DEPARTMENT:** Planning Service  
**DIRECTOR OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2016/0810

**LOCATION:** University of Northampton Avenue Campus, St Georges Avenue

**DESCRIPTION:** Hybrid application for up to 170 new dwellings in total including outline application for the demolition and conversion of existing University buildings and the erection of new buildings to provide residential accommodation (Use Class C3) of up to 112 units and associated car parking (including reconfiguration of Newton Building car park), landscaping and open space (all matters reserved except access) and full application for the part demolition, conversion and extension of the Maidwell Building to provide 58 new dwellings together with access and parking

**WARD:** Trinity Ward

**APPLICANT:** University of Northampton  
**AGENT:** Catherine Mason

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

**DEPARTURE:** No

---

## **APPLICATION FOR DETERMINATION:**

### **1 RECOMMENDATION**

1.1 **APPROVAL IN PRINCIPLE** subject to the completion of a S106 Agreement to secure:

- 1.1.1
- i) A payment towards primary school education;
  - ii) A payment towards healthcare facilities;
  - iii) A payment towards highway signal improvements at the A508 Barrack Rd / A428 Grafton Street / Campbell Street junction and A5095 Kingsley Rd / A5095 Abington Grove / A5123 St. Matthews Parade / A5123 East Park Parade junction;
  - iv) The provision of on-site open space and for this space to be continually maintained and made available for public access; and;
  - v) The Council's monitoring fee, subject to the Director of Planning and Sustainability being satisfied the monitoring fee is necessary and of an appropriate scale.

1.1.2 The conditions as set out below and for the following reason:

The proposed development would contribute to the Council's five-year housing land supply and, as part of a balanced assessment, is considered acceptable subject to conditions and a Section 106 Legal Agreement. Therefore, no objections are raised to the proposal with regards to the National Planning Policy Framework; Policies SA, S1, S3, S10, C1, C2, RC2, E6, H1, H2, BN1, BN2, BN3, BN5, BN7a, BN7, INF1 and INF2 of the West Northamptonshire Joint Core Strategy and Saved Policy E20, E26, H14 and L2 of the Northampton Local Plan.

- 1.1.3 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.
- 1.1.4 Furthermore, due to the nature and complexity of the Application, it is recommended that delegated authority be given to the Director of Planning and Sustainability in consultation with the Chair of Planning Committee to amend, omit or add planning conditions as appropriate.

## **2 THE PROPOSAL**

- 2.1 The proposal is a hybrid application for the redevelopment of the Northampton University Avenue Campus site for up to 170 dwellings. However, and for the avoidance of doubt, the Newton Building does not form part of the application and is to be retained unaltered and in education use.
- 2.2 The outline part of the application predominantly relates to the rear of the site and comprises the demolition and conversion of existing University buildings and the erection of new buildings to provide residential accommodation (Use Class C3) of up to 112 units and associated car parking (including reconfiguration of Newton Building car park), landscaping and open space, with all matters reserved except access.
- 2.3 The full/detailed part of the application comprises the part demolition, conversion and extension of the Maidwell Building to provide 58 new dwellings in two separate buildings together with car parking to serve these units and also includes full details of the vehicular accesses to the site.
- 2.4 The proposed works to the Maidwell Building comprise the demolition of the northern (front) and southern (rear) wings of the building, the retention and conversion of the east and west (side) wings/pavilions to residential, new infill residential terraces to the front and a rear extension to the retained western pavilion. The retained and converted Maidwell wings/pavilions would contain 26 residential apartments (5 x 1 beds, 16 x 2 beds, and 5 x 3 beds) over four storeys. The new infill terraces would provide 32 residential units (12 x 1 beds, 12 x 2 beds, and 8 x 4 beds) over 5 storeys. The parking for these 58 dwellings, comprising a total of 129 spaces, would be located in parking courts to the rear of the pavilions and served off a new vehicular entrance from St Georges Avenue that would run between the new terraces to the southern frontage of the site.
- 2.5 The application includes full details of two vehicular accesses onto St Georges Avenue with footways. The existing vehicular access to the east of the Maidwell Building would be widened to allow two-way traffic with a footway to one side and a shared cycleway and footway to the other side. In addition, a new vehicular access with footways to both sides would be formed to the centre of the site running through the demolition parts of the Maidwell Building and adjacent to the new infill terraces, as detailed above. The existing western vehicular access is indicatively shown as a footpath and cycleway on the submitted details.
- 2.6 The remaining 112 dwellings located to the rear of the site and alterations to the Newton Building car park are proposed in outline only; the details of appearance, landscaping, layout and scale of this part of the development would be submitted as a reserved matters application(s) in the event that the current application is approved. The current application, however, has been accompanied

by indicative parameter plans and an illustrative masterplan to seek to demonstrate that the proposed units could be accommodated within the site. These details indicate that the new dwellings would form a mix of houses and apartments of between 2 and 4 storeys in height. The new dwellings would be located to the northern and western parts of the site, predominantly on previously developed land, with the existing areas of open green space retained and a new surface water attenuation pond and play facility to the west of the site. A main east to west internal link road is envisaged to run across the centre of the site with pedestrian links onto Trinity Avenue and Freehold Street.

- 2.7 It should be noted that the application has been amended since its original submission to seek address the comments of consultees and officers including a reduction in the maximum number of dwellings from 200 to 170.

### **3 BACKGROUND AND SITE DESCRIPTION**

- 3.1 The application site, Avenue Campus, forms part of the University of Northampton. The University of Northampton historically operated from two campuses: Avenue Campus (the application site) and Park Campus on Boughton Green Road. Avenue Campus comprised the University's centre for art, design, technology, architecture and the performing arts and also contains some student accommodation. Park Campus contained the University's management and administration facilities, lecture theatres, library, restaurant, a sports hall, shops, bars and a nightclub. However, in 2014 outline planning permission was granted for the development of a new Waterside Campus (under reference N/2013/0912) to relocate the University and this new campus opened in September 2018. An application was also submitted in 2014 to redevelop Park Campus for residential purposes (under reference N/2014/0475) and this was subsequently approved, but the current application for Avenue Campus (submitted in 2016) has been delayed in determination due to issues raised by statutory consultees.
- 3.2 The application site is located approximately one mile to the north of Northampton's town centre and immediately to the north of the Racecourse, accessed off St Georges Avenue. It contains five buildings in educational use (Newton, Maidwell, Isham, Walgrave and Heyford) together with a halls of residence (Bassett Lowke), an innovation centre, some seven car parks served by two accesses, areas of open space (including a treed area to the west) and its frontage falls in land levels down to the centre of the site. The scale of the existing buildings on the site vary from single storey to four storeys in height.
- 3.3 The Newton Building and Maidwell Building front onto St Georges Avenue and fall within the Kingsley Conservation Area. The Newtown Building is Grade II listed and is to be retained, falling outside the application red edge boundary. The Maidwell Building is locally listed and occupies the frontage of the application site. It is three storeys in scale with a basement to the front elevation and is laid out in a courtyard arrangement including 1930s pavilion wings but with a modern 1960s infill to the front.
- 3.4 The locality of the application site is predominantly residential along St Georges Avenue, although Bosworth Independent School is located to the west of the site. The site backs onto the Malcolm Arnold Academy, including a number of sport pitches, and beyond these playing fields to the north west lies an existing employment area and housing.

### **4 PLANNING HISTORY**

- 4.1 The site has a long and complex planning history relating to the educational use of the site together with associated student accommodation (Bassett Lowke building), however the following application is most relevant to the current application:

#### N/2015/0426

Request for a screening opinion as to the need to undertake an Environmental Impact Assessment for the redevelopment of the site comprising a residential development of up to 250 dwellings. Environmental Impact Assessment is not required.

- 4.2 In addition, the following outline application for a new campus for the University of Northampton at Waterside is also a material consideration of the current application:

N/2013/0912

Outline planning permission for redevelopment of the site as a new campus for the University of Northampton, including site clearance and enabling works comprising remediation and re-levelling of the site, demolition of all buildings on the site (except the Grade II listed structures). The proposal includes up to 40,000m<sup>2</sup> university floorspace (all floorspace is GEA); up to 15,000m<sup>2</sup> university expansion floorspace; up to 35,000m<sup>2</sup> commercial (B1) floorspace; up to 3,550m<sup>2</sup> of retail floorspace (up to 1800m<sup>2</sup> of A1, up to 150m<sup>2</sup> of A2, and up to 1600m<sup>2</sup> A3/A4); up to 1,500 beds of student accommodation; up to 760 car parking spaces for University use; up to 1,100 car parking spaces for commercial / leisure use; a hotel of up to 7,000m<sup>2</sup> (up to 150 bedrooms); floodlit sports facilities; reuse of listed locomotive shed (520m<sup>2</sup>) and curtilage listed office building; an energy centre of up to 600m<sup>2</sup>; a new road bridge and junction on to Bedford Road including reconfiguration of Midsummer Meadow car park; a new pedestrian foot bridge connecting the site to Becket's Park; a new secondary substation (adjacent to existing substation); and retention of the existing access via Nunn Mills Road.

Approved with a number of subsequent reserved matters applications approved and implemented for the construction of the new university facilities.

- 4.3 The outline application at Park Campus, Boughton Green Road is also noteworthy in the consideration of the current application:

N/2014/0475

Outline application (with all matters reserved except access) for the demolition of existing University facilities and erection of new buildings comprising residential accommodation (use class C3) up to 800 units associated car parking, retail unit, landscaping and open space with accesses from Boughton Green Road.

Approved, with subsequent variation of condition and reserved matters applications also approved and works have commenced on the construction of the residential development.

## 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), Northampton Local Plan (1997) saved policies, 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 - Housing Supply

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:

SA - Presumption in Favour of Sustainable Development  
S1 - The Distribution of Development  
S3 - Scale and Distribution of Housing Development  
S10 - Sustainable Development Principles  
C1 - Changing Behaviour and Achieving Modal Shift  
C2 - New Developments  
RC2 - Community Needs  
E6 - Education, Skills and Training  
H1 - Housing Density and Mix and Type of Dwellings  
H2 - Affordable Housing  
BN1 - Green Infrastructure Connections  
BN2 - Biodiversity  
BN3 - Woodland Enhancement and Creation  
BN5 - The Historic Environment and Landscape  
BN7A - Water Supply, Quality and Wastewater Infrastructure  
BN7 - Flood Risk  
BN9 - Planning for Pollution Control  
INF1 - Approach to Infrastructure Delivery  
INF2 - Contributions to Infrastructure Requirements

### 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 policies are material to this application:

E20 - New Development (design)  
E26 - Conservation Areas  
H14 - Residential Development, Open Space and Children's Play Facilities  
L2 - School and College Sites

### 5.5 **Supplementary Planning Documents**

Planning out Crime in Northamptonshire SPG 2004  
Planning Obligations Strategy SPD 2013  
Affordable Housing Interim Statement 2013  
Northamptonshire County Parking Standards 2016  
Biodiversity SPD for Northamptonshire 2017  
Northampton Parking Standards 2019

### 5.6 **Other Material Considerations**

Kingsley Conservation Area Appraisal and Management Plan 2009

The Northampton Local Plan Part 2 – The Northampton Local Plan Part 2 has recently been subject to a second round of consultation (Regulation 19) and the policies in this emerging plan will attract more weight as the plan progresses. Policies 13 and 38 of the Northampton Local Plan Part 2 Proposed Submission are of particular relevance to this proposal as they seek to allocate the application site for 200 dwellings. In addition, Appendix C to the Part 2 Plan details that improvements to the Barrack Road / St. Georges Road, and Kingsthorpe Road / Balfour Road junctions will be required to support the redevelopment of Avenue Campus.

## **6 CONSULTATIONS / REPRESENTATIONS**

Comments received are summarised as follows:

### **6.1 Anglian Water:**

- Assets – There are Anglian Water assets that may affect the layout of the development and an informative should be imposed to draw this matter to the attention of the developer.
- Wastewater Services – There is capacity available for the foul drainage and sewerage arising from the development.
- Surface water disposal – A condition should be imposed to require a surface water management strategy.

**6.2 Arboricultural Officer:** No objection on tree-related grounds. The submitted arboricultural survey and report are thorough and the analysis is thoughtful, considered and well-balanced with adequate justification for the proposed tree removals, essentially the second tier of planting in front of the Maidwell Building. At the front of the property an arboricultural method statement and tree protection plan will be required. An up-to-date tree survey of the area behind the Maidwell Building will be required for any future reserved matters application; the submitted arboricultural report dates from 2016 and the survey itself was completed in 2014, and this should inform an arboricultural method statement and tree protection plan.

**6.3 Conservation Officer:** No objection to the revised proposal, which will not impact on the character or appearance of the Kingsley Conservation Area.

**6.4 Construction Futures:** A financial contribution should be made to secure a construction training programme.

**6.5 Environment Agency:** The previous use of the proposed development site presents a potential risk of contamination that could be mobilised during construction to pollute controlled waters. Controlled waters are particularly sensitive in this location because the proposed development site is located upon a Secondary A aquifer. Therefore, to ensure the development does not propose an unacceptable risk to the environment, conditions should be imposed to address the following:

- Land contamination
- Infiltration of surface water drainage.

### **6.6 Environmental Protection:**

- Construction Works – A Construction and Environmental Management Plan condition should be imposed to address the impacts of construction works.
- Land contamination – This matter can be addressed by conditions.
- Noise Assessment / Mitigation – The submitted Noise Report includes baseline noise measurements and identifies the need for onsite mitigation to protect future residents from noise disturbance. A condition should therefore be imposed to secure a detailed noise control scheme prior to the construction of each property; the scheme will likely include measures such as windows with improved noise attenuation and ventilation/heat control systems that allow windows in habitable rooms to be kept closed in warm weather and also provisions to protect outdoor amenity spaces.
- Air quality - The Council's Low Emissions Strategy requires electric vehicle charging points and specifies minimum standards for gas boilers.

**6.7 Highways England:** No comments.

- 6.8 **Historic England:** No comments regarding the amended details.
- 6.9 **NCC Archaeology:** Initially objected in the absence of intrusive on site works to provide an appropriate level of archaeological assessment. However, four trenches were subsequently excavated on the site and an Archaeological Evaluation Report submitted which indicates that the site does not retain evidence for the former Kingsthorpe Brickworks that is known to have been present on the site. The trial trenching found evidence for modern disturbance and for quarrying which appeared to have been backfilled relatively recently. There is therefore no requirement for further work on below ground archaeology. However, a building recording condition for the Maidwell Building is recommended, to cover those parts of the building to be converted as well as those demolished, if consent is forthcoming.
- 6.10 **NCC Development Management:**
- Primary Education – There will not be sufficient capacity within existing provision to be able to accommodate the likely numbers of pupils generated from this development. Therefore, a financial contribution is required to ensure that the children generated by this development can be accommodated within a local school.
  - Secondary Education – The majority of the secondary schools serving the proposed development are operating at 99% capacity or above. Secondary education in Northampton have previously been secured through developer contributions under the Community Infrastructure Levy, however changes to legislation in 2019 allow section 106 contributions to be sought and therefore such a contribution is sought from this development.
  - Fire hydrants and sprinklers – A condition is sought regarding fire hydrants and sprinklers.
  - Libraries – A financial contribution is sought for libraries
  - Broadband – Guidance should be provided to the developer regarding broadband.
- 6.11 **NCC Ecology:** Initially raised concerns regarding the potential impacts on protected species but, following the submission of further ecological assessments, raises no objections subject to conditions to address the following:
- A Construction Environmental Management Plan to address impacts on protected species.
  - A Landscape and Ecological Management Plan to cover the management of soft landscaping.
  - The removal of Japanese Knotweed from the site.
- 6.12 **NCC Highways:** Initially raised concerns regarding highway impacts. However, following a reduction in the number of units from 200 to 170 and the submission of revised and further details the following observations have been provided:
- Layout - A condition should be imposed to ensure that the Maidwell part of the development is laid out in accordance with the detailed site plan.
  - Construction works – A Construction Traffic Management Plan condition should be imposed.
  - Private streets – A condition should be imposed to address any streets that may not be adopted as public highway.
  - Travel Plan – A Travel Plan should be secured by condition
  - Transport impacts - The applicant has agreed to seek to mitigate the traffic impacts of the development via signal timing changes at affected junctions: A5095 Kingsley Rd / A5095 Abington Grove / A5123 St. Matthew's Parade / A5123 East Park Parade and A508 Barrack Rd / A428 Grafton Street / Campbell Street. These works should be secured prior to the occupation of the 60<sup>th</sup> dwelling.
- 6.13 **NCC Lead Local Flood Authority:** Initially objected due to insufficient information supporting the application regarding surface water drainage, however following the submission of further details no objections are raised to the proposal subject to the imposition of conditions to secure a surface water drainage scheme.
- 6.14 **Nene Clinical Commissioning Group & NHS England:** There will not be sufficient capacity in the local primary healthcare system to absorb the anticipated increase in demand created by the proposed development. Practices in the local area are already at the limit of their capacity and the increase in population could push practices to the point that they are no longer able to accept new

patients. If this were to be the case it could result in the population brought to the area by the new housing development experiencing difficulties accessing primary care health services. Therefore, the Clinical Commissioning Group and NHS England are seeking a financial contribution towards infrastructure to ensure the new population has access to good quality primary health care services.

#### 6.15 **Northants Police Crime Prevention Design Advisor:**

##### Outline application

- There are references in the supporting submissions to Secured by Design and the principles of designing out crime. The general layout with back to back gardens and on plot parking shows an adherence to these principles as both reduce opportunities for crime. However, there are examples on the illustrative master plan where parking is behind the rear garden and where the rear garden perimeter is exposed by the introduction of a road and both of these should be avoided on the final layout.
- Pleased to note the play space to the rear of garden has been removed. The play space indicatively shown to the west of the site is acceptable as it benefits from overlooking and is separated from the nearest housing by a road which reduces the impact of the nuisance and noise which can often accompany a play space.
- The purpose of the green space behind the houses on the north east side of the plan is unclear; the green space serves to expose the rear garden boundary of the houses backing onto it and will create a hidden space for children to play in. A similar situation exists on the north west side.

##### Maidwell Pavilions and Terrace

- Access controls should be incorporated.
- Postal deliveries should be made to external letter boxes.
- The cycle storage is set away from the buildings and will need to be very secure to encourage persons to store bikes in the public domain; a brick built lockable building is recommended with security rated internal anchor points.
- The residential amenity for those persons living on the bottom floor of Maidwell Terrace facing into the car park can be enhanced by the inclusion of some secure amenity space to provide a buffer for ground floor residents. The lower gardens may prove attractive for burglars as they would appear to be screened from overlooking from St Georges Avenue and there does not seem to be much to stop persons accessing the space. Any glazing in any basement level or ground floor level window should be laminate and meet the requirements of P1A.
- All new external doors and windows at accessible levels plus all internal flat entrance doors should meet the requirements of BS PAS24:2012
- Lighting to the communal car park should meet the requirements of BS 5489 and provide a uniform level of light of between 0.2 and 0.4UO.
- The extensive area of parking would lend itself to being designed in line with guidance from the Safer Parking Scheme

6.16 **Sport England:** Initially objected due to the proximity of residential uses to existing sports facilities at Malcolm Arnold School (particularly a flood lit artificial grass pitch and court facilities), which are used by the school and community (including at weekends and in the evenings) meaning that the new dwellings may impact on the continual use of the sports facilities. However, having assessed the noise assessment submitted in response to these concerns, the objections were withdrawn subject to conditions to secure an acoustic barrier and attenuated ventilation to buildings affected by noise from the neighbouring sports facilities. In addition, the detailed design of any reserved matter applications should seek to ensure that there would be no private or shared gardens bordering the sports pitches and the design of the buildings seeking to avoid noise sensitive rooms on elevations facing the sports pitches.

#### 6.17 **Councillor Jane Birch:**

- Pleased to note the reduction of housing units to 170; this reduction (from 200) will have a less adverse impact on the traffic along St George's Avenue which has concerned local residents since the original proposals came forward.
- Note that there is no plan to widen St. George's Avenue with the loss of established trees.

- The Traffic Plan is also far more comprehensive and again this is seen as an improvement on the previous plan.
- Note that the cycle path leading onto Freehold Street has been repositioned to the edge of the Wildlife Area reducing the disruption to the local wildlife. This area of wild woodland to the rear of properties on St George's Avenue now remains relatively undisturbed; it is regarded as highly important to the character of the neighbourhood.
- Concerns have been expressed about security of the site and the adjoining residential properties.
- Details of boundary treatments as the application develops are important.
- Residents need to be assured that the digging of deep foundations will not impact on the stability of nearby properties.
- As far as this application looks at a detailed planning application for Maidwell, the front elevation facing the Racecourse presents a cohesive facade in line with the perception of this being a significant building in the area.
- Pleased to see the alterations to the original proposals, many reflect the objections raised at the time by local residents.

6.18 **Five neighbour objections** to the application have been received. These objection letters include the following points:

- The provision and quality of the flats to the St George Avenue frontage is not comparable to the quality and social mix of existing properties along St Georges Avenue; houses should be provided to the frontage.
- The proposal would exacerbate existing traffic issues on Trinity Avenue.
- Concerned regarding the impacts of the development to wildlife including protect species in the western portion of the site; this area is known locally as a wildlife area and recognised as a wildlife conservation area by the University who, together with the St Georges Community and Wildlife Group, secured lottery funding to enhance the site 20 years ago. The large balancing pond and pedestrian routeway will destroy an important hedgerow and trees used by nesting birds. There are existing ponds and another pond is not needed. Lighting of the routeway will be detrimental to wildlife. The land was also historically recognised as a greenspace in the 1990s under the draft Local Plan, but this was changed to an education designation in the final plan.
- Tree preservation orders should be extended in the western area of the site.
- The new bicycle path exit at Trinity Avenue would necessitate the loss of a hedge that has been nominated for the Local Heritage List.
- There are potential archaeological remains in the western area of the site of historic importance; it comprises the longest occupied and most extensive brick working area in Northampton (operating from at least 1755). The submitted desk based archaeological report is below acceptable quality and has incorrect conclusions. An archaeological trial trench evaluation should take place in accordance with a brief agreed with the County Archaeologist to inform the need for any future work.
- Proposed pedestrian only route from the frontage of the site is welcomed.
- East west link is questionable in purpose, utility and practicality; it will have highway impacts (e.g. emerging cyclists would have to penetrate a stream of pedestrians on Trinity Avenue including those en route to school), conflict with the residential setting, it is unclear how the level differences will be addressed and will result in the loss of a historic hedge together with tree removal and street-lamp displacement.
- The proposed cycle track along the eastern frontage access also only leads to a busy pedestrian footpath.
- The provision of paths with no surveillance creates security issues and requires unnecessary lighting.
- Site boundaries should be preserved for security.
- A new access should be provided to the school from the new estate.
- Concerned regarding impacts of construction works including noise, dust and vibration; neighbouring residents should be temporarily relocated during demolition.
- Proposal has potential to impact on mains drainage.
- Application proposals misunderstand local feedback.

- 6.19 **One neighbour representation in support** of the proposed development has also been received, which include the following points:
- The additional housing provided by the scheme is welcomed; particularly now the scheme has been reduced in number.
  - The local area and Malcolm Arnold School should directly benefit from financial contributions arising from the development.
  - Welcome the retention of trees along St Georges Avenue
  - Cycle path location is appropriate.
- 6.20 In addition, **four neighbour representations providing comments** on the scheme have been received, which include the following points:
- Proposal would open up and alter a significant part of an existing wildlife site.
  - The play areas should be re-sited away from the wildlife site and proposed drainage pond to ensure children are not encouraged to venture too near these features.
  - The security of the rear of existing dwellings along St Georges Avenue needs careful consideration under future reserved matters application together with the possibility for anti-social behaviour and fly tipping.
  - Additional traffic generated by proposal needs careful consideration and review, including the ability to cross St Georges Avenue.
  - Four storey buildings would likely involve pile driving construction which would potentially damage neighbouring properties as would the demolition of the halls of residence.
  - Four storey housing would also lead to overcrowding and could be imposing.
  - The proposal has implications for rights of way.

## 7 APPRAISAL

### Principle of the development

- 7.1 The application site is located within the urban area of Northampton and therefore residential development of the site is acceptable in principle under Policy S1 of the Joint Core Strategy.
- 7.2 The site is however allocated for education purposes under Saved Policy L2 of the Local Plan. Although, the proposed redevelopment of the site is linked to the relocation of the University of Northampton's facilities to the new Waterside Campus at Nunn Mills Road, which was permitted under application N/2013/0912 and occupied in 2018. Furthermore, it is understood that the University, a not for profit organisation, is committed to reinvesting any capital receipts from the application site into the costs of relocating the University and the provision of higher education. As such, a strong case can be made that the retention of this site for education purposes is no longer necessary and the site can be released for other uses, particularly in the case of residential accommodation, which would assist in addressing an identified need within Northampton.
- 7.3 In addition, Policy E6 of the Joint Core Strategy sets out a requirement to support the role of the University. Furthermore, the supporting text in the Joint Core Strategy (paragraph 5.57) refers to the proposed relocation of the University to Waterside helping to create a better relationship to the town centre and Enterprise Zone and replacement housing provision being made on the existing campuses.
- 7.4 The emerging Local Plan Part 2 is also a material consideration in the assessment of the current application and, having recently completed a second Regulation 19 consultation, it is considered that some weight can be attributed to the proposed allocation of the application site under Policies 13 and 38 for residential purposes for up to 200 dwellings.
- 7.5 In light of the above, it is considered that objections could not be sustained to the redevelopment of this education facility to housing under Saved Policy L2 of the Local Plan.
- 7.6 It should also be noted that the NPPF sets out in Paragraph 117 that planning should make an effective use of land in meeting the needs for housing and seek to use as much as possible of previously developed or "brownfield" land to meet housing need. In addition, Paragraph 118 of the

NPPF details that planning decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and other needs. The illustrative plans accompanying the application indicate that the new housing would be concentrated on the previously developed parts of the site and it is understood that the majority of the buildings at Avenue Campus have been vacant since the relocation to the Waterside Campus in 2018. Therefore, it is considered that the proposal would support the objectives for brownfield land in the NPPF

- 7.7 Notwithstanding the above, the Council cannot presently demonstrate a five years 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 housing would contribute towards the Council's housing supply with associated social and economic benefits and this therefore weighs heavily in favour of the proposal. In addition, weight can be attributed to the benefits arising from the redevelopment of brownfield land. The application would also support the relocation of the University to the Waterside Campus, with the capital receipts from the sales of Avenue Campus contributing to relocation costs, and thus would indirectly assist with the regeneration of Northampton Town Centre and the Enterprise Zone and contribute to the aims and objectives of the Central Area Action Plan.

### **Heritage Assets – Conservation Area and historic buildings**

- 7.8 The frontage of the application site is located in the Kingsley Conservation Area and contains the Maidwell Building which is a locally listed building and thus comprises a non-designated heritage asset. In addition, the site neighbours the Grade II listed Newton Building. As such, special attention must be paid to the desirability of preserving or enhancing the character or appearance of the conservation area and to preserving the setting of the listed building, with great weight given the conservation of the heritage asset. Furthermore, the effect of the application on the significance of a non-designated heritage asset should also be considered, with a balanced judgement required having regard to the scale of any harm or loss and the significance of this heritage asset.
- 7.9 The Kingsley Conservation Area was designated in 1991 and the Conservation Area Appraisal details that its character is defined by high-quality late 19<sup>th</sup> century grand terrace houses which are the result of speculative development undertaken by house builders during the Victorian period. Furthermore, the Conservation Area Appraisal details that the Racecourse provides the focal point of the Kingsley area, and it is this large green open space which has defined the development of houses around it. However, the application site did not originally form part of the Conservation Area and was only included when the Kingsley Conservation Area boundary was extended in 2009 to cover the entire extent of the Racecourse and also buildings surrounding it that have been deliberately designed to take advantage of this amenity. The Newton and Maidwell Buildings are both identified in the Conservation Area Appraisal as making a positive contribution to the extended Conservation Area.
- 7.10 In terms of the Maidwell Building, the Kingsley Conservation Area Appraisal details that the building was originally constructed in 1932 and is of idiosyncratic construction set around three sides in a horseshoe construction with an open courtyard in the centre. Furthermore, it details that the St Georges Avenue facades of the original building consist of two wings each with a central doorway with stone surround flanked by two stone pillars, with the west wing having "Technology" inscribed above the doorway, and the east wing having "Art" inscribed above the doorway. The central area of the frontage was filled in with a modern block design with flat roof and a large expanse of windows in the 1960s.
- 7.11 The supporting submissions set out that the applicant originally proposed the demolition of the Maidwell Building and a higher quantum of development on the site (c. 250 dwellings). However, in response to pre-application engagement, the proposal was altered to retain and replace parts of the Maidwell Building and full details of the works to this locally listed building form part of the consideration of this hybrid application. Indeed, the application proposes the retention of the front

parts of the 1930 east and west wings (referred to as the Maidwell Pavilions by the applicant) incorporating alterations to side facades (due to the removal of internal side projections) together with the construction of a new rear extension to the western wing and stairwell to the rear elevation of the eastern wing; the demolition of the 1930s rear wing; and two new terraces to the frontage (referred to as the Maidwell Terraces by the applicant) in place of the 1960s infill. In addition, there would be a new access road running between the resulting two buildings with a parking courtyard to the rear.

- 7.12 A Heritage Impact Assessment accompanies the application, and this details that the proposal partial demolition of the Maidwell Building would result in a moderate degree of harm to the heritage value of this locally listed building as a result of its partial demolition and negligible impact on the character and appearance of the Kingsley Conservation Area.
- 7.13 It is considered that the findings in the applicant's Heritage Impact Assessment regarding the impact of the works to the locally listed Maidwell Building are reasonable and well considered. Indeed, the Heritage Impact Assessment notes that the building derives significance from not only its aesthetic value but also its historic and communal role as an education establishment, including its training role linked to the locally important boot and shoe industry. Furthermore, the Heritage Impact Assessment details that the moderate degree of harm derives from the impact in both fabric and aesthetic terms from the demolition of the 1930s northern and 1960s southern ranges. However, the Heritage Impact Assessment details that the elements to be lost do not make a defining contribution to the architectural and historic interest of the building, although acknowledges that they do contribute to its overall integrity and interest in its form and historic significance. In addition, the Heritage Impact Assessment notes that the most significant elements of the locally listed building, the entrances to the eastern and western ranges and parts of the ranges themselves, are being retained, and key features such as the critical windows can be protected by condition. Furthermore, the Heritage Impact Assessment sets out that the new infill southern range echoes the form and materiality of the existing pavilions in a contemporary form and are of appropriate scale, thereby retaining the sense of primacy of the pavilions in the streetscene. It is considered that the design of the basement parts of the front elevation are relatively weak, with limited fenestration details that do not tie in particularly well with the upper floors, but this element of the scheme would largely be screened by retaining walls. The division of the southern infill by a new site entrance is noted as a minor heritage impact on the value of the Maidwell Building but mitigated to a degree by design detailing.
- 7.14 The rear extension to the west pavilion of the Maidwell Building is not specifically addressed in the Heritage Impact Assessment nor is the appearance of the courtyard facing inner facades of the retained buildings. The proposed rear extension would replicate part of the form of the existing building which would help to some extent to limit the harm from the loss of this part of the building and would also have a sympathetic roof form and subordinate scale to the retained pavilion. However, the west facing windows in the rear projection would contrast poorly with the retained pavilion and are only considered acceptable due to their similarity with the fenestration details in the more successfully designed front terraces. The facades facing onto the parking court would effectively all be new (predominantly due to the removal of existing courtyard projections) and would have a contemporary design with an informal relationship of windows which would not reflect the historic appearance of the building. However, the existing courtyard elevations are much plainer than the exterior elevations and of limited aesthetic value. Furthermore, as a similar approach is reflected on all 4 elevations it creates a sense of cohesion between the existing and new parts of the building. In addition, the design of the courtyard facing facades together with the layout of the altered Maidwell Building, which wraps around the front corners of the parking area, retains a sense of the historic courtyard form. The shared landscape setting to the frontage of the building would also largely be retained, with the existing frontage basement area replicated in the infill terrace designs in the form of small outdoor amenity areas for the duplex apartments.
- 7.15 Overall, it is considered that the harm to the locally listed Maidwell Building is moderate and that this equates to less than substantial harm in the terms of the NPPF.

- 7.16 In respect of the impact of the proposal of the Kingsley Conservation Area, whilst the findings of the submitted Heritage Impact are noted, it is considered that the proposal would result in some minor harm to the character and appearance of the Conservation Area. Indeed, the Maidwell Building is specifically identified in the Conservation Area Appraisal as making a positive contribution to the Conservation Area and it is considered that this is derived from a combination of the high quality of the frontages of the 1930s pavilions and also the continuous frontage formed by the pavilions and central range. Therefore, the provision of an access road though the centre of the Maidwell Building and division of the building into two would clearly disrupt the frontage within the Conservation Area and also result in the loss of the historic form of this building. However, the retention of the grand 1930s Pavilions, which includes the most significant architectural details identified in the Conservation Area Appraisal, together with the sense of enclosure to St Georges Avenue created by the new terraces would help to limit this harm. As such, it is considered that the harm to the Conservation Area is only minor and less than substantial as defined in the NPPF.
- 7.17 It is also necessary to consider the impact of the proposal on the neighbouring Grade II listed Newton Building. The Newton Building dates from 1915 and was originally built as the Northampton Grammar School for Girls and is to be retained in education use by the University. It is a grand Renaissance style building with red brick in English bond and ashlar dressing and occupies an imposing position on the corner of St Georges Avenue and Trinity Avenue. To the west of the Newton Building is an existing vehicular access onto the wider University site. Given the retention of the eastern front corner of the Maidwell Building and the presence of a landscaped strip to the eastern side of the enlarged access drive, it is considered that the works the subject of the full application would not have an adverse impact on the setting of this listed building.
- 7.18 Turning to the outline part of the application, it is considered that there are no overriding objections to the principle of the proposed works with regards to the implications for the Conservation Area and historic buildings on the frontage of the site. Indeed, the indicative details show the retention and conversion of the Quinton Building, which has a sympathetic design to the Maidwell and Newton Buildings; although, detailed proposals for the Quinton Building would form part of a reserved matters application. In addition, whilst acceptable in principle, an assessment of the impacts of the alterations to the car park to the rear of the Newton Building on the setting of this listed building will need to be undertaken at the reserved matters stage. Furthermore, any development to the rear of the site will also need to be sympathetic to the character of the retained historic buildings on the Avenue Campus site and the wider Kingsley Conservation Area.
- 7.19 Overall, it is considered that the proposed works to the Maidwell Building would result in moderate harm to a non-designated heritage asset and some limited harm to the character and appearance of the Conservation Area. This harm would be less than substantial as defined in the NPPF. However, it is considered that this harm is mitigated to some extent by the retention of the 1930s pavilions to the frontage of the building and the new terraces. Furthermore, as part of a balanced assessment, it is considered that the harm would be outweighed by the benefits arising from the scheme securing a viable use for the retained part of the Maidwell Building, the contribution of 170 dwellings to the Council's housing land supply facilitated by the proposed scheme, and support the scheme provides to the relocation of the University to the Waterside Campus together with associated benefits as detailed above. However, it is recommended that a building recording condition is imposed together with conditions relating to materials, boundary treatments and landscaping to seek to preserve historic features and the character of the area.

### **Heritage Assets - Archaeology**

- 7.20 Heritage assets also include sites of archaeological interest. Paragraph 189 of the NPPF advises that where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.
- 7.21 In this instance, the site includes former historic brickworks to its western side and thus has the potential to include heritage assets with archaeological surveillance. The application was initially accompanied by a desk based archaeological report to seek to assess the impact of the proposal

on archaeological heritage assets, however the submitted document was weak and the County Archaeologist together with a third party with archaeological interests advised that on site intrusive investigations would be required to understand the potential impact on the assets' significance. As a consequence, on site investigations were subsequently undertaken with an evaluation report submitted which indicates that the site does not retain evidence for the former brickworks due to modern disturbance and quarrying. As such, the County Archaeologist has advised that there is no requirement for further work or conditions relating to below ground archaeology and it is considered that the proposal would not result in an adverse impact on heritage assets with archaeological interest.

## **Design and layout**

- 7.22 Policies S10 and H1 of the Joint Core Strategy and Saved Policy E20 of the Northampton Local Plan seek high quality design and this approach is supported by the NPPF.
- 7.23 The application site presently has a high quality and cohesive frontage to St Georges Avenue, as detailed in the Heritage section above. However, to the centre and the rear of the site it has a more sprawling form with a mixture of building designs and scales, large areas of parking and a somewhat contrived internal road layout that has evolved over time. In addition, the edges of the site benefit from treed areas which are subject to ecological constraints, including a wildlife area to the western side of the site, as addressed in more detail in the Green Infrastructure, Ecology and Trees section below.
- 7.24 The design consideration of the alterations to the Maidwell Building, which form the detailed part of this application, have largely been addressed in the Heritage section above and, overall, would result in a strong frontage to St Georges Avenue with a mix of traditional and more contemporary architecture tied together with elevation treatments.
- 7.25 Turning to the outline parts of the scheme, the application has been accompanied by a range of indicative plans include parameter plans relating to land use, building heights and access and movement together with an indicative masterplan and landscaping scheme to provide an indication of how the site could potentially be developed.
- 7.26 The illustrative details show the parking court to the rear of the altered Maidwell Building enlarged and including two additional residential buildings to reflect the square courtyard layout of the current Maidwell Building. To the rear of this parking area is an east to west link road running from an altered car park for the Newton Building to the east and surface water drainage pond to the west of the site. The link road is shown connecting into the two new vehicular accesses from the St Georges Avenue frontage to the south. A cycle way is detailed to the northern side of the link road and this is shown as connecting into the highway network on Trinity Avenue and Freehold Street to improve the permeability of the site. The concerns of third parties regarding the loss of part of a boundary hedge to Trinity Avenue and the potential for crime associated with pedestrian links are noted. However, only a small section of hedge would need to be removed, the Police Crime Design Advisor does not raise concerns regarding the indicative movement network and clearly a balance needs to be struck with the permeability benefits and promotion of sustainable forms of travel that such new connections would facilitate. In any event, the details of any such pedestrian and internal vehicular movement routes would be considered at the reserved matters stage.
- 7.27 Housing and flats are shown to the northern centre/rear part of the site with landscaped buffers to the boundaries and also to the western part of the site, with a large portion of the treed wildlife area to the western side of the site retained as open space and incorporating a play facility and surface water drainage facility to its northern edge. The residential dwellings are generally laid out in perimeter block arrangements and the parameter plans suggest that they would likely be developed as predominantly two to three storey units. However, given the presence of the existing four storey Bassett Lowke building on the site, there is clearly scope for sensitively sited and designed taller buildings to come forward in parts of the site at the reserved matters stage.

- 7.28 The indicatively shown areas of green space across the site would result in a developable area of around 3.7 hectares and therefore a density of approximately 46 dwellings per hectare. The locality is characterised by terraced dwellings and is approximately a mile from the town centre, and thus it is considered that the density is acceptable in this sustainable urban location.
- 7.29 It must be acknowledged that the indicative layout does include some shortcomings, such as the relationship of the open space to some of the proposed dwellings as identified by the Police CPDA. In addition, the design and siting of parking will also be important to ensure the Parking Standard are met without the development being overly dominated by parking, but an amended layout could be secured at the reserved matters stage.
- 7.30 Overall, having regard to the indicative details, it is considered that the proposed number of residential units in the outline part of the site could be accommodated as part of a sensitively designed reserved matters application without an adverse impact on the character of the area.

### **Sports Facilities**

- 7.31 Sport England initially submitted a holding objection regarding the application due to the potential for the proposed development, once occupied, to impact on the ability to use the sport pitches to the north and west of the site (particularly a floodlit Artificial Grass Pitch [AGP] and court facilities which are used by the Malcolm Arnold Academy and community in the evenings and during weekends).
- 7.32 To address Sport England's concern, the applicant commissioned a specific noise assessment for the AGP. This assessment finds that reasonable and practicable forms of noise mitigation can be used to protect new dwellings from noise from the existing AGPs, such as a 1.8 metres high noise barrier along the boundary with the sport pitches, double glazing and passive acoustic ventilators. The conclusions of this noise assessment have been accepted by Sport England, with their holding objection withdrawn subject to conditions to secure the noise mitigation measures detailed in the report and the provision of guidance regarding layout that should be taken into account in any subsequent reserved matters applications to minimise conflict between the existing sports facilities and future occupiers of the new dwellings.
- 7.33 It should also be acknowledged that existing flood lights also have the potential to cause conflict between existing sports facilities and new residential occupiers. However, in this instance, the floodlights on the adjacent sport pitch are subject to a condition (under planning permission N/2006/1109) preventing their use between the hours of 21:00 and 9:00 and it is considered that this would help protect future occupiers from unacceptable amenity impacts from the flood lights. However, it will also be necessary for any future reserved matters application to be sensitively designed to address this matter
- 7.34 Overall, subject to conditions requiring the reserved matters application for the dwellings to the north of the site being accompanied by details of noise mitigation measures and noting that such a reserved matters application will need to be carefully designed to minimise conflict, it is considered that the proposal would not have an unacceptable impact on neighbouring sports facilities.

### **Residential Amenity**

- 7.35 Policy H1 of the Joint Core Strategy, Saved Policy E20 of the Local Plan 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.
- 7.36 In terms of the amenity of neighbouring properties, the proposed works to the Maidwell building and vehicular access alterations would have no implications for the residential amenities of neighbouring properties nor would any subsequent reserved matters application to revise the parking layout for the Newton Building.

- 7.37 In respect of the remainder of the outline part of the proposal, the indicative details show the retention of green open space to the rear of and acting as a buffer to properties on St Georges Avenue. It is noted that representations have been received regarding the security of the rear boundaries of properties on St Georges Avenue, however this green open space comprises an existing feature of the site and the proposal also offers the potential to introduce surveillance to this area of land. In addition, it is noted that the indicative plans show a play facility located on the edge of this open space in relatively close proximity to the rear garden of one existing property on St Georges Avenue. However, this garden area does not form part of the original curtilage of the property and is over 60 metres in depth such that it is considered that the play space would not have an unacceptable impact on the amenity of this neighbouring property. In any event, the above matters would be considered in detail at the reserved matters stage. Furthermore, it is considered that the indicative plans show that acceptable separation distances could be achieved on the site between existing and new dwellings and that development could come forward under a reserved matters application that would not give rise to unacceptable noise, disturbance or loss of daylight to neighbouring properties. However, to safeguard the amenities of neighbours during the construction phase of the development, a Construction Environmental Management Plan (CEMP) condition is recommended.
- 7.38 Turning to the amenity of future occupiers of the application site, it is considered that the application site is of sufficient size such that adequately sized amenity spaces, separation distances, privacy and daylighting for future occupiers could be secured at the reserved matters stage for the outline part of the proposal.
- 7.39 In respect of the detailed part of the application, the proposed apartments to be created in the altered Maidwell Building would comprise a mix of 1, 2, 3 and 4 bed units. All the units would accord with the national space standards, with a number of the units having generous floor areas that significantly exceed the national space standards to the benefit of the amenity of future occupiers. Furthermore, all habitable rooms would be served by windows and whilst there would be some basement bedrooms to the frontage of the development, these properties would look out onto small garden courtyards and also comprise duplex apartments. An apartment in the western rear extension would also have constrained outlook from its bedrooms, but the living space for the unit would be served by windows affording good outlook and daylight and it is not considered that objections could be sustained on the grounds of the amenity of this unit only. The only communal open space in the detailed part of the application is the shared frontage area, but the Racecourse Recreation Ground opposite the site offers a range of recreational opportunities.
- 7.40 It is noted that the application has been accompanied by noise reports and these identify that the site is presently affected by noise arising from vehicles to the south of the site on St Georges Avenue; existing plant on the Newton Building to the east of the site; and the playing pitches to the north of the site. These noise reports have been assessed by Environmental Protection (and Sport England as detailed above) and, subject to conditions to secure appropriate mitigation measures (e.g. window glazing, acoustic ventilation and boundary treatments) and a sensitively designed layout coming forward as part of a reserved matters application, it is considered that the development is not objectionable on noise grounds.
- 7.41 Taking into account the above, it is considered that an acceptable standard of amenity could be secured for both existing and future occupiers at the reserved matters stage for the quantum of development proposed. Therefore, no objections are raised to the proposal on residential amenity grounds.

### **Green infrastructure, ecology and trees**

- 7.42 Policies BN1, BN2 and BN3 seek to enhance existing green infrastructure, woodland areas and biodiversity as well as safeguard protected species.
- 7.43 St Georges Avenue is tree lined along the boundary with the Racecourse and the frontage of the application site also benefits from trees running along the frontage of the site that contribute positively to the amenity of the area. The proposal would result in the loss of some of the trees on

the frontage of the application site, predominantly the second tier of planting. However, a cohesive group of trees would remain, and the Council's Arboricultural Officer advises that the approach is reasonable and raises no objections subject to conditions to secure tree protection measures during the construction phase. Furthermore, it is recommended that a condition is imposed to secure landscaping to the frontage of the site and within the car park of the altered Maidwell Building on amenity grounds and to the benefit of ecology.

- 7.44 The interior of the application site covered by the outline part of the application contains a wooded area to the western side with a spring fed pond and several trees the subject of Tree Preservation Orders, which it is understood has been managed as a wildlife conservation area by the University and a local wildlife group for a number of years. In addition, the western and eastern edges of the rear part of the site contain treed areas with ecological constraints. These existing areas are indicatively shown to be largely retained on the illustrative details. However, a new surface water drainage pond and footway is shown running through the northern edge of the western wooded area.
- 7.45 To address the potential impacts of the outline part of the scheme on protected species, including bats, badgers and great crested newts and also in response to concerns raised by local residents and the County Ecologist, a number of ecological assessments and surveys have been submitted during the course of the application. In addition, the submitted Arboricultural Assessment also covers the interior of the site. Having regard to the findings of these reports, the County Ecologist and the Council's Arboricultural Officer raise no objections to the principle of the outline part of the application subject to conditions to secure a Construction Environmental Management Plan, Landscape and Ecological Management Plan, remediation of Japanese knotweed and a future reserved matters application being accompanied by an updated arboricultural assessment. In addition, it is recommended that the retention of the main part of the wooded area to the west of the site is secured as part of the Section 106 Legal Agreement. Furthermore, it is highlighted that any future reserved matters application will need to be sensitively laid out to in response to and to safeguard the ecological constraints identified in the submitted assessment and a future landscaping scheme should clearly secure biodiversity enhancements and strengthen green corridors.
- 7.46 It should be noted that the County Ecologist also initially raised concerns regarding the potential for the demolition of parts of the Maidwell Building to impact on roosting bats. However, further assessments for bats were undertaken in 2019 and 2020 and no evidence was found of bats utilising any of the buildings on site. As such, the County Ecologist raises no objections to the implications of the proposed demolition works for bats subject to a Construction Environmental Management Plan.
- 7.47 Overall, subject to conditions and planning obligations, no objections are raised to the proposal with respect to green infrastructure, ecology and trees.

### **Parking and highways**

- 7.48 Policy C2 of the Joint Core Strategy requires development to mitigate their impacts on the highway network and be supported by a Transport Assessment. Furthermore, Paragraph 109 of the NPPF advises that development should only be prevented or refused on highway grounds if there would be unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Detailed and complementary guidance on parking requirements are set out in the Northamptonshire Parking Standards and Northampton Parking Standards.
- 7.49 The application includes full details of the vehicular access arrangements to the site, comprising alterations to the existing access between the Maidwell Building and the Newton Building and a new access running through the centre of the remodelled Maidwell Building. The existing access to the west of the Maidwell is shown on the indicative plans to be closed and converted to a footway and cycleway and the indicative plans also show a new pedestrian and cycle route running east to west across the site from Trinity Avenue to Freehold Street. The Highway Authority has advised that the proposed vehicular accesses are acceptable and recommends the imposition of a

condition to require their provision prior to the occupation of the development. The submitted plans also show the relocation of an existing pedestrian crossing to the frontage of the site and it is also recommended that this is secured by condition.

- 7.50 In terms of the impact of the proposal on the highway network, the application has been amended from 200 units to 170 units on the request of County Highways to mitigate its impact and has also been accompanied by Transport Assessment, the scope of which has been agreed by County Highways. The Transport Assessment evaluates the impact on the proposal on the highway network until 2031 and details that the proposal would result in an overall reduction in trips on the highway network between the existing generation from Avenue Campus and the proposed 170 dwellings. Indeed, the assessment calculates that there would be 17 fewer trips overall in the morning peak and 36 fewer trips in the evening peak. However, and whilst not disputing that the proposal would result in an overall reduction in vehicular movements and also improvements to queues to several arms of a number of junctions in the local highway network, County Highways initially raised concerns that the proposal would result in additional traffic to arms of the following junctions: A508 Barrack Rd / A428 Grafton Street / Campbell Street and A5095 Kingsley Rd / A5095 Abington Grove / A5123 St. Matthews Parade / A5123 East Park Parade. Although, following negotiations, County Highways have agreed that the development will not have an adverse impact on the highway network subject to changes to the signal timing on these junctions and a Travel Plan. Therefore, subject to the signal timing works being secured by a Section 106 Legal Agreement and a Travel Plan condition, it is considered that the development would not have a severe impact on the highway network.
- 7.51 In addition, County Highways also advise that a Construction Environmental Management Plan condition is required in order that the route of construction traffic, site compounds and construction matters are controlled to mitigate impacts on the highway network.
- 7.52 Turning to parking, the detailed part of the application has been amended to include the parking area to serve the 58 new apartments (17 x 1 beds, 28 x 2 beds, 5 x 3 beds, and 8 x 4 beds) within the converted and extended Maidwell Pavilions. The Parking Standards seek one parking space per 1 bed dwelling, two parking spaces for 2 and 3 bed dwellings and 3 parking spaces for 4 bed dwellings plus visitor and cycle parking, which equates to 107 car parking spaces plus visitor and cycle parking for this detailed part of the application. The proposed parking area contains 128 car parking spaces and thus there would be sufficient parking for each dwelling plus 21 visitor spaces which would be acceptable for this sustainable location. This parking can be secured by condition and it is also recommended that details of car park lighting are also secured by condition. It is noted that the indicative plans show the car park serving the two resulting Maidwell buildings to potentially be enlarged and shared with two further blocks of flats and, whilst such an approach would appear to integrate acceptably with the detailed parking proposals and be beneficial from a design perspective, this would form part of a future reserved matters application.
- 7.53 In respect of cycle parking, the submitted plans indicate 30 cycle parking spaces within the proposed car park and also 'cage' storage areas in the basement of the Maidwell Pavilions that could be used for cycle storage. The details are however somewhat limited, but this matter can be addressed by condition to ensure that the detailed part of the application would be served by adequate and secure cycle parking.
- 7.54 In regard to parking for the outline part of the application, the supporting documents (including the Transport Assessment) detail that the Northamptonshire Parking Standards will be met as part of any reserved matters application. The indicative masterplan is, however, a little ambiguous in this respect and does not clearly show two hard surfaced parking spaces for all two and three bed properties as required under the Parking Standards. Although, this matter would be addressed under a reserved matters application and it is considered that there is scope for an improved layout with adequate parking that meets the Standards but does not overly dominate the streetscene to be secured on site under such an application.
- 7.55 A revised parking area for the retained Newton Building would also form part of a reserved matters application.

7.56 Overall, given that the County Highway Authority raise no objections, and subject to conditions and a planning obligation, it is considered that the proposal would be acceptable on parking and highway safety grounds.

### **Planning obligations and affordable housing**

7.57 By reason of the scale and type of the development, a Section 106 Legal Agreement will need to be entered into. The Community Infrastructure Levy (CIL) Regulations 2010 and Paragraph 56 of the NPPF specify three key legal tests in ascertaining whether a particular obligation can be requested. These specify that obligations should be:

- i) Necessary to make the development acceptable in planning terms;
- ii) Directly related to the development; and
- iii) Fairly and reasonably related in scale and kind to the development.

7.58 In addition, the NPPF details that major housing developments should be expected to provide at least 10% affordable Housing, with 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.

7.59 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. 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.

7.60 The application has been supported by a viability assessment which sets out that the proposed scheme would be unviable if it includes affordable housing or Section 106 financial contributions. The assumptions in the applicant's viability assessment have been tested by an Independent Viability Consultant on behalf of the Council. The Independent Viability Consultant advises that the assumptions made in the submitted assessment are generally sound and reasonable and details that, whilst there is some scope to adjust some of the costs and fees, the provision of affordable housing on this site would not be viable in any scenario and would result in the development being undeliverable. As such, it is considered that it would not be reasonable to require any affordable housing on the site on viability grounds.

7.61 However, the Independent Viability Consultant's findings differ from the applicant's assessment with regards to the availability of some money for Section 106 financial contributions. Indeed, the Independent Viability Consultant advises that there is scope for some limited Section 106 financial contributions and initially suggested the inclusion of a clawback mechanism to address uncertainty regarding demolition costs. However, such a mechanism has the potential to significantly impact on land values, which has implications for funding of the Waterside Campus development, and there is also no guarantee that additional Section 106 monies would be forthcoming. As a potential way forward, the applicant has offered additional Section 106 financial contributions on a without prejudice basis, and these would cover a significant proportion (i.e. approximately three fifths) of the highway, primary education and health infrastructure costs arising from the impacts of the proposed development. The Independent Viability Consultant advises that the applicant's offer would, on balance, comprise a fair risk adjusted compromise to all parties.

7.62 It is noted that the County Council are seeking contributions for not only primary education but also secondary education. However, secondary education is addressed by CIL contributions and therefore, and given the reduced contributions available from this development on viability ground (as detailed above), it is considered that it is not reasonable to require such additional contributions for secondary education under the Section 106 Legal Agreement.

7.63 The County Council are also seeking financial contributions for libraries but, in the absence of a specific planning policy requiring such a contribution, it is considered that there is insufficient justification to include such matters within a Legal Agreement.

- 7.64 A further infrastructure requirement is for the provision of construction training and the Council would also normally seek contributions relating to off-site open space to mitigate the impacts of the development. These requests would satisfy the tests for planning obligations and the payments would be secured through a Section 106 Legal Agreement. However, these Section 106 financial contributions are also subject to viability assessment as discussed above. Furthermore, given the conclusions of the viability assessment, the requirement for any contributions in respect of these matters would result in the development being unviable and this is a material consideration in determining the planning application. In addition, it is noted that the proposed development would include a generous provision of onsite open space, including play facilities, and these could be secured in perpetuity under the Section 106 Legal Agreement to ensure open space benefits are obtained as part of the proposal.
- 7.65 Overall, it has been demonstrated through viability assessments that the scheme cannot afford to deliver any affordable housing and only with reduced Section 106 financial contributions will the development be deliverable. It is recommended that these contributions prioritise primary education, health infrastructure and transport impacts, mindful that money will be collected under CIL for secondary education and on-site open space would be secured by the Section 106 Legal Agreement. However, it must be acknowledged that there is harm arising from the inability of the development to fully mitigate its impacts on education and health and also harm emanating from the lack of contributions to offsite open space and construction training. Although, as part of a balanced assessment, it is considered that this harm is outweighed by the significant benefits arising from the proposed development, which include the delivery of 170 residential units to contribute to the Council's five year housing supply, the redevelopment of vacant brownfield land, and the support the scheme affords to the University's relocation to the Waterside Campus together with its associated benefits to Northampton Town Centre and the Enterprise Zone as detailed above.

#### **Other considerations**

- 7.66 Whilst the application site is not located in Flood Zones 2 or 3, it proposes a major development and therefore has been accompanied by a Flood Risk Assessment and details of sustainable drainage, with the indicative plans showing a surface water drainage pond to the west of the site. The submitted details have been reviewed by the Lead Local Flood Authority, the Environment Agency, and Anglian Water and, subject to conditions, no objections are raised with respect to flood risk.
- 7.67 Environmental Health and the Environment Agency recommend conditions relating to ground contamination and, given the historic use of the site as a brickworks with associated quarrying and the sensitivity of the underlying aquifer, it is considered that such conditions would be reasonable.
- 7.68 The comments of Environment Health regarding air quality mitigation measures are noted, and whilst details of electric charging points can be secured by conditions, matters relating to the efficiency of boilers are addressed under the Building Regulations such that it would not be reasonable or necessary to impose conditions to attempt to control boiler efficiency.
- 7.69 The County Council are seeking a condition relating to fire hydrants and sprinklers; however such matters are also addressed under the Building Regulations.
- 7.70 The comments of the Police Crime Prevention Design Advisor (CPDA) are noted and also referred to in the Design and Layout section above. The issues raised by the CPDA predominantly have implications for future reserved matters applications should planning permission be forthcoming. However, it is considered that details of the security measures for the Maidwell apartment and car park together with details of external lighting for this detailed part of the application should be secured by conditions under the current application.
- 7.71 It is noted that third parties have raised concerns regarding construction impacts, and it is considered that the matters controllable under planning can be addressed by a Construction and

Environmental Management Plan. Although, and for the avoidance of doubt, it is not unusual for construction sites to operate alongside existing residential properties and thus it would not be reasonable for a future developer to be required to temporarily relocate neighbours as suggested in one representation. Furthermore, any potential damage to neighbouring properties from the construction works would be a civil and not a planning matter.

## **8 CONCLUSION**

- 8.1 To conclude, whilst no objections are raised to the principle of the proposed development under the development plan, the Council cannot presently demonstrate a five year housing land supply and it is therefore necessary to assess the proposal against the presumption in favour of sustainable development in accordance with the guidance in the NPPF.
- 8.2 The application site is sustainably located, and the proposal would reuse a largely vacant brownfield site and secure a viable use for the retained parts of the locally listed Maidwell Building and the retention of the treed wildlife area to the west of the site. Furthermore, it would make a significant contribution to the Council's five-year housing land supply through the provision of up to 170 dwellings with associated social and economic benefits. In addition, the application site would support the relocation of the University to the Waterside Campus, with the capital receipts from the sales of Avenue Campus contributing to relocation costs, and thus would indirectly assist with the regeneration of Northampton Town Centre and the Enterprise Zone and contribute to the aims and objectives of the Central Area Action Plan.
- 8.3 The proposed development however proposes the demolition of a large proportion of the locally listed Maidwell Building resulting in moderate harm to a non-designated heritage asset and some limited harm to the character and appearance of the Kingsley Conservation Area. This harm equates to less than substantial harm in the terms of the NPPF and needs to be weighed against the benefits of the scheme.
- 8.4 In addition, it is considered that it has been satisfactorily demonstrated that the scheme would not be viable if any affordable housing or the requisite S106 contributions for open space and construction training are sought, and can only afford to deliver contributions towards highway impacts together with reduced contributions for education facilities and health infrastructure. However, these considerations also need to be weighed against the benefits of the scheme
- 8.5 Overall, and as part of a balanced assessment, it is considered that the identified harm would not significantly and demonstrably outweigh the benefits. The development is therefore considered to be in accordance with the requirements of the National Planning Policy Framework, Policies SA, S1, S3, S10, C1, C2, RC2, E6, H1, H2, BN1, BN2, BN3, BN5, BN7a, BN7, INF1 and INF2 of the West Northamptonshire Joint Core Strategy, and Saved Policies E20, E26, H14 and L2 of the Northampton Local Plan.

## **9 CONDITIONS**

1. Approval of the details of the appearance, landscaping, layout and scale ("the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced in respect of the part of the site for which outline permission is hereby granted.

Reason: This is a hybrid application and part of this permission is in outline only granted under Article 5(1) of the Town and Country Planning (Development Management Procedure) Order 2015.

2. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

3. The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or, if later, before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

4. The development hereby permitted shall be carried out in accordance with the attached schedule of plans.

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

5. The outline development hereby permitted shall be for a maximum of 112 dwellings.

Reason: In the interests of creating a sustainable form of development in accordance with the requirements of the National Planning Policy Framework.

6. Any subsequent reserved matters applications shall include a noise assessment, including acoustic and ventilation mitigation measures as appropriate, of the exposure of habitable rooms and outdoor amenity spaces of the proposed dwellings based on the final building and estate layout due to noise arising from the adjacent playing pitches and plant on buildings neighbouring the site.

Reason: To secure a satisfactory standard of development and in the interests of residential amenity in accordance with Policies S10 and BN9 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

7. Any subsequent reserved matters applications shall include an arboricultural impact assessment incorporating an arboricultural method statement and tree protection plan.

Reason: In the interests of securing a good standard of development and ecology in accordance with Policies BN1, BN2, BN3, H1 and S10 of the West Northamptonshire Joint Core Strategy.

8. No development shall take place until a phasing plan detailing the programme of works for the demolition and for the development of the site has been submitted to and approved in writing by the Local Planning Authority. Development and demolishing works on site shall be carried out in accordance with the approved phasing plan.

Reason: To secure a satisfactory standard of development and to ensure that demolition and development works on site would not prejudice the character and setting of the heritage assets in accordance with Policies H1, BN5 and S10 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to ensure that all works on site are carried out in a timely manner.

9. No development shall take place until the applicant has secured the implementation of a programme of archaeological work for recording the Maidwell Building, covering those parts to be converted as well as those demolished, in accordance with a written scheme of investigation that has been submitted by the applicant and approved by the Planning Authority. This written scheme will include the following components, completion of each of which will trigger the phased discharging of the condition:

(i) fieldwork in accordance with the agreed written scheme of investigation;

(ii) post-fieldwork assessment (to be submitted within six months of the completion of fieldwork unless otherwise agreed in writing by the Planning Authority);

(iii) completion of post-fieldwork analysis, preparation of site archive ready for deposition at a store (Northamptonshire ARC) approved by the Planning Authority, completion of an archive report, and submission of a publication report to be completed within two years of the completion of fieldwork unless otherwise agreed in writing by the Planning Authority.

Reason: To ensure that features of archaeological interest are properly examined, recorded and publicly available in accordance with Policy BN5 of the West Northamptonshire Joint Core Strategy and the guidance in the National Planning Policy Framework. Pre-commencement condition to ensure that archaeological works are undertaken before development commences.

10. No development shall take place until a Construction Environmental Management Plan (CEMP) has been 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 (including details of construction access, gates, tracking and routing to and from the site)
  - 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 site preparation works and construction, including vehicle reversing alarms.
  - viii. Measures to prevent mud and other debris being deposited on the surrounding highway including details of wheel washing and road sweeping
  - ix. A method statement for the demolition of the buildings on site including details of any measures to ensure the protection of the retained parts of the Maidwell Building.
  - x. Ecological mitigation measures in accordance with BS42020:2013:

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.

11. Notwithstanding the submitted details, no development shall take place until an updated Arboricultural Report including tree protection measures for all the trees shown to be retained as part of the full planning permission and a method statement for all works within the root protection areas of these retained trees shall be submitted to and approved in writing by the local planning authority. The development shall thereafter be constructed in accordance with the approved details.

Reason: In the interests of the character and appearance of the locality and Conservation Area in accordance with Policies H1 and BN5 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.

12. No development shall take place until a full scheme of works for the relocation of the existing pedestrian crossing to the frontage of the site has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details and fully implemented prior to the first occupation of any dwelling on site.

Reason: In the interests of promoting sustainable transport methods and to ensure a satisfactory standard of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework. Pre-commencement condition to ensure details are agreed in a timely manner.

13. No development shall take place until a remediation strategy to deal with the risks associated with contamination of the site has been submitted to, and approved in writing by, the Local Planning Authority. This strategy will include the following components:

1. A preliminary risk assessment which has identified:
  - all previous uses;
  - potential contaminants associated with those uses;

- a conceptual model of the site indicating sources, pathways and receptors; and
  - potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
  3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
  4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

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, including the prevention of water pollution, in accordance with Policies BN7a and 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.

14. Prior to the occupation of the development hereby permitted, a contamination verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

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, including the prevention of water pollution, in accordance with Policies BN7a and BN9 of the West Northamptonshire Joint Core Strategy.

15. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved and following completion of measures identified in the approved remediation strategy 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, including the prevention of water pollution, in accordance with Policies BN7a and BN9 of the West Northamptonshire Joint Core Strategy.

16. No infiltration of surface water drainage into the ground is permitted other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants in accordance with Policies BN7a and BN9 of the West Northamptonshire Joint Core Strategy.

17. No development shall take place until a surface water drainage phasing plan for the application site has been submitted for approval in writing by the Local Planning Authority. No development

shall take place in each surface water drainage phase as identified by the approved phasing plan until full details of the surface water drainage scheme for that phase, based on the approved Flood Risk Assessment and Outline Drainage Strategy document no. 203299-RPT-058 rev 04 dated September 2020 prepared by Jacobs, has been submitted to and approved in writing by the Local Planning Authority. The schemes shall subsequently be implemented in accordance with the approved details relevant to that phase and 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).
- ii) Details of the drainage system are to be accompanied by full WinDES modelling or similar with the details on proposed discharge rates, simulating storms through the whole drainage system, with results of critical storms, demonstrating that there is no surcharge in the system for the 1 in 1 year, no above ground flooding for the 1 in 30 year, and that any above-ground flooding for 1 in 200 year storm is limited to areas designated and safe to flood, away from sensitive infrastructure or buildings. These storms should also include an allowance for climate change.
- iii) Cross sections of control chambers and manufacturers hydraulic curves for all flow controls

Reason: To reduce the risk of flooding both on and off site and ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants in accordance with Policies BN7, BN7A and BN9 of the Core Strategy for West Northamptonshire. Pre-commencement condition to ensure details are agreed in a timely manner and to ensure a satisfactory standard of development.

18. Prior to occupation of any dwelling within an approved surface water drainage phase, a detailed scheme for the ownership and maintenance for every element of the surface water drainage system proposed within the relevant surface water drainage phase shall be submitted to and approved in writing by the Local Planning Authority and the maintenance plan shall be carried out in full thereafter. Details are required of which organisation or body will be the main maintaining body where the area is multifunctional (e.g. open space containing SuDS) with evidence that the organisation/body has agreed to such adoption. The scheme shall include:

- i) A maintenance schedule setting out which assets need to be maintained, at what intervals and what method is to be used.
- ii) A site plan including access points, maintenance access easements and outfalls.
- iii) Plans identifying maintenance operational areas to ensure there is room to gain access to the asset, maintain it with appropriate plant, and then handle any arisings generated from the site.
- iv) Details of expected design life of all assets with a schedule of when replacement assets may be required.

Reason: To ensure the future maintenance of drainage systems associated with the development in accordance with Policies BN7, BN7A and BN9 of the Core Strategy for West Northamptonshire.

19. Prior to occupation of any dwelling within an approved surface water drainage phase, a Verification Report for the installed surface water drainage system within the phase shall be submitted to and approved in writing by the Local Planning Authority. The report shall include:

- a) Any departure from the agreed design is keeping with the approved principles
- b) Any As-Built Drawings and accompanying photos
- c) Results of any Performance Testing undertaken as a part of the application process (if required / necessary)
- d) Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges etc.
- e) CCTV Confirmation that the system is free from defects, damage and foreign objects

Reason: To ensure the installed Surface Water Drainage System is satisfactory in accordance with Policies BN7, BN7a and BN9 of the Core Strategy for West Northamptonshire.

20. Prior to the occupation of the development hereby permitted, a Landscape and Ecological Management Plan (LEMP) shall be submitted for approval in writing by the Local Planning Authority. The LEMP should include:
- a) Description and evaluation of features to be managed
  - b) Ecological trends and constraints on site that might influence management
  - c) Aims and objectives of management
  - d) Appropriate management options for achieving aims and objectives
  - e) Prescriptions for management actions
  - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period)
  - g) Details of the body or organisation responsible for implementation of the plan
  - h) Ongoing monitoring and remedial measures including details of the long-term management of the retained and new habitats within the site.

The development shall be implemented and maintained in accordance with the approved details thereafter.

Reason: In the interest of biodiversity and to secure a satisfactory standard of development in accordance with the requirements of Policies BN1 and BN2 of the West Northamptonshire Joint Core Strategy.

21. Prior to the occupation of the development hereby permitted, a method statement including a timetable for the removal and disposal of Japanese Knotweed from the site shall be submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be carried out in accordance with the approved details.

Reason: To safeguard protected species and biodiversity in accordance with Policies BN1 and BN2 of the West Northamptonshire Joint Core Strategy. Pre-commencement condition to ensure details are agreed in a timely manner.

22. Prior to the occupation of the development hereby permitted, the new and altered vehicle accesses shall be construction in accordance with drawing MW-MW-DR-A-00002 P5.

Reason: In the interests of highway safety in accordance with the requirements of the National Planning Policy Framework.

23. 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 measures identified in the Travel Plan shall thereafter be carried out in accordance with a timetable to be included in the Travel Plan.

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

24. In the event of any of the streets associated with the residential element of the development hereby permitted not being proposed for adoption as public highway, the following applies:

- a) Details of a site management company and associated management and maintenance methodology of the streets within the development, to operate in perpetuity, shall be submitted to the planning authority and agreed in writing prior to the commencement of development;
- b) The streets will, in any event, be required to be laid out and constructed to adoptable standards to ensure safe and practical operation, prior to first occupation of any dwelling;
- c) That prior to first occupation of any dwelling a legal undertaking is provided by the developer that the streets will not be put forward for adoption and will remain private in perpetuity; and,
- d) That the streets will be identified as private through the use of appropriate private street name plates on the entrances to the development from the public highway (to be placed within the site).

e) Prior to commencement of development any vehicular access to the site from the public highway shall be implemented as standard vehicle crossovers.

Reason: For the avoidance of doubt and in the interests of safety to accord with the National Planning Policy Framework.

25. Prior to the commencement of development within each approved phase, full details of the proposed surface treatment of all roads, access and parking areas, footpaths and private drives including their gradients within that phase 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: To secure a satisfactory standard of development in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy and Policy E20 of the Northampton Local Plan. This is a pre-commencement condition to ensure timely submission of details.

26. Prior to occupation of any dwelling within each approved phase of the development, a scheme for the installation of electric vehicle charging points within that phase shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the occupation of the dwelling that they would serve.

Reason: In the interests of reducing carbon emissions and to secure a satisfactory standard of development in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy and the Northampton Parking Standards.

27. Prior to the occupation of any dwelling forming part of the full planning permission, car parking shall be constructed and laid out in accordance with the details shown on drawing number MW-MW-DR-A-00002 P5 and retained thereafter.

Reason: To ensure that the proposed development does not prejudice the free flow of traffic or conditions of highway safety in accordance with Policies S10 and C2 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

28. Prior to the commencement of any works to the Maidwell Building hereby permitted, full details of all proposed external facing materials for the retained and extended parts of the Maidwell Building including windows, doors, elevation treatments, roof and retaining wall details 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 Maidwell Building and to ensure that the materials are appropriate to the appearance of the Conservation Area and setting of the listed building in accordance with Policies BN5, H1 & S10 of the West Northamptonshire Joint Core Strategy. Pre-commencement condition to ensure materials are appropriate to the integrity of the buildings.

29. 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 gates, fences, walls or any means of enclosure or similar structures other than approved pursuant to Condition 28 above shall be erected or constructed forward of the southern front elevations of the retained and extended parts of the Maidwell Building hereby permitted.

Reason: To ensure that the historic character of the open frontage of the site is maintained in accordance with Policies H1 and BN5 of the West Northamptonshire Joint Core Strategy.

30. Notwithstanding the submitted details and prior to the occupation of any dwelling forming part of the full planning permission, a detailed scheme of hard and soft landscaping for the full planning application site shall be submitted to and approved in writing by the Local Planning Authority. 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, and a tree planting method statement. 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 first occupation of the dwellings and shall be maintained thereafter 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 the character and appearance of the locality and Conservation Area and the setting of the listed building in accordance with Policies H1, BN1, BN2, and BN5 of the West Northamptonshire Joint Core Strategy.

31. Notwithstanding the submitted details and prior to the occupation of any dwelling forming part of the full planning permission, full details of facilities for the secure and covered parking of bicycles to serve occupiers of this part of the development shall be submitted to and approved in writing by the Local Planning Authority. The approved cycle storage shall be provided in accordance with the approved details prior to the occupation of the dwellings and retained thereafter.

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

32. The bin stores to serve the dwellings forming part of the full planning permission hereby permitted shall be provided in accordance with the approved plans and fully implemented prior to the occupation of the dwellings and retained thereafter.

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

33. Prior to the occupation of any dwelling forming part of the full planning permission, full details of all external lighting within the full application site 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 and be fully implemented prior to the occupation of the dwellings and retained thereafter.

Reason: In the interests of amenity, heritage, crime prevention and biodiversity in accordance with Policies H1, S10, BN1, BN2 and BN5 of the West Northamptonshire Joint Core Strategy.

34. Prior to the occupation of any dwelling forming part of the full planning permission, full details of security measures including access control, the security performance of doors and windows, and details of post boxes to serve the development shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and fully implemented prior to the occupation of the dwellings and retained thereafter.

Reason: To ensure the provision of a safe and secure development in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

## **10 BACKGROUND PAPERS**

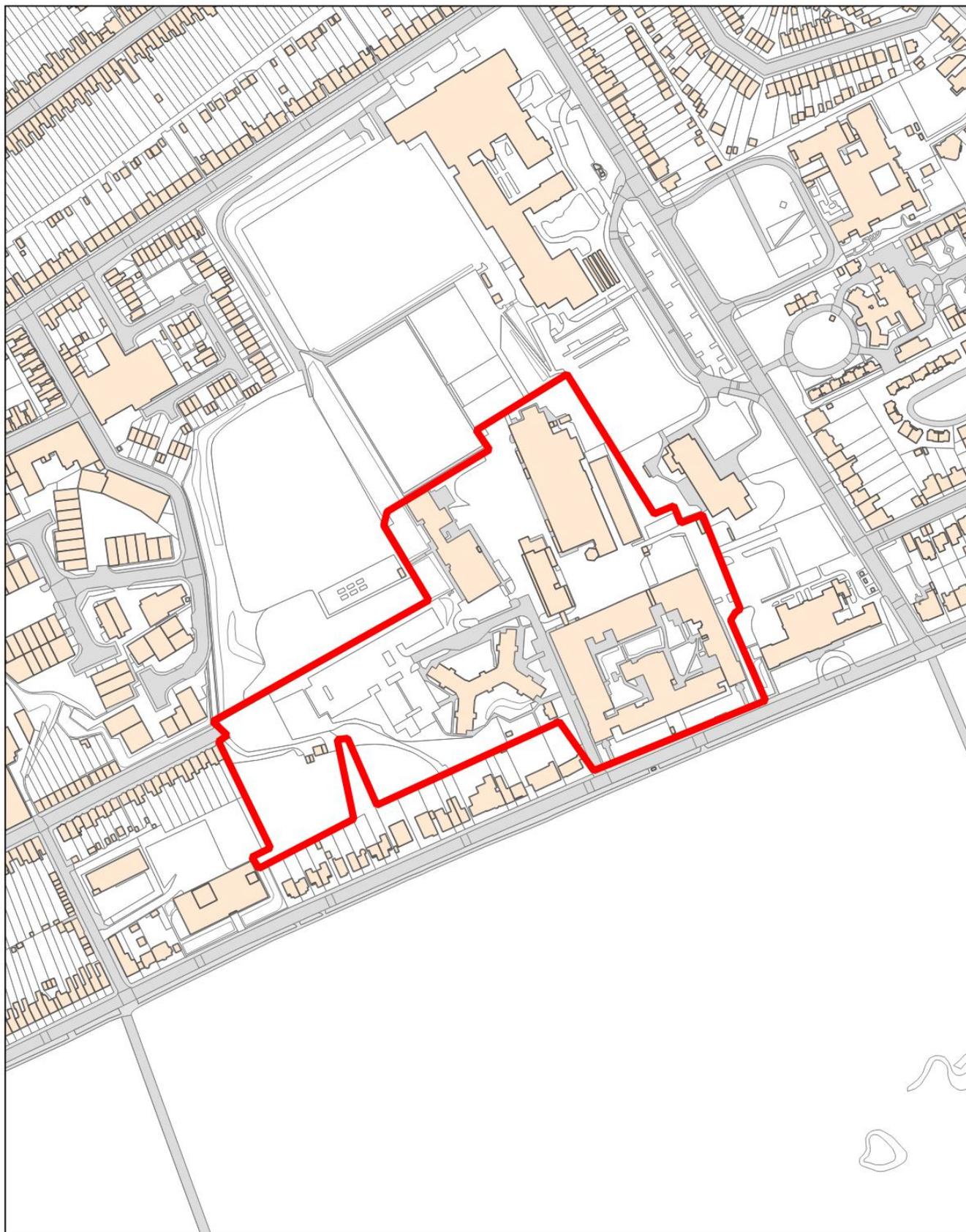
- 10.1 N/2016/0810, N/2015/0426, N/2013/0912 and N/2014/0475.

## **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.



Title: **St Georges Avenue**

© Crown copyright and database rights 2019 Ordnance Survey licence no. 100019655

Date: 16-10-2020

Scale: 1:3,179

Drawn by: -----