



**PLANNING COMMITTEE:** 16<sup>th</sup> March 2021  
**DEPARTMENT:** Planning Service  
**DIRECTOR OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2019/0755

**LOCATION:** Belgrave House , Greyfriars

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

**WARD:** Castle Ward

**APPLICANT:** Northampton Partnership Homes  
**AGENT:** Waterman

**REFERRED BY:** Director of Planning and Sustainability  
**REASON:** Council owned land

**DEPARTURE:** No

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## **APPLICATION FOR DETERMINATION:**

### **1 RECOMMENDATION**

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

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

### **2 THE PROPOSAL**

2.1 The application seeks planning permission for the conversion, external alterations and addition of two new upper floors to create 122 apartments for affordable housing including alterations to the existing layby on Greyfriars and new crossing points and footways to the Greyfriars site to connect into the footway on Lady's Lane.

2.2 A more detailed explanation of the development proposals is contained within the previous Planning Committee report, dated 28<sup>th</sup> July 2020, a copy of which is attached to this report.

- 2.3 The application is being brought back to the Planning Committee as, following the Approval in Principle of the scheme by Committee on 28<sup>th</sup> July 2020, a Section 106 Legal Agreement to secure 100% on site affordable housing has not been completed as the Council has acquired the ownership of the application property for affordable housing purposes.
- 2.4 For the avoidance of doubt, the principle of development of the site has previously been accepted by the Planning Committee and the submitted plans and supporting documentation have not altered from those previously considered acceptable and approved in principle. Furthermore, there has been no change in planning policy relevant to the consideration of the application since that time and the proposed conditions remain the same as previously considered acceptable by the Council. Therefore, the matter for consideration is whether the scheme is acceptable without a Section 106 Legal Agreement as a result of the ownership changes to the application property.

### **3 SITE DESCRIPTION**

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

### **4 PLANNING HISTORY**

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

### **5 PLANNING POLICY**

#### **5.1 Statutory Duty**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted West Northamptonshire Joint Core Strategy (2014), and the Northampton Central Area Action Plan (2013).

Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 require Local Planning Authorities when considering development to pay special attention to preserving a listed building or its setting and to the desirability of preserving or enhancing the character or

appearance of a conservation area.

## 5.2 National Policies

5.3 **The National Planning Policy Framework (NPPF)** sets out the current aims and objectives for the planning system and how these should be applied. In delivering sustainable development, decisions should have regard to the mutually dependent social, economic and environmental roles of the planning system. The NPPF should be read as one complete document. However, the following sections are of particular relevance to this application:

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

Section 5 - Delivering a sufficient supply of homes

Section 7 - Ensuring the vitality of town centres

Section 8 - Promoting healthy and safe communities

Section 9 - Promoting sustainable transport

Section 11 - Making effective use of land

Section 12 - Achieving well-designed places

Section 14 - Meeting the challenge of climate change and flooding

Section 15 - Conserving and enhancing the natural environment

Section 16 - Conserving and enhancing the historic environment

## 5.4 West Northamptonshire Joint Core Strategy (2014)

The West Northamptonshire Joint Core Strategy (JCS) provides an up to date evidence base and considers the current Government requirements for plan making as it has been prepared in full conformity with the NPPF. Policies of particular relevance are:

Policy SA - Presumption in Favour of Sustainable Development

Policy S1 - Distribution of Development

Policy S3 - Scale and Distribution of Housing Development

Policy S10 - Sustainable Development Principles

Policy S11 - Low Carbon and Renewable Energy

Policy H1 - Housing Density and Design

Policy H2 - Affordable Housing

Policy N2 - Northampton Central Area

Policy C2 - New Developments

Policy BN2 - Biodiversity

Policy BN5 - Heritage Assets

Policy BN7 - Flood Risk

Policy BN9 - Planning for Pollution Control

Policy E1 - Existing Employment Areas

Policy INF1 - Infrastructure Delivery

Policy INF2 - Infrastructure Requirements

## 5.5 Northampton Central Area Action Plan 2013

The Central Area Action Plan (CAAP) provides specific planning policy and guidance for the town centre and adjoining areas where significant regeneration and investment is proposed in the period up to 2026 and is in conformity with the objectives of the NPPF. Relevant policies include:

Policy 1 - Promoting Design Excellence

Policy 10 - Parking

Policy 15 - Office and Business Uses

Policy 16 - Central Area Living

Policy 17 - Grosvenor Centre Redevelopment

## 5.6 Supplementary Planning Documents

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

## **6 CONSULTATIONS / REPRESENTATIONS**

- 6.1 Consultation responses remain as on the previous committee report dated 28<sup>th</sup> July 2020 attached to this report.

## **7 APPRAISAL**

- 7.1 The application proposals were approved in principle by the Planning Committee on the 28<sup>th</sup> July 2020 subject to conditions and a S106 Legal Agreement to secure 100% on-site affordable housing. The plans, supporting documentation, relevant planning policy and guidance and planning merits of the scheme have not changed since the previous resolution of the Committee nor the recommended conditions. However, the application has been brought back to the Committee as a Section 106 Legal Agreement has not been completed as the Council has acquired ownership of the property and is not legally able to enter into a Section 106 Agreement with itself. Therefore, the only issue to be considered is whether the scheme is acceptable without a Section 106 Legal Agreement.
- 7.2 As the Council has secured ownership of the application property for affordable housing purposes, to be managed on its behalf by Northampton Partnerships Homes, control regarding the tenures of the properties and any potential decision to dispose of the site would ultimately rest with the Council. As a consequence, there is certainty that the site would be delivered in its entirety for affordable housing provision and, therefore, in this particular instance, a Section 106 Legal Agreement in respect of affordable housing is no longer required.
- 7.3 . Therefore, now that the site is owned by the Council, a Section 106 Legal cannot be entered into for affordable housing in connection with this application. However, and as detailed above, it is considered that the ownership situation results in certainty that the scheme would deliver 100% affordable housing such that a Section 106 Legal Agreement is not necessary in this instance.

## **8 CONCLUSION**

- 8.1 To conclude, it is considered that as a result of the Council acquiring the ownership of the property there is certainty that the development would be delivered in its entirety as affordable housing. As such, a Section 106 Legal Agreement is no longer required, and it is considered that the proposals are acceptable subject to the conditions as previously agreed and set out below.

## **9 CONDITIONS**

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

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

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

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

3. Prior to the commencement of the development hereby permitted, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. Development shall then be carried out in accordance with the approved CEMP which shall include:

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

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

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

- (i) identification of all previous uses and contaminants associated with those uses;
  - (ii) a survey of the extent, scale and nature of contamination;
  - (iii) an assessment of the potential risks to:
    - human health,
    - property (existing or proposed) including buildings and adjoining land,
    - groundwaters and surface waters, (including a conceptual model of the site indicated sources, pathways and receptors);
    - ecological systems,
    - archaeological sites and ancient monuments;
  - (iv) an appraisal of remedial options, and proposal of the preferred option(s).
- This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

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

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

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

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

remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and shall be subject to approval in writing by the Local Planning Authority.

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

7. In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a Verification Report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

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

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

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

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

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

10. Prior to the occupation of the development hereby permitted, full details of external lighting and CCTV to serve the entrances to the development, altered layby and the new pedestrian crossing and footway shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details prior to the occupation of the development hereby permitted and retained thereafter.

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

11. Prior to the occupation of the development hereby permitted, a Full Site Management Plan (in conformity with the general principles established within the submitted Management and Operations Overview Plan) shall be submitted to and agreed in writing by the Local Planning Authority. The Full Site Management shall include, but not be limited to, the following:

- i) The process for managing residents moving into, and out of, the development
- ii) On site management/security
- iii) A code of conduct for occupiers of the development
- iv) Access controls, compartmentalisation and security performance of doors
- v) CCTV
- vi) Roof top management
- vii) Refuge strategy
- viii) Cleaning/maintenance strategy for external curtain glazing and vertical feature panels
- ix) Clock feature maintenance strategy

The Management Plan shall be fully implemented prior to the first occupation of the development and shall be retained thereafter.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## **10 BACKGROUND PAPERS**

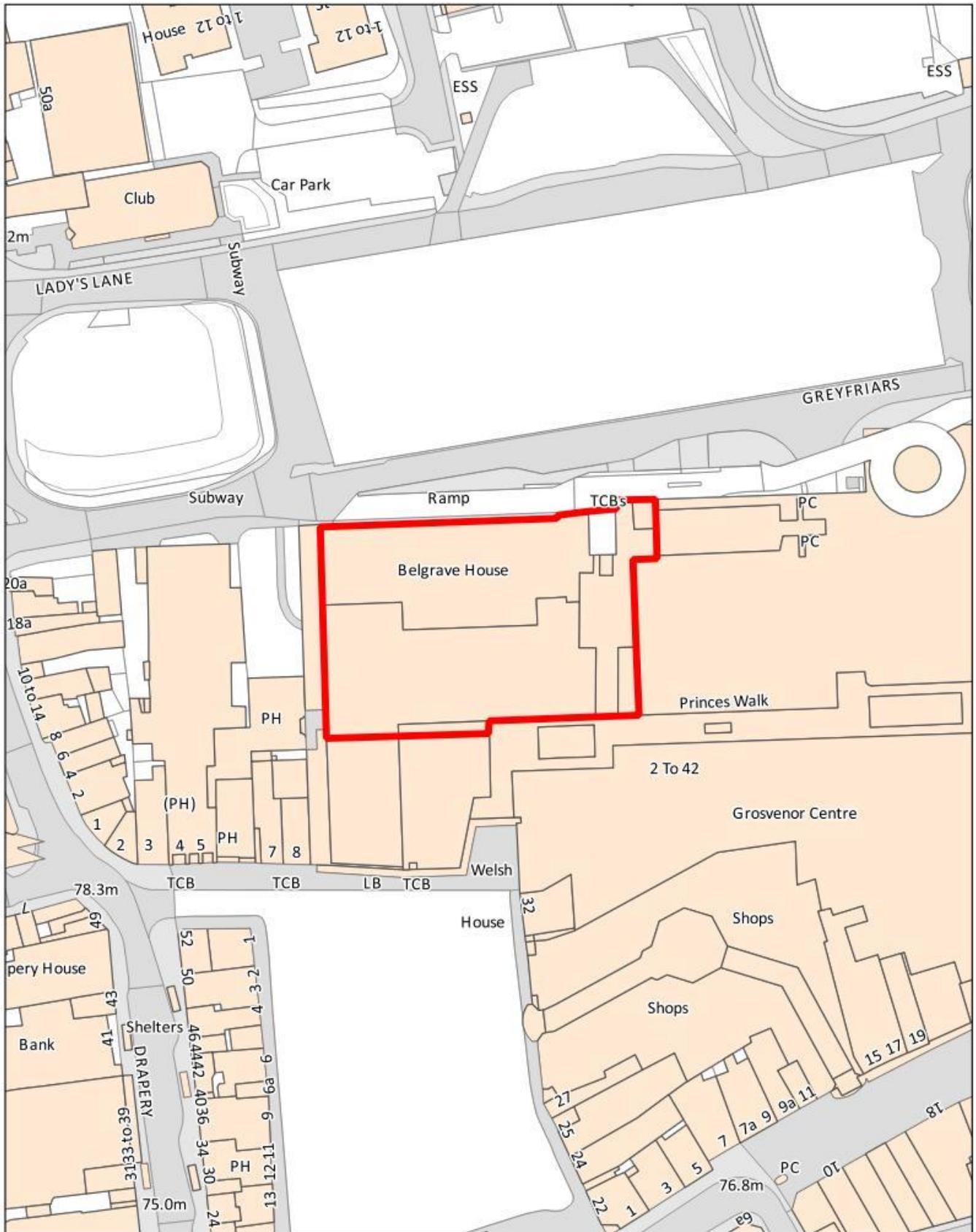
- 10.1 N/2019/0755

## **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: **Belgrave House, Greyfriars**

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Date: 04-02-2021

Scale: 1:1,250

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