



NORTHAMPTON
BOROUGH COUNCIL
Planning Committee

PLANNING COMMITTEE: 16th March 2021

DEPARTMENT: Planning Service

DIRECTOR OF PLANNING: Peter Baguley

APPLICATION REF: N/2020/1553

LOCATION: Newton Building University Of Northampton Avenue Campus , St Georges Avenue

DESCRIPTION: Change of Use of Newton Building from Educational (Use Class F1) to Offices and Learning and Non-Residential Institutions (Sui Generis Use)

WARD: Trinity Ward

APPLICANT: Northampton Partnership Homes

AGENT: rg+p Ltd

REFERRED BY: Director of Planning and Sustainability

REASON: Council owned land

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1 RECOMMENDATION

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

The proposed development, 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, S7, S8, S10, C1, C2, E2, E6, BN5, BN9 of the West Northamptonshire Joint Core Strategy and Saved Policy E20, E26, and L2 of the Northampton Local Plan.

2 THE PROPOSAL

2.1 The application seeks planning permission for the change of use of the Newton Building on the Avenue Campus from educational (Use Class F1) to Offices and Learning and Non-Residential Institutions (Sui Generis Use).

2.2 The application is for a change of use only and does not propose any alterations to the building or changes to the car park or landscaping within the site.

- 2.3 The supporting submissions detail that the applicant, Northampton Partnership Homes (NPH), intends to continue the legacy of education use within the Newton Building by using it as a base to expand its community learning and resident engagement programme delivered by in-house staff and partnership agencies and utilising a mixture of the Grand Hall for larger events and small rooms for group work and smaller training and engagement programmes. The application documents detail that the learning and engagement programme has a three-fold purpose:
- 1) Training targeted at supporting tenants to sustain their tenancies including:
 - Budgeting skills
 - Problem solving and conflict resolution skills
 - Basic home maintenance
 - 2) Training and supporting tenants into work including ICT Training
 - 3) Engagement activities to promote health and wellbeing and address isolation

- 2.4 In respect of the office element of the proposal, the supporting submissions details that this will include:
- Corporate functions (e.g. finance, human resources, communications, performance, facilities management, ICT, governance)
 - Customer facing functions (e.g. housing management, housing support, lettings, repairs, asset management, development and rent collections)
 - Resident engagement and training.

3 SITE DESCRIPTION

- 3.1 The application property is a Grade II Listed Building constructed in 1915 as the Northampton Grammar School for Girls and was subsequently occupied by the Kingsley Park Middle School. The building is constructed in red brick with ashlar dressings and a plain tile roof in Renaissance style. The building is two storeys at the front with a basement and two-three storeys at the rear. It has a long front range with entrance in centrepiece, main hall in parallel range behind and two rear wings.
- 3.2 The application building has been used for university accommodation (offices/administration, lectures, and classrooms) since 2008, forming part of the University of Northampton's Avenue Campus. However, it has been vacated since the University of Northampton relocated to the new Waterside Campus in September 2018.
- 3.3 The frontage of the site is landscaped including mature trees and there is a large car park to the rear of the site that can accommodate approximately 87 parking spaces (there are some 55 marked out spaces with informal parking areas capable of accommodating at least 33 further parking spaces).
- 3.4 The site is located in the Kingsley Conservation Area, on the corner of St Georges Avenue and Trinity Avenue and fronts onto The Racecourse. It is neighboured by an access drive to the western side which serves the car park to the rear of the Newton Building and the remainder of the Avenue Campus site. To the west of the access road lies the Maidwell building.

4 PLANNING HISTORY

- 4.1 The site has a complex planning history relating to its former school uses and more recent use for university accommodation as part of the University of Northampton's Avenue Campus. However, it is considered that the following application is of particular note in marking the transition of the application property from a school to a university use:

N/2008/0847: Refurbishment of existing vacant school (Kingsley Park Middle School) for new university accommodation including new conservatory, lift shaft, replacement of flat roof, condenser yard and installation of CCTCV cameras. Approved.

- 4.2 In addition, it is noteworthy that the Planning Committee has recently resolved to ‘approve in principle’ the following development on the remainder of the adjoining University of Northampton’s Avenue Campus site (including allowing for the reconfiguration of the Newton Building car park):

N/2016/0810: 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. Approved in principle (subject to the completion of a Section 106 Legal Agreement and conditions).

5 PLANNING POLICY

5.1 Statutory Duty

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted West Northamptonshire Joint Core Strategy (2014), and Northampton Local Plan (1997) saved policies.

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

5.2 National Policy

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 6 - Building a strong, competitive economy
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
S7 – Provision of Jobs
S8 – Distribution of Jobs
S10 - Sustainable Development Principles
C1 - Changing Behaviour and Achieving Modal Shift

C2 - New Developments
E2 – New Office Floorspace
E6 - Education, Skills and Training
BN5 - The Historic Environment and Landscape
BN9 - Planning for Pollution Control

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
L2 - School and College Sites

5.5 Supplementary Planning Documents

Planning out Crime in Northamptonshire SPG 2004
Northamptonshire County Parking Standards 2016
Northampton Parking Standards 2019

5.6 Other Material Considerations

Kingsley Conservation Area Appraisal and Management Plan 2009

6 CONSULTATIONS / REPRESENTATIONS

Comments received are summarised as follows

6.1 **Conservation Officer:** No objection to the change of use, which will be in keeping with the character and secure a viable use for an important listed building and will not harm the character or appearance of Kingsley Conservation Area.

6.2 **Environmental Protection:** No objections subject to conditions to secure the following:

- External mechanical plant condition to contain, mitigate and manage noise emanating from the site.
- Electric vehicle chargers - Whilst it is accepted that there is no net increase in the number of car parking spaces onsite, it is prudent that in order for this Council's ambition to have a carbon neutral Northampton by 2030 and to provide employees of the applicant with the opportunity of workplace electric vehicle charging infrastructure that a condition imposed to secure onsite chargers

6.3 **NCC Archaeology:** As the building is Grade II listed, a building recording condition is recommended to be consistent with the other buildings on the campus.

6.4 **NCC Highways:** No comments received.

6.5 **One third party letter of support** has been received from a local resident. The letter includes the following points:

- Pleased the legacy of educational use would continue on the site
- The site is an appropriate base for Northampton Partnership Homes to expand its community learning and resident engagement programme.
- It is important that the car park is not altered to ensure that there are no impacts on local residents or the neighbouring primary school.

7 APPRAISAL

Principle of development

- 7.1 The application site is allocated for education purposes under Saved Policy L2 of the Local Plan. Furthermore, Policy E6 of the Joint Core Strategy, which also relates to education, sets out a requirement to support new educational facilities and the role of the University of Northampton. Moreover, the supporting text in the Joint Core Strategy (paragraph 5.57) refers to the proposed University's relocation to the Waterside Campus to help to create a better relationship to and regenerate the town centre and Enterprise Zone and allows for alternative development proposals to come forward on the University's existing estate.
- 7.2 In addition, Policy E2 of the Joint Core Strategy seeks to direct office developments to within the Central Area of Northampton and the town centre following a sequential approach to support their viability and vitality and this approach is in accordance with the guidance in the NPPF relating to main town centre uses.
- 7.3 In this instance, it is noted that whilst the application property benefits from an educational use, a large proportion of the building was used as offices for the administrative function of the University as well as providing some classrooms and lectures in the main hall. Furthermore, the proposed use is for a mix of offices and training purposes. The proposal is therefore for a *sui generis* use and would not comprise a wholly office use but rather a mix of uses that would share some similarities to the existing use of the property, and thus would provide a form of educational facility on the site as well as other benefits to the community and employment opportunities.
- 7.4 In addition, it is understood that the application property has been vacant since the relocation of the University to the Waterside Campus in 2018. Furthermore, the application proposal 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. Moreover, it is understood that the University, a not for profit organisation, is committed to reinvesting any capital receipts from the sale of the application site into the costs of relocating the University and the provision of higher education. The proposal would therefore also support the education role of the University and indirectly help the vitality and viability of the Central Area and town centre.
- 7.5 Overall, as part of a balanced assessment, no objections are raised to the principle of the development with regards to Saved Policy L2 of the Local Plan and Policies S1, E2 and E6 of the Joint Core Strategy.

Character of the area and heritage assets

- 7.6 The application property is Grade II listed and located in the Kingsley Conservation Area. As such, special attention must be paid to preserving the listed building and its setting and to the desirability of preserving or enhancing the character or appearance of the conservation area, with great weight given to the conservation of the heritage asset in accordance with the statutory duties and the guidance in the NPPF. In addition, Policy S10 of the Joint Core Strategy, Saved Policy E20 of the Northampton Local Plan and the guidance in the NPPF seek high quality design and to create better places to live and work.
- 7.7 The application does not propose any internal or external changes to the application property, with any such works should they be required in the future needing to be subject to a separate application for listed building consent, nor does it propose any works to the existing landscaping on site or the car park. Therefore, the proposal would not harm the heritage assets and it is not considered that a building recording condition as suggested by the County Archaeologist would be necessary or reasonable in the absence of any works being proposed to the application property. Furthermore, and as highlighted by the Conservation team, the application property is currently vacant and the proposal would secure a long-term viable use for this important listed building such that it is considered that it would preserve the listed building and character and appearance of the Kingsley Conservation Area.

Residential Amenity

- 7.8 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.
- 7.9 The application proposes no external alterations to the application property or any changes to parking provision within the site. It is noted that Environmental Protection seek a condition relating to noise from external plant, however no such equipment is proposed as part of this application and should they be required in the future then a separate permission would be required. In addition, it is considered that the proposed use would generate similar on-site activities to the existing lawful use of the property. As such, it is not considered that the proposal would have an adverse impact on the residential amenities of any neighbouring properties.

Parking and highways

- 7.10 Paragraph 109 of the NPPF advises that development should only be prevented or refused on highway grounds if there would be an 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.
- 7.11 The application submissions detail that the existing property has a floor space of some 4,354sqm including the large Grand Hall and entrance hall within the building. The Parking Standards provide guidance on the parking requirements for office uses (1 space per 30sqm) and some educational uses (linked to staff and student numbers), but do not directly address the specific training use proposed by the applicant and also detail that mixed uses (i.e. sui generis uses such as the application proposal) need to be treated on their own merits.
- 7.12 In this instance, the proposal would utilise the existing access arrangements to the site and it is noted that the parking area to the rear of the site can accommodate at least 87 parking spaces. Whilst this falls short of the guidance in the Parking Standards should the entire building (including the Ground Hall and entrance hall) be wholly occupied as offices (i.e. some 146 parking spaces would be required), it must be acknowledged that a large proportion of the existing building was used for office purposes by the University and that the proposal is also for a mixed use with some similarities to the lawful use of the existing property. Furthermore, the site is located in a highly sustainable location close to the Kingsley Local Centre and main routes into the town centre (including the A508 Barrack Road, A5095 Kingsley Road, and A5123 Kettering Road) which are well served by public transportation. In addition, it is noted that no objections have been received to the proposal from County Highways. As such, it is considered that objections could not be sustained to the proposal on parking or highway safety grounds.
- 7.13 The comments of Environmental Protection regarding electric vehicle charging points are noted. However, the application does not propose any changes to the existing parking situation and, therefore, it is not considered that it would be reasonable to require the provision of such facilities in this instance.

8 CONCLUSION

- 8.1 To conclude, the proposal for a mix of office and educational uses and would have some similarities to the existing use of the application property and provide benefits in terms of employment, retaining an educational use on the site, and securing a viable long term use of an important listed building. In addition, the application site would support the relocation of the University to the Waterside Campus, with the capital receipts from the sales of Newton Building contributing to relocation costs, and thus would indirectly assist with the regeneration of Northampton town centre and contribute to the aims and objectives of the Central Area Action Plan. No harm has been identified that would significantly and demonstrably outweigh the benefits and, therefore, it is recommended that planning permission is granted subject to conditions.

9 CONDITIONS

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

101-190AR/001, 101-190AR/002, and 101-190AR/002A

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

10 BACKGROUND PAPERS

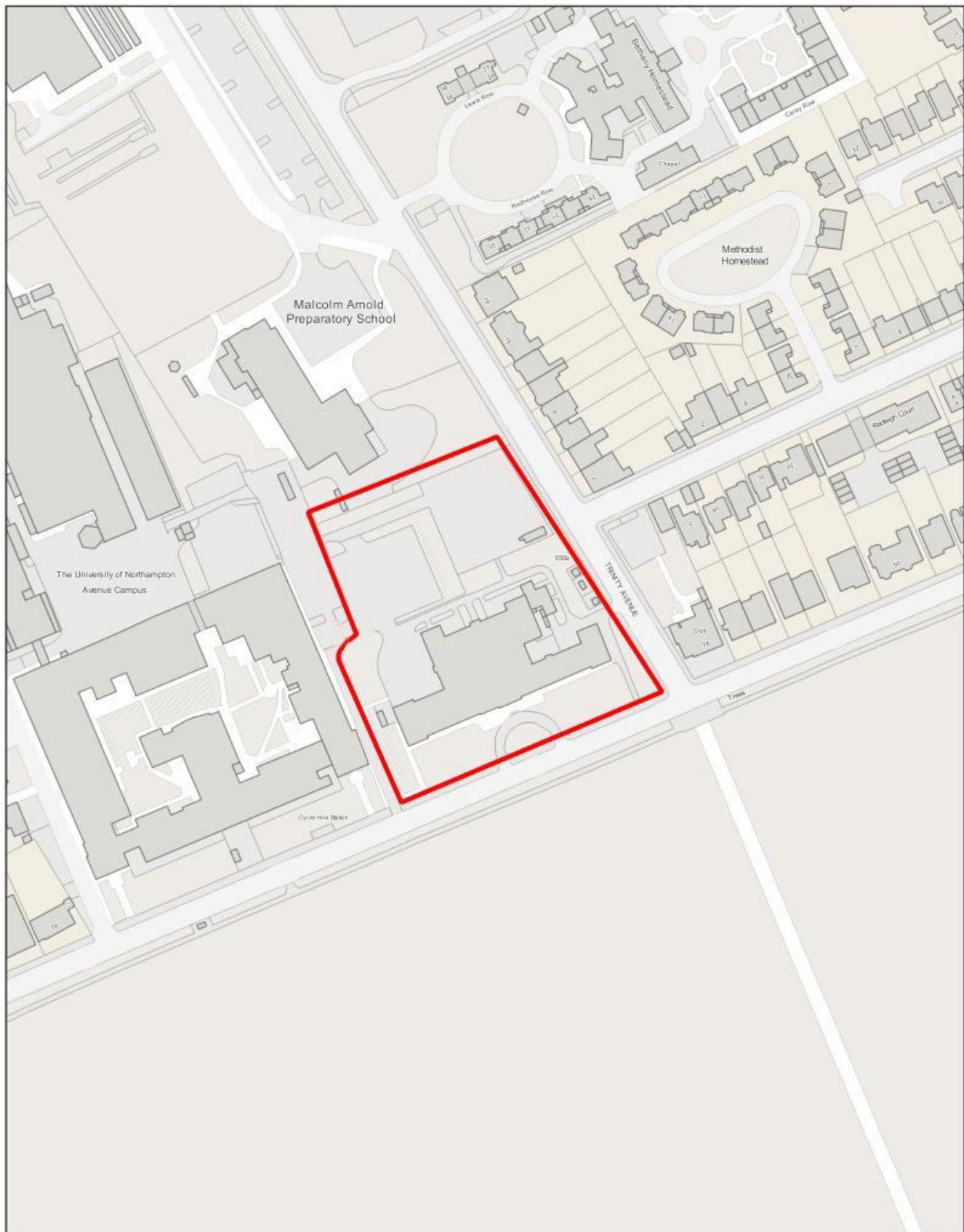
- 10.1 N/2020/1553, N/2016/0810 and N/2008/0847.

11 LEGAL IMPLICATIONS

- 11.1 The development is not CIL liable

12 SUMMARY AND LINKS TO CORPORATE PLAN

- 12.1 In reaching the attached recommendations regard has been given to securing the objectives, visions and priorities outlined in the Corporate Plan together with those of associated Frameworks and Strategies.



Title:

St Georges Avenue, Newton Building

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Date: 05-03-2021

Scale: 1:1,750

Drawn by: -----