



Applicants:

Darby Investments Ltd

Application No:

07/0421/FULWNN

Date Registered:

19 December 2007

Expiry Date:

14 February 2008

Grid Ref:

477387/258156

Ward:

Nene Valley

Northampton UDA Planning Committee Paper

Report by Director of Planning and
Development

Date of Committee Meeting: 24 February 2009

Agenda Item: 4

Description: Construction of a business support centre comprising Hotel (Use Class C1), Retail Units (Use Classes A1, A2 and A3), Office units (Use Class B1), Nursery (Use Class D1) and Business Units (Use Classes B2 and B8)

Address: Site A, Brackmills Industrial Estate, Gowerton Road,
Northampton, NN4 8PJ

1. Recommendation

1.1. That the application be **APPROVED** subject to:

- The completion of a Section 106 agreement to secure payment as part of the tariff system for strategic infrastructure, employment skills training, environmental improvements/enhancement, sustainability strategy and monitoring; a travel plan; landscape strategy; and CCTV.
- The imposition of the conditions set out in this report;

For the following reason:

This proposal is for the introduction of a mixed use development incorporating a business support centre to meet the needs of the businesses and employees of the Brackmills Employment Area helping to create a sustainable community. The proposal is therefore considered to accord with RSS8 Policy 4 and MKSM Northamptonshire Policies 1, 2 and 3, Policy GS5 of the Northamptonshire County Structure Plan adopted 2001 and Policies E1, E9, E19, E20, E29, E30, E39, E40, B2, B3, B6 and B14 of the Northampton Local Plan adopted 1997.

2. Update

2.1 This application was considered by the Planning Committee on 1 July 2008 when it was resolved to delegate the approval of the application subject to some minor amendments, a land stability report, a legal agreement and conditions. For full details of what was resolved please see the previous report and minutes which are attached.

2.2 Since the application was last reported to Committee, a hotel operator has expressed an interest in the site. Amended plans have been received to meet the requirements of the proposed operator and an additional consultation exercise has been carried out. This report is to consider the new plans and to seek ratification of the resolution to grant, with amendments to reflect the updated situation.

3. Description of Proposal

3.1 Other than the design of the new hotel and associated parking area, the proposal remains the same. (please see description in the previous report attached).

3.2 The main difference between the previous hotel scheme and that currently on the table is that it has been reduced in size. It is to be located in roughly the same position and have the same orientation towards the roundabout at Gowerton Road. As per the previous scheme the amended proposal has been designed to accord with the development brief prepared by the owners, the Homes and Communities Agency (formerly English Partnerships). The previous scheme was for a 80 bed hotel with conference and meeting room facilities, a bar and a restaurant, it was to be 4 stories and be 20.5 metres to its highest point. The proposed scheme would have 75 bedrooms, public bar and (a smaller) restaurant. It would still be 4 storeys in height, but would reach a height of 15m.

3.3 Although the reduction in the number of rooms is only 5, the hotel would be reduced to half the size of the previous scheme, from a gross ground floor area of 1379sqm to 616sqm. This is achieved by smaller hotel rooms, and a considerably smaller bar and restaurant area from 466sqm and 464sqm respectively to approximately 90sqm in total. An area of land to the side of the hotel is reserved for a possible future extension. The area is to be landscaped in the meantime.

3.4 The four storey building would have feature glazing linking the two wings of the building which are angled to reflect the site boundary to the roundabout and to emphasise the entrance to the site. The stair enclosures within each wing on the road elevation are glazed in a similar style. The proposed palette of materials is to be consistent with the remainder of the development on this site. Thus the hotel is to have a low mono pitched roof, consisting of facing block masonry to lower levels, colour coated flat metal panels for the upper levels and powder coated aluminium/timber window frames with solar glazing.

3.5 The number of parking spaces is to be reduced to 75 to comply with the County Council parking standards.

4. Consultations

4.1 Since the application was last reported to Planning committee responses have been received from the Environment Agency and the Highways Agency.

Environment Agency: Withdraws previous objection on water cycle infrastructure grounds subject to a condition being imposed. They have also withdrawn their objection relating to flood risk, and suggested

that an informative be sent to the applicants regarding consents for works within byelaw distances of watercourses that the EA are required to give. This information has been forwarded to the applicants.

Highways Agency: Now happy with the Travel Plan prepared which should be secured by S106. Accept that the scale of the development would not necessarily require an improvement to road junctions in isolation, but that improvements will be required as a result of the cumulative impact of the town's development. Therefore do not object on the basis that WNDC secure an appropriate level of contribution from this site. No conditions recommended.

4.2 A further consultation exercise was carried out in respect of the amended plans for the hotel. No responses have been received.

5. Considerations

5.1 This report needs to be considered in conjunction with the previous report which outlines the history of the site, policy considerations, representations and officer assessment. The report, subsequent officer update and minutes of the meeting are attached.

5.2 The loss of the restaurant, bar and conference facilities in the hotel is regrettable. This means that any hotel residents would need to use the smaller facility which would be more convenience food than formal dining.

5.3 However, the design of the hotel and the facilities to be provided reflect current market conditions and demand. The development would not preclude the potential for an extension to the hotel to provide further facilities in the future should the demand be there. The design of the hotel is not dissimilar to the previous approval; the materials complement the other buildings that are part of the scheme, and it would be acceptable within the context of the surrounding area.

9. Other matters

9.1 Since the time of the last report, the following matters have been resolved:

- the layout plan shows satisfactory cycle parking to the front of the retail units

- the Highways Agency have confirmed that they are satisfied with the Travel Plan and have withdrawn their objection.

- the Environment Agency have withdrawn their objection subject to conditions

- NCC sustainable Transport have withdrawn their objection following the receipt of amended plans

- A Slope Stability Assessment has been submitted which concludes that the slope is in a stable condition. It recommends the construction of retaining walls similar to those used on adjacent sites together with other engineering works to ensure that not rejuvenation of the relic ground movements occur. These are conditioned.

10. Conclusion

9.1 The amended plans for the hotel scheme are acceptable. Other outstanding matters have also been resolved. The application is therefore recommended for approval subject to a S106 agreement and conditions.

10. 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 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Prior to the commencement of development full details of all the external materials to be used in the development including all buildings and surfacing shall be submitted to and agreed in writing by the Local Planning Authority. Unless otherwise first agreed in writing by the Local Planning Authority the development shall be constructed using only the agreed materials.

Reason: To ensure the use of appropriate materials in the interests of character and appearance of the development and the surrounding area in accordance with policy E20 of the Northampton Local Plan adopted 1997.

3. Prior to the commencement of any works on the site a Scheme for Tree Protection shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be instituted prior to the commencement of development and shall be complied with at all times during construction works.

Reason: In order to ensure suitable protection for trees on and adjacent to the site during any construction works in accordance with policy E11 of the Northampton Local Plan adopted 1997.

4. Before the development hereby permitted is occupied a scheme shall be agreed in writing by the Local Planning Authority which specifies the sources of noise on the site, whether from fixed plant or equipment or noise generated within the buildings, and the provisions to be made for its control. The agreed scheme shall be implemented prior to the development coming into use and shall be maintained thereafter.

Reason: To ensure adequate protection from noise and disturbance for users of surrounding buildings in accordance with policy E19 of the Northampton Local Plan adopted 1997 and the advice of PPG 24 Planning and Noise.

5. Before any individual element of the development that incorporates cooking facilities with the development hereby permitted is occupied a scheme shall be submitted to and agreed in writing by the Local Planning Authority that specifies the provisions to be made for the collection, treatment and dispersal of cooking odours. The agreed

scheme shall be implemented prior to the unit coming into use and shall be maintained thereafter.

Reason: To ensure adequate protection from odour for users of surrounding buildings in accordance with policy E19 of the Northampton Local Plan adopted 1997.

6. No development approved by this planning permission shall be commenced until: A site investigation has been designed for the site using the information obtained from the desktop study and any diagrammatical representations (Conceptual Model). This should be submitted to, and approved in writing by the Local Planning Authority prior to that investigation being carried out on the site. The investigation must be comprehensive enough to enable: a risk assessment to be undertaken relating to human health, ground and surface waters associated on an off site that may be affected, refinement of the Conceptual Model, and the development of a Method Statement detailing the remediation requirements. Once the site investigation has been undertaken in accordance with details approved by the Local Planning Authority and a risk assessment has been undertaken a Method Statement detailing the remediation requirements, including measures to minimise the impact on human health, ground and surface waters, using information obtained from the Site Investigation shall be submitted to the Local Planning Authority. Once approved in writing by the Local Planning Authority the agreed remediation measures shall be undertaken on the site in full accordance with an agreed timescale. Development of the site should be carried out in full accordance with the approved Method Statement.

Reason: To prevent pollution of ground and surface waters and in the interests of health and the environment and to ensure measures for control for the different elements across the wider redevelopment site are coherent, in accordance with policy E19 of the Northampton Local Plan adopted 1997.

7. If during development, contamination not previously identified, is found to be present at the site then no further development (unless otherwise agree in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an addendum to the Method Statement. This addendum to the Method Statement must detail how this unsuspected contamination shall be dealt with.

Reason: To ensure the effective remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with policy E19 of the Northampton Local Plan adopted 1997.

8. Prior to the occupation of any element of each individual building hereby permitted full details of all fencing and other means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. The agreed details shall be erected prior to the first use of any part of the building to which the fencing or means of enclosure relates and shall be retained and maintained as approved thereafter unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To ensure the provision of appropriate measures to prevent crime and to protect the character and appearance of the local area in accordance with Policies E19 and E40 of the Northampton Local Plan adopted 1997.

9. Prior to the commencement of the development of the business units (use classes B2 and B8) located in the western section of the site a Security Strategy detailing the measures to be utilised within the fabric of the buildings to prevent any undue vulnerability to crime shall be submitted to and agreed in writing by the Local Planning Authority. The units shall be constructed in full accordance with the agreed Security Strategy with the measures involved retained thereafter unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To ensure that the built fabric of the business units incorporates suitable measures to protect them from crime in accordance with Policy E40 of the Northampton Local Plan adopted 1997.

10. Prior to the installation of any external lighting a Lighting Strategy detailing the specification and location of all external lighting for the site together with a phasing plan for installation shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be installed in full accordance with the agreed phasing plan and shall be retained and maintained in the form agreed thereafter unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To ensure appropriate provision of lighting for the areas with the development site in the interests of crime prevention and visual amenity in accordance with Policies E20 and E40 of the Northampton Local Plan adopted 1997.

11. Unless otherwise first agreed in writing by the Local Planning Authority, at no time shall the permitted retail units be amalgamated and shall not incorporate a floor space that exceeds the annotation shown on drawing 0711 13.

Reason: To prevent the amalgamation of the individual units into one large unit and to ensure the suitable provision for the employees of the Brackmills Employment Area in accordance with Policy E19 of the Northampton Local Plan adopted 1997 and the advice of PPS 6 Planning for Town Centres.

12. Unless otherwise first agreed in writing by the Local Planning Authority, at no time shall more than three of the four retail units hereby permitted be used by operations falling outside Use Class A1 (retailing) of the Use Classes Order 1987, or successor.

Reason: To ensure the provision of convenience retailing and to ensure the suitable provision for the employees of the Brackmills Employment Area in accordance with Policy E19 of the Northampton Local Plan adopted 1997 and the advice of PPS 6 Planning for Town Centres.

13. Prior to the commencement of development a Waste Management Scheme shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented upon commencement of development and the details within adhered to thereafter.

Reason: In the interests of waste management in accordance with Policy E19 of the Northampton Local Plan adopted 1997 and the Development Principles and Implementation Supplementary Planning Document.

14. Prior to the commencement of development of the electricity substation(s), full details including materials and elevations shall be submitted to and approved in writing by the Local Planning Authority. The structures shall be constructed in full accordance with the agreed details.

Reason: In the interests of visual amenity and the character and appearance of the area in accordance with Policy E20 of the Northampton Local Plan adopted 1997.

15. Prior to the commencement of development full details including specifications including security measures, materials and elevations of the cycle storage and parking structures to be provided within the site shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking and storage structures shall be constructed in full accordance with the agreed details and installed prior to the first use of the buildings to which they relate.

16. Reason: In the interests of crime prevention, visual amenity and the character and appearance of the area in accordance with Policies E20 and E40 of the Northampton Local Plan adopted 1997.

17. The design of the internal layout of the development shall be to the adoptable standard of Northamptonshire County Council unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety.

18. Prior to the commencement of the development hereby approved details of the finished floor levels of all the buildings hereby approved shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed to the approved levels.

Reason: In the interests of the visual amenity of the area and to comply with Policy E20 of the Northampton Local Plan.

19. Notwithstanding the provisions of sections 94, 98 and 106 of the Water Industry Act 1991, no development shall commence until details of a scheme, including phasing, for the provision of mains foul water drainage on and off site has been submitted to and

approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the approved scheme.

Reason: To prevent flooding, pollution and detriment to public amenity through provision of the suitably water infrastructure.

20. Prior to the commencement of the development hereby approved, full details of the retaining walls and the method to be used for piling shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed to the approved details.

Reason: In the interests of safety in accordance with Planning Policy Guidance Note 14.