



Applicants:

Rochmills Ltd

Application No:

09/0002/FULWNN

Date Registered:

19/01/2009

Expiry Date:

20/04/2009

Grid Ref:

476448 (E)

260984 (N)

Ward:

St Crispin

Northampton UDA Planning Committee Paper

Report by Director of Planning and
Development

Date of Committee Meeting: 07/07/09

Agenda Item: 5

Description: Mixed use development comprising the development of a retirement village and ancillary facilities following the demolition of former infirmary building; Development of mixed use building comprising A1 (Retail), A2 (Financial and Professional Services) and A3 (Restaurant and Café) at ground floor, with 6 apartments on upper floors; Conversion of the former St Edmunds hospital buildings to comprise B1 (Office) use, specialist care facility, visitor accommodation and security building.

Address: Former St Edmunds Hospital, Wellingborough Road, Northampton.

1. Recommendation

1.1 For the reasons set out below, **APPROVAL** with authority being delegated to the Director of Planning and Development to grant planning permission subject to:

To secure the prior completion of a Section 106 obligation in accordance with the terms identified in this report or such amendment or additional obligations as the Director of Planning and Development may consider appropriate in the circumstances and;

The conditions set out in this report including any additional conditions or amendments to the draft conditions as the

Director of Planning and Development may consider appropriate to secure an acceptable form of development;

The submission of an amended site layout plan detailed the extent of the adoptable highway as revised; and

The submission of an amended travel plan to provide more robust details of the management, monitoring and enforcement of the plan, necessary to ensure modal shift.

Reasons for approval

- 1.2 The proposed development will secure the future of the remaining listed buildings on the site and secure the regeneration of a prominent site within the town. The proposal is a comprehensive, mixed use scheme and is acceptable in relation to Policy D16 of the NBLP. The demolition of the curtilage listed infirmary building has been justified following the submission of a detailed financial appraisal which satisfactorily demonstrate that the future of the remaining listed buildings can only be secured with the demolition of the infirmary and the provision of the retirement village. This is considered to be in accordance with PPG15 and English Heritage Guidance on Enabling Development.
- 1.3 Concerns raised regarding the viability and deliverability of the scheme can be satisfactorily addressed through a Section 106 agreement which will secure the phasing of the site and ensure significant works are carried out to secure the future of the remaining listed buildings, prior to the demolition of the infirmary.
- 1.4 The proposed new buildings and extensions to the listed buildings are satisfactory in relation to the adjoining residential area and the character and setting of the listed buildings. The scheme proposes the development of sustainable buildings, with measures proposed to secure modal shift away from the private car and therefore contributes to the aims of sustainable development in accordance with PPS1.
- 1.5 Following an assessment of the material planning issues it is considered that the proposal accords with Policies 1, 2, 19, 29, 32, 35, 36, 38, 39, 43, 45, 46 and 48 of the East Midlands Regional Plan (2009); saved policies E17, E19, E20, E40, T4, T12, N16 and B22 of the Northampton Local Plan; and the contents of PPS1, PPG4, PPS6, PPS10, PPG13, PPG15, PPS22, PPS23, PPG24 and PPS25.

2. Summary

- 2.1 The proposed scheme is for the comprehensive redevelopment of the former St Edmunds Hospital Site located on the Wellingborough Road. The site contains the former Northampton Workhouse building, part of which is Grade II listed and a surrounding group of buildings which are curtilage listed. Most of these buildings are in a poor state of repair and require significant refurbishment to secure their future.
- 2.2 The current application proposes a mixture of uses including care related facilities, small office units, retail and a small amount of residential accommodation. These uses will be accommodated in the remaining listed buildings and two new buildings, including a large retirement village building which will provide 110 rooms for persons in need of varying levels of care.
- 2.3 To ensure the viability of the scheme that applicant proposes to demolish the curtilage listed infirmary building and justifies this proposal with a robust financial appraisal and enabling development argument. An independent assessment of the appraisal commissioned by WNDC concludes that the approach taken is robust, but raises concerns over the schemes viability and deliverability under current economic conditions.
- 2.4 To justify the demolition of the infirmary in these circumstances, it is proposed that the applicant enter into a Section 106 agreement to enable WNDC to secure the phasing of the site, to ensure that significant works are carried out to the remaining listed buildings, prior to the demolition of the infirmary.
- 2.5 The scheme is considered to be of a high quality design and will secure the future of a prominent site within the town which has significant heritage value. As such this would contribute to the regeneration of the town which is central to WNDC's statutory objective of delivering regeneration to the area.
- 2.6 The scheme will promote sustainable development through the construction of energy efficient buildings and by encouraging a modal shift away from the private car.
- 2.7 The proposals are considered to be acceptable in relation to the adjoining primarily residential area, with conditions imposed to protect residential amenity where necessary.

3. Description of Site

- 3.1 The application site contains the former St Edmunds Hospital Buildings, located in a prominent location on the Wellingborough Road on the eastern edge of Northampton Town Centre. The site area measures 1.6 hectares and contains the remaining vacant and semi derelict buildings following the closure of the hospital in 1998.
- 3.2 The site was originally developed as the Northampton Workhouse in 1837. The main workhouse building fronts onto Wellingborough Road and is an early example of the architect Sir George Gilbert Scott, as such part of the workhouse building is Grade II listed and is an important building within the area due to its heritage and architectural value. The other remaining buildings within the site were later additions to the workhouse and include the Infirmary (1840), Workhouse School (1872), Gatehouse (1897) and Nurses Home (1897). These other buildings together with a 3 metre high wall which forms much of the sites boundary are curtilage listed and therefore benefit from a similar degree of protection as the listed building. The layout of the remaining buildings is shown in Figure 1 below.
- 3.3 The site was gradually converted into a hospital during the 1930's and disposed of by the NHS as medical facilities were transferred to Northampton General Hospital. The remaining buildings are located around the perimeter of the site and with the exception of the workhouse, face into the central area of the site which previously contained car parking and landscaping. Following the purchase of the site in 1999, the applicant has demolished a number of ancillary buildings and later extensions to the remaining buildings, leaving heavy scarring to the buildings in places.
- 3.4 Fronting onto the Wellingborough Road, the site benefits from being located immediately adjacent to the Wellingborough Road District Centre, which comprises of predominantly A1, A3 and A5 uses. The District Centre is a busy and vibrant area despite a number of vacant units currently. On the sites northern, western and eastern boundaries, the site is surrounded by residential properties on Portland Place, Exeter Place and Market Street, predominantly constructed in the 1970's.
- 3.5 The main vehicular access is off Wellingborough Road, with secondary accesses located off Portland Place and Market Street. A public car park is located to the east of the site on Market Street.

- 3.6 A three storey restaurant building is currently under construction to the east of the workhouse building on the corner of Market Street and Wellingborough Road. This is part of the St Edmunds Hospital site, but was excluded from the current application site. It is intended to service the restaurant from the application site.



Figure 1 – Existing Layout

4. Description of Proposal

- 4.1 The planning application is for a comprehensive scheme for the redevelopment and reuse of the former St Edmunds Hospital site. It is proposed to extend and convert 4 of the existing listed buildings on the site and erect 2 new buildings in the north east and north west of the application site. It is proposed to demolish the infirmary building located in the north east of the site.
- 4.2 Referring to Figure 1 above, which shows the existing buildings on the site and working in a clockwise direction, the application proposes the following:

Workhouse/St Edmunds Hospital Suite

- 4.3 It is proposed to convert the main workhouse buildings into 29 individual business units (B1 (a) Business) to provide office accommodation for small businesses. This will provide 2,000 square metres of floorspace.
- 4.4 The Workhouse building is the most important building on the site, due to its visual prominence from the surrounding area and due to its architectural and heritage value.



Gatehouse Building

- 4.5 The Gatehouse was built as a male receiving ward and temporary accommodation for the insane in 1897 as part of the original workhouse. It is proposed to reuse this building as the sites security office.

Mixed Use Building

- 4.6 A new three storey building is proposed on the sites Wellingborough Road frontage adjacent to the junction with Portland Place. This will provide 530 square metres of A1 (Retail), A2 (Financial and Professional Services) and A3 (Restaurant) uses on the ground floor. It should be

noted that this element of the proposal is speculative in nature with the details of the final occupiers unknown. Consequently the potential impact of all of this accommodation being used for A1, A2 and A3, or a combination of these uses is assessed elsewhere in this report.

- 4.7 The upper floors will provide 6 No. residential apartments (4 x 3 bed and 2 x 4 bed units). It is the applicants intention to market these units towards nursing staff working on the site. The accommodation will provide separate locked bedrooms with shared living accommodation for each of the 4 apartments.

The School House

- 4.8 It is intended to convert the former workhouse school building into a Specialist Care Facility (C2 Use Class). This will provide high dependency care for persons in need of extensive care, 24 hours a day by specialist staff.
- 4.9 The existing building will be extended to the rear fronting onto Portland Place. In total 51 units will be provided (2,500 Square metres).

Nurses Accommodation

- 4.10 This building was originally built to house the growing number of nurses required at the workhouse. It is proposed to convert this building into ancillary hotel style accommodation proving accommodation for persons visiting relatives at the specialist care facility and retirement village.
- 4.11 It is proposed to provide this accommodation in 6 rooms (2 double rooms, 2 family rooms and 2 two bed units.)



Retirement Village

- 4.12 This provides the bulk of the new development, approximately 11,000 square metres of C2 (Residential Institution) use, across 4/5 floors of accommodation. The building will provide 110 retirement units, plus communal facilities for residents including a restaurant, entertainment suite, small shop, hair salon and IT suite.
- 4.13 The level of care at the retirement village is proposed to be an intermediate level between care at extra care and full residential/nursing care. It is necessary to clarify the level of care proposed and the distinction to be made between the high dependency care proposed in the specialist care facility and sheltered housing provided by organisations such as McCarthy and Stone which often fall within a C3 use class.
- 4.14 The proposed retirement village will provide an intermediate level of care, promoting independent living with the level of care provided depending on the needs of the end user. The facilities will provide communal living with meals provided in the ground floor kitchen area, but with small kitchenettes in each unit to promote independent living.
- 4.15 Communal laundry facilities will be provided in the central cores and in a larger centralised laundry. As such the level of care proposed aims to provide independent living where possible, but will not be suitable for persons not in need of care.

4.16 The erection of the retirement village will require the demolition of the Infirmary building.

Car Parking

4.17 The scheme will provide 86 car parking spaces which will be broken down as follows:

- 24 spaces for the Workhouse/St Edmunds suite office conversion
- 40 spaces for the Retirement Village (undercroft/basement level parking)
- 7 spaces for the Specialist Care Home
- 15 spaces for the mixed use building (A1, A2,A3 and 6 multi occupancy apartments)

The planning application comprises of the following documents:

- Planning Statement (Bidwells) (January 09)
- Design and Access Statement (Church Lukas) (January 09)
- Financial Appraisal (DTZ) (January 09)
- Feasibility Cost Estimate (Watts) (22nd December 08)
- Sustainability Statement (BSD) (January 09)
- Waste Audit (Bidwells) (January 09)
- Landscape Strategy (Bidwells) (8th January 09)
- Flood Risk Assessment (BSP) (Rev A. January 09)
- Transport Assessment (Bidwells) (9th January 09)
- Interim Travel Plan (Bidwells) (9th January 09)
- Contamination Report (Listers) (October 04)

- Archaeological Appraisal (Cotswold Archaeology) (January 09)
- Structural Reports (Watson Hallam) (Date) (6th Jan 09)
- Listed Buildings Report – Architectural & Archaeological Heritage Analysis (Richard Morris & Associates) (December 08)

In addition, the following documents were subsequently submitted:

Flood Risk Assessment (BSP) (Rev B. February 09)

External Noise Assessment (WBM) (21st April 09)

Ecological Evaluation and Impact Assessment (Greenwood) (3rd April 09)

Bat Survey (Front Row) (23rd March 09)

Response to Crime Prevention Queries (Church Lukas) (June 09)

Air Quality Impact Assessment (Peter Brett) (May 09)

5. Policy Considerations

5.1 **WNDC Purpose:**

Under S136(1) of the Local Government Planning and Land Act 1980, WNDC as an Urban Development Corporation has a statutory “objective” to deliver the regeneration of the area. The Secretary of State has determined that WNDC should have development control powers for certain types of development in order to carry out its objective.

National Planning Policy Guidance

5.2 The following Planning Policy Statements / Notes should be taken into consideration in the determination of this application.

PPS1 Sustainable Development

PPS1	Sustainable Development: Planning and Climate Change
PPG4	Industrial, Commercial Development and Small Firms
PPS6	Planning for Town Centres
PPS10	Planning for Sustainable Waste Management
PPG13	Transport
PPG15	Planning and the Historic Environment
PPS23	Planning and Pollution Control
PPG24	Planning and Noise
PPS25	Development and Flooding

Development Plan:

5.3 The Development Plan documents for the area comprise;

The East Midlands Regional Plan (RSS8) (2009);

The Northamptonshire County Structure Plan (NSP) (2001) (One saved policy - SDA1);

The Northampton Borough Council Local Plan (NBLP) (1997) (saved policies).

The East Midlands Regional Plan (RSS8) (2009) relevant policies;

5.4

Policy 1	Regional Core Objectives;
Policy 2	Promoting Better Design;
Policy 19	Regional Priorities for Regeneration;
Policy 29	Priorities for Enhancing the Region's Biodiversity;
Policy 32	A Regional Approach to Water Resources and Water Quality;
Policy 35	A Regional Approach to Managing Flood Risk;

Policy 36	Regional Priorities for Air Quality;
Policy 38	Regional Priorities for Waste Management;
Policy 39	Regional Priorities for Energy Reduction and Efficiency;
Policy 43	Regional Transport Objectives
Policy 45	Regional Approach to Traffic Growth Reduction
Policy 46	A Regional Approach to Behavioural Change
Policy 48	Regional Car Parking Standards

The Northampton Borough Council Local Plan (NBLP) (1997) relevant policies;

5.5

E17	Nature Conservation
E19	Implementing Development
E20	New Development (Design)
E40	Crime and Vandalism
T4	Transport for Major Development
T12	Servicing by Commercial Vehicles
B22	Small Business Units
D16	St Edmunds Hospital, Wellingborough Road

Supplementary Planning Guidance (SPG) and Supplementary Planning Documents (SPD)

5.6	Northamptonshire County Council Planning Out Crime (2005); Northamptonshire County Council Parking (2003); Northamptonshire County Council Waste SPD (2007)
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Other non-statutory documents

5.7 WNDP Planning Principles (2009)

Set out in this document are WNDP's three corporate objectives:

1. To deliver development and infrastructure that enables regeneration and growth in Northampton, Daventry and Towcester;
2. To ensure that new development is supported by appropriate jobs, infrastructure and town centre regeneration;
3. To ensure that new development meets the Government's design quality and environmental standards and is integrated into existing communities.

5.8 Northampton Borough Council – St Edmunds Hospital Planning Brief (1999)

6. Consultations

6.1 NBC Development Control:

The Council raise NO OBJECTIONS for the following reason:

The proposal would ensure the redevelopment of this prominent, semi-derelict site which would enhance the character of the area and assist in the regeneration of the town overall. The proposal would also ensure the retention of the majority of the Listed Buildings on the site which are an important part of the town's heritage.

The recommendation is subject to WNDP taking the following into account;

Securing a Section 106 agreement to include –

Phasing Strategy as set out below –

- Phase 1. School house, nurses accommodation, retail unit and access road to Wellingborough Road frontage. No demolition shall take place during this phase.
- Phase 2. Workhouse Building and gatehouse.
- Phase 3. Demolition of infirmary building and construction of retirement village.
- All necessary off site engineering works.

Conditions to require full details of all materials, schedule of works to all Listed Building, hard and soft landscaping, boundary treatment to and within the site and security matters.

6.2 NBC Environmental Health:

- Officers have concerns regarding noise and air quality. With respect to the mixed A1/A2/A3 and residential development overlooking Wellingborough Road, a noise and air quality assessment would be required prior to determining whether this is a suitable location for housing. Officers also have concerns regarding the impact on air quality as a result of the development itself. Minded to object to this proposal on the lack of suitable accommodation.
- With respect to the other aspects of the application, further information is required regarding noise, odour and contaminated land. There is potential for noise to arise from plant, machinery or equipment installed at offices or retail units as well as from opening hours for businesses and deliveries. With respect to plant, machinery and equipment a noise scheme would be required to identify all such equipment (for all of the proposed developments) and the likelihood of any impact and measures made for its control.

- Require a survey for the new electrical substation including an impact assessment for low frequency noise.
- There would also need to be proposals on the restriction of opening hours for primarily the retail arm of the development as well times for deliveries in order to protect existing and proposed residential properties from noise.
- Conditions in respect of all these matters would be required and any such information submitted and agreed prior to commencement of the development.
- With regard to odour we would need details of scheme for odour control for the proposed A3 restaurant and cafe. A condition would be required and any scheme agreed prior to commencement of the development.
- Given the size of the proposed development there would also need to be submitted a site waste management plan during construction phase, as well as a construction management plan designed to control noise and dust. This would also need to cover any details of proposed piling operations to ensure the method with the least potential impact is utilised.
- There also need to be a scheme provided for collection and disposal of waste for all of the residential/retail/business units prior to commencement of the development.
- With regard to contaminated land there would need to be update from the report that has been submitted in support of previous applications. Given that this application will make provision for more soft landscaped areas the developer would need to provide an update on the last report. They will also need to consider any new sources of contamination that have been introduced to site as the most recent report is now 4+ years old. It is known to this department that there have been a number of bonfires on site which can introduce localised

contaminants to soil. Our standard contamination condition would be sufficient for this purpose.

Note: Following the Environmental Health Officers initial objections based on concerns over noise and air quality, the relevant noise and air quality assessments have been submitted. In response the Environmental Health Officer has advised the following.

Officers suggest the following amendments to overcome air quality and noise objections.

- Bedroom/living room windows overlooking Wellingborough Road will need to be sealed units (and of sufficient acoustic quality) with an alternative means of ventilation provided. In order to mitigate for poor air quality the intake of the ventilation systems will have to be positioned in an area of 'clean air', i.e. on the interior aspect of the building overlooking the hospital site.
- To maintain comfortable temperatures during spring/summer, alternative means of introducing air changes, such as air conditioning will also need to be considered. Again to mitigate for poor air quality the intake of the system will need to be positioned in an area of clean air. Any means of ventilation provided will need to have regard to the relevant building regulations.
- This would need to be secured by condition.

6.3 NBC Housing Strategy:

- Due to the level of residential units being proposed on this scheme – 110 for the retirement village and 51 for the 'Specialist Care Facility' - the 35% requirement for affordable housing provision comes into effect.
- However due to the type of accommodation being proposed, not fitting with our current requirements for affordable housing the affordable housing requirement should either be provided off site or by means of financial contribution. This will provide more appropriate affordable housing elsewhere or help fund affordable housing projects in the town other than on this site.

- The Housing Strategy Team together with WNDC will discuss this issue further in order to establish an approach that is conducive to both planning requirements and affordable housing requirements for the town.

6.4 NBC Conservation:

Note: No direct comments were received, but the Conservation Officers made the following comments to NBC Development Control as part of the consultation response to WNDC.

- There have been significant concerns regarding the St Edmunds site which has been vacant and derelict for nearly 10 years and has had significant issues relating to vandalism and anti social behaviour. The site has been poorly managed by the current owners and this has contributed significantly to these problems.
- The current planning and listed building consent applications clearly do not follow the original Northampton Borough Council Planning Brief of 199 by not retaining all five buildings 'critical to the special interest of the site'.
- The conclusions of the financial appraisal exercise undertaken by the applicants indicate that the scheme would not be financially viable with the retention of the infirmary building. An independent financial appraisal of the scheme in the current market (reflecting the recent international financial problems) is that the scheme would not be viable even with the loss of the infirmary.
- If the listed building consent application is refused on the basis of non-viability of the scheme there are a limited number of options available. The owner may choose to Land Bank the site pending improvement to the current economic climate leaving the building vulnerable to further deterioration for another extended period of time or a new application with denser development requirements could be submitted which may have a significantly more detrimental effect on the setting of the listed buildings.

- The St Edmunds site is now in a perilous state and action is required to ensure the buildings on site do not deteriorate further. The current application is for the comprehensive re-development of the entire site with a new use found for the listed workhouse and three of the four curtilage buildings (school house, nurses accommodation and gate house). The historic significance of the infirmary buildings has been established and its potential loss should be considered a last resort to safeguard the long future of the remaining buildings.

- It should be made clear that if consent is forthcoming for the demolition of this curtilage listed building that it is regarded as part of the scheme as a whole and should not be seen as a precedent for future schemes involving demolition. A robust phasing strategy will therefore need to be drafted and agreed to, ensuring that the infirmary building is not demolished until a significant commitment has been made to restoration and conversion of the remaining buildings on site. The following phasing is recommended:
 - Phase 1. School house, nurse's accommodation, retail unit and access road to Wellingborough Road frontage. No demolition shall take place during this phase.

 - Phase 2. Workhouse building and gatehouse.

 - Phase 3. Demolition of infirmary building and construction of retirement village.

- The phasing scheme will need to be the subject of legal agreement which should also include the rescinding of the existing listed building consents.

- It will also be important to safeguard against the subsequent dilution of details and the use of lesser materials by applying appropriate conditions to any consent.

6.5 NBC Planning Policy Section:

- No comments received.

6.6 NCC Sustainable Transport:

- The adoptable access road into the site is to be amended on the Site Layout drawing to accommodate service vehicle movements. The on-site access and footpath layout has also been adjusted to compliment the amended turning head layout. On site signage is also to be indicated to show that the retail servicing bay is not to be used as an exit way for other vehicles – condition requested.
- Conditions requested in respect of the adoption of the access road and for the provision of a Traffic Regulation Order to restrict any parking and loading/unloading in the access road. This is for reasons of highway safety and in order to maintain a safe and clear access from the Wellingborough Road, as well as the individual accesses to the various buildings on the development.
- Condition requested in respect of works within the highway.
- The new restaurant currently being built should be shown on the drawing in order to show the relationship with the site. Details of servicing and parking provision for the restaurant are also to be shown as previously approved. Condition no.14 from the previous restaurants consent is also to be included regarding closure works for the existing vehicle access.
- It is noted from the Design Statement that there is a vehicle access at the rear of the site to the servicing area from Market Street. This should be shown on the site layout drawing. Details of any barrier proposed between the service area and the undercroft parking should be clarified.

- Secure covered cycle parking is to be provided in accordance with the SPG, as well as motorcycle spaces with secure anchor points. Disabled persons parking is to also be shown for the offices parking area.

6.7 **NCC Travel Plan:**

- The interim travel plan is suitable and no further details need adding at this stage.

6.8 **NCC Commissioning Section:**

- Recent studies identify the need to reduce over reliance on the Council purchasing residential care and the need to develop extra care facilities within local communities and offering access to the local infrastructure, transport, medical services, shops etc.
- The planning application makes no reference to market research for the care village, the plans of which are contrary to NCC's findings and best practice model.
- The Council identifies optimum size of extra care facilities of between 40 and 60 units, however development of larger schemes will be entirely at the risk of the developer.
- The site, although close to transport and local shops does not appear to be in a position to integrate into the local community.
- Concerns about the provision of a single lift to each cluster of units. The Council's strategy specifies a minimum of 2 lifts to developments of 2 storeys or more, one of which needs to be of sufficient size to accommodate a full length stretcher.

- The stairs adjacent to the lifts do not offer protected landing areas, which raises health and safety concerns, particularly in the event of a fire.

- Some of the units appear small, concerns expressed regarding wheelchair access or turning circles to and within units or wet rooms, the size of the kitchenettes and the provision of launderette facilities.

- The County Council would not support the development, as although the location meets some of the generic specification, the design and implied model of service provision demonstrates limited understanding of the extra care model and funding streams. Development would therefore be entirely at the risk of the developer.

6.9 Northamptonshire Police:

- Has no formal objection to the planning application in its present form but there is insufficient detail contained within the application documentation regarding the proposed security on the site for an adequate assessment of the proposal.

- The application site lies adjacent to one of the main routes into town for the night time economy and is included in the Police's strategy to reduce crime and disorder associated with the night time economy in the 'town centre'.

- There is mention that the site has the benefit of good natural surveillance and will not offer many opportunities for criminal activity. I would argue with that statement and suggest that the very open nature of the site from the Wellingborough Road and the type of people who pass by in the early hours of the morning in various stages of inebriation may well give rise to a level of antisocial behaviour

- Require far more detail about the role of the security gatehouse, hours of operation, numbers of staff, duties and responsibilities and CCTV coverage of the site including the car park and public spaces.
- To ensure that residents of this retirement village are not targeted it is important to ensure that 'visitors' are not able to easily circulate around the building and that the point of primary access via the reception is adequately controlled.
- Require further details about the level of management and security measures that are going to be put into place.
- Experience of crime and disorder on the site at Duston would indicate that these facilities are highly likely to be targeted by criminals and others. People often opt to live in places like this as they feel very frightened and vulnerable in society and consider this sort of facility will provide them with a safe and secure environment. It is important not to disappoint them.
- There is a good deal of accessible open space within this development and little to prevent anyone who wishes taking advantage of it. There is little public open space in the vicinity and it is likely that local residents of all ages may well wish to make use of the open spaces and courtyards.

Note: Following the Police's comments, a meeting has taken place between the Police, the applicant and WNDC officers. Additional security information has been submitted and the following comments made in response by the Police.

6.10 Northamptonshire Fire and Rescue:

- No comments received.

6.11 Wildlife Trust:

Note: The Wildlife Trust initially objected to the proposals as no ecological investigation work – survey, appraisal and evaluation/assessment had been carried out.

- Given the nature of the site and the proposals involving part-demolition and part-conversion, it is not unreasonable to assume that there may well be biodiversity constraints associated with this project that remain unknown and un-investigated.

- The potential presence of both bats and birds would be examples of realistic concerns in an ecological sense and the presence of other protected species should be given consideration.

- **In the absence of any ecological information, the Wildlife Trust's ecological advice is that WNDC do not yet have all of the information available to make a fully informed decision and objects to the application.**

- Would like to see future ecological work here identify opportunities to enhance local biodiversity – including linking and buffering of any existing sites and appropriate habitat creation and potential to contribute towards Green Infrastructure and priority BAP targets within the county.

- Landscaping and ecological mitigation are only of value if properly managed. Therefore the application should consider provision for not only the potential long term Impacts of these development proposals. The application should be suggesting the likely consent of any Planning Conditions and the relevant ecological sections of any Section 106 Agreement document if applicable.

- The application should include proposals for ecological mitigation linked to the impacts identified. It should include the ecological impacts of the construction works as well as the impact of the final built development.

Note: Following the Wildlife Trust's (WT) initial objection an Ecological Survey and Bat Survey were submitted and the following comments made by the WT.

- Having reviewed the content of both documents can advise that their scope and details are satisfactory and acceptable.
- Should take on board all of these consultants' conclusions and recommendations for required mitigation and enhancement measures; ideally making such things the subject of strong, suitably worded Planning Conditions or clauses in Section 106 agreement.
- **Subject to these steps being taken to ensure biodiversity/ecological mitigation and enhancement measures set out in the consultants separate reports, the Wildlife Trust would at that stage, be in a position to consider the withdrawal of its initial objection.**

6.12 **Anglian Water:**

- Future foul flows are anticipated to be of similar nature to those which discharged to the public sewerage system during the hospitals former use. Therefore the foul flows can be accommodated and should have no adverse impact on the foul network or at Great Billing STW.
- From a surface water aspect, flows can be adopted within the existing adopted surface water system.

6.13 Environment Agency:

- The EA objects to this application because after having assessed the submitted Flood Risk Assessment (FRA) against the requirements of PPS25, the details of the Flood Risk Assessment are not yet fully compliant for the following reasons:
- The FRA should consider all aspects of flood risk for proposed development and potential impact on people and property within the catchment.
- The FRA needs to be amended to assess the impacts on the proposed development up to and including the 1 in 200 plus climate change level. The method used to calculate runoff should be stated within the report
- The developer should consider the possibility that their design for surface water may fail and as such should provide a backup plan.

*Note: Following the receipt of an amended FRA dated February 2009, the EA consider that the details in the FRA have been undertaken in line with the flood risk guidance contained in Annex E of PPS25 and is considered appropriate for the scale and nature of the proposed development. The **EA withdraws its previous objection on flood risk grounds**, subject to the imposition of a condition requiring development to be carried out in accordance with the FRA.*

- The EA also objects to the application as submitted on the grounds that the proposed development, if approved and built ahead of a sound investigation into, and provision of, the necessary improvements to sewerage and sewage treatment infrastructure, is likely to be unsustainable, leading to increased pollution and flooding.

*Note: Following confirmation from Anglian Water that there is sufficient capacity within the Anglian Water system for the proposed development, the **EA are prepared to withdraw their***

previous objection on water cycle infrastructure grounds, subject to the imposition of a condition for the provision of mains foul water drainage on and off site.

6.14 **Highways Agency:**

- The HA has reviewed the application and concludes that current development proposals do not raise any planning policy concerns from a HA perspective. However it is evident that further work is required to the Travel Plan. The current document lacks the clarity required to enable a full assessment of the likely benefits in terms of a reduction of single occupancy trips.
- The HA have requested additional information and amendments relating to the content, clarity and robustness of the Travel Plan. **As such there is insufficient information to warrant a substantive response from the HA. As such a TR110 direction was issued preventing the granting of planning permission for an indefinite period of time.**

Note: Following the submission of an updated travel plan the HA made additional comments which are summarised below:

- It is still unclear how Rochmills will pass the requirements of the travel plan onto the occupier. As the development could be occupied by several tenants, it would be better if the travel plan was centrally managed, at least until travel plan targets have been met.
- It is unclear how unauthorised access and residents of the care home inadvertently wandering off the premises are to be prevented given that the site is publicly accessible; alternatives such as secure gates should be considered.
- It is unclear how the roles of the Site Travel Plan Co-ordinators, Interim Travel Plan Co-ordinators and Travel Plan Supervisors relate.

- As a starting point 10 cycle parking spaces should be provided and space set aside if additional spaces are required.
- A vehicle accumulation exercise should be undertaken to demonstrate that the proposed number of car parking spaces will be sufficient to meet demand.
- Multi-modal traffic counts should be carried out annually to assess the effectiveness of the travel plan strategies. Monitoring should continue until targets have been met.
- A self assessment approach to monitoring is not acceptable
- It is clear that the Travel Plan requires further work to provide a clear and effective strategy for managing travel at the proposed development.
- It is recognised that this development does not have a significant impact on the Trunk Road Network in capacity terms and as such **HA has no objection and removes the holding direction on the understanding that WNDC and NCC continue negotiations with the developer to bring the Travel Plan up to standard.**

6.15 **English Heritage:**

- No need to consult as only consulted on Grade II * curtilage buildings. No comments to make in respect of this proposal.

6.16 **Councillor Ifty Choudary:**

- No comments received

6.17 **Councillor Penny Flavell:**

- No comments received

7. Notifications and Responses

7.1 The application was advertised in the local press and notification letters were sent to 201 surrounding residential and business premises. In addition 4 no. site notices were displayed around the site perimeter on Wellingborough Road, Market Street, Exeter Place and Portland Place.

7.2 The project development team (Church Lukas Architects and Bidwells) carried out a presentation to the St Crispin Ward Neighbourhood Partnership on the 21st February 2008 to present the general form of the proposals to members of the public in a question and answer session.

7.3 In response five letters of comment have been received from local residents, 2 in support and 3 in opposition. The comments made in these letters and in subsequent correspondence, can be summarised as follows:

7.4 Objections/Concerns

- Concerns about the servicing arrangements in Market Street. It is unsatisfactory to serve the site from this narrow road with delivery and refuse vehicles.
- There is no provision for laundry on the site, so it will have to be taken off site – it is important that this does not cause a nuisance to neighbouring properties.
- Concerned about privacy, noise and have health and safety concerns, particularly during the construction phases.
- Concerned about loss of parking spaces in Market Street which are used by residents.

- Do not feel safe living by the site – concerns about criminal activity on the site currently and lack of security.
- Disappointed at lack of community uses within the scheme.
- Public consultation has been minimal and unsatisfactory.
- Developers have shown a lack of diligence, competence and drive in the 9 or so years that have lapsed while the land has been in their ownership. This delay has led to vandalism of the site which when handed over by the NHS was in good condition as they had security on the site.
- Decisive action is needed to promote rapid, active and positive development.
- Why has the Market Street car park been closed? These parking spaces would have been invaluable to the public.
- The plans do not show the existing Costcutter Supermarket, which is labelled as a depot on the plan. The existing supermarket is not mentioned in the Planning Statement.
- Concerned about vehicular access onto Wellingborough Road, improvements are needed.

7.5 Support

- A speedy development of the site will be of relief to local citizens – keep historic buildings if possible.

- The development will be an asset to anyone living in these areas.

8. Relevant Planning History

8.1 There is extensive planning history relating to the application site, particularly in the last 10 years since the site was sold by the NHS. A number of these planning and listed building consents remain extant and are therefore material considerations which should be afforded significant weight in the decision making process. The most relevant applications are:

- N/2002/1414/FULL - Redevelopment of site including new offices, restaurant, apartments and community centre. (Southern half of site) Approved 04/02/2004 (Permission Expired 04/02/09)

This application gave consent for an office conversion to the workhouse and two storey accommodation in the south west corner of the site.

- N/2002/1604/LB - Development of offices, restaurant and office conversion with demolition of various buildings (whole site) Approved 25/03/2004 (Permission Expired 10/03/09)
- N/2004/1124/FULL – Erection of new four/five storey block of apartments and conversion of existing hospital buildings to residential units (Rear of site, school and infirmary building)
Withdrawn
- N/2005/0595/FULL – New B1 office building with parking (Site Frontage) Approved 22/07/05
(Expires 22/07/10)

Gave consent for a 2 storey office building in the south western corner of the site, to the rear of existing residential properties on Portland Place.

- N/2005/0947/FULL – Formation of 3 storey restaurant to include cellar restaurant (Corner of Market Street and outside current application site) Approved 21/09/05. Built out

- N/2005/1508/FULL - Extension of gatehouse, removing toilet from the side and building it at the back. Approved 23/03/06. (Expires 23/03/09)

- N/2006/0827/FULL – Installation of two glass roofs over two courtyards and railings with first floor extension to south west wing. Withdrawn

- N/2006/0893/LB – Demolition of Gatehouse. Refused 15/09/06

- WN/2006/018/FULL – Erection of new 4/5 storey block of apartments and conversion of existing hospital buildings to residential units (Rear of site, school and infirmary building). Withdrawn

- WN/2006/0117/FULL - Installation of two glass roofs over two courtyards and railings with first floor extension to south west wing. Refused 15/09/06

- WN/2008/0271/FULL – Erection of Electricity Substation. Approved 18/12/08. Built out.

- N/2009/0028/LB - Proposed demolition of infirmary building and proposed alterations and extension to remaining buildings (Undetermined). This is an application for listed building consent, which accompanies this current action. NBC are the local planning authority for all applications for listed building consent within the borough.

The application was determined at NBC's Planning Committee Meeting on 18th June 2009, where members resolved to grant listed building consent subject to WNDC securing a satisfactory Section 106 agreement to secure the phasing of the development.

9. **Appraisal**

9.1 The following considerations are relevant to the determination of this application:

Principle of development

Impact on neighbouring amenity

Impact on the amenities of future residential occupiers of the site

Highway Considerations

Retail Impact

Design and Impact on the setting of the listed buildings

Archaeology

Landscaping

Environmental Impact Assessment

Flood risk and Drainage

Crime and Security Considerations

Sustainability

Waste Management

Section 106

Principle of development

9.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications are to be determined in accordance with the development plan, unless material consideration indicate otherwise.

East Midlands Regional Plan

9.3 The East Midlands Regional Plan (RSS8) provides a broad development strategy for the East Midlands up to 2026 and was adopted earlier this year.

9.4 Policy 1 sets out the Regions Core Objectives. Many of these objectives are relevant with this proposal including:

- To reduce social exclusion,
- To protect and enhance the environmental quality of urban settlements,
- To improve the health and mental, physical and spiritual well being of the Region's residents,
- To improve employment opportunities and accessibility to jobs,
- To protect and enhance the environment,
- To achieve a step change increase in the level of the region's biodiversity,
- To reduce the cause and impacts of climate change, and
- To minimise adverse environmental impacts of new development and promote optimum social and economic benefits.

As such the proposal is considered to be broadly in accordance with the core regional objectives of the plan.

Policy 19 identifies the regions priorities for regeneration which should be focussed on the areas of greatest need, which include the regions principal urban areas.

The development proposals are assessed against more topic related policies through the remainder of the appraisal.

Northampton Local Plan

9.5 The application site is designated for development in the adopted Northampton Borough Local Plan 1997 (NBLP) under Policy D16. Policy D16 states that any development of the former St Edmund's Hospital site must be:

- a) Comprehensive redevelopment of the site,
- b) Acceptable in relation to the adjoining primarily residential area,
- c) Retain the listed buildings and their setting in an appropriate use.

9.6 A review of the planning history of the site highlights the fragmented way that the proposals for redevelopment have been put forward in recent years, with various planning permissions, some of which are still extant, allowing various uses and buildings within the curtilage of the site. This current application is considered to be a comprehensive scheme for the redevelopment of the whole site and it is necessary to give this due weight in the determination process, particularly as the financial aspects of the proposal, which are discussed below, are intrinsically linked.

9.7 In terms of impact on residential amenity, the impact of the various elements of the scheme are discussed in detail in paragraphs 9.30 to 9.58.

9.8 The proposed use of the main listed workhouse building, is for B1 (office) purposes. This is considered to be an acceptable use for the building. The building with its layout and fenestration is well suited to the proposal to divide the building into 29 individual units. This will involve minimal alterations to the external fabric of the building and is considered to be an appropriate use having regard to the context of the site adjacent to a district centre and close proximity to the town centre. Further, it should be determined that the principle of converting the workhouse into B1 accommodation has been established in previous planning permissions for the site.

9.9 The impact of the proposals on the setting of the listed building is discussed in paragraphs 9.97 to 9.126.

9.10 However it is considered that the scheme is in broad accordance with Policy D16, subject to the more detailed assessment of the issues raised above.

St Edmund's Hospital Planning Brief (1999)

9.11 The Planning Brief was adopted by NBC in 1999 to establish the planning principles for the redevelopment of the site, shortly after the sale of the site by the NHS. Whilst this document does not form part of the development plan, it should be afforded some weight and is a material consideration in the determination of the application.

9.12 The current proposal departs from 2 aspects of the Planning Brief:

1. The Planning Brief advises which of the remaining buildings are worthy of retention and the appropriate uses that the buildings could be put to. Five buildings are defined as being '*buildings which are critical to the special interest of the site and should be retained*', these are the workhouse (the listed building) and four of the curtilage listed buildings – the school house, nurses accommodation, gatehouse building and the infirmary. As stated previously, these are now the only remaining buildings on the site as shown on Figure 1 on page 4 of this report. As such the proposal to demolish the infirmary is contrary to this element of the Planning Brief.

The application is supplemented by a financial appraisal, cost estimate and structural survey which attempt to justify the demolition of the infirmary as part of the comprehensive redevelopment of the site. This is based on an 'enabling development' argument, taking into account guidance by English Heritage and in PPG15.

The Planning Brief accepted that some '*buildings or features of merit may be lost or altered as part of the development proposals*' and called for an appropriate degree of recording to ensure a 'preservation by record' of such changes.

2. The second element of departure relates to the uses identified as being appropriate for the site. A small scale retail use (less than 350 square metres) is considered to be appropriate on the site, but the Planning Brief states that any retail 'foodstore' would not be appropriate, given the demands of this type of use on access and car parking, the location of the site outside the defined District Centre and its impact on the local and historic environment. Whilst the retail element of the scheme, is not specifically for food retail (the consent seeks permission for A1, A2 and A3 uses on the mixed use building at the front of the site), it is possible that this floorspace (530 square metres) could be taken up by a food retailer.

It is considered by officers that concerns relating to car parking have changed significantly since the production of the Planning Brief in 1999 and the provision of limited on site car parking can be successful given the sites location immediately adjacent to a district shopping area, its proximity to residential properties and public transport. The highway implications of the proposal are discussed in length elsewhere in this report.

Demolition of the Infirmary

- 9.13 The application proposes the demolition of the curtilage listed infirmary, with the erection of the main retirement village building partly in its place. The infirmary building is at present in a dilapidated state and does not retain its original windows or any significant original features other than the shell of the building. The building would in any event have been built with little in the way of ornamentation due to the requirement for it to be a functional building.
- 9.14 The Heritage Analysis and Financial Appraisal conclude that the infirmary is an inconvenient design for adaptive re-use, is an impediment for the amount of necessary new build required to make the overall scheme viable and that its retention as part of the overall scheme would

be compromised by the excessive expense needed to repair this building. Further, the report concludes that the infirmary building, on its own, or in its group value is not of listable quality.

9.15 It should also be noted that due to the curtilage listed status of the infirmary, its proposed demolition should be treated in the same way as the removal or alteration of **part** of a listed building (the main listed workhouse), as set out on Section 1(5) of the Listed Buildings Act 1990.

9.16 PPG15 states, *'Generally the best way of securing the upkeep of historic building and areas is to keep them in active uses. For the great majority this must mean economically viable uses if they are to survive, and new, and even continuation, uses will often necessitate some degree of adaptation.'*

As such PPG15 confirms that the adaptation of a listed building can be justified if it is to secure the future of historic buildings as part of an economically viable scheme.

9.17 Concerns have been raised by NBC's Conservation Officer that the application may need to be referred to the Secretary of State as it involves the demolition of a listed building. However, Circular 01/2001 states that this is only required in respect of a principal building and whilst the circular does not define a principal building, it is clear from PPG15 that this refers to the building which is listed in its own right and not any curtilage buildings. The application does not, therefore, need to be referred.

Enabling Development

9.18 Recent guidance by English Heritage (Enabling Development Policy and Guidance June 2008), sets out circumstances where enabling development can be justified. Enabling Development can be defined as development that would be unacceptable in planning terms, but for the fact that it would bring public benefits to justify being carried out and which could not otherwise be achieved. The key benefit to significant places, is usually securing their long term future.

- 9.19 Therefore, in summary, the demolition of the curtilage listed infirmary is unacceptable in planning terms (contrary to the Planning Brief), but could be justified if it could be demonstrated that there would public benefits in doing this and that it secured the long term future of the site.
- 9.20 The 'enabling' development has to be the minimum amount to make the scheme viable. In this case the accompanying DTZ Financial Appraisal and Watts Feasibility Cost Estimate assess various uses for the infirmary building and conclude that with its retention within the scheme, an overall profit of 2.09% on cost would be realised, which is not a viable development.
- 9.21 The developer profit for the proposed scheme (demolition of the infirmary), would, based on the developers figures within the appraisal, realise a profit of 12.78% which is marginally viable. On this basis the current proposal would appear to be the minimum amount of development to make the scheme viable and justify the demolition of the infirmary.
- 9.22 To assess the robustness of this argument WNDC have independently commissioned an assessment to evaluate the robustness of the DTZ Financial Appraisal.

Assessment of Appraisal

- 9.23 WNDC commissioned an independent assessment of the financial appraisal from CB Richard Ellis Limited (CBRE). CBRE's report raised a number of issues and concluded that the majority of the assumptions made in the appraisal and the methods applied by DTZ were correct. However it was felt that the yields used in respect of the care home and retirement village seemed optimistic given the current economic climate. This is understandable as the appraisal was carried out at the end of 2008.
- 9.24 CBRE's assessment of the appraisal, which used revised yields concluded that the proposed scheme would make a negative profit of 0.71%, i.e. a loss and is therefore unviable in the current market. Despite the negative profit, the assessment of the appraisal satisfies the

enabling development argument, as the development is below the minimum required to secure the future of the site. However this raises an issue of deliverability and the likelihood of the completed scheme being built out in a recession. Whilst it could be argued that this is at the risk of the developer, the heritage value of the site requires some certainty that the scheme can at least deliver the necessary works to secure the future of the remaining listed buildings, if the demolition of the infirmary is to be justified.

9.25 The applicant has stated an intention to retain ownership of the finished scheme and is therefore more concerned about the long term profitability of the scheme. As such less importance should be attributed to the schemes viability at the current time. Further and crucially, the development will be to subject to a Section 106 agreement to secure the phasing of the site to ensure that the enabling development is only provided once significant works have been carried out to the listed buildings. The precise phasing arrangements are discussed in detail in paragraphs 9.157 to 9.159 of this report.

9.26 The Borough Council's Conservation Officer has indicated a concern that the demolition of the Listed Building should not be permitted if viability cannot be shown. However, it is also recognised by the Conservation Officer that the site is in a perilous state and that it may be necessary to accept the loss of one building to enable the others to be saved. On this basis, it is considered that even if viability cannot be demonstrated, the consequence of a refusal on viability grounds would be that the site would be left to decline further, which could prejudice the future of the site further still. It is therefore considered that in this instance, there is a justification for setting aside the viability argument in the interests of saving as many of the buildings as possible.

Summary of Financial Viability

9.27 The condition, location and design of the former infirmary building is such that its retention within any comprehensive scheme for the redevelopment of the site, makes the scheme unviable. Whilst the proposal to demolish the infirmary is not contrary to Policy D16 of the NBLP, it is contrary to the 1999 Planning Brief for the site which identifies the retention of the infirmary as being critical.

9.28 To justify the demolition of the infirmary and the departure from the Planning Brief, the applicant has produced a robust financial appraisal and costing details which have been independently evaluated by consultants appointed by WND. This is sufficient to satisfy the 'enabling development' argument which requires that the proposed development is the minimum required to secure the future of the site, but raises further issues of viability and deliverability of the scheme, because of the current financial climate.

9.29 However any concerns expressed over viability can be addressed through a suitable phasing programme to secure significant works to the remaining listed buildings before the infirmary building can be demolished. As such it is considered by officers that the proposed scheme is the best way to secure the future of the remaining listed buildings, which the accompanying Heritage Assessment considers are of more important historic and architectural merit than the infirmary.

Impact on neighbouring amenity

9.30 As the application site is bordered by residential properties on its northern, eastern and western boundaries, a key consideration is the impact of the proposals on residential amenity.

9.31 Whilst there is general support in the locality for the redevelopment of the site, which currently creates a negative identity for this area of Northampton, the proposal if not controlled properly could cause harm to the amenities of nearby residential occupiers and both the applicants and officers have discussed these matters at length, despite only limited concerns and opposition by local residents.

9.32 It should also be noted that a number of the residents concerns expressed during the consultation process, particularly those relating to vehicular movements and general disturbance will not be dissimilar to the previous uses of the site. Further, a number of neighbour concerns can be attributed to noise and disturbance throughout the construction

phases of the scheme, which although inevitable, can be limited to an extent through the imposition of conditions requiring a Construction Management Plan.

Loss of light, outlook and overshadowing

9.33 The location and design of the buildings and extensions have been developed following extensive consultation between officers and the development team. These discussions took into account the layout and proximity of neighbouring residential properties and precedents set by extant planning permissions. This resulted in the agreement of a constraints plan, which provided the architect with a set of parameters to build within.

A. Market Street

9.44 There are 2 sets of properties that are located along Market Street which are in close proximity to the sites eastern boundary. No's 1-11 Market Street are a row of unusually designed semi detached bungalows, with No's 2-36 being a terrace of two storey properties.

9.45 The proposed retirement village will be located in close proximity to the eastern boundary and the properties on Market Street. As a consequence the building has been set in from the boundary and its scale reduced from predominantly 4 storey, to 3 and 2.5 storeys where the building is in close proximity to the Market Street properties. This produces satisfactory window to window distance standards between the buildings and maintains a relatively balanced relationship between building heights in these critical areas.

9.46 The western elevations of the bungalows currently face directly onto the sites existing boundary wall and as such have no outlook, with the wall currently blocking any light from the sky. Consequently the retirement village building will not result in a loss of daylight to these properties. The main issue in respect of these bungalows is overshadowing of the garden areas located at the front (East) of the properties. The Daylight and Shadow Analysis included in the Design and Access Statement (see figure 2 below) shows that the bungalows themselves will cast a shadow over their own garden areas before the new development can have an

adverse effect. Further, the analysis clearly demonstrates that views over the roofs of the bungalows into the garden areas, cannot be obtained from the windows in the new building.



Figure 2

9.47 In summary the proposals will not have a negative effect on properties on Market Street in terms of daylight, privacy or amenity.

B. Exeter Place

9.48 Properties to the north of the site on Exeter Place are predominantly apartments in 3 storey blocks. There is a linear area of public open space located immediately adjacent to the site boundary, which acts as a buffer between the site and the residential area and provides valuable amenity space. The retirement village in this area is proposed to be set back further from the boundary than the existing infirmary building which currently casts a shadow over the amenity space. This will improve the amenity value of the open space area and maximise

privacy to the occupiers of properties on Exeter Place, as well as improving the outlook from these properties.

9.49 The conversion of the former nurses accommodation building and the schoolhouse will result in the re-use of these buildings for residential purposes. Both of these buildings have existing and proposed windows serving habitable rooms which will face properties on Market Street. However the existing separation distances (21 metres to the schoolhouse and 19 metres to the nurses accommodation) are sufficient to prevent overlooking, having regard to the existing pattern of development in the area.

C. Portland Place

9.50 No's 1-5 Portland Place are a terrace of three storey properties that have rear gardens facing onto the site. These properties have a primary outlook over Portland Place, with a poor outlook from the rear overlooking the currently semi derelict site.

9.51 The proposed retail/residential building at the front of the site has been designed to have a minimal impact on these properties having regard to the previous consent for a B1 Office building in a similar location (N/2005/0595). The rear elevation of this building proposes no windows serving habitable rooms in the northern elevation, overlooking the gardens of existing properties. There are windows in the second and third floors, which provide light to the access corridors, a condition will be attached to ensure that these windows are obscure glazed to maintain privacy to the rear gardens of properties on Portland Place.

9.52 The key impact of this building will be the loss of light and overshadowing of the existing properties on Portland Place. The Daylighting and Shadow Analysis plots shadowing over these properties in comparison to the existing approved scheme. This analysis demonstrates that the proposed scheme will result in less overshadowing than the approved scheme. Notwithstanding this, there will be shadowing over the rear of these properties and an increased sense of enclosure, however the existence of the extant scheme, which has greater impact on amenity, should be given significant weight.

9.53 No. 5 Portland Place is located adjacent to the existing schoolhouse building which will be extended to the rear. The provision of this extension will not result in any overshadowing or loss of outlook, due to the siting of the existing schoolhouse building to the north of No.5. The applicant has agreed to fit any side facing windows which overlook No.5's rear garden area with obscure glazing and this can be secured by means of condition.

9.54 The proposals are considered to be in accordance with Policy E20 of the NBLP by reason of the development being designed, located and used in a manner which ensures adequate standards of privacy, daylight and sunlight.

Noise & Odour

9.55 The proposed uses could have a detrimental impact on residential amenity, by reason of noise and general disturbance from vehicle movements (including deliveries) and from plant and machinery.

9.56 Concerns have been raised by NBC's Environmental Health Officers (EHO) during the consultation process, who has advised that these matters can be dealt with by suitably worded pre commencement conditions. Conditions will be attached to secure the following:

- Details of noise sources from plant, machinery and equipment to all buildings with the site and measures for their control,
- Details of odour control system from A3 and A2 uses,
- Site waste management plan,
- Construction management plan (including demolition) designed to control noise and dust, with details of any piling operations,
- Scheme for the collection and disposal of waste for all of the residential/retail/business.

9.57 The EHO also expressed concerns over the impact of the electricity substation located to the rear of No.5 Portland Place. This already has planning permission and details of noise levels have been approved in consultation with the EHO.

9.58 Following consultation with the EHO, it is considered necessary to control delivery and opening hours to the proposed retail building due to the location of the car park to the rear of residential properties on Portland Place. Notwithstanding this it should be noted that this car parking area would also be used by occupiers of the apartments located on the upper floors of the retail building. It is considered reasonable to restrict the opening hours from 8am to 10pm Mondays to Sundays and deliveries to 8am to 10pm Mondays to Saturdays. This is necessary to protect the amenities of residential occupiers, including the future occupiers of the apartments, but also has regard to the location of the building in a busy edge of town centre location.

Impact on the amenities of future residential occupiers of the site

9.59 The future occupiers of the retirement village and specialist care facility will have a satisfactory living environment due to the set back of these buildings from the Wellingborough Road. Further, the retirement village building has been designed to minimise overlooking across the central amenity courtyard which will be located within the retirement village.

9.60 The key consideration in terms of the amenities of the future occupiers of the site, relates to the living environment of the occupiers of the 6 No. multi occupancy apartments located on the two upper floors of the retail building.

9.61 Due to the existing residential properties on Portland Place, it is not possible to place windows in the rear elevation overlooking the parking area. As such the primary windows of these apartments will overlook the Wellingborough Road.

- 9.62 The EHO has expressed concerns over this proposal, both in terms of noise and air quality, due to the proximity to the busy Wellingborough Road and has requested additional information to provide justification that the proposed apartments provide suitable living accommodation.
- 9.63 Noise and Air Quality assessments have been subsequently carried out and after further consultation with the EHO, the original objection has been removed, subject to conditions requiring windows on the Wellingborough Road frontage to be sealed, acoustically insulated units, the provision of mechanical ventilation and air conditioning.

Suitability of accommodation

- 9.64 The application has not been supplemented with any information regarding levels of demand for the proposed care accommodation within the town. Further NCC's Commissioning section have expressed concern over certain elements of the internal layout of the retirement village building and the understanding of an Extra Care business model. Whilst it is important to ensure that the buildings are fit for purpose, the proposals are put forward at the risk of the developer. It should be noted however that the applicant has a track record of building and managing similar facilities within the locality.
- 9.65 A number of NCC's concerns, particularly those relating to fire safety and means of escape would be determined as part of an application under the Building Regulations.

Ground Investigations

- 9.66 The submitted Geotechnical Report does not reveal any significant contamination on the site. However NBC's Environmental Health Officer has requested further details having regard to the provision of soft landscaped areas and the need to provide more updated information. The EHO has stated that there have been a number of bonfires on site which can introduce localised contaminants to soil.

9.67 Additional information regarding contamination can be secured by means of condition.

Highway Considerations

9.68 Historically the main entrance into the site would have been located in between the gatehouse and the workhouse buildings. However this only provides sufficient carriageway width for one way traffic. As such the vehicular entrance has been relocated to the west of the gatehouse to provide a suitable access. Two smaller vehicular accesses off Portland Place and Market Street, will be retained to service the Specialist care facility and Retirement Village respectively.

9.69 Local Plan policies T11, T12 and T22 require new development to provide the necessary transport infrastructure to serve the site in terms of car parking, a safe, convenient means of access, adequate provision for servicing, turning etc.

9.70 The Transport Assessment demonstrates that visibility well in excess of 2.4m x 43m as required in Manual for Streets Guidance can be provided. The access will also consist of a ghost priority junction. The existing access will be closed.

9.71 The application is supplemented with a Transport Assessment which demonstrates that the proposed scheme will result in a decrease in vehicle movements in the AM peak period compared to the previous hospital use. However there will be an increase in vehicle movements of 55 vehicles in the PM peak period, relative to the previous hospital use. Despite this increase, it is not considered that the proposal will have a significant impact on the capacity of the surrounding network or highway safety. Further the application is supplemented with a Travel Plan which has the following primary objectives:

- To reduce reliance on the private car.
- To encourage the use of alternative modes of transport which have less environmental impact, including cycling, walking and car sharing.

- To encourage the use of modes of transport that will improve the physical fitness of employees.
- To reduce the overall level of impact of the site on the surrounding area, with respect to movements to/from the site, thereby minimising the transport impact of the development of the local area.

9.72 The Travel Plan sets out how this will be achieved and monitored, however the Highways Agency have expressed concerns over the robustness of the plan, in particular provisions for monitoring, enforcement and responsibility for the process. It is considered that these current deficiencies within the Travel Plan can be secured by the submission and approval of a revised Framework Travel Plan, together with Travel Plans for the individual occupiers of the various uses within the site. This would be secured through a Section 106 agreement.

Car & Cycle Parking

9.73 The scheme will provide 86 car parking spaces as set out in Paragraph 4.17 of this report. This is significantly below the maximum parking standards set out Northamptonshire County Council's Parking Supplementary Planning Guidance 2003, which would provide a maximum of 301 car parking spaces.

9.74 Car parking will be provided throughout the site to serve each of the proposed uses. For the retirement village car parking spaces will be provided in a basement level located close to the northern boundary of the site.

9.75 It is considered that a significant reduction in the amount of car parking can be justified by the sites location close to the town centre and its proximity to bus services which travel along the Wellingborough Road. As explained above, the Travel Plan will provide a robust means for securing modal shift away from the private car.

9.76 Further, and significantly, it should be noted that the retirement village and specialist care facilities, will be occupied by persons in need of levels of care ranging from moderate, to total care. As such it is not considered that car parking levels will be particularly high. However it is considered justified to ensure that the care uses remain in C2 (residential institution) use, as a retirement village operating in a C3 use would create much higher demands for car parking. This can be secured by condition.

9.77 Details of cycle parking will be secured by means of condition.

Northamptonshire County Council

9.78 Throughout the consultation process, NCC have insisted that an adoptable standard highway is provided some way into the site, due to the existence of a sole vehicular access for a multi use and potentially multi owner scheme. The highway layout has been further amended to include a separate servicing lane for HGV's to park when servicing the retail units, without blocking other vehicles from entering and existing the site. Conditions have been requested relating to highway adoption, surfacing, maintenance etc.

9.79 It is essential that the materials used for the adopted highway elements are of a high quality and appropriate to the listed building, having regard to the attention to detail that has taken place elsewhere in the scheme. An amended plan has been requested by NCC to provide a revised highway layout. Information on this will be provided as an update at the meeting.

9.80 The amendments requested by NCC have resulted in some security issues, which are discussed elsewhere in this report.

Service Access

9.81 As explained previously, two existing vehicular accesses into the site will be maintained for providing servicing and deliveries and for emergency access to the Specialist Care Facility and the Retirement Village. Whilst local residents have expressed concerns about this, it is not

considered that vehicular movements will be significant, although they are likely to take place on a daily basis.

9.82 The Retirement Village and Specialist Care Facility will be serviced from the residential streets Market Street and Portland Place respectively. Whilst these are narrow residential streets, a similar situation occurred in the previous hospital use, when Market Street was used to serve the infirmary and Portland Place the former School House building.

9.83 However it is considered necessary to impose conditions to ensure that these two accesses remain for servicing and emergency use only and the same delivery restrictions imposed as suggested by the EHO for the retail building. Further, the use of these accesses, particularly off Market Street, should be discouraged for the construction of the site. This will be dealt with in the Construction Management Plan.

9.84 Concerns have been expressed by nearby residents over the use of a public car park on Market Street and an extended parking bay providing residents car parking on Market Street. Neither of these will be affected by the proposals.

9.85 The restaurant building, which is currently under construction outside the application site, will be served through the site in between the workhouse building and retirement village.

Summary of Highway Issues

9.86 In summary, the proposed scheme is acceptable in a highway context and will not have a significant impact on the local highway network. There will be an increase in PM traffic flows above the previous hospital use, however a robust Travel Plan will be secured to demonstrate how modal shift away from the private car can be achieved. The car parking levels are considered acceptable having regard to the edge of town centre location and availability of public transport. The service accesses can be used without significant detriment to residential amenity.

9.87 The highway elements of the proposals are considered to comply with Policies E19, T4 and T12 of the NBLP by reason on the provision of the necessary transport infrastructure and works required by the development and adequate provision for servicing by commercial vehicles.

9.88 Further the proposals are considered to comply with Policies 43, 44, 45 and 46 of the Regional Plan, by encouraging a reduction in the use of the private car and encouraging modal shift to more sustainable forms of transport.

Retail Impact

9.89 The application seeks consent for the use of the ground floor of the retail/apartment building for A1 (Retail), A2 (Financial and Professional Services) and A3 (Restaurant) uses. This will be in the form of two units. The applicant has indicated that there is the potential for both of these units to be occupied by a food retailer, as such this requires an assessment to be made on the potential impacts of this proposal.

9.90 PPS6 sets out the Government's objectives for promoting the vitality and viability of town centres by:

- Planning for the growth and development of existing centres; and
- Promoting and enhancing existing centres, by focusing development in such centres and encouraging a wide range of services in a good environment, accessible to all.

9.91 PPS6 states that reference to town centre(s) or to centre (s) throughout the policy statement apply to all the types of centre described in Table 1 of Annex A, which lists District Centres.

- 9.92 The application site is located immediately adjacent to the Wellingborough Road District Centre as defined on the Northampton Borough Local Plan proposals map, as such it is considered that for the purposes of the determination of this application, the site should be considered as being part of the District Centre. The existing restaurant building currently being completed on the eastern edge of the site, together with the converted workhouse (B1 Offices) and the proposed retail use, will significantly enhance the retail offer and function of the district centre, providing an active frontage onto Wellingborough Road, increasing footfall and adding to the vitality of the area.
- 9.93 Taking into account Chapter 3 of PPS6 which sets out how planning applications for town centre uses should be determined, it is not necessary for the applicant to demonstrate whether there is a quantitative or qualitative need for the use or demonstrate that it is a sequentially preferable site, due to the location of the site in an existing centre.
- 9.94 The scale of the proposed retail use (upto 530 square metres) is considered appropriate within a district centre, having regard to the proximity of the site to public transport and residential areas. Further, due to the sites limited car parking provision, it is considered that the retail use is most likely to function as a convenience outlet for the immediate locality, rather than attracting car journeys from elsewhere. The amount of retail floorspace falls significantly below the threshold identified in PPS6 for a retail impact assessment (2,500 square metres).
- 9.95 Some concern has been expressed during the consultation process over the proximity of the retail use on the nearby Costcutter Supermarket and the potential impact that a food retail store on the St Edmunds site would have on this business. However, it should be noted that PPS6 confirms that it is not the role of the planning system to restrict competition, preserve existing commercial interests or prevent innovation. As such this is not a material consideration.
- 9.96 The use of the ground floor units for either A2 or A3 uses is also considered appropriate considering the location of the site within the District Centre and although they would not

create a similar level of activity as a retail use, they would contribute to the range of facilities provided within the area.

Design and Impact on the setting of the listed buildings

- 9.97 The design of the scheme has been developed within the constraints created by the existing listed buildings and surrounding residential properties. This created a constraints plan and a potentially developable area, which enabled the development team to explore the viability of the scheme within these agreed parameters.
- 9.98 During pre application discussions, officers have expressed the importance of the group value of the listed buildings and the need to ensure that the settings of the listed buildings, particularly the workhouse building are protected. Further, officers have stressed the importance of significantly reducing the perceived highway and car parking dominated schemes that have previously been sought on the site.
- 9.99 The design team have given strong consideration of these comments and developed a scheme that places a formal urban landscaped square within its centre and is enclosed by the School House, Nurses Accommodation and the proposed retirement village. This, together with the restoration works will enhance the setting of these buildings and improve their relationship and importance as a group.
- 9.100 Another key consideration relating to the design of the scheme, relates to the style of the architecture and massing of both the new buildings and the proposed extensions to the existing buildings. Extensions to the school house for example have not sought to replicate the original building, with a simple glazed extension to the front to maintain this important frontage and contemporary additions to the rear to make a distinction between old and new. The retirement village has been designed to respect the setting of the listed buildings, in terms of its location and bulk, but again will have a contemporary appearance, but with its underlying massing being fairly traditional, with an extensive use of gables characteristic of Northampton.

This again is a key element of the scheme, making a distinction between old and new, by using contrasting materials and detailing, but using similar architectural types and massing.

The key design considerations of each of the main elements of the scheme are discussed below:

Conversion of Workhouse Building to Offices

- 9.101 The Workhouse requires some significant repair work, particularly some major structural works to the rear to bring the building back into use. Very few alterations are proposed to the external fabric of the building. What now remains of the original building is the front half of the workhouse, with the outer faces of the courtyards being later additions. The building is predominantly a shell, with very few internal features worthy of retention.
- 9.102 A canopy to the existing internal courtyard is proposed, which although not an original feature, is considered to be relatively sympathetic in terms of its design and scale to the building.
- 9.103 A three storey extension is proposed and this would replicate an existing feature at the opposite end of the building. This is considered to be acceptable.
- 9.104 The Workhouse is the most important building on the site from a heritage perspective, but also the most prominent. Consequently the highest quality materials and the subsequent application of those materials will be required for this building. Samples of all materials and fittings will be required, however it is not considered necessary to replicate conditions that would be imposed on the concurrent listed building consent, which would require much more detailed information in the form of a schedule of works. A similar approach will be taken for all of the retained listed buildings on the site.

9.105 In general, the proposed works to the workhouse will significantly enhance the character and setting of this building.

Conversion of School Building to Specialist Care Facility

9.106 Like the infirmary, the former school building is a particularly narrow building which significantly limits potential uses for the building. However unlike the infirmary, there is scope to extend the school house to the rear.

9.107 The heritage value of this building lies primarily with its façade and visual relationship with the other buildings on the site. As such the small glazed extension proposed to the front is considered to be appropriate. The front elevation retains the original windows other than in the central section and would be restored to its original appearance other than the extension as discussed above.

9.108 The proposed rear extensions will replace some of the more recent unsympathetic brick additions at the rear of the building with two new wings. The central portion of the rear elevation will be covered by a fully glazed corridor linking the two wings, this protects the remaining elements of this elevation which are most worthy of retention. This is illustrated in figure 3 below. The rear extension is essential to provide the necessary depth to secure the re-use of this building and with the addition of the glazed element is not considered to damage the character of the listed building.



Figure 3

- 9.109 The proposed extensions to the rear have been designed to provide domestic style gables to address the sites frontage onto Portland Place and provide some enclosure to the street. This will significantly enhance the appearance of the area which is currently dominated by the largely unsightly rear elevation of the school house.
- 9.110 The area in between the rear extensions and the boundary wall will be developed as a private garden for the care facility which will further add to the amenity value of the site and the general locality.
- 9.111 The proposals for the rear of the building will have little impact on the main view of the building from within the site, or the historical relationship with the other listed buildings. The two main elevations of the building will in fact 'read' as being separate buildings, which has the benefit of renovating the building, but also enhancing the local environment.

Conversion of Nurses Building to Guest Accommodation

- 9.112 Whilst this is the smallest of the listing buildings, it performs an important role enclosing the formal urban square to the north and terminating the vista from the main vehicular access into the site.
- 9.113 This building is in relatively good condition, although the façade is significantly scarred following the demolition of a later extension. The proposed renovation works will significantly improve the appearance of this building, but the work required to this building is relatively minimal.
- 9.114 The proposed use of converting this building into guest accommodation for visitors to the care facilities is considered to be an appropriate re-use of this building.

Development of the Retirement Village

9.115 This is the main enabling development and will replace the existing infirmary building. The design of this building has been developed having significant regard to the relationship with the workhouse and other curtilage listed buildings, together with the impact on neighbouring residential properties. As such the retirement village is in the most complex position on the site.

9.116 The height of the retirement village ranges from 5 storeys within the centre of the 'block', to 4 storeys where it addresses the urban square, 3 storeys in proximity to properties on Market Street and combination of 3 and 4 storeys opposite the workhouse. The relationship of this building to the workhouse is considered to be particularly important and the building has been set back to replicate the distance of the original courtyards and blocks designed symmetrically to form a focal point on the Panopticon, which is the main focal point on the rear elevation of the workhouse. This relationship between the workhouse and retirement village is illustrated below.

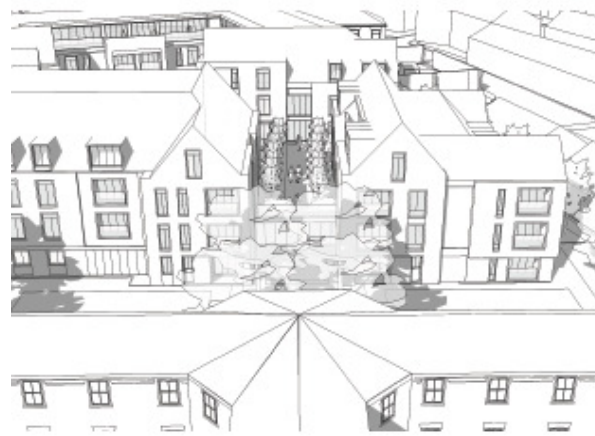


Figure 4

9.117 The retirement village has been designed to provide a positive relationship with the school house, bringing balance and symmetry to the urban square. Figure 5 below demonstrates that the 4 storey retirement village will be of a similar eaves height to the school house, which is considered to be acceptable.



Figure 5

9.118 The building has been designed to have a minimal impact on the main Wellingborough Road frontage of the workhouse and will not appear prominent from either Wellingborough Road or on the southern approach to the site from St Edmunds Street.

9.119 The retirement village includes a semi private enclosed courtyard garden which will be linked to the main urban square and the workhouse, a rooftop garden and undercroft parking, which significantly increases the amount of available space for the landscaping required on the site.



Figure 6

9.120 Figure 6 shows a view of the western elevation of the retirement village building, which will be the most prominent elevation of the building.

9.121 Materials for the retirement village will be a combination of dark blue/black engineering bricks, cream render and timber cladding. This is considered to be acceptable and provides a suitable contrast to the workhouse, whilst being sympathetic to its setting.

Development of the Retail Building/Apartments

9.122 The proposed retail building takes reference from the neighbouring buildings on the site with the use of distinctive gable forms, but with contemporary detailing.

9.123 The building is considered to represent an improvement over the previously approved building, both in terms of its impact on the settings of the listed buildings and on residential amenity.

9.124 The use of a three storey building is considered to be appropriate given the prominent location of the site. Further the building has been located on an angle to allow oblique views of the workhouse from the west, as shown in Figure 7 below.



Figure 7

9.125 The use of glazing on much of the ground floor will provide an active building frontage onto Wellingborough Road, helping to increase vitality and activity onto this part of Wellingborough Road.

9.126 The design of the proposed buildings is considered to be in compliance with Policy 2 (Promoting Better Design) of the Regional Plan by reducing CO2 emissions and providing resilience to climate change, by taking into account the historic character of the area, by making the most efficient use of land, by reducing crime and benefiting the quality of life of local people.

Archaeology

9.127 The application is supplemented with an Archaeological Appraisal carried out in December 2008. The report states that there are no archaeological constraints on the site with the archaeological potential of the site being low.

9.128 The workhouse has been in place since 1836 and there is no evidence of archaeological activity within the site or its immediate environment. Any currently unrecorded remains within the site which pre date the workhouse are likely to have been adversely effected by the development and use of the site in the 19th and 20th centuries.

Landscaping

9.129 Details of proposed landscaping have been submitted in the form of a concept landscape plan. This is considered to be broadly acceptable however this is required to be amended to take into account the revised highway layout and security details which require amendments to the boundary fencing, particularly around the urban square and the frontage of the workhouse. As such a formal landscape strategy, providing more detail on the mix of species and precise details of the hard landscape areas, together with details of the timing and management of these spaces will be secured by means of condition.

9.130 Generally the amount and type of proposed landscaping is considered to be acceptable and will significantly help to soften the appearance of the listed buildings and improve their setting.

Environmental Impact Assessment

9.131 It is considered that the proposal falls within the category of 'Urban Development Projects' under paragraph 10(b) of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999.

9.132 As the proposal falls within Schedule 2 and the site area exceeds the indicative threshold of 0.5 hectares, an assessment must be made under Schedule 3 to determine whether the proposal is likely to have significant environmental effects and therefore require the submission on an Environmental Impact Assessment (EIA).

9.133 WNDP adopted a screening opinion of the proposal prior to the submission of the application at the request of the applicant.

It was concluded that the key environmental effects of the scheme would be as a result of traffic generation, which although marginally more intensive than the previous hospital use, would not have any more than very localised environmental impacts. Impacts from noise, emissions and potential contamination were not considered to be of any more than local significance.

As such it was considered that the proposed scheme would not have significant environmental effects and did not require the submission of an EIA.

9.134 No additional issues with significant environmental implications have been raised during the application process. There will be some disturbance to residential properties during the construction process, however a construction management plan, which will also control the means of demolition of the infirmary, will be secured by condition. The concerns raised by the Wildlife Trust regarding bats and other protected species, have not raised any significant ecological concerns and the mitigation measures set out in the submitted report will be secured by means of condition.

Flood Risk and Drainage

9.135 The application site is located in an area of low flood risk and therefore has a risk of flooding from rivers of less than 1 in 1000 years. Consequently the key issues in terms of flood risk relate to surface water drainage and the provision of sufficient infrastructure capacity in the Anglian Water system to accommodate storm and foul water flows from the site.

9.136 The Environment Agency (EA) originally objected to the scheme on flood risk grounds due to the submitted Flood Risk Assessment not being in accordance with PPS25. This objection was removed following the submission of an amended assessment.

9.137 The EA also objected on the grounds that that no evidence had been submitted to demonstrate that there is sufficient capacity within the Anglian Water system to accommodate the development. Following consultation, Anglian Water have confirmed that foul flows are anticipated to be similar to those which discharged in the public sewerage system during the hospitals former use. Consequently there is sufficient capacity to accommodate the site and the EA have withdrawn their objection provided conditions are imposed relating to compliance with the updated Flood Risk Assessment and the approval of a foul drainage scheme.

9.138 The Flood Risk Assessment sets out that attenuation is required to reduce surface water flows on the site. Details of which shall be secured by condition. Where possible the use of permeable paving and surfacing will be encouraged.

Crime and Security Considerations

9.139 Northamptonshire Police's Crime Prevention Design Advisor (CPDA) has expressed concerns over the lack of security information submitted with the application and this matter has been discussed at length between WNDC Officers, the Police and the developers.

9.140 Due to the provision of a single primary access into the site and the multitude of uses, it is not considered possible to secure the main entrance with any form of security fencing. Further this access road would be adopted by the highway authority. As such officers have expressed concerns over the levels of permeability on the site and the ease at which members of the public could enter the site, particularly at night time.

9.141 In response, the applicant has submitted additional security information which demonstrates how each building has been designed to control access and offer simple monitoring of entry/exit points, which together with fencing and gates will provide the necessary security to control access around the site. In response to this the Police CPDA has advised that these measures are satisfactory.

9.142 In addition the existing gatehouse building will be converted into the sites security building and will be manned 24 hours a day. WNDC's Urban Design Manager has stated that CCTV should not be relied upon as the primary means of security, with security provided through the design process. Following discussions with the CPDA, the proposed measures are considered satisfactory without the addition of CCTV monitoring. However the applicant is keen to provide this additional layer of security due to the vulnerability of many of the potential occupants of the site and an expectation that these types of care facilities would provide such facilities.

9.143 As such it is considered that CCTV can be provided, although details will be required of cameras, fixtures and fittings to ensure that that these are satisfactorily sited in relation to the listed building.

9.144 The key security issue relates to a proposed fence located around the southern edge of the landscaped square. This is required to provide security between the main public and private areas of the site and is shown on the security plan as being a 1.8 metre high fence. Notwithstanding the concerns of the CPDA, it is considered that the height of this fence should be reduced to protect the setting of the listed buildings. The existence of the security building and the access restrictions will provide a significant level of control, as such the primary role of the fencing is not to physically prevent access to this area of the site, but demark the edge of this space. It is important that the fencing does not have the effect of physically separating the site and detracting from the group relationship of the buildings. As such it is considered necessary to restrict the height of this fencing to be no more than 1.5 metres. Details of the fencing, as with all boundary fencing will be secured by condition.

Sustainability

9.145 The application is supplemented with a Sustainability and Energy report which demonstrates likely energy and Carbon Dioxide emissions for the new buildings on the site. The report sets out how all new buildings on the site will be energy efficient, with the new commercial buildings (Specialist Care Facility, Retirement Village and Retail building) being constructed to achieve BREEAM very good standard.

9.146 The 6 No. apartments located on the upper floors of the retail building, will be built to achieve Level 3 of the Code for Sustainable Homes. (CSH)

9.147 It is considered reasonable not to pursue any additional works to the listed buildings to improve their energy efficiency due to the already high cost of converting these buildings as proposed, the viability of the scheme and the need to reduce alterations to the fabric of the listed buildings.

9.148 The various BREEAM and CSH levels will be secured through a Section 106 agreement.

9.149 The use of solar thermal systems on the new buildings and the extension to the schoolhouse building, will require the provision of solar thermal panels on the roofs of these buildings. A condition will be imposed to determine that the size and location of any panels is appropriate given the sensitive location of the surrounding buildings.

Waste Management

9.150 A Waste Audit has been submitted with the application to demonstrate compliance with PPS10 - Planning for Sustainable Waste Management and NCC Supplementary Planning Guidance.

9.151 Principally the scheme will comply with this guidance by reducing waste, re-using materials where possible, recycling and composting, energy recovery and off site disposal. If possible, materials from the infirmary will be used elsewhere on the site.

9.152 The space allocated for containers also provides opportunities for external recycling facilities to maximise the potential for users to reduce total waste output sent to landfill. Precise details for the collection and disposal of waste for all of the residential/retail/business units will be secured by condition.

Section 106

Financial Contributions

9.153 Due to the financial viability issues of the proposed scheme, it is not considered possible to secure infrastructure contributions from the proposal, despite the additional demand for infrastructure that the scheme will create.

9.154 Whilst there is a strong argument that Section 106 costs should have been included in the purchase price of the land, this is unlikely to have been envisaged when the site was purchased

10 years ago. As such any further contributions would detract further from the viability of the scheme.

9.155 The most important aspect of this proposal is the need to secure the future of the listed buildings and to regenerate this site. As such a relaxation of infrastructure contributions is justified.

9.156 NBC's Housing Strategy Officer has requested off site contributions towards Affordable Housing. It is not considered reasonable to request affordable housing contributions for C2 (Residential Institution) uses. Affordable Housing is often secured on retirement village schemes, but this usually relates to C3 uses (typically sheltered housing schemes) and not the sort of higher dependency/care scheme as proposed in this application. Further, as explained above, the viability of the scheme could not support any additional contributions.

Phasing

9.157 The phasing of the scheme is an important consideration and it is essential that this is secured to ensure the future of the listed buildings, having regard to concerns over the short term viability of the enabling development.

9.158 As such the developer will be expected to enter into a Section 106 agreement to secure the phasing of the scheme. Whilst the precise arrangements for the phasing of the scheme are yet to be determined, it will be essential for the developer to agree to carry out significant works to the listed workhouse, nurses accommodation, school house and gatehouse, prior to the demolition of the infirmary and the subsequent construction of the retirement village.

9.159 In addition, as this current application is a comprehensive scheme, with the retirement village only justified by the proposed works to the listed buildings, it is considered necessary for the developer to agree not to implement any remaining extant planning and listed building consents and to build out the scheme as applied for.

Draft Heads of Terms

9.160 The following heads of terms would be subject to the Section 106 agreement:

- Phasing of the scheme to ensure significant works to the listed buildings prior to the demolition of the Infirmary Building.
- A requirement not to implement any extant planning permissions or carry out further work from extant planning and listed building consents.
- An agreement to build out the approved scheme.
- Travel Plan – Submission of a revised Framework Travel Plan to provide more robust procedures for management, monitoring and enforcement and Individual Travel Plans.
- Sustainability - An agreement for the new commercial buildings on the site to meet BREEAM very good standard and the residential apartments to meet Level 3 of the Code for Sustainable Homes.

Conclusion

9.161 In conclusion the proposal is a comprehensive, mixed use scheme for the redevelopment of the site and is acceptable in relation to Policy D16 of the NBLP. The demolition of the curtilage listed infirmary building is regrettable and contrary to the 1999 Planning Brief for the site, however the financial appraisal and supplementary documents satisfactorily demonstrate that with the retention of the infirmary in any scheme, the scheme is not viable. As such the future of the remaining listed buildings can only be secured with the demolition of the

infirmery and the provision of the retirement village. This is considered to be in accordance with PPG15 and English Heritage Guidance on Enabling Development.

9.162 Concerns raised regarding the viability and deliverability of the scheme can be satisfactorily addressed through a Section 106 agreement which will secure the phasing of the site and ensure significant works are carried out to secure the future of the remaining listed buildings, prior to the demolition of the infirmery.

9.163 The proposed new buildings and extensions to the listed buildings are satisfactory in relation to the adjoining residential area and the character and setting of the listed buildings. The scheme proposes the development of sustainable buildings, with measures proposed to secure modal shift away from the private car and therefore contributes to the aims of sustainable development in accordance with PPS1.

9.164 The proposed scheme is compliant with national, regional and local planning policies and will secure the future of a key regeneration site which is located in a prominent gateway location within the town centre that also has significant heritage value. As such officers consider that the application should be supported.

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.

Materials

(2) No development shall commence on each phase of development until samples of all external facing materials have been submitted to the Local Planning Authority and approved in writing. Development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and to ensure the protection and integrity of the listed buildings.

(3) Notwithstanding the requirements of Condition 2 above, the materials for the retirement village hereby approved, shall be provided in broad accordance with the details set out in page 89 of the Design Statement January 2009.

Reason: In the interests of visual amenity and to ensure a satisfactory standard of development.

(4) Prior to the commencement of development of any works on each phase of the development, full details of the method of the treatment of the external boundaries of the site together with the boundaries to the individual elements within the site shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented according to the approved details and retained thereafter.

Reason: To ensure the protection of the setting of the Listed Buildings and visual amenity of the area.

(5) Prior to the commencement of development on each phase of the development, full details of replacement fittings including doors, windows, stairways and cornices for the retained listed buildings at a scale of 1:10 shall be submitted to and approved in writing by the Local Planning Authority. The development shall be fully carried out in accordance with the approved details.

Reason: To ensure the protection of the integrity of the Listed Buildings in accordance with the advice contained in PPG15 Planning and the Historic Environment.

Demolition

(6) Prior to the commencement of any works of demolition to the former infirmary building, details of a programme of building recording and analysis by a person or body first agreed to by the Local Planning Authority shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved programme of building recording and analysis shall be fully implemented prior to any works of demolition taking place.

Reason: To mitigate the substantial loss of the infirmary and ensure the necessary preservation by record.

(7) Prior to the commencement of any demolition works to the former infirmary building, a detailed method statement shall be submitted to and approved in writing by the local authority. The statement shall provide details of the means of protecting the fabric of existing

buildings and the curtilage listed boundary wall and the method of suppression for dust during the demolition works.

Reason: To protect the existing listed buildings and structures and the amenities of neighbouring residential occupiers.

Commercial Restrictions

(8) The use of the approved mixed use building fronting onto Wellingborough Road for A1, A2 and A3 purposes, shall be only open between the hours of 08:00 and 22:00 from Mondays to Sundays. Deliveries to the building shall only take place between the hours of 08:00 and 22:00 from Mondays to Saturdays. There shall be no deliveries on Sundays or Bank or Public Holidays.

Reason: In the interests of the amenities of the occupiers of nearby residential properties.

(9) The vehicular accesses located off Market Street and Portland Place shall be used solely for deliveries, servicing and for emergency access to the Retirement Village and Specialist Care Facility respectively. Deliveries to the site shall only take place between the hours of 08:00 and 22:00 from Monday to Saturday and not at all on Sundays and Bank Holidays.

Reason: To protect the amenities of adjoining residential occupiers and in the interests of highway safety.

(10) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), the windows located in the southern elevation of the extension to the former school house building shall be glazed with obscure glass before the development hereby permitted is first occupied and thereafter retained in that form at all times unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the privacy of the adjoining properties.

(11) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), the first and second storey windows serving the access corridor located in the northern elevation of the mixed use building hereby approved, shall be glazed with obscure glass before the development hereby permitted is first occupied and thereafter retained in that form at all times unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the privacy of the adjoining properties.

(12) A scheme shall be submitted to and approved in writing by the Local Planning Authority which specifies the sources of noise and vibration on the site whether from fixed plant or equipment or noise generated within the buildings and the provisions to be made for its control and the approved scheme shall be implemented prior to the commencement of the uses hereby permitted and retained thereafter.

Reason: To protect the amenities of nearby occupants from noise and vibration.

(13) Details of the provision for the storage of refuse and materials for recycling shall be submitted to and approved in writing by the Local Planning Authority, implemented prior to the premises being used for the permitted purposes and retained thereafter.

Reason: In the interests of amenity and to secure a satisfactory standard of development.

(14) The retirement village and specialist care facility hereby approved shall operate as a residential care facility and for no other uses within Class C2 of the Town and Country Planning (Use Classes) Order 1997, (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To enable the Local Planning Authority to retain sufficient control over the approved uses and in the interests of residential amenity and highway safety.

Highways

(15) Full details of all roads and drainage including cross sections and longitudinal section, highway boundaries and proposed ground and floor levels shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of construction work on the each phase of the development. The approved scheme shall be implemented concurrently with the development to which it relates and fully completed prior to first occupation of the development.

Reason: To ensure a satisfactory standard of access.

(16) Unless otherwise agreed in writing by the Planning Authority, a Traffic Regulation Order for double yellow lines and a loading / unloading restriction on any parking for the adoptable Highway is to be secured prior to the occupation of the development.

Reason: To maintain a safe and clear access from the Wellingborough Road, as well as the individual accesses to the various uses and buildings on the site.

(17) No development shall take place until details in respect of changes to the junction on Wellingborough Road for access to the new adoptable Highway for the development have been 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 any buildings on the site.

Reason: To ensure a satisfactory standard of access.

(18) Details of the means of securing the retirement village car parking area from the Market Street servicing access, shall be submitted to and approved in writing by the Local Planning Authority, prior to the occupation of the building.

Reason: For the avoidance of doubt.

(19) Prior to the commencement of work on the development, full details of facilities for secured covered cycle parking shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the occupation of any buildings on the site and retained thereafter.

Reason: To ensure a satisfactory level of cycle parking provision in the interests of encouraging more sustainable forms of travel, in compliance with PPS1 and PPG13.

(20) Prior to the occupation of the mixed use building fronting onto Wellingborough Road, details of the layout of the adjoining car park area, detailing the allocation of the spaces to the approved uses shall be submitted to and approved in writing by the Local Planning. Thereafter the car park shall be laid out in accordance with the approved details and retained thereafter.

Reason: To ensure a satisfactory standard of development and in the interests of highway safety.

(21) When the new access hereby permitted is brought into use, the existing access shall be permanently closed (and the highway reinstated) in a manner to be approved in writing by the Local Planning Authority, and no further points of access shall be created thereafter.

Reason: To confine access to the permitted point in order to ensure that the development does not prejudice the free flow of traffic or conditions of highway safety along the neighbouring highway.

Flood Risk and Drainage

(22) 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 suitable water infrastructure.

(23) The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA), Revision B, dated February 2009.

Reason: To prevent an increase in flood risk.

(24) Prior to the commencement of any development on the site, a scheme for the provision

and implementation of foul and surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented and completed fully in accordance with the approved details and the approved implementation programme and maintained thereafter.

Reason: To secure the satisfactory drainage of the site.

(25) All surface water from parking and maneuvering areas shall be passed through a petrol interceptor prior to disposal to groundwater, watercourse or surface water sewer and the interceptor shall be maintained in accordance with manufacturer's guidelines.

Reason: To prevent pollution to the water environment.

Residential Amenity

(26) No development shall take place to the mixed use retail/apartment building, until details of the means of providing an alternative means of mechanical ventilation and temperature control to the first and second floor apartments has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory living environment for the future occupiers of the building having regard to local air quality.

(27) The first and second floor windows of the mixed use retail/apartment building, shall be sealed, non opening units. The details of which shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory living environment for the future occupiers of the building having regard to local air quality.

(28) Prior to the commencement of the development a phased construction management scheme shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of the intended hours and duration of work, details of any piling operations measures proposed to minimise dust and noise, on and off site traffic management proposals, vehicle routing and the location of waste management and site compound areas within the site.

Reason: To manage the impact of the development upon the local area during its construction in the interests of public amenity and the local natural environment in accordance with Policy E19 of the Northampton Local Plan.

(29) Prior to the commencement of construction works to the approved new buildings on each phase of the development, details of the existing and proposed ground and finished floor levels of the development in relation to the adjoining listed buildings and residential properties shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details.

Reason: In the interests of residential amenity and to ensure that the settings of the adjacent listed buildings is not adversely affected.

Security

(30) Prior to the installation of any CCTV equipment, details of the cameras, fixtures and fittings and the method of mounting, shall be submitted to the Local Planning Authority for written approval. Thereafter development shall be carried out in accordance with the approved details.

Reason: To safeguard the character and setting of the listed buildings.

Sustainability

(31) Details of any solar thermal panels or photovoltaic cells shall be submitted to the Local Planning Authority for written approval, prior to the installation of any such equipment. Thereafter the development shall be carried out in accordance with the approved details,

Reason: To safeguard the character and setting of the listed buildings.

Lighting

(32) Prior to the commencement of work on the development, details of a lighting scheme for the external areas of the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the position and design of any lighting columns, together with specifications indicating the level of illumination across the site and hours of operation for any lighting.

Reason: To ensure a satisfactory level of illumination in the interests of crime prevention.

Ecological Mitigation

(33) Development shall be carried out in accordance with the mitigation measures set out in the submitted Ecological Evaluation and Impact Assessment dated 03.04.09.

Reason: In the interests of nature conservation and species protection.

Landscaping

(34) No development shall take place on each phase of development until there has been submitted to and approved in writing by the Local Planning Authority a detailed scheme of soft landscaping for that phase of development.

Reason: In the interests of amenity and to secure a satisfactory standard of development.

(35) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings within that phase of development or the completion of the development, whichever is the sooner, and which shall be maintained for a period of five years; such maintenance to include the replacement in the current or nearest planting season whichever is the sooner or shrubs that may die are removed or become seriously damaged or diseased with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of amenity and to secure a satisfactory standard of development.

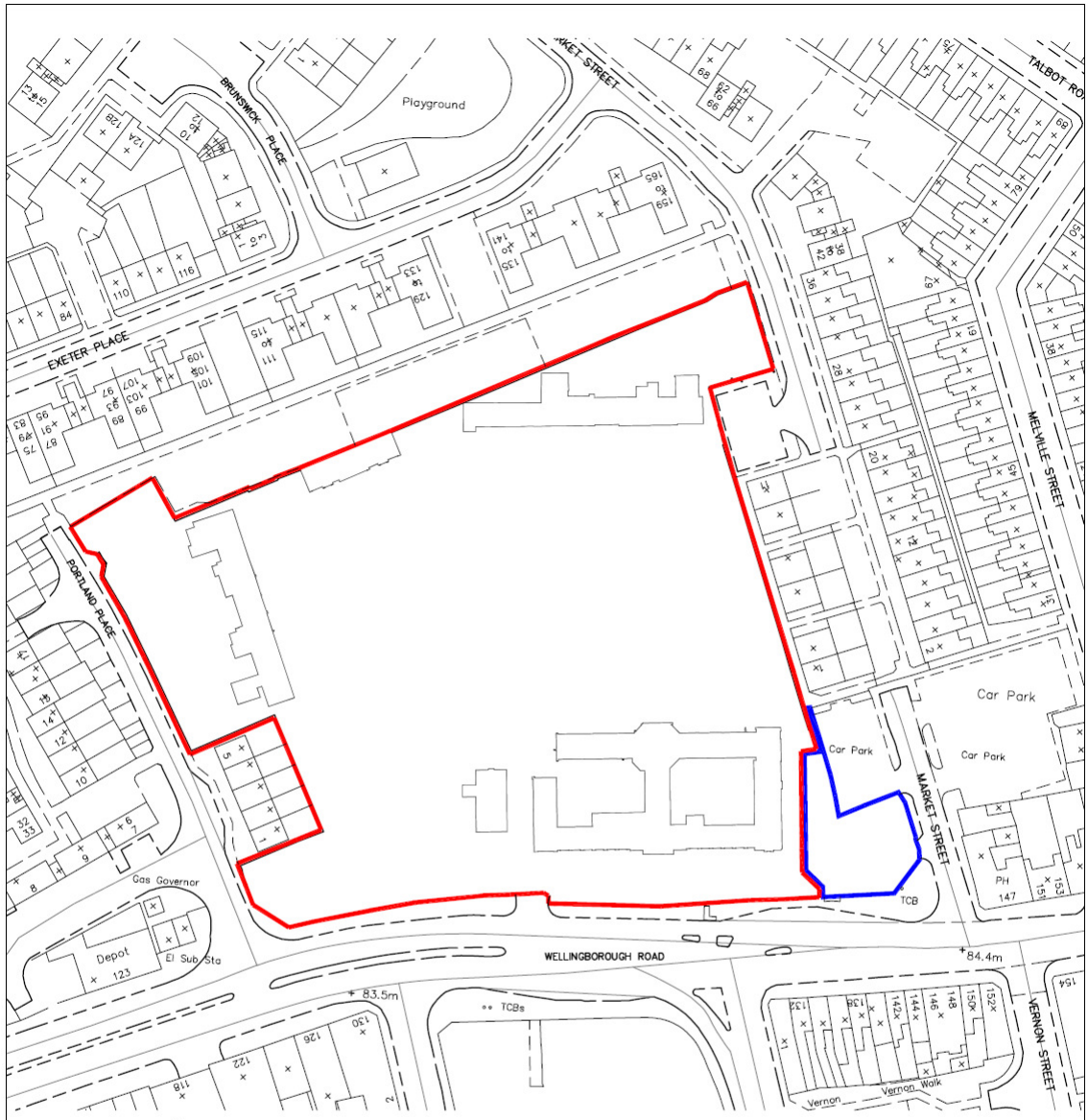
(36) Notwithstanding the submitted Landscape Concept Plan, full details of the proposed surface treatment of all access, parking areas, amenity areas and footpaths shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of construction work on each phase of the development.

Reason: To secure a satisfactory standard of development in keeping with the surrounding area and in accordance with policy E20 of the Local Plan.

Contamination

(37) No development shall take place until a desk top study in respect of possible contaminants within the site is completed and a site investigation has been designed. The scope and methodology of the desk top study and the site investigation report shall be submitted to and approved in writing by the Local Planning Authority. The site investigation and appropriate risk assessments shall be carried out and the results shall be used to produce a method statement and phasing programme. Confirmation of the full implementation of the scheme and validation report (s) shall be submitted to the Local Planning Authority within 2 weeks of completion.

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.



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NOTES		REVISIONS		CLIENT:					
		Rev A - Planning Issue		07.01.09 GB					
PROJECT TITLE:		<h1 style="text-align: center;">Rochmills Ltd</h1>							
Proposed Redevelopment of St Edmunds Hospital									
DRAWING TITLE:		<h2 style="margin: 0;">CHURCH LUKAS</h2>							
Site Location Plan									
SCALE:	DRAWN:					CHECKED:	DATE:	<small>CHURCH LUKAS IMPERIAL BUILDINGS 26 VICTORIA STREET NOTTINGHAM NG1 5EQ 0115 941 0222 0115 941 0223 churchlukas.com</small>	
1:1250@A4	mh						20.10.08		
PROJECT NO:	DWG NO:	REVISION:	STATUS:	<small>COPYRIGHT © 2008 CHURCH LUKAS LIMITED. ALL RIGHTS RESERVED.</small>					
27102	(08) 001	A	PLANNING						
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