



Applicant: West Northamptonshire Development Corporation

Application No:
11/0067/FULWNN

Date Registered:
15.11.2011

Expiry Date:
14.02.2012

Ward: Castle

Northampton UDA Planning Committee Paper

Report by Director of Planning Services

Date of Committee Meeting: 17th January 2012

Agenda Item: 4

Description: Erection of 6no. storey office building (use class B1) with 3no. disabled parking spaces, service bay, cycle parking and associated landscaping.

Address: Former United Social Club site, Green Street, Northampton

1. Recommendation

It is recommended that the application be **APPROVED** subject to the conditions set out at the end of the report with authority delegated to the Director of Planning Services to issue planning permission subject to the resolution of the following matters;

- a) Environment Agency objection;
- b) NCC Highway comments;
- c) S106 agreement; and
- d) the addition/amendment of planning conditions to a), b), and c) above.

Reason for Approval

The proposed development would have a positive impact within a key landmark location adjacent to the station and within the Enterprise Zone with neutral impact upon neighbouring amenity and the historic environment. The development would be in accordance with the requirements of PPS1; PPS4 and PPS5 and policies E20 and E40 of the

Northampton Local Plan and policies 2, 3 and 26 of the emerging Northampton Central Area Action Plan.

2. Summary

- 2.1 The application seeks permission for the Northampton Innovation Centre comprising the erection of a six storey office building including café, event and support space with associated service and parking area.
- 2.2 The Innovation Centre is a joint venture between WNDC and The University of Northampton and whilst the application has been made by WNDC, it is envisaged that the University will be the main occupier of the building providing flexible office suites for start up businesses, social enterprises and companies formed as a direct result of research and development undertaken by the University.
- 2.3 The proposed office development forms the first phase of the St Peters Waterside Masterplan creating a gateway/landmark building at the top of the Masterplan area and Northampton Town Centre.
- 2.4 The building would also be located within the recently designated Northampton Waterside Enterprise Zone which will become a national centre for excellence for advanced technologies, precision engineering, low carbon technology, sustainable construction and high performance engineering.
- 2.5 The building would provide an important gateway feature, the key first phase of development within the Enterprise Zone demonstrating a commitment to business development setting the standard for future development within the area coupled with the future redevelopment of the Northampton railway station immediately to the north of the site.

3. Description of Site

- 3.1 The application site is located on the edge of the town centre adjacent to the railway station to the south of Black Lion Hill accessed from Green Street. The site was the former location of the United Social Club building which was demolished in 2010.

- 3.2 The site is largely flat and hard surfaced benefiting from planning consent for use as a season ticket holder car park. The site also comprises a steep bank to the north of the former United Social Club site and an existing pedestrian link through to the station.
- 3.3 The site is bound to the south by residential development comprising three storey flats and to the east by station car parking.

4. Description of Proposal

- 4.1 Permission is sought to erect a six storey office building comprising 3737sqm of office space to be taken on by the University of Northampton. The building would include a café and function space to the ground floor which would be accessed from the building's public interface with Black Lion Hill directly opposite the station.
- 4.2 In response to the steep level difference between the main site (accessed from Green Street) and what is proposed to be the frontage of the site to Black Lion Hill, the proposed building would feature a main entrance and ground floor level with Black Lion Hill relating directly to the potential future development of the station opposite promoting pedestrian access from the street.
- 4.3 A lower ground floor level will be constructed level with Green Street providing vehicular access to the side of the building including servicing and loading areas and secure monitored access to the building for those disabled users arriving by car.
- 4.4 Office accommodation would be located over four floors above the main ground floor level providing flexible office space suitable for multi-tenanted use from 2 – 68 desk spaces with a total building population of 325 people. Each of the four office levels will include social and welfare facilities which would be shared by multiple tenants.
- 4.5 The proposed development would require the stopping up of the existing footpath which currently runs from the end of Green Street to the north of the former United Social Club site and under the bridge to the station.

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.

5.2 National Policy:

PPS 1 Sustainable Development

PPS1 supplement - Planning and Climate Change

PPS4 Planning for Sustainable Economic Growth

PPS5 Planning for the Historic Environment

PPG13 Transport

PPS22 Renewable Energy

PPS23 Planning and Pollution Control

PPG24 Planning and Noise

PPS25 Development and Flood Risk

5.3 Development Plan:

The Northamptonshire Structure Plan (2001) (saved policies);

SDA1 – Strategic Development Areas

The Northampton Borough Local Plan (1997) (saved policies);

E20 - New development (design);

E40 - Crime and vandalism;

The Northampton Borough Central Area Action Plan (Pre-submission Draft);

2 – Promoting Design Excellence;

3 – Tall Buildings;

5 – Green Infrastructure;

26 – The Waterside.

5.4 Supplementary Planning Documents:

Supplementary Planning Guidance – Transport (Feb 1999)

Supplementary Planning Guidance – Planning Out Crime (Feb 2004)

Supplementary Planning Guidance – Parking (March 2003)

Northampton Local Transport Plan

Northamptonshire Place and Movement Guide (2008)

5.5 Other Documents

WNDC Planning Principles (2009)

WNDC Planning Obligation Strategy (2008)

WNDC West Northamptonshire Manual for Design Codes (2009)

6. Representations

Northampton Borough Council (NBC)

- 6.1 No objection. Conditions are recommended to secure surveys of noise and light levels. It is also requested that external finishes are considered with regard to the buildings location and required durability.

Northamptonshire County Council (NCC)

Sustainable Transport (Highways)

Discussion with NCC on the resolution of these matters is ongoing.

- 6.2 The Sustainable Transport (Highways) Officer has made the following observations;

- It is noted that the parking facilities has been assumed in-line with the Town Centre Action Plan Policy. i.e. No car parking spaces are proposed other than disabled parking. This could lead particularly the occupants parking on Green Street. As such a S106 contribution is required to implement parking restrictions

on Green Street, and a planning condition is required to ensure that such restrictions are in place prior to commencement.

- We have a concern over the current entrance arrangement for the above scheme. A standard Turning Head with Vehicle Cross over may be a solution.
- The current Track plot provided for the commercial vehicles is very tight. Also the reverse Track plot shown for the commercial vehicle is not satisfactory. We would also like to see a Track plot for the commercial vehicle coming out from the Development.
- We have a concern over the existing footpath, which has been stopped herewith at the development entrance. The footpath should continue in order to provide a safe passage for the pedestrian joining the footpath at Black Lion Hill.
- A pedestrian visibility splay of 2.4m x 2.4m should be shown and secured at the access.
- The proposed fencing on the Southern and Western boundary of Access needs reviewing. This is in order to achieve the required pedestrian visibility. The maximum height of the above fencing should not be more than 0.6m.
- There is heavy reliance on travel plan being successful in term of occupants travelling to / from the site by non – car model. There is however no explanation as to where the occupiers are likely to be travelling from and whether or not there is appropriate bus services to provide an alternative to the private cars.
- The Gas Street Roundabout is very busy and it has a capacity issues. As a consequence of the above development, the junction capacity will exceed during both the AM and PM peaks. Also from the reports, it is also not clear what implications the new development will have on the local Public Transport.
- Therefore, the applicant may also be required to contribute towards S106 for the improvements of the Gas Street Roundabout and / or the current pedestrian sustainable Transport.

Strategic Archaeology

- 6.3 The proposed development area has the potential to contain archaeological activity but this has been curtailed in places to medieval and modern activity. However, it was not possible to evaluate the development area fully due to the nature of the site and as such provision should be made for a scheme of archaeological investigation should it be required.
- 6.4 The proposed development will have a detrimental impact upon any archaeological deposits present. This does not however represent an over-riding constraint on the development provided that adequate provision is made for the investigation and recording of any remains that are affected. A condition will be required.

English Heritage

- 6.5 Detailed comments have been received referring to the historic and heritage assets within the vicinity of the site in particular the church of St Peter (grade I listed building). Further assessments of the effects of the development on the historic environment are requested.

Northampton Police Crime Prevention Design Advisor (CPDA)

- 6.6 No formal objection. Bollards or planters should be required at lower ground floor level to prevent persons driving at the building.

Environment Agency (EA)

- 6.7 An objection has been raised based on unacceptable Flood Risk Assessment (FRA). A further revised FRA has been submitted. However, the revised document is not considered to be PPS 25 compliant and the EA maintain their objection. Discussion with the EA on the resolution of these matters is ongoing.

Anglian Water (AW)

- 6.8 It is recommended that a condition be imposed to secure development in accordance with the Flood Risk Assessment.

7. Notifications and Responses

7.1 Neighbour notifications were sent on 17th November 2011 and the application was publicised by way of site notice and newspaper advert also on 17th November 2011. No responses have been received.

8. Site History

8.1 None relevant.

9. Considerations

The key matters for consideration are;

- The Principle of Development;
- Design, Layout and Appearance
- Neighbouring Amenity;
- Highways, Access and Parking;
- Drainage and Flood Risk;
- Sustainability;
- S106;

The Principle of Development

9.1 The site is allocated in the Northampton Local Plan as being a location for future residential development. However, it should be recognised that this allocation has been removed from the emerging Central Area Action Plan (CAAP) and the emerging West Northamptonshire Joint Core Strategy (JCS) directs office development to be located primarily in and adjoining the principal urban area of Northampton.

9.2 Notwithstanding the Local Plan allocation, it is considered that the provision of office accommodation at this location would represent an appropriate use of the land given the potential linkages to be formed with businesses within the town centre as well as the wider benefits in contributing to the overall vision and success of the Enterprise Zone.

- 9.3 The Central Area Action Plan is also considered to be a material consideration having been issued as a pre-submission draft and is due to go to Northampton Borough Council Cabinet in April with examination later in the year and adoption in February 2013.
- 9.4 The site is identified in the CAAP within an important gateway location with a landmark building envisaged on the site to which the proposal would conform.
- 9.5 The nature of the proposal is also considered to deliver significant benefits in terms of the future economic development of Northampton through the creation of new job opportunities within a key location within the Enterprise Zone and the Waterside Regeneration Area close to strategic transport links.

Design, Layout and Appearance

- 9.6 The former Social Club site being currently set down from the road does not make optimal use of the site's location on a key route into the town. By including the highway bank and proposing development at street level, with a lower ground floor to Green Street below, the prominence of the site is increased providing a stronger gateway feature in an area identified for gateway development.
- 9.7 The provision of a key building at this gateway location will play an important role at the entrance to the town from the west. The proposed building provides a benchmark for quality as the first development within the Enterprise Zone and wider Waterside regeneration which would promote economic viability and the further inward investment into the town
- 9.8 The proposed development would front Black Lion Hill promoting an active frontage to the street and increased pedestrian activity at street level. A recessed entrance feature is incorporated at ground floor level opening up the site to pedestrians and creating a legible entrance to the building with Café area and seating overlooking Green Street.
- 9.9 The building is proposed to be constructed to six storeys (including the lower ground floor level). Office accommodation would be located over four floors above the main ground floor level providing flexible office space suitable for multi-tenanted use from 2 – 68 desk spaces with a total building population of 325 people. Each of the four

office levels will include social and welfare facilities which would be shared by multiple tenants.

- 9.10 The building has been designed in cube form to provide a legible feature building which would be viewed from all sides within this prominent site. The scale of the building is consistent with the strategy set out in the St Peters Waterside Masterplan and the scale of the buildings proposed for the redevelopment of the railway station.
- 9.11 The design approach to the building has been contemporary with the use of modern building materials and a high level of glazing. Traditional Northamptonshire Ironstone is also proposed to the ground floor front elevation making reference to the traditional material in the area and the grade II listed postern gate and walls located opposite the development.
- 9.12 At lower ground floor level the building benefits from a small parking and servicing area accessed from Green Street which is proposed to be blocked paved. Whilst there is no glazing to this lower level this area would be overlooked from the office levels above and the café seating area which extends to the side of the building.
- 9.13 The site is situated within an archaeologically sensitive area being close to Scheduled Ancient Monuments (including the remains of the castle) the grade II listed postern gate and walls and the grade I listed Church of St Peter to the west.
- 9.14 An archaeological assessment of the site has been undertaken including trial trenching to identify archaeological remains. The findings of the assessment and trial trenching confirm that the site has potential to contain archaeological activity but this could potentially be curtailed in places by post medieval and modern activity such as building and construction of infrastructure and servicing. However, it is not possible to evaluate the development area fully due to the nature of the site.
- 9.15 It is therefore considered that whilst there would be some detrimental impact upon archaeological deposits as a result of the proposed development, this would not represent an over-riding constraint on the development. A condition will be imposed to secure adequate provision is made for the investigation and recording of any remains affected.

- 9.16 English Heritage has raised further concern in relation to the effect of the development on the setting of nearby designated heritage assets particularly views of St Peter's Church.
- 9.17 The grade I listed Church is considered to be an important landmark feature with its tower being a prominent visual feature on approach from the east over the railway bridge. The construction of the six storey building which would be five storeys above street level on the bridge would block views of the tower momentarily as you come over the bridge. However, this is not considered to cause detrimental harm to the setting of the historic asset which has already been significantly compromised by existing development surrounding the listed building. Further information is being compiled by the applicant to further support this view.
- 9.18 There are a small number of semi-mature trees within the former United Social Club site and also the vegetated embankment to the northern boundary of the site. These trees are not considered to be of value and are proposed to be removed as part of the development.
- 9.19 The dense development footprint does not allow for any significant landscaping within the site, although there may be scope to provide large planters to the Lower Ground Floor level to address the concerns of the Police with regards to building security at this point.
- 9.20 There may be an opportunity to provide enhanced boundary planting within the adjacent residential site which should be actively pursued by the applicant in the delivery of the scheme.
- 9.21 The safety and security of the building has been considered by the CPDA and bollards or planters are recommended to the lower ground floor level to prevent people driving into the building. This will be secured by condition.
- 9.22 The open and recessed nature of the frontage entrance to the building is noted as providing a potential venue for anti-social behaviour. However, the level of vehicular and pedestrian movement along this route and the visibility of the elevation would mean that the building would benefit from a reasonable level of natural surveillance to discourage anti-social behaviour.

Neighbouring Amenity

- 9.23 The development would be located adjacent to an existing development block of three storey flats orientated around a central car parking area with frontage onto Green Street to the west and the river to the south.
- 9.24 The proposed building although of significant scale is not considered to have an undue impact on neighbouring residential amenity. Due to the location of the building and orientation of the site there would be no significant loss of light or overlooking to neighbouring dwellings which are separated from the proposed office block by just over 9 metres to the nearest elevation of the flats, which is predominantly unglazed and over 40 metres to the larger glazed elevation.
- 9.25 However, the Borough Council has recommended that a condition be imposed to secure details of likely sources of noise from the development and means for their control. Conditions restricting operating hours are not considered necessary given the proposed use, the location of the site and level of activity already associated with Black Lion Hill, St James Road and St Peters Way. However, a survey of effects of any lighting is considered to be necessary to ensure that there would be no negative impact on residential amenity.

Highways, Access and Parking

- 9.26 Vehicular access to the site is from Green Street providing access for delivery vehicles and limited parking provision on site. Three spaces are proposed to be provided for disabled use only with emphasis on the use of public transport to travel to the site. Public car parks are also located within close proximity of the site if car travel is necessary.
- 9.27 The non provision of car parking on site is considered to be acceptable given the sustainable location of the development and access to public transport. NCC Highways have suggested that a contribution may be required to implement parking restrictions on Green Street to discourage on street parking. Parking in this area is already restricted by yellow lines and further measures are not considered to be reasonable.
- 9.28 A Travel Plan has been submitted with the application setting out a number of measures for sustainable travel. The Travel Plan is proposed to be monitored by a

dedicated Innovation Centre Travel Plan Co-ordinator and individual Travel Plan co-ordinators from each individual company within the building.

- 9.29 NCC has raised some issues with the Travel Plan which will require further information. As such a revised Travel Plan will be required through condition.
- 9.30 The development of the site includes the existing highway bank which is outside of the site of the former united social club and includes a footpath which runs from Green Street to the east and under the bridge to the railway station. This footpath duplicates the footway which runs adjacent to the highway at the higher level over the bridge on Black Lion Hill.
- 9.31 It is proposed to close off the footpath link from Green Street under the railway bridge completely as part of the proposed development to allow utilisation of the highway bank and achieve a better development solution.
- 9.32 The loss of this footpath is not considered to be detrimental at this location. Northamptonshire Police have raised concern about the link due to safety and security reasons. The route, particularly at the point in which it turns under the bridge, is inadequately lit and secluded so that pedestrian safety is compromised. By closing up this route and encouraging the use of the main highway above, pedestrian safety and activity and street level is increased having an overall positive effect on the area. Safe crossing points are available within the recently completed highway improvements to Black Lions Hill/St Peters Way to allowing crossing between the site and the railway station and bus stops on the opposite side of the road.
- 9.33 Further detailed comments from NCC Highways will require further plans and supporting information to be submitted. The applicant's consultants are addressing the matters raised and it is envisaged that these will be resolved shortly.

Drainage and Flood Risk

- 9.34 The site lies partially within Flood Zone 2 and a Flood Risk Assessment (FRA) has been submitted. The EA maintain their objection to the application on flood risk grounds following revision of the FRA, correspondence is ongoing with the EA and it is envisaged that the matter will be resolved shortly.

Sustainability

9.35 An initial BREEAM pre-assessment has been undertaken which predicts an overall score of 65.69% which achieves a Very Good category rating. However, the aspiration is to achieve an Excellent rating and further work is being undertaken in order to secure this higher rating. This will include further work in relation potential measures to enhance ecological values; and measures to achieve target noise levels.

S106

9.36 WNDC's preferred approach to S106 is to secure appropriate financial contributions based on a discounted standard charge as set out within the Interim Planning Obligation Strategy June 2011 (iPOS). The standard charge applies to all development within WNDC's area including land owned by WNDC.

9.37 In the case of commercial office development, financial contributions will generally be negotiated on a site by site basis taking into consideration the infrastructure requirements of individual schemes and viability matters which may dictate the level of contribution secured.

9.38 The viability of the scheme is currently being reviewed and independently assessed to ascertain whether the development can sustain any level of S106 contribution. It is currently anticipated, given the nature of the development, that the scheme will be unlikely to support any financial contribution towards infrastructure requirements or other enhancements which may be deemed reasonable as a result of the development.

9.39 In adopting this approach, the Corporation as applicant recognises the need to contribute to the surrounding area as part of the development and schemes to provide enhanced street lighting and CCTV to Green Street are being explored to improve public safety and security in the area. These works would be undertaken as part of the development.

9.40 This approach is considered to be acceptable having regard to the requirements of the iPOS and the impacts of the development. However, there will be a need to secure a mechanism through S106 to allow for the payment of deferred contributions should this situation change.

9.41 However, where contributions/obligations are required through S106 the Corporation as applicant and Local Planning Authority may not be able to obligate itself in this way and delivery of a S106 may become difficult. Legal advice is currently being sought as to how to deal with the S106 requirements of the site. There are currently three options which are being explored as follows;

- i. a site specific S106 is secured;
- ii. obligations are secured through condition; or
- iii. a combination of the above.

9.42 Resolution of this matter and negotiation of S106 including the viability appraisal should therefore be delegated to the Director of Planning Services for resolution.

10. Conclusion

10.1 The proposed development would have a positive impact within a key landmark location adjacent to the station and within the Enterprise Zone with neutral impact upon neighbouring amenity and the historic environment. The development would be in accordance with the requirements of PPS1; PPS4 and PPS5 and policies E20 and E40 of the Northampton Local Plan and policies 2, 3 and 26 of the emerging Northampton Central Area Action Plan.

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

2. The development hereby permitted shall be carried out in accordance with the approved plans listed in schedule 1 of this permission.

Reason: For the avoidance of doubt and in the interests of proper planning.

3. Full details of the method of the treatment of the external boundaries of the site shall be submitted to and approved in writing by the Local Planning Authority, implemented prior to the occupation of the buildings hereby permitted and retained

thereafter. The submitted details shall also include measures to protect the ground floor level of the building by preventing persons driving at the building.

Reason: To ensure that the boundaries of the site are properly treated so as to secure a satisfactory standard of development.

4. Prior to the commencement of development samples of all proposed external facing materials shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with approved details.

Reason: In the interests of visual amenity and to ensure that the development will harmonise with its surroundings.

5. Within 6 months of the first occupation of the development hereby approved, a Travel Plan for occupiers shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall be implemented at all times that the development is occupied unless otherwise agreed in writing by the Local Planning Authority.

Reason: To reduce the reliance on the private car for journeys to work.

6. Full details of the proposed surface treatment of all external areas including their gradients shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development hereby permitted and thereafter provided in full prior to the development being first brought into use.

Reason: In the interests of visual amenity.

7. Before the development hereby permitted commences a scheme shall be approved by the Local Planning Authority that specifies the external and internal sources of noise on site and the provisions to be made for its control. The approved scheme shall be implemented prior to the development first coming into use and retained thereafter and the applicant and/or occupier shall demonstrate that the scheme approved has achieved its design criteria.

Reason. In the interests of residential amenity.

8. Deliveries to or collection from the premises shall not take place before 8.00 or after 18.00 on any day.

Reason. In the interests of residential amenity.

9. Prior to the building first coming into use the building envelope shall be provided with the façade sound insulation and ventilation specified in the URS Scot Wilson Report dated 1st November 2011 appended to the application.

Reason. To ensure a satisfactory development.

10. Prior to the commencement of the development hereby permitted, the applicant shall submit a lighting scheme to the Planning Authority for approval. The scheme shall provide data on the predicted lighting levels, including the vertical luminance levels, at all sensitive premises due to the proposed scheme. The development shall be implemented in accordance with the approved scheme.

Reason. In the interests of residential amenity and highway safety.

11. No development shall take place until the applicant, or their successors in title has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation to be submitted to and approved in writing by the Local Planning Authority.

Reason. To ensure appropriate evaluation and recording of heritage assets in accordance with PPS 5.

12. Prior to the commencement of development a Construction Management Plan to manage the impacts of the construction process shall be submitted to and approved in writing by the Local Planning Authority. The approved Plan shall be implemented with appropriate control measures to address noise and dust generation from the development.

Reason: In the interests of health and safety and the quality of the environment and residential amenity.

13. Prior to the commencement of development a Waste Management Strategy shall be submitted to and approved in writing by the Local Planning Authority in accordance with the Minerals and Waste Development Framework – Development and implementation Principles Supplementary Planning Document 2007. The Strategy shall include details for the provision for segregation, storage and collection of refuse and

recycling and the development shall be implemented in accordance with the approved details.

Reason. To ensure a sustainable approach to waste management.

Subject to the resolution of the Environment Agency objection.

14. The development hereby approved shall be implemented in accordance with the Flood Risk Assessment so approved unless otherwise approved in writing by the Local Planning Authority.

Reason. To prevent future environmental and amenity issues arising from flooding.

Note to Applicant

The stopping up of the public footpath to the north of the site should be secured prior to the commencement of the development hereby approved.

SITE PLAN

