



Applicant:

Venulum Property
Investments Ltd

Application No:

11/0065/FULWNN

Date Registered:

20.10.2011

Expiry Date:

19.01.2012

Ward:

Sunnyside

Northampton UDA Planning Committee Paper

Report by Director of Planning Services

Date of Committee Meeting: 14th February 2012

Agenda Item: 4

Description: Demolition of existing Bective Works and Jebez House and the erection of 399no. student accommodation building incorporating a 288 sqm retail unit; 17no. space lower ground floor car park and servicing area. New vehicular and pedestrian access and landscaping. Alteration, restoration and extension of Enterprise House for student community use.

Address: Bective Works and Jebez House, Bective Road, Northampton

1. Recommendation

It is recommended that the application be **REFUSED** for the following reasons;

1. The proposed development would be of significant scale and density out of keeping with the surrounding area with adverse impact on residential amenity resulting in an over development of the site in conflict with PPS 3 and policies H6 and E20 of the Northampton Local Plan.

2. The lack of off street parking resulting from the overdevelopment of the site would result in significant implications for highway safety and residential amenity which could not reasonably be controlled through the introduction or enforcement of on street parking

controls and as such would be contrary to PPG 13 and local guidance on car parking standards.

3. The submitted Contamination Report being out of date and inadequate does not allow the Local Planning Authority to make an informed assessment of the likelihood of contamination being present on site and as such would be contrary to PPS 23.

2. Summary

- 2.1 The application originally submitted comprised a building of six storeys in height providing 406no. student flats with access and egress from both Bective Road and Yelvertoft Road.
- 2.2 The proposed development would also include the restoration of Enterprise House; a grade II listed building for student community use.
- 2.3 Following objections and comments from Northampton Borough Council and Northamptonshire County Council revisions to the scheme were submitted reducing the height of the building by one storey resulting in the loss of 7no. student flats and alterations to the access to provide an entry and exit point from Bective Road only. A statement on car parking was also submitted. However, given the limited scope of the revisions these objections and concerns have been upheld.
- 2.4 Taking into consideration the comments received from Consultees and representations from neighbours, the scale and density of the development has been considered to be out of keeping with the surrounding residential area with adverse impacts to residential amenity and as such would not conform to current planning policy guidance or Local Plan policies.
- 2.5 The lack of car parking within the scheme has also been raised as a significant concern resulting in heavy reliance on on street parking which is already considered to be saturated. The applicant has put forward proposals for the restriction of car ownership within the scheme. However, the monitoring and enforceability of this approach is considered to be problematic given the unrestricted nature of parking within the area.
- 2.6 The imposition of a resident's only parking scheme, is also considered to have adverse implications for local residents who would incur a future parking cost as a result of the development and as such could not be considered reasonable.

3. Description of Site

- 3.1 The application site is located within an area of primarily residential development as defined within the Northampton Local Plan. The site also lies adjacent to the Harbrough Road Centre as identified within the Local Plan.
- 3.2 The site is 0.7ha in area of rectangular form lying between Bective Road to the north and Yelvertoft Road to the south. The site comprises the building known as Bective Works. This is a predominantly single storey brick built building which extends the full width of the site to Bective Road and Yelvertoft Road. The site also includes Jebez House which is a single storey split level building attached to the back of Enterprise House in the south eastern corner of the site.
- 3.3 Enterprise House is a Grade II listed building located in the northeast corner of the site fronting Bective Road. The original building was erected in 1902 as a boot and shoe factory with further additions constructed at first floor in 1924. The building is proposed to be refurbished as an integral part of the development.
- 3.4 The site slopes up from its western boundary from the rear of Harbrough Road to the eastern boundary with an average level difference of 6.75m from front to back.

4. Description of Proposal

- 4.1 The application seeks full planning permission for a five storey building, following the demolition of the existing Bective works and Jebez House buildings, with lower ground floor servicing and parking accessed from Bective Road and Yelvertoft Road.
- 4.2 The proposed building would be constructed in rectangular form to the full extent of the site incorporating the refurbishment of Enterprise House (Grade II LB) to provide communal use for students including a gym.
- 4.3 The development proposed would incorporate 399no. student rooms over five storeys with further communal kitchen areas around central atriums within the building. A small retail unit is also proposed at lower ground floor level fronting Yelvertoft Road.
- 4.4 Access to the development would be from Bective Road with a mini bus drop off point and 17no. car parking spaces located within a lower ground floor level. A large area for cycle parking is also incorporated at this lower level.

5. Planning History

- 5.1 WN/2006/0028 Demolition of existing Bective Works and Jebez House and the erection of 155no. residential units with associated landscaping and underground parking. Granted.
- 5.2 N/2011/0300 Demolition of existing Bective Works and Jebez House and the erection of 155no. residential units with associated landscaping and underground parking. (This application was submitted to WNDP to extend the time limit for implementation of the previous permission. The application was transferred to Northampton Borough Council in April 2011 and remains undetermined due to lack of information).

6. Policy Considerations

6.1 WNDP Purpose:

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

6.2 National Policy:

PPS 1 Sustainable Development

PPS 1 supplement - Planning and Climate Change

PPS 3 Housing

PPS 4 Planning for Sustainable Economic Development

PPS 5 Planning for the Historic Environment

PPG 13 Transport

PPS 23 Planning and Pollution Control

PPG 24 Planning and Noise

6.3 Development Plan:

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

SDA1 – Strategic Development Areas

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

H6 - Other housing development: within primarily residential area;

E20 - New development (design);

E40 - Crime and vandalism;

6.4 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)

6.5 Other Documents

WNDC Planning Principles (2009)

WNDC Planning Obligation Strategy (2008)

7. **Representations**

Northampton Borough Council (NBC)

7.1 The Borough Council Planning Committee considered the application at their meeting on 13th December 2011. Strong objections were raised to the proposed development for the following reason;

The proposed development, by reason of its siting, design and scale would have an adverse impact upon residential and visual amenity and therefore fails to comply with the requirements of PPS1 and PPS3 and Local Plan policies E20 and H6.

7.2 Following revisions to the plans, a delegated response was received from Officers upholding the previous objections of the Committee based on the limited scope of the amendments.

Northamptonshire County Council (NCC)

7.3 Archaeology

The building (Enterprise House) is identified in the English Heritage Boot and Shoe Survey (1998-9) as having medium potential for further recording and was listed in 2004. The significance of the building lies not just in its historic fabric but also in its associations with the boot and shoe industry as a whole and in the adaptations and alterations which reflect its changing uses during the 20th century.

A condition is recommended to ensure that adequate provision is made for the investigation and recording of any remains that are affected by the proposals.

7.4 Transport/Highways

An initial response from the County Highways team requested the submission of a Transport Assessment in order for formal comment to be made. Following the submission of a Transport Assessment a full response was issued setting out the County's objection to the application as follows;

- The lack of any car parking spaces provided within the development for students to utilise raises significant concerns to the LHA. The LPA need to be convinced that simply requiring students to sign up to not parking on or near the site is sufficient to prevent on street car parking taking place as a result of the development, and that this approach can be successfully monitored and enforced.
- The LHA has highway safety concerns regarding the proposed access arrangements.

7.5 Following submission of revised access arrangements and parking information the LHA has made the following recommendations;

- The LPA need to be satisfied that a S106 obligation requiring students to sign up to not parking on or near the site, is sufficient to prevent on street car parking

taking place as a result of the development, and that this approach can be successfully monitored and enforced.

- The alternative is to require a Residents Parking Permit scheme to be implemented prior to commencement of development.
- Should the application gain planning consent, a number of conditions and S106 obligations are required by the LHA, as outlined in this response.

Northampton Police Crime Prevention Design Advisor (CPDA)

- 7.6 No formal objection. Suggested informatives/conditions are included which, if implemented would reduce the likelihood of crime, disorder and anti-social behaviour occurring.

Environment Agency (EA)

- 7.7 The EA require confirmation from Anglian Water that sufficient infrastructure capacity exists to serve the development. Subject to this confirmation the EA will have no objection subject to recommended conditions in respect of foul water drainage.

Anglian Water (AW)

- 7.8 AW confirm that there is available infrastructure capacity. It is considered that the Flood Risk assessment is not acceptable and a condition is required to secure a drainage strategy.

Highways Agency (HA)

- 7.9 No objection.

Natural England

- 7.10 The submitted bat report was considered acceptable and it is advised that planning permission may be granted subject to appropriate conditions including detailed mitigation and monitoring strategy for bats.

Northamptonshire Bat Group

- 7.11 The Bat Group agree with the findings and recommendations set out in the submitted bat report.

8. Notifications and Responses

8.1 Letters were sent to residents on 25th October 2011 notifying them of the application. The planning application was also advertised in the Northampton Herald and Post on 27th October 2011 and by site notices posted in the vicinity of the site on 28th October 2011.

24no. responses have been received raising the following issues in objection to the application;

- Scale and Density not in keeping with surroundings;
- Use out of character with surrounding area;
- Access problems for residents, refuse vehicles and emergency vehicles;
- Anti-social behaviour caused by students;
- Poor and inadequate cycle and pedestrian route options to the University and Moulton college;
- Traffic impact;
- Lack of parking on site;
- No consideration for loading and unloading of student belongings at beginning and end of term/semesters;
- Restrictions on students owning cars is unenforceable;
- On street parking issues caused by unrestricted student parking;
- Increase in noise;
- Loss of privacy and overlooking from new development;
- Loss of Light

8.2 Further re-consultation was carried out on 11th January 2012 following the receipt of additional information and revised plans. A further 14no. responses have been received raising the same issues.

9. Considerations

The key matters for consideration are;

- The Principle of Development;
- Design and Appearance;

- Heritage
- Residential Amenity;
- Highways, Access and Parking;
- Landscaping;
- Sustainability;
- S106;
- Other Matters

The Principle of Development

- 9.1 The principle of development is considered to be acceptable at this location within a primarily residential area in accordance with policy H6 of the Northampton Local Plan (1997). However, significant concern has been raised regarding the scale of the development and the significantly higher density figures proposed which would be out of keeping with the surrounding residential area.
- 9.2 Policy E20 of the Local Plan states that new developments should adequately reflect the surrounding buildings in terms of form and scale whilst Local Plan policy H6 states that new developments should be of an appropriate scale and density. PPS 3 also advises that proposed developments should be well integrated with and complement existing buildings as well as the local area in terms of scale and density.
- 9.3 The proposed development would be of significant scale and density, much higher than that of the surrounding residential development which is predominantly two storey terraced housing.
- 9.4 Planning permission has been granted for the redevelopment of the site for 155 residential flats (WN/2006/0028) which is a material consideration in setting a precedent for large scale development at this location.
- 9.5 The proposed development would result in the loss of properties that could be utilised for commercial purposes. However, it is noted that these are predominantly vacant units located within an area of primarily residential development where the redevelopment for residential purposes would be acceptable in principle. The development of the site for residential use would not conflict with the policies set out in PPS4.

- 9.6 The proposed development would include the provision of 288 sqm of retail floor space at ground floor. Whilst the proposed retail use would be located outside of the Harborough Road centre, the application site is immediately adjacent to it. Given the proximity of the development to the existing centre and the small scale of the proposed retail unit, which is unlikely to fulfil the retail need of future occupiers of the development, it is considered that the retail use proposed as part of the development would not have an undue impact on the vitality and viability of this or any other centre.

Design and Appearance

- 9.7 The main bulk of the proposed building would be constructed at five storeys above a lower ground/ground floor level which would be viewed as six storeys at the building's highest point to the rear of Harborough Road with an overall height of around 19m at its highest point. As the site slopes up towards Enterprise House, the proposed building would step down to three and a small section of two storeys with a single storey link to Enterprise House.
- 9.8 In addition to the significant height of the building, the proposed development would extend to the full extent of its boundaries resulting in a building of significant bulk some 48m in width.
- 9.9 PPS 3 and Local Plan policies set out the importance of new development reflecting the scale and density of the existing development. The surrounding area comprises residential development of primarily terraced nature albeit at fairly high densities with average ridge heights around 9m significantly smaller in scale to the proposed residential development.
- 9.10 Whilst the principle of the development of the site for flats is considered acceptable, given the significant residential numbers proposed and the scale of the building, it is considered that the proposed development would not respect the existing character and appearance of the area. The significant proportions of the proposed building would have an overbearing impact within the street scene and the area generally. Given the significant height and mass of the building it would also be visually prominent from Harborough Road and other surrounding residential streets and considered overdevelopment of the site.

- 9.11 The previously approved proposals for 155 residential flats (comprising 67no. one bed and 88no. two bed flats) is noted as also being of significant proportions particularly at its highest point on Bective Road where the building would extend to six storeys in height. However, the majority of the development was proposed at a more residential scale with significantly lower ridge heights (around 10m – 12m) comparable with the existing dwellings. The development also takes on a terraced appearance with a vertical emphasise in keeping with existing development.
- 9.12 The proposed development being of significantly greater scale and density than neighbouring development and residential development already approved on the site is therefore not considered to conform to policies H6 and E20 of the Northampton Local Plan thus resulting in an overbearing development which would be wholly out of keeping with the character and appearance of the area and refusal of the application is recommended on this basis.

Heritage

- 9.13 Whilst an application for listed building consent for the necessary works to Enterprise House (grade II listed building) has been submitted to Northampton Borough Council for consideration, the impact on the setting of the listed building is a material planning consideration in the determination of this application.
- 9.14 The proposed development would result in relatively few external alterations to the exterior of Enterprise House which is favourable in reducing the impact of the proposal on the character of the listed building. The height of the proposed building reduces to just under 7m close to Enterprise House with a single storey link of around 5m in height linking the new building to the listed building.
- 9.15 The proposed development is not considered to have an adverse impact on the setting or the fabric of the listed building in compliance with the requirements of PPS 5.

Residential Amenity

- 9.16 The proposed number of residential units at a high density in close proximity to lower density residential dwellings is considered to give rise to significant residential impact to existing residential amenity.

- 9.17 Whilst residential development within the area is predominantly terraced housing with reduced separation distances and increased opportunities for overlooking and loss of privacy, it is considered that the significant scale of the proposed building and the large areas of glazing and number of windows required to serve individual units within the scheme would impact on neighbouring amenity by way of increased potential for overlooking and loss of privacy for existing residents over and above that which might occur or be expected to occur in an existing residential environment.
- 9.18 The nature of the proposed development for student accommodation, whilst not unacceptable in principle, would at such a high density give rise to significant detrimental impact on neighbouring amenity by way of increased noise and disturbance primarily as a result of heightened activity and the demographic profile of residents.

Highways, Access and Parking

- 9.19 The proposed development would be located adjacent to the Harborough Road centre providing access to numerous shops and services including 2no. supermarkets. It is therefore reasonable to assume that some facilities would be readily accessible to future occupiers of the development on foot. However, it is recognised that residents would need to travel greater distances, either to their academic institution or to use facilities that are not offered within the adjacent centre.
- 9.20 Opportunities to travel by bus from the site to the University campuses or the town centre are frequent and the nearest bus stop is located at the junction of Bective Road and Harborough Road only a short distance from the site and further bus stops are situated within walking distance. However, it is recognised that some students will own cars and whilst it is unlikely that the proportion of car owners will be as high as conventional residential development, it is reasonable to assume that there will be a demand for parking as a result of the proposed development.
- 9.21 It is proposed to provide 17 car parking spaces within the lower ground floor of the development (2 for blue badge holders) in addition to parking provision for 220 bicycles. Northamptonshire County Council car parking guidance sets out a requirement for 1 car space per 15 students and 1 car space per 2 staff equating to an overall requirement for 34 spaces within the proposed development. Current provision therefore equates to 50% of the requirement.

- 9.22 Whilst the County Council guidance car parking standards place a relatively low requirement on the provision of car parking spaces for student accommodation in accordance with guidance set out in PPG13, consideration should also be given to the adverse effects from parking demand being met elsewhere.
- 9.23 In this case, it is considered that an adverse impact could occur as a result of inadequate off street parking provision, within the adjacent and surrounding residential streets. The proximity of the site to the local shops and the unrestricted nature of car parking within residential streets already places a considerable strain on the availability of car parking on street which is considered by NCC Highways to be saturated and this would be further exacerbated by the under provision of car parking within an intensively developed site.
- 9.24 The implications for residents as a result is a significant cause for concern where adverse impact to amenity could arise as a result of an increase in the number of residents parking on street. In addition, it is recognised that there will be requirements for visitor parking and for loading and unloading at the beginning and end of term which could also cause significant disruption for existing residents and implications for highways safety.
- 9.25 The applicant has put forward a parking considerations statement which sets out the control of all car parking spaces within the development, restricting onsite parking to staff and blue badge holders only with some spaces being made available to students and family during specific time slots for loading and unloading at the start and end of term.
- 9.26 It is therefore proposed that there would be no off street parking for students within the site contrary to the County's (albeit limited) parking standards. In order to control the use of cars by students the applicant proposes the imposition of a 'no car' clause within student tenancy agreements requiring that students do not bring or keep a motor vehicle on or within a specified distance of the site (not applicable to blue badge holders). The applicant proposes that this could be secured through S106 agreement.
- 9.27 The applicant has also stated that they would be prepared to commit to a financial contribution to fund the implementation of a resident's parking scheme should it be

established that the development gives rise to an unacceptable impact in terms of parked cars.

- 9.28 Whilst the principle of car free development may be considered acceptable, securing this approach could not be easily monitored or enforced in an area of unrestricted car parking. The submitted parking consideration statement does not consider the monitoring and/or enforcement of such an approach and the penalty for students found with a car has not been stated.
- 9.29 In addition, the accommodation agreement does not restrict visitors and there has been no assessment of likely visitor numbers. The measures put forward for loading and unloading of student belongings would also appear to fall short for a development of 399no. students.
- 9.30 The implementation of a resident's only parking scheme may ease concerns regarding parking locally. However, there is no guarantee that it would be welcomed by residents, or that it could be successfully implemented. It is also not considered to be reasonable to require existing residents to pay to park their cars on street in order to accommodate a development that does not provide sufficient off street parking. In addition, the potential numbers of additional cars parked on street as a result of the development could be significant given the concentrated use and density proposed given that students would also be eligible to apply for a residents parking permit so that even the successful implementation of a scheme of restricted parking may not alleviate the problems associated with the development.
- 9.31 In spite of the applicant's willingness to provide potential options to overcome the issues which would arise from the increased demand for on street parking as a result of the development, it is not considered that the measures identified could be reasonably implemented or enforced. In addition, the measures proposed could not feasibly secure adequate parking provision within surrounding residential streets to cater for the demand of such a significant density of development.
- 9.32 Notwithstanding the above the NCC highway officer has suggested that a parking scheme could be implemented prior to the commencement of development funded by the developer with an obligation that resident permits would be funded by the development for an agreed period. In the event that the application may be approved

the highway officer has therefore set out requirements for conditions and S106 to address access arrangements and other issues.

Landscaping

- 9.33 The proposed development would extend to its boundaries on all sides providing no opportunity for landscaping within the site. This is not considered to be out of keeping with the surrounding urban area. However, a green wall is proposed on the corner of the north and west elevations in lieu of any soft landscaping proposals. A green roof is also proposed.
- 9.34 Whilst these measures are welcomed they could form an incongruous feature within this urban environment and measures will need to be put in place to ensure that the features are appropriately maintained in order for them to be successful.

Sustainability

- 9.35 In addition to the green measures briefly identified above, a Sustainability Strategy has been submitted with the application setting out a commitment to achieving BREEAM Excellent rating with an aspiration towards Outstanding. A number of renewable technologies are proposed in order to achieve such a high rating to be integral to the design and construction of the building.

S106

- 9.36 A S106 agreement has not been submitted with the application. However, reference to securing schemes to alleviate car parking issues associated with the site have been proposed which would need to be secured through a legal agreement if the application were to be approved.

Other Matters

- 9.37 Whilst a contamination assessment has been submitted with the application, this was carried out in 2007 and did not assess all areas of the site. As a result of the possibility of intervening changes in the use of the land, combined with changes to guidance in the carrying out of such assessments, it is recommended that in order to comply with the requirements of PPS2 a revised and updated assessment is obtained.

9.38 In the event that this information was not forthcoming the Local Planning Authority would have to consider refusal of the application on this basis as such this would also warrant refusal of the application.

10. Conclusion

10.1 The submitted application proposes development of a significant scale and density out of keeping with the residential area within which it is sited. Whilst it is considered that the non provision of car parking would cause detrimental impact to highway safety and the free flow of traffic as well as considerable disruption to local residents this issue is compounded by the intensive nature of the development inevitably resulting in overdevelopment of the site.

10.2 It is not considered that these issues could be overcome through the imposition of planning conditions or a S106 agreement.

10.3 It is therefore recommended that in addition to the lack of car parking, the application be refused on the grounds of scale and density out of keeping with the surrounding area resulting in overdevelopment of the site and adverse impact to neighbours.

Reasons for Refusal

1. The proposed development would be of significant scale and density out of keeping with the surrounding area with adverse impact on residential amenity resulting in an over development of the site in conflict with PPS 3 and policies H6 and E20 of the Northampton Local Plan.

2. The lack of off street parking would result in significant implications for highway safety and residential amenity which could not reasonably be controlled through the introduction or enforcement of on street parking controls and as such would be contrary to PPG 13 and local guidance on car parking standards.

3. The submitted Contamination Report being out of date and inadequate does not allow the Local Planning Authority to make an informed assessment of the likelihood of contamination being present on site and as such would be contrary to PPS 23.

Site Plan

