

<b>PLANNING COMMITTEE:</b>	<b>27<sup>th</sup> September 2016</b>
<b>DIRECTORATE:</b>	<b>Regeneration, Enterprise and Planning</b>
<b>DIRECTOR:</b>	<b>Steven Boyes</b>
<b>APPLICATION REF:</b>	<b>N/2016/1061</b>
<b>LOCATION:</b>	<b>72 St Giles Street</b>
<b>DESCRIPTION:</b>	<b>Change of use from former Cafe/Gin Parlour to Hair Dressing Salon (Use Class A1)</b>
<b>WARD:</b>	<b>Castle Ward</b>
<b>APPLICANT:</b>	<b>Barbarella Hair Ltd</b>
<b>AGENT:</b>	<b>Barbarella Hair Ltd</b>
<b>REFERRED BY:</b>	<b>Director of Regeneration, Enterprise and Planning</b>
<b>REASON:</b>	<b>Council owned land</b>
<b>DEPARTURE:</b>	<b>No</b>

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#### **APPLICATION FOR DETERMINATION:**

#### **1. RECOMMENDATION**

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

The proposed development supports the re-introduction of a retail use into the town centre without unduly impacting on the character of the Derngate Conservation Area, neighbouring amenity or highway safety and is therefore compliant with the requirements of the National Planning Policy Framework, Policies S10 and BN5 of the West Northamptonshire Joint Core Strategy and Policies 1, 12 and 13 of the Central Area Action Plan.

#### **2. THE PROPOSAL**

2.1 The proposal is to convert a vacant former café and gin parlour into a hairdressing salon (Use Class A1). The proposed opening hours are as follows:

- Mondays to Friday 09:00 – 20:00 hours
- Saturdays 9:00 – 17:00 hours

2.2 No external alteration is proposed.

#### **3. SITE DESCRIPTION**

3.1 The building is a single storey property located on the corner of St. Giles Street and Hazelwood Road within the Derngate Conservation Area. The property was last used as a café and gin

parlour but is currently vacant. St Giles Clinic (now vacant) and a funeral directors are located opposite on the northern side of St Giles Street. To the east on the opposite corner is the Manna House book/gift shop (now vacant). Immediately adjoining the site to the south on Hazelwood Road are three storey offices occupied by the Community Advice Centre.

- 3.2 Other nearby uses on St Giles Street include a nail salon, a barbers shop, a hair salon, three cafes, a sewing shop, and a vacant shop. Hazelwood Road is characterised by a mixture of office and residential use.

#### **4. PLANNING HISTORY**

- 4.1 N/2013/0743 - Change of use of ground floor and basement from retail (use class A1) into a Parisian café and drinking establishment (use class A3/A4) - Approved.

#### **5. PLANNING POLICY**

##### **5.1 Statutory Duty**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted West Northamptonshire Joint Core Strategy (2014) and Northampton Central Area Action Plan (2013).

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.

##### **National Policies**

- 5.2 The National Planning Policy Framework (NPPF) sets out the current aims and objectives for the planning system and how these should be applied. In delivering sustainable development, decisions should have regard to the mutually dependent social, economic and environmental roles of the planning system. The NPPF should be read as one complete document. However, the following sections are of particular relevance to this application:
- 5.3 Paragraph 23 is of particular relevance. This recognises the importance of town centres as the heart of a community and as a consequence, there should be a significant proportion of retailing (meeting a diverse set of demands) available. In achieving this, there should be a variety of retail units (in terms of sites) to meet this requirement.
- 5.4 Paragraph 17 states that planning seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings and to conserve heritage assets in a manner appropriate to their significance. Paragraph 129 also requires that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal.

##### **West Northamptonshire Joint Core Strategy (2014)**

- 5.5 The West Northamptonshire Joint Core Strategy (JCS) provides an up to date evidence base and considers the current Government requirements for plan making as it has been prepared in full conformity with the NPPF. Policies of particular relevance are:
- 5.6 Policy S10 (Sustainable Development Principles) requires that developments be of a good design and the occupiers of neighbouring properties are not unduly impacted through noise.

- 5.7 Policy BN5 also requires that heritage assets are conserved in manner that it consistent with their significance.

### **Northampton Central Area Action Plan 2013**

- 5.8 The Central Area Action Plan (CAAP) provides specific planning policy and guidance for the town centre and adjoining areas where significant regeneration and investment is proposed in the period up to 2026 and is in conformity with the objectives of the NPPF. Relevant policies include:
- 5.9 Policy 12 of the CAAP identifies the appeal site as falling within the Primary Shopping Area and as a consequence, there is a policy presumption in retaining retailing within locations such as this in order to support the town centre's viability and vitality. This requirement is expanded within Policy 13, which states that that in primary retail frontages; the level of retailing should not significantly fall below 60%.
- 5.10 Policy 1 (Promoting Design Excellence) requires that developments be of a good design and makes efficient use of the land, whilst providing a wider range of choice for users.

### **5.11 Supplementary Planning Documents**

Northamptonshire County Parking Standards SPG 2003  
Planning out Crime in Northamptonshire SPG 2004

### **5.12 Other Material Considerations**

Derngate Conservation Area Appraisal and Management Plan 2006

## **6. CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **NBC Conservation** – No objection to the change of use which will have a neutral impact on the character of Derngate Conservation Area. No external alterations to the appearance to the appearance of the premises are proposed.

## **7. APPRAISAL**

### **Principle of Development**

- 7.1 The application site is located within a secondary retail frontage. The CAAP requires that 60% of the frontage should be maintained for retailing purposes in order to allow the frontage to fulfil its function. The proposal to use the premises for a hairdressing salon falls within a retail use (Use Class A1) and is therefore acceptable and in accordance Planning Policy.

### **Impact on Amenities**

- 7.2 The applicant seeks to operate the proposed hairdressers from 9:00 to 20.00 on Mondays to Fridays and 9:00 to 17:00 on Saturdays. There is no immediately adjoining residential accommodation to the application site and these hours are considered to be acceptable within this commercial area. Furthermore the hours are reduced from those permitted for the previous use as a gin bar.

## **Heritage**

- 7.3 The site lies within the Derngate Conservation Area. The Conservation Area Assessment (2006) acknowledges that buildings in this part of St Giles Street form predominantly retail uses. No external alterations to the appearance to the appearance of the premises are proposed. Returning the building to an active use would contribute to the upkeep of the premises and the wider Conservation Area.

## **Highway Safety**

- 7.4 There is no on-site parking facility provided. However, the site is within the town centre in a sustainable location. It is not considered that the proposal would have any undue impact on highway safety.

## **8. CONCLUSION**

- 8.1 The proposal would result in bringing a vacant unit back into Class A1 use without unduly impacting on neighbouring amenity or the character of the Derngate Conservation Area. The proposal therefore accords with the Development Plan and is acceptable.

## **9. CONDITIONS**

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: Ground Floor Layout and Basement Layout Plans (dated 8 August 2016).

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

## **10. BACKGROUND PAPERS**

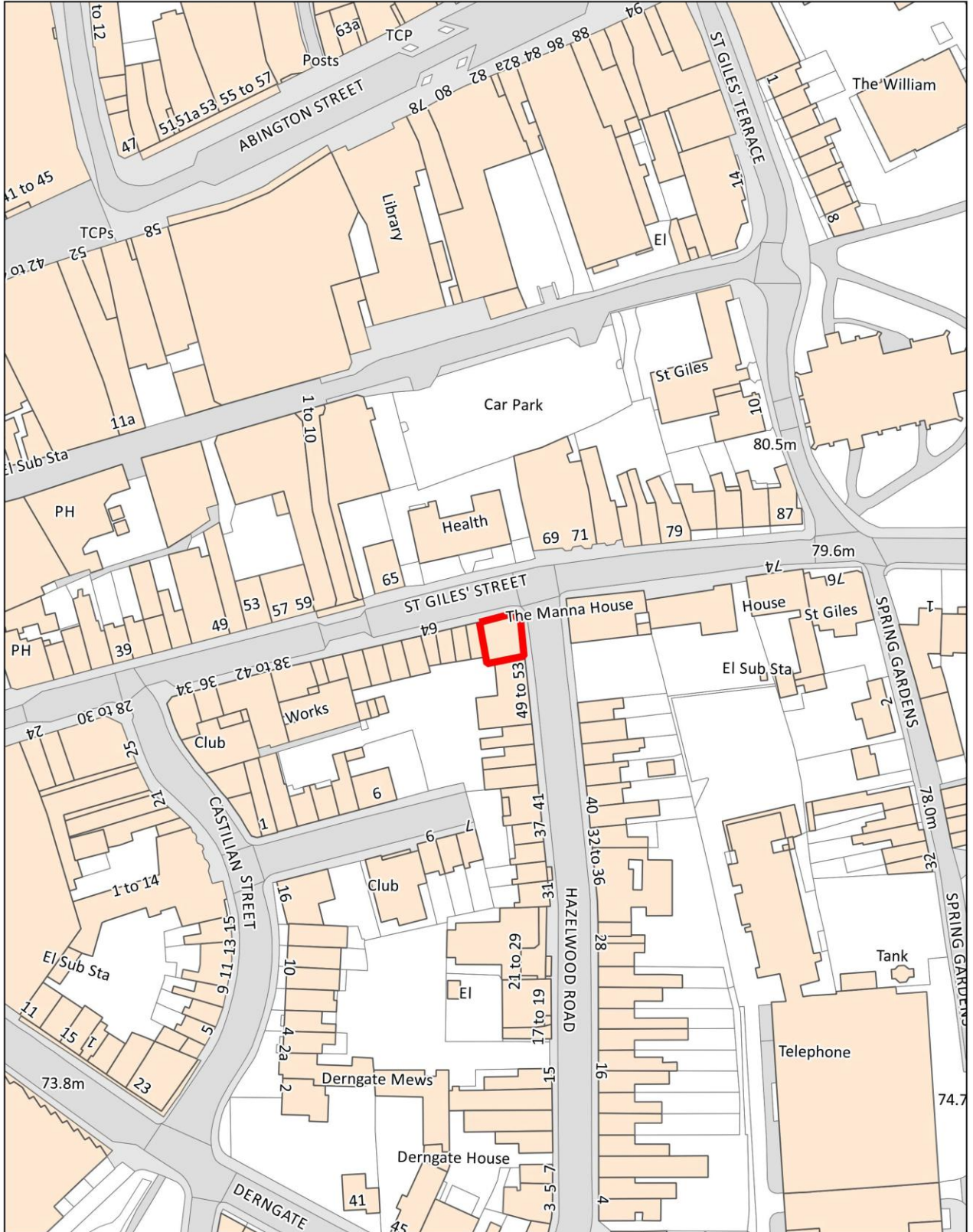
- 10.1 N/2013/0743.

## **11. LEGAL IMPLICATIONS**

- 11.1 The development is not CIL liable.

## **12. SUMMARY AND LINKS TO CORPORATE PLAN**

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



Title: **72 St Giles Street**

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Date: 13-09-2016

Scale: 1:1,250

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