

**PLANNING COMMITTEE:** 25<sup>th</sup> October 2015  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**DIRECTOR:** Steven Boyes

**APPLICATION REF:** N/2016/1216

**LOCATION:** Northampton & County Club , 8B George Row

**DESCRIPTION:** Change of use in part from Estate Agent (Use Class A2) to coffee shop/restaurant (Use Class A3)

**WARD:** Castle Ward

**APPLICANT:** Northampton & County Club  
**AGENT:** Mr Steven Bignell

**REFERRED BY:** Director of Regeneration, Enterprise and Planning  
**REASON:** Council Members are Club Members

**DEPARTURE:** No

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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 proposal would bring a currently vacant unit in a prominent location in the town centre back into sustainable use. The proposal would preserve the character and appearance of the listed building and the All Saints Conservation Area and would improve the vitality of the immediate area, in accordance with the requirements of Policy 13 of the Central Area Action Plan, Policies S9, S10, and BN5 of the West Northamptonshire Joint Core Strategy and the aims of the National Planning Policy Framework.

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

2.1 The proposal is for the change of use from a former estate agents to a coffee shop/restaurant under Use Class A3. No external alteration has been proposed.

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

3.1 The site comprises an existing commercial unit within the established Northampton and County Club curtilage fronting onto George Row. This is separate from the remainder of the Club and was previously in use as an estate agents.

3.2 The site also forms part of a group of Grade II\* listed buildings and falls within the boundary of the All Saints Conservation Area.

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

990/75 – Change of use to estate agents office – Approved 7<sup>th</sup> January 1976

06/0037/COUWNN - Change of use from estate agents (Class A2) to wine tapas coffee house (Class A3) – Refused 31<sup>st</sup> May 2006.

#### **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), Northampton Local Plan (1997) saved policies, Northampton Central Area Action Plan (2013).

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development to pay special attention to preserving a listed building or its setting.

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.

##### **5.2 National Policies**

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:

Paragraph 131 - Account should be taken of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.

Paragraphs 132 - In considering the impact of proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be.

Paragraph 134 - Where a development proposal will lead to less than substantial harm to the significance of a heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

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

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:

Policy S9: Distribution Of Retail Development - Retail floorspace should be firstly located in the primary shopping area and then other town centre locations.

Policy S10: Sustainable Development Principles - Seeks to achieve the highest standards of design and to protect, conserve and enhance heritage assets and their settings.

Policy BN5: The Historic Environment and Landscape – Heritage assets and their settings and landscapes will be conserved and enhanced in recognition of their individual and cumulative significance.

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

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:

Policy 13 – Improving The Retail Offer - Within the secondary frontages the change of use from retail (Class A1) will be allowed where it will not result in a significant decline in the total length of identified retail frontage below 60%, or, where this is already below 60% reduce further retail frontage.

### 6. **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **Historic England** - The application should be determined in accordance with national and local policy guidance and on the basis of specialist conservation advice.
- 6.2 **Conservation** - No objection in principle to the change of use, which in itself would not harm the historic interest of the listed building or the character and appearance of the Conservation Area and will secure a use for part of the Grade II\* Listed Building.
- 6.3 **Environmental Health** - The application does not give any information about how odours from the cooking processes will be managed. Would need to be clear that the building can accommodate/suitably site an extraction system, and that the listed building status would allow such an installation.
- 6.4 At the time of writing this report the consultation period is ongoing, therefore any further comments which are received will be reported to Committee by means of the Addendum.

### 7. **APPRAISAL**

- 7.1 The main issues to consider are the impact on the character appearance and historic interest of the listed building, the setting of the conservation area and the impact on the secondary retail frontage of the proposed change of use.
- 7.2 The proposal is for the change of use of the premises only, with no alterations proposed to the structure or appearance of the building. The previous application at this property was refused partly due to the absence of details in respect of proposed extraction systems, and their impact on the listed building. However in respect of the current application, it has been confirmed that the existing kitchen within the club would be used and therefore there would be no need for additional equipment and hence no impact on the listed building in this regard.
- 7.3 It is therefore considered that the proposed use would not have any detrimental impact on the character and historic interest of the building or the conservation area, whilst also ensuring a viable ongoing use for the building.
- 7.4 The site is within a secondary retail frontage within the town centre, and Policy 13 of the Central Area Action Plan as quoted above applies. However, in this case the proposed change of use is from an estate agent under Use Class A2, therefore there would not be any loss of any retail

frontage. The other units in this row are all Class A2 uses, and it is considered that this change of use would in fact improve the vitality of the area.

- 7.5 In terms of the impact on the amenities of surrounding properties, it should be noted that a previous application for the change of use of the premises to a wine bar and café was refused partly over concerns regarding noise impact. In this case, the proposal is for a coffee shop and restaurant which would be open from 9am to 5pm only. It is not considered that such a use would be likely to have any significant impact in terms of noise when compared to a wine bar.
- 7.6 Refuse storage would be provided in conjunction with the existing club and it is considered to be acceptable bearing in mind the scale of the development.
- 7.7 The application has been made for a temporary period only, however the applicants have confirmed that a permanent permission would be preferable to them. This would therefore ensure an ongoing viable use for the building.

## **8. CONCLUSION**

- 8.1 The proposed change of use would not have any adverse impact on the listed building or the conservation area and would improve the vitality of the area through the introduction of a non office use.

## **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 Planning Act 1990.

(2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, 1143/E01.

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

## **10. BACKGROUND PAPERS**

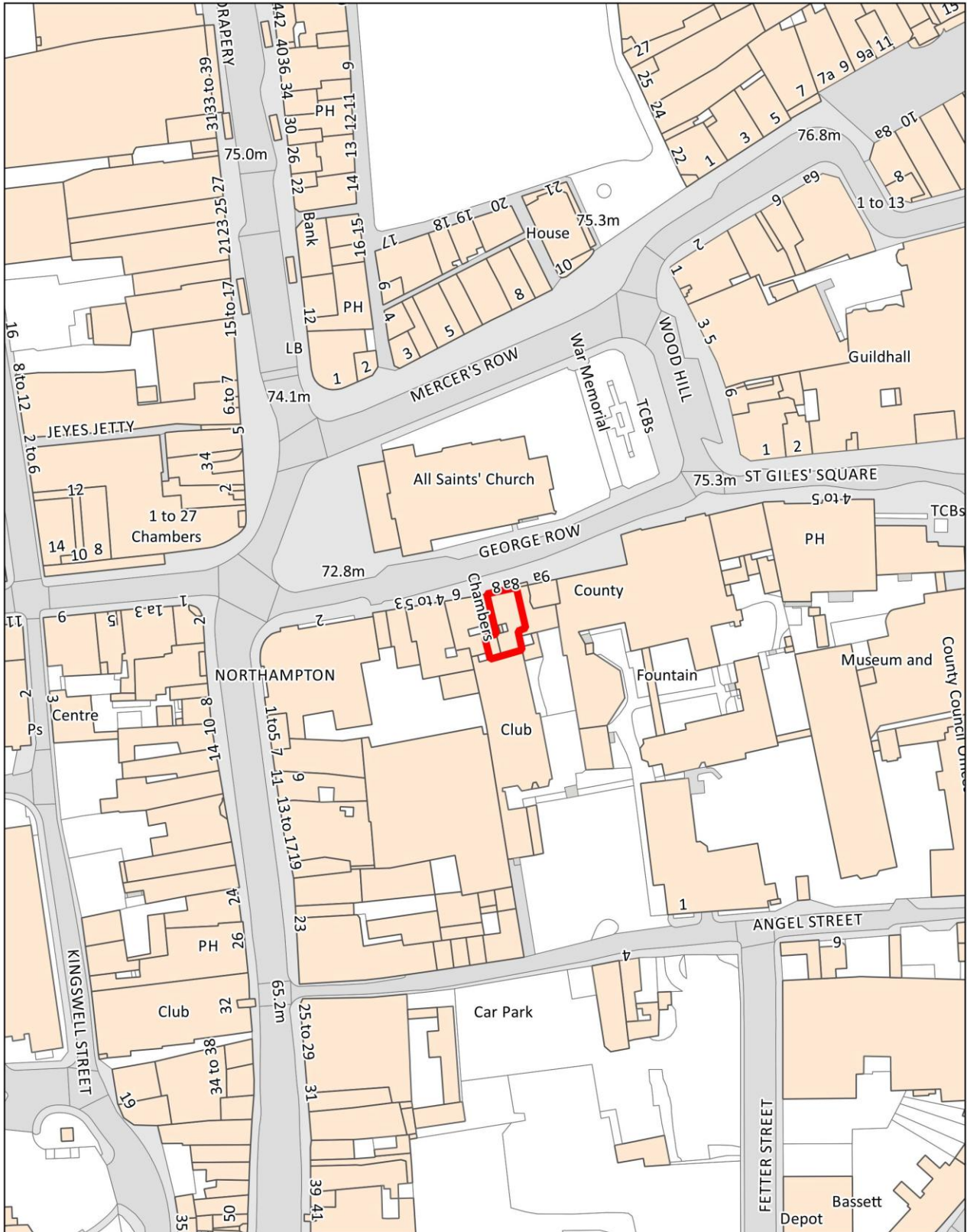
- 10.1 Application file N/2016/1216.

## **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.



<p>Title: <b>Northampton &amp; County Club, 8b George Row</b></p>	<p>Date: 17-10-2016</p>
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