

PLANNING COMMITTEE: 26th September 2017
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2017/0947

LOCATION: St Peters House , Castle Street

DESCRIPTION: Variation of Condition 2 of Planning Permission N/2016/0773 (Erect Single Storey Building for Convenience Store) to amend plans to change windows/shop front and installation of external roller shutter under canopy. Retrospective

WARD: Castle Ward

APPLICANT: Northampton Partnership Homes
AGENT: rg+p Ltd.

REFERRED BY: Head of Planning
REASON: Council owned land

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

The amendments to the retail unit as constructed, in comparison to the proposal as previously approved, do not have an undue detrimental impact on the appearance and character of the area, amenity of neighbours or highway safety to comply with Policy 1 of the Central Area Action Plan, Policy OP1 of the Spring Boroughs Neighbourhood Plan, S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

2. THE PROPOSAL

2.1 Planning permission was previously granted for the erection of a single storey building to provide a convenience store to serve the local area. The store has since been constructed and in use. The current application, which has been submitted under S73 of the Town and Country Planning Act 1990, to vary a planning condition so to regularise the amendments to the scheme as originally approved, which relates to the external appearance and installation of roller shutter to the shop unit.

3. SITE DESCRIPTION

- 3.1 The application site consists of a former area of open space to the front of the three storey flats. The single storey shop unit as previously approved has now been constructed in the space. The area is predominantly residential in character.

4. PLANNING HISTORY

- 4.1 N/2016/0773 - Erect single storey building for convenience store – Approved 27/07/16.

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, Central Area Action Plan and the adopted Spring Boroughs Neighbourhood Plan.

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 14 supports sustainable economic development.

Paragraph 17 - advises on the need to proactively drive and support sustainable economic development; seek high quality design; encourage the effective use of land.

Paragraph 19 - places considerable weight on the need to support sustainable economic growth, operating to encourage and not act as an impediment to sustainable growth.

Paragraph 56 – good design is a key aspect of sustainable development and should contribute to making places better for people.

Paragraph 70 – seeks to ensure positive planning for community facilities to enhance the sustainability of communities and residential environments and ensure that social, recreational and cultural services the community needs are delivered.

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 S1: The distribution of development - in assessing the suitability of sites for development priority will be given to making best use of previously developed land and vacant and under-used buildings in urban or other sustainable locations contributing to the achievement of a West Northamptonshire target of 30% of additional dwellings on previously developed land or through conversions.

Policy S2: Hierarchy of Centres - The vitality and viability of centres must be maintained and enhanced commensurate with their role and function.

Policy S9: Distribution of Retail Development - proposals for new retail development which cannot be accommodated within the town centres will be subject to a sequential approach where first preference is given to well-connected edge of town centre sites, and then sites within district / local. Only if sequentially preferable sites are not suitable and available should out of centre sites be considered.

Policy S10: Sustainable Development Principles – seeks, amongst other things, to achieve high standards of sustainable design; protect, conserve and enhance the natural environment and built environment; and minimise pollution from noise, air and run off.

Policy N1: Regeneration of Northampton – supports development in the Town Centre and Central Area for office, retail, leisure and service development providing high quality urban design and public realm, and protecting heritage assets and historic character through managed change. It further supports proposals that address factors of deprivation within communities such as Spring Boroughs.

Policy N11: Supporting Areas of Community Regeneration aims to support the regeneration of Spring Boroughs by working in partnership with service providers and the community to address the key principles of delivering inclusive, sustainable communities which includes creating local opportunities for employment and business development. This policy also is the policy context for the Spring Boroughs Neighbourhood Plan.

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 24 – Spring Boroughs: Spring Boroughs will be regenerated consistent with encouraging a more balanced community in terms of: age, wealth, household size and reducing the turnover of residents through appropriate provision of housing management, housing types and tenures, access to necessary social and physical infrastructure. In addition proposals should seek to enhance the setting of the Castle Mound and Grade II Listed Castle Hill United Reform Church.

5.5 Supplementary Planning Documents

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

5.6 Other Material Considerations

Spring Boroughs Neighbourhood Plan

The Spring Boroughs Neighbourhood Plan was made in April 2016, and now forms part of the development plan for Northampton.

Policy OP1 relates to Sustainable Development Principles and supports development within the Neighbourhood Plan area that provides new and affordable homes, a high quality environment for residents, visitors, community groups and businesses and infrastructure to support improved leisure, recreational and social facilities. It further adds the need to incorporate “Secured by Design” principles, as set out in the Planning Out Crime SPG referred to above.

The policy continues that development should have regard to the principles set out in the Neighbourhood Plan and be mindful of the amenity of nearby residents, the character and

appearance of the local area in which it is located and the social, built, historic, cultural and natural heritage assets of Spring Boroughs.

OP5 relates to streets movement and parking and seeks to improve connectivity in Spring Boroughs and increase kerbside parking for residents and businesses.

AB Policy 2: Central Spring Boroughs relates to the development of the central housing area of Spring Boroughs as new residential development to include a high proportion of affordable housing suitable for families.

Whilst the retail unit is not specifically referred to within AB Policy 2, the retail unit replaces one to be demolished and seeks to meet the needs of the community.

6. CONSULTATIONS/ REPRESENTATIONS

6.1 The application was advertised by site notice, no representations received.

7. APPRAISAL

7.1 The issues to consider are any impact on the street scene, as a result of the amendments to the proposed development.

7.2 The scheme as constructed differs from that as originally approved. Specifically, the window and doors to the front elevation have been reduced in size and the shop now has an amended canopy design above the doorway and a surface mounted roller shutter.

7.3 The canopy and the shutter are finished in black. It is considered that this would result in a unified appearance to these elements as well as complementing the design of the flats to which the shop unit is attached. It is further considered that the resulting building is not out of character with the wider street scene.

7.4 The roller shutter would improve security for the shop unit and it is considered to be acceptable in this location.

8. CONCLUSION

8.1 The proposed alterations from the approved design are considered to be minor in nature and would not result in any detrimental visual impact on the street scene.

8.2 As this is an application for variation of condition, the other conditions which are still outstanding must be repeated.

9. CONDITIONS

(1) The development hereby permitted shall be carried out in accordance with the following approved plans: site location plan: 40720/010B, Ground floor plan: 40720/009D, retail sections: 40720/006F, Retail elevations: 40720/005H (with alterations to the Little Cross Street elevation as per drawing 40720/023), Landscape proposals: 50126/003C.

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

(2) Full details of all external lighting and CCTV shall be submitted to and approved in writing by the Local Planning Authority within three months from the date of this permission. The approved details shall be fully implemented within one month from the date of this permission and retained thereafter.

Reason: To secure a satisfactory standard of development in accordance with Policy 1 of the Central Area Action Plan.

(3) A scheme shall be first submitted to and approved in writing by the Local Planning Authority that specifies the external sources of noise on the site and the provisions to be made for its control (this might include air conditioning units and extract fans). The scheme agreed shall be implemented prior to the development coming into use and shall be retained thereafter and the applicant shall demonstrate that the scheme agreed has achieved its design criteria.

Reason: In order to safeguard the amenities of adjoining/nearby occupiers and in accordance with Policy S20 of the West Northamptonshire Joint Core Strategy.

(4) Details of the provision for the storage of refuse and materials for recycling shall be first submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the first occupation or bringing into use of the building hereby permitted and thereafter retained.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy 1 of the Central Area Action Plan.

(5) The retail unit hereby approved shall not remain open to the public between the hours of 7.30pm and 7.30am on any day.

Reason: In the interests of the protection of residential amenities in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

(6) Deliveries to or collection from the retail premises shall not take place before 08:00 or after 20:00 on Mondays to Saturdays or at any time on Sundays or Bank Holidays.

Reason: In the interests of the protection of residential amenities in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

10. BACKGROUND PAPERS

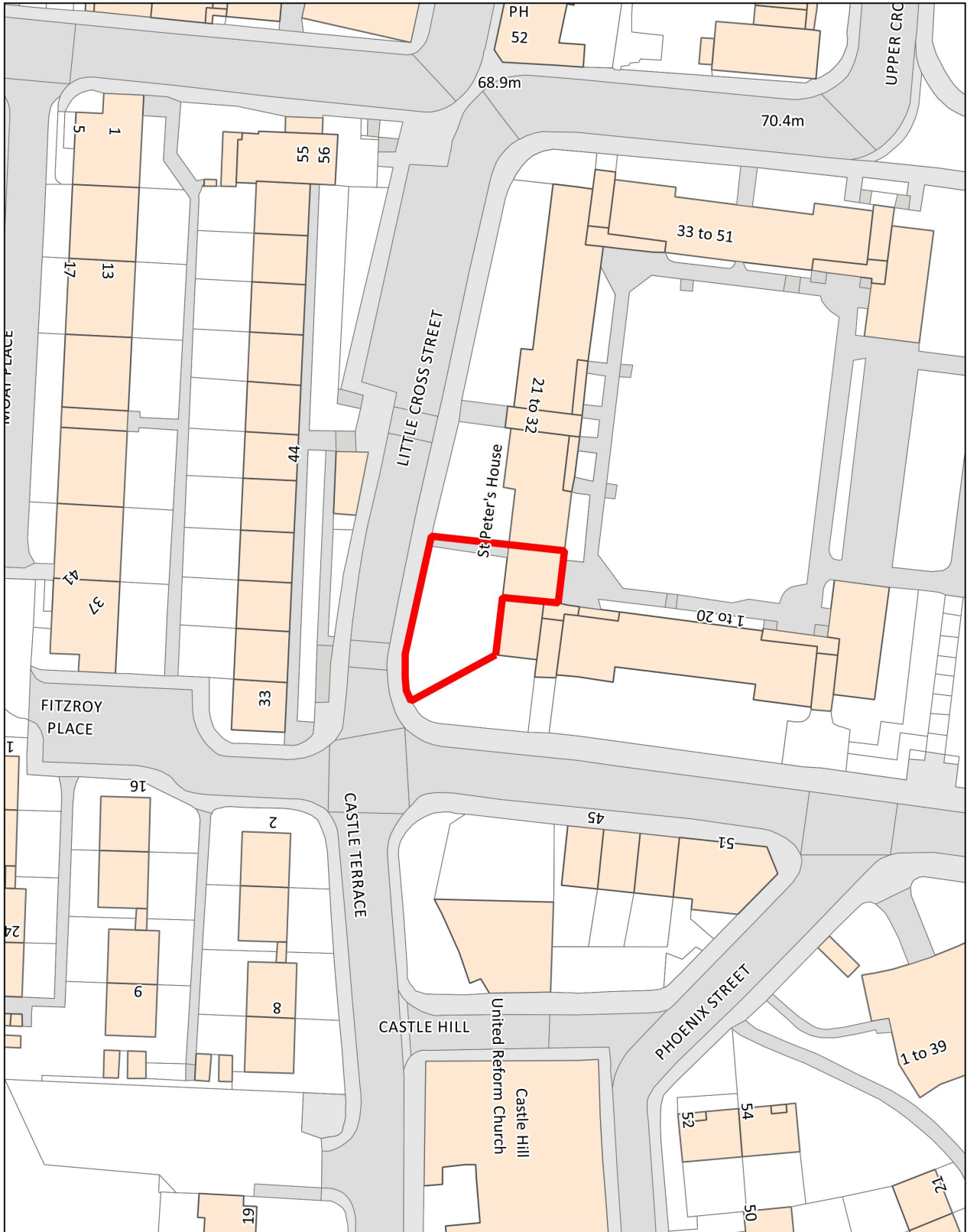
10.1 Application file N/2017/0947.

11. LEGAL IMPLICATIONS

11.1 The development is 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: **St Peters House, Castle Street**

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Date: 18-09-2017

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