



NORTHAMPTON
BOROUGH COUNCIL
Planning Committee

PLANNING COMMITTEE: 19th December 2017
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2017/1220

LOCATION: The Former Ecton Brook Public House , Ecton Brook Road

DESCRIPTION: Partial change of use to include hot food takeaway and cafe/restaurant uses with erection of extraction flue (part retrospective)

WARD: Billing Ward

APPLICANT: Mr Patel
AGENT: Mr Amit Chhatralia

REFERRED BY: Head of Planning
REASON: Part 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 proposed development is considered acceptable in principle and would not have any undue detrimental impact on the appearance and character of the host building, wider area, highway safety or amenity of nearby occupiers to comply with Policies E20 of the Northampton Local Plan, S10 and BN9 of the West Northamptonshire Joint Core Strategy and the aims and objectives of the National Planning Policy Framework.

2. THE PROPOSAL

2.1 Planning permission is sought to convert part of the community centre into a hot food takeaway and café/ restaurant to be able to serve the public during operational hours. The proposed hours of use would be the same as the community centre, Mondays to Fridays 7:30am to 10:00pm, Saturday 9:00am to 11:00pm and Sundays from 9:00am to 10:00pm. The applicant has included a Noise Impact Assessment to support the planning application. The proposal also includes the installation of a metal extraction flue to the rear of the building. This element is retrospective.

3. SITE DESCRIPTION

3.1 The property comprises of a modern two-storey brick-built property part rendered and wooden clad and previously used as a public house. A small service yard is located to the rear

earmarked for refuse storage. The adjacent properties comprise of a variety of uses including a post office, local store, medical centre and pharmacy, all of which surround a number of shared parking areas divided by landscaping. St Andrew's Primary School is located to the north of the site. On the opposite side of Ecton Brook Road are residential properties. The site is not close to a conservation areas or listed buildings. The site is partly NBC owned land.

4. PLANNING HISTORY

- 4.1 Planning permission was granted in 2014 (N/2014/1092) to convert the building into a community centre. A recent planning application was approved in 2017 for external render, cladding front boundary wall which has been implemented.

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.

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 17 requires high quality design and consideration of neighbour amenity.
- Paragraph 32 seeks to ensure safe access for all.
- Paragraph 58 relates to security.
- Paragraph 64 urges local authorities to reject poor design.
- Paragraph 123 relate to noise.

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:

S10 Sustainable Development Principles requires high quality design.
BN9 Pollution Control relates to impact of noise.

5.4 Northampton Local Plan 1997 (Saved Policies)

Due to the age of the plan, the amount of weight that can be attributed to the aims and objectives of this document are diminished, however, the following policy is material to this application:

E20 Design of new development- requires good design in terms of materials, scale and layout.

5.5 Supplementary Planning Documents

Northamptonshire Parking Standards (September 2016)

Planning out Crime in Northamptonshire SPG (2003)

6. CONSULTATIONS/ REPRESENTATIONS

Comments received summarised as follows:

6.1 **Local Highway Authority (NCC)** - No comments.

6.2 **Environmental Health (NBC)** - No objection provided that hours of use are in line with the community centre.

6.3 **Billing Parish Council** - no comments received.

7. APPRAISAL

Principle of use

7.1 The application site is located adjacent to an existing school, convenience shop and post office and opposite an established residential estate. Given the character of the area, it is considered that the proposal would complement the locality and introduce a use that serves the local community and surrounding residential uses.

Impact on neighbouring amenity

7.3 The site is predominantly surrounded by a mix of uses, the nearest residential properties being located over 20 metres away on the opposing side of Ecton Brook Road.

7.4 In order to control impact on neighbouring uses, a condition is proposed to control hours of use to Monday to Friday 7:30am to 10:00pm, Saturday 9:00am to 11:00pm and Sunday/Bank/Public Holidays 9:00am to 10:00pm. These are in line with those approved for the community centre. The Council's Environmental Health Officers raise no objection in terms of noise and odours and are satisfied that the above condition is agreed on any grant of planning permission. Although the use is likely to generate additional comings and goings, it is considered that the neighbour impact would be acceptable given existing separation. This complies with Policy BN9 of the Joint Core Strategy and Paragraph 17 of the NPPF in terms of noise and amenity.

Impact on appearance and character of host building and wider area

7.5 The extraction flue is sited at the rear of the building. Although it is visible from Ecton Brook Road, it is considered that it is not overly prominent and is of a design and appearance in keeping with the host building. The effect on the street scene would also be reasonably limited. This accords with Policy E20 of the Northampton Local Plan and S10 of the Joint Core Strategy.

Parking and Highway safety

7.6 Although the site does not benefit from its own car park, there is a reasonable sized parking area adjacent that can accommodate approximately 40 cars off road. This car park is open 24 hours and available for use by the local community free of charge. The Local Highway Authority raise no objections. This complies with Paragraph 32 of the NPPF which seeks to ensure safe access for all.

8. CONCLUSION

8.1 The proposed uses are considered acceptable and would assist in securing the ongoing use of the building for community purposes. It is also considered that there would unlikely to be any

undue detrimental impact on highway safety, visual amenity and the living conditions of other properties.

9. CONDITIONS

1) The development hereby permitted shall be carried out in accordance with the following approved plans: S1, S2, 01A, 02A, 03, 04, 05A, 06A, 07, 08.

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

2) The takeaway use hereby permitted shall be open only between the hours of 7:30am and 10:00pm Mondays and Fridays, on Saturdays from 9:00am to 11:00pm and on Sundays and Bank or Public Holidays from 9:00am to 10:00pm and at no other times.

Reason: In the interests of the amenities of the occupiers of nearby properties in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

3) The refuse storage area shall be implemented in accordance with the location shown on the approved drawing S2 prior to the use hereby permitted commencing and be retained as such throughout the lifetime of the development.

Reason: In the interests of residential amenity to comply with the aims and objectives of the National Planning Policy Framework.

10. BACKGROUND PAPERS

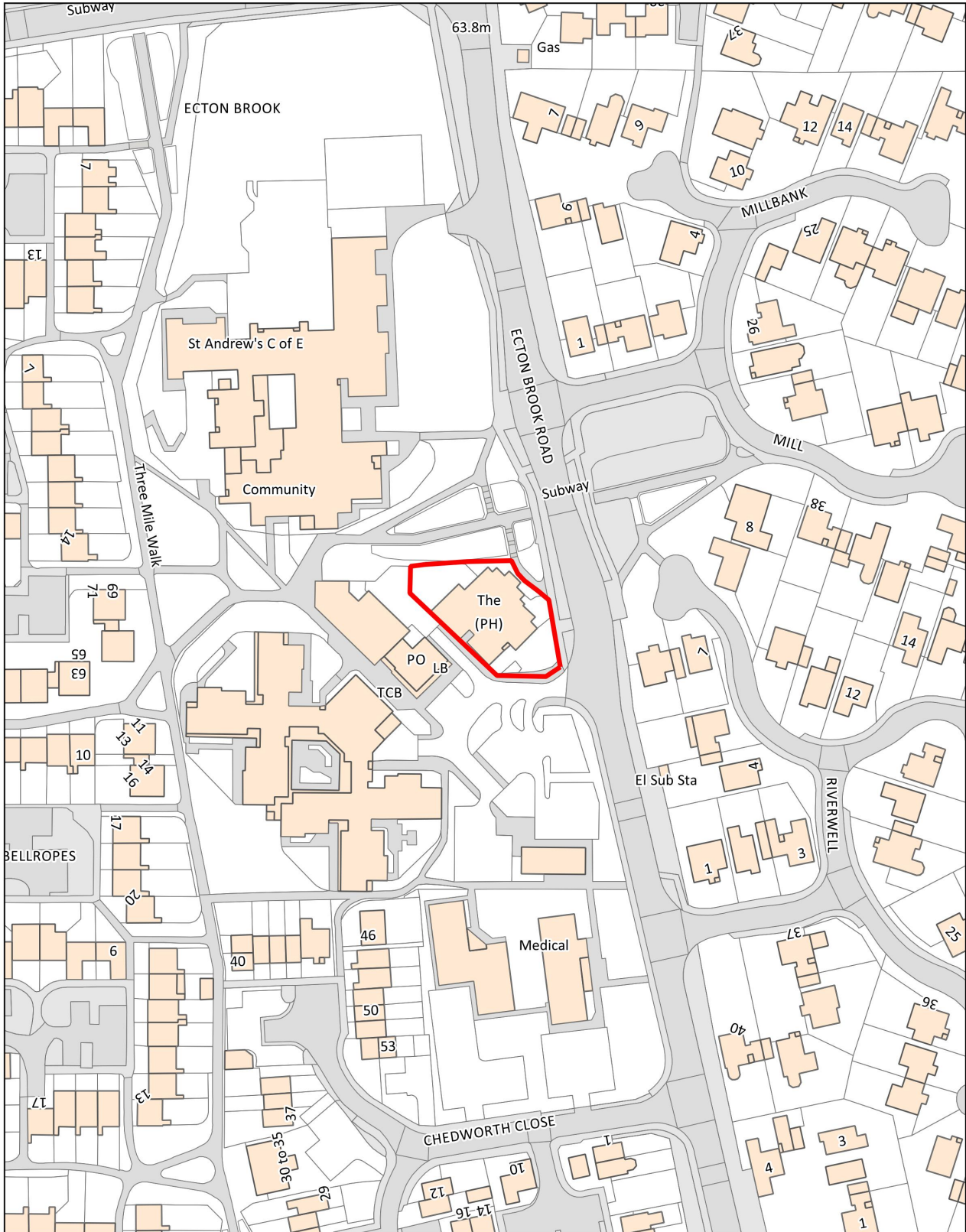
10.1 N/2017/1220.

11. LEGAL IMPLICATIONS

11.1 The development is not CIL chargeable.

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: **Ecton Brook Public House**

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Date: 05-12-2017

Scale: 1:1,250

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