

**PLANNING COMMITTEE:** 18<sup>th</sup> December 2018  
**DEPARTMENT:** Planning Service  
**HEAD OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2018/1467

**LOCATION:** 16 Park Square

**DESCRIPTION:** Change of Use of Unit from Sure Start centre to Community Cafe (Use Class A3), including the installation of a catering kitchen

**WARD:** Kings Heath Ward

**APPLICANT:** Northampton Partnership Homes  
**AGENT:** N/A

**REFERRED BY:** Head of Planning  
**REASON:** Council owned land

**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 proposed change of use would have no adverse impact on the vitality and viability of the local shopping centre or on the amenities of adjoining residents and would provide enhanced facilities for the local community. The proposal thereby accords with Policies S10 and BN9 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

#### **2 THE PROPOSAL**

2.1 The proposal entails the change of use of an existing Sure Start Centre which provides community education, to a Community Café which would provide light refreshments only. No external alteration is proposed.

#### **3 SITE DESCRIPTION**

3.1 The application site comprises a ground floor commercial unit which is in use as an education centre. This is located within the Kings Heath shopping centre.

3.2 There are existing residential flats above the shop units.

## **4 PLANNING HISTORY**

- 4.1 N/2002/0837 - Change Of Use From Retail Shop To Parents Information Centre – Approved 07/08/02.

## **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 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 section is of particular relevance to this application:

Section 8 – Promoting Healthy and Safe Communities

### **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 S10 – Sustainable Development Principles  
Policy BN9 – Planning for Pollution Control

### **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:

R9 - Districts and local centres: change of use from shops

### **5.5 Supplementary Planning Documents**

Northamptonshire Parking Standards (September 2016)  
Planning out Crime in Northamptonshire SPG 2004

## **6 CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **Environmental Health** – No objections subject to conditions requiring details of any external air handling plant and requiring grease filtering, and conditions restricting delivery and opening times.
- 6.2 **Local Highway Authority** – No comments received, any comments will be reported to Committee by means of the addendum.

## **7 APPRAISAL**

- 7.1 The issues to consider relate to the impact on the vitality and viability of the local shopping centre and on the amenities of adjoining and nearby residential occupiers.
- 7.2 The shop unit in question is currently used as an education and information centre, following approval of this use in 2002. The unit is therefore not in a retail use and therefore there is no loss of retail floorspace as a result of the proposal.
- 7.3 The remainder of the shopping centre has a range of shops including a large convenience store, pharmacy, hairdresser, specialist food shop. It is considered that the introduction of a community café would enhance the mix of units in this small centre and would provide enhanced community facilities.
- 7.4 In respect of the impact on adjoining occupiers, the proposal is for a café only, providing light snacks, baked potatoes etc. There would therefore be no significant impact in terms of odours and it has been confirmed that there is no proposal for any external air handling equipment.
- 7.5 In respect of parking demand, there is no specific parking for this unit or indeed the local centre overall. In this respect, it is not considered that the proposed use would result in any greater demand for parking than the existing use and would generally serve those from the local area. Given the isolated location of the centre, it is not considered that there would be significant passing trade. Comments from the Local Highway Authority have not been received at the time of writing this report and any received will be reported to Committee by means of the addendum.
- 7.6 There are residential flats above the application premises. However, it is not considered that the proposed use would create unacceptable noise and disturbance that would adversely affect the amenity of the residents, subject to a planning condition restricting the opening hours of the unit.

## **8 CONCLUSION**

- 8.1 The proposed change of use would have no adverse impact on the character of the shopping centre or on the amenities of adjoining and nearby residential occupiers and would provide improved facilities for the local community.

## **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: PL-KH 16-002.

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

(3) The premises shall only be open to customers between the hours of 08:00 to 22:00 on Mondays to Saturdays and between the hours of 10:00 to 14:00 on Sundays and Bank or Public Holidays and at no other time.

Reason: In the interests of the protection of residential amenities in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

(4) Deliveries shall be made to the site only between the hours of 07:30 to 22:00 on Mondays to Saturdays and at no other time.

Reason: In the interests of the protection of residential amenities in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

(5) Prior to the premises being brought into use for the purpose hereby permitted, details of means to prevent grease, fat and food debris from entering the foul drainage system serving the premises shall be submitted to the Local Planning Authority for prior approval. The approved scheme shall be installed prior to the premises opening and shall thereafter be maintained in accordance with the approved details.

Reason: In the interests of the protection of the environment in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

## **10 BACKGROUND PAPERS**

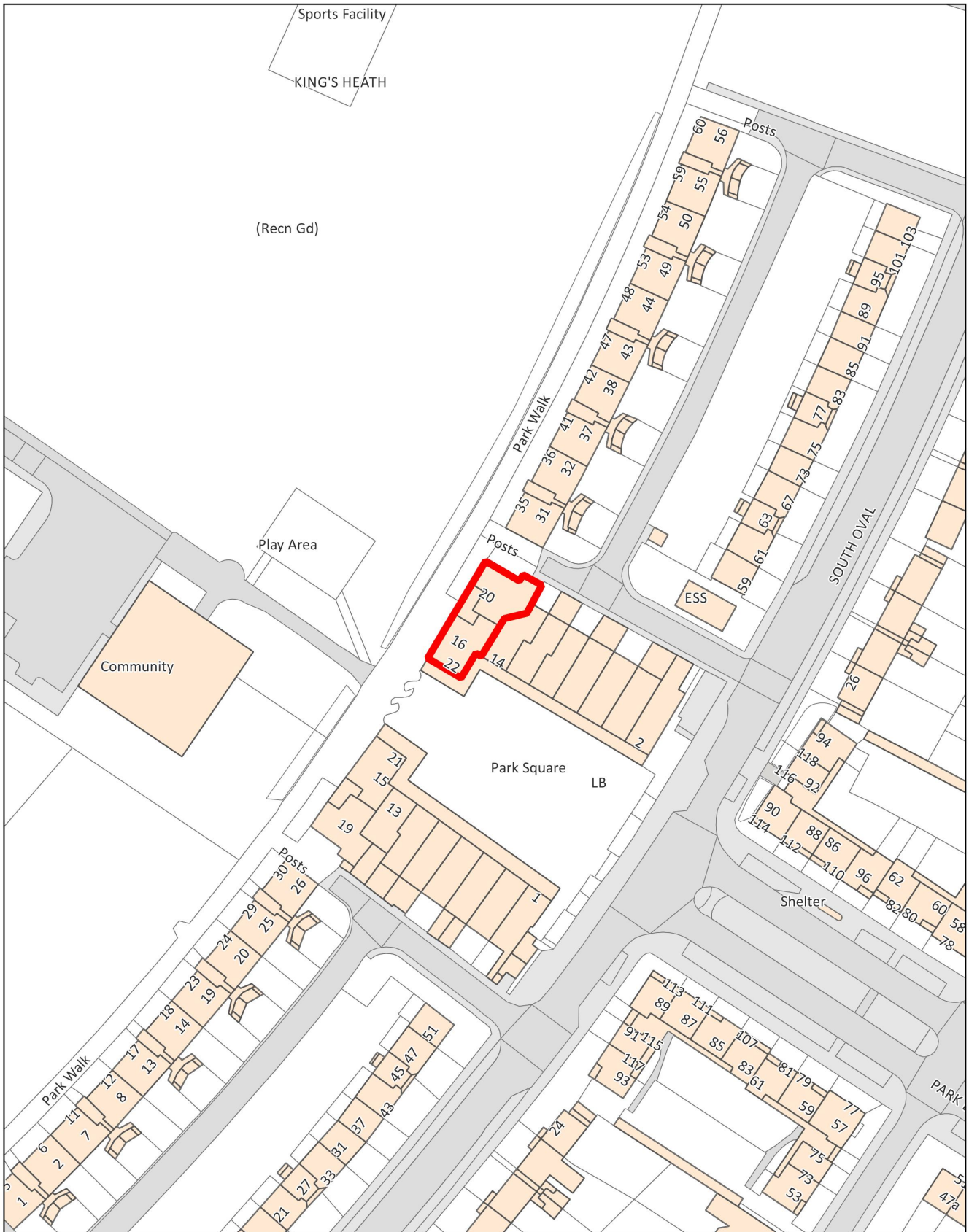
10.1 Application file N/2018/1467.

## **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: **16 Park Square**

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Date: 04-12-2018

Scale: 1:1,000

Drawn by: MJ