



**NORTHAMPTON**  
**BOROUGH COUNCIL**  
Planning Committee

**PLANNING COMMITTEE:** 26 June 2012  
**DIRECTORATE:** Planning and Regeneration  
**HEAD OF PLANNING:** Susan Bridge

**N/2012/0438**                      **Change of use from Local Community Room  
to Spa Facility at Riverside Community  
Centre, 7 Cattlemarket Road**

**WARD:** Castle

**APPLICANT:** Ian Greaves  
**AGENT:** None

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

**DEPARTURE:** No

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**APPLICATION FOR DETERMINATION:**

**1. RECOMMENDATION**

1.1 **APPROVAL** subject to condition and for the following reason:

The proposal would not harm the character and appearance of the area and by reason of its location, would not lead to any adverse impacts on nearby commercial or residential premises. The proposal therefore complies with saved Policies E19 and E20 of the Northampton Local Plan.

**2. THE PROPOSAL**

2.1 The building is currently vacant. Its last authorised use was for a community meeting room (use class D1 – Non-Residential Institution). The proposal is to change the use of the building for use as a spa facility (use class D2 – Assembly and Leisure). The facility would be operated for members only. The hours of opening will be 9.00 – 22.00 Monday to Friday and 10.00 – 22.30 at weekends and bank holidays.

### **3. SITE DESCRIPTION**

- 3.1 The site is located on the east side of Cattlemarket Road and consists of a single storey building which originally formed one of the Cattlemarket buildings. North, east and south of the site are residential properties and to the west, on the opposite side of Cattlemarket Road, are commercial properties and a derelict site.
- 3.2 The site is allocated in the Northampton Local Plan as falling within the Central Area and within the Draft Northampton Central Area Action Plan as falling within Character Area 8 (Brewery District).

### **4. PLANNING HISTORY**

- 4.1 N/2001/0322 – Change of use from retail (Class A1) to Local Community Meeting Room – Approved with condition.

### **5. PLANNING POLICY**

#### **5.1 Development Plan**

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 current Development Plan comprises of the East Midlands Regional Plan, the saved policies of the Northamptonshire County Structure Plan and Northampton Local Plan 1997.

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

National Planning Policy Framework

#### **5.3 Northampton Borough Local Plan**

E20 – New Development

E19 – Implementing Development

#### **5.4 Supplementary Planning Guidance**

Northamptonshire County Parking Standards SPG 2003

Planning out Crime in Northamptonshire SPG 2004

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

- 6.1 **NBC Access Officer** - No comments received.
- 6.2 **NBC Public Protection** – suggests conditions be applied to any consent to control noise and hours be restricted to those on the application form.
- 6.3 **NCC Highways** – no objections in principle but make the following comments:
- i) Ideally the proposal requires 3 parking spaces but realistically there is only space for 1 vehicle

- ii) Ask where the customers are going to park and where the business will signpost them to?

6.4 **Neighbouring properties** – One letter received from adjacent resident objects for the following reasons:

- i) This is a family housing estate and we do not want children subjected to this type of facility
- ii) Do not want the door on Cattlemarket Road to be used. There is no parking and I do not want men wandering into my garden
- iii) I do not want the windows opening onto my garden as I have dogs and they will bark.

6.5 It should be noted that despite its proximity to the river the **Environment Agency** did not require consulting as the change of use would not result in a higher vulnerability than the current authorised use.

## 7. APPRAISAL

7.1 The National Planning Policy Framework (NPPF) aims to promote healthy communities and deliver community needs (social, recreational and cultural) by planning for sustainable communities with shops, meeting places, sports venues and so on.

7.2 In the Northampton Local Plan the site is designated as falling within the Central Area. The site originally fell within the Cattlemarket Site where residential, leisure or retail development were encouraged however Policy D24 of the Local Plan, which related to the Cattlemarket, is not a saved policy and is therefore no longer applicable.

7.3 The Draft Northampton Central Area Action Plan identifies the site as falling within Character Area 8 (Brewery District) where new development should promote the District as a place to work, live and visit, which is well linked to and complements the overall offer within the town centre boundary.

7.4 Whilst the application site falls within the Central Area in both the Local Plan and the Draft Northampton Central Area Action Plan it does not fall within the Town Centre boundary. In these areas outside of the Town Centre Boundary efficient use of land is encouraged by a mix of land uses in order to increase the vitality and vibrancy of an area and offer a wider range of choice for users. It is considered that the proposal would comply with these aims and the wider aim for encouraging sustainable communities.

7.5 With regard to the impact on amenities, the premises are located close to residential properties and the impact of noise and disturbance needs to be considered. The premises are relatively small (floor area 97 square metres) and it is proposed that 2 full-time and 2 part-time

employees would work there. There would be a reception lounge, changing area, WCs, kitchen, spa studio and treatment room. It is considered that the restricted size of the premises would limit the number of customers attending the facility at any one time and in any event it is not considered that the proposed use will attract significantly more people to the premises than its last use as a community centre. Whilst parking at the site is restricted, as it is located within the Central Area within walking distance of car parks and public transport facilities.

- 7.6 Whilst it is not considered that the proposed use will be any more detrimental to surrounding residential properties than the previous use, conditions regarding noise and opening hours are recommended to protect the amenities of neighbouring residential occupiers as was the case with the previous permission for use as a community facility.

## **8. CONCLUSION**

- 8.1 It is considered that the principle of changing this site to a spa is acceptable due to its allocation in the Local Plan and its location in the Central Area within walking distance of public car parks and public transport routes. It is not considered that the proposal will unduly impact on surrounding residential amenity and can be permitted subject to conditions.

## **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 premises shall only operate between the hours of 09:00 and 22:00 Monday to Friday and 10:00 and 22:30 on Saturdays, Sundays and Bank Holidays.

Reason: To protect the amenities of neighbouring residents in accordance with Policy E20 of the Northampton Local Plan.

3. The windows on the southern elevation shall be obscure glazed and non-opening, in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to the use commencing.

Reason: To protect the amenities of adjacent residents in accordance with Policy E20 of the Northampton Local Plan.

4. Before the development hereby permitted commences a scheme which specifies the sources of noise on site, whether from fixed plant or equipment and measures for its control shall be submitted to and agreed in writing with the Local Planning Authority.

Reason: To protect the amenities of neighbouring residents in accordance with Policy E20 of the Northampton Local Plan.

5. Deliveries to or collection from the premises shall not take place outside of the specified opening hours.

Reason: To protect the amenities of neighbouring residents in accordance with Policy E20 of the Northampton Local Plan.

6. Full details of the facilities for the secure parking of bicycles shall be submitted to and approved in writing by the Local Planning Authority before the development hereby approved is commenced, provided prior to the use commencing and thereafter maintained.

Reason: To ensure adequate facilities are provided in accordance with Policy E20 of the Northampton Local Plan.

7. The premises shall be used of a spa and for no other purpose (including any other purpose in Class D2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: For the avoidance of, doubt, in order to define the permission and to allow the local planning authority opportunity to assess the impact of an alternative use within the same use class of the property in the interests of residential and general amenity in accordance with saved Policy E20 of the Northampton Local Plan and NPPF.

## **10. BACKGROUND PAPERS**

10.1 N/2001/0322 and N/2012/0438.

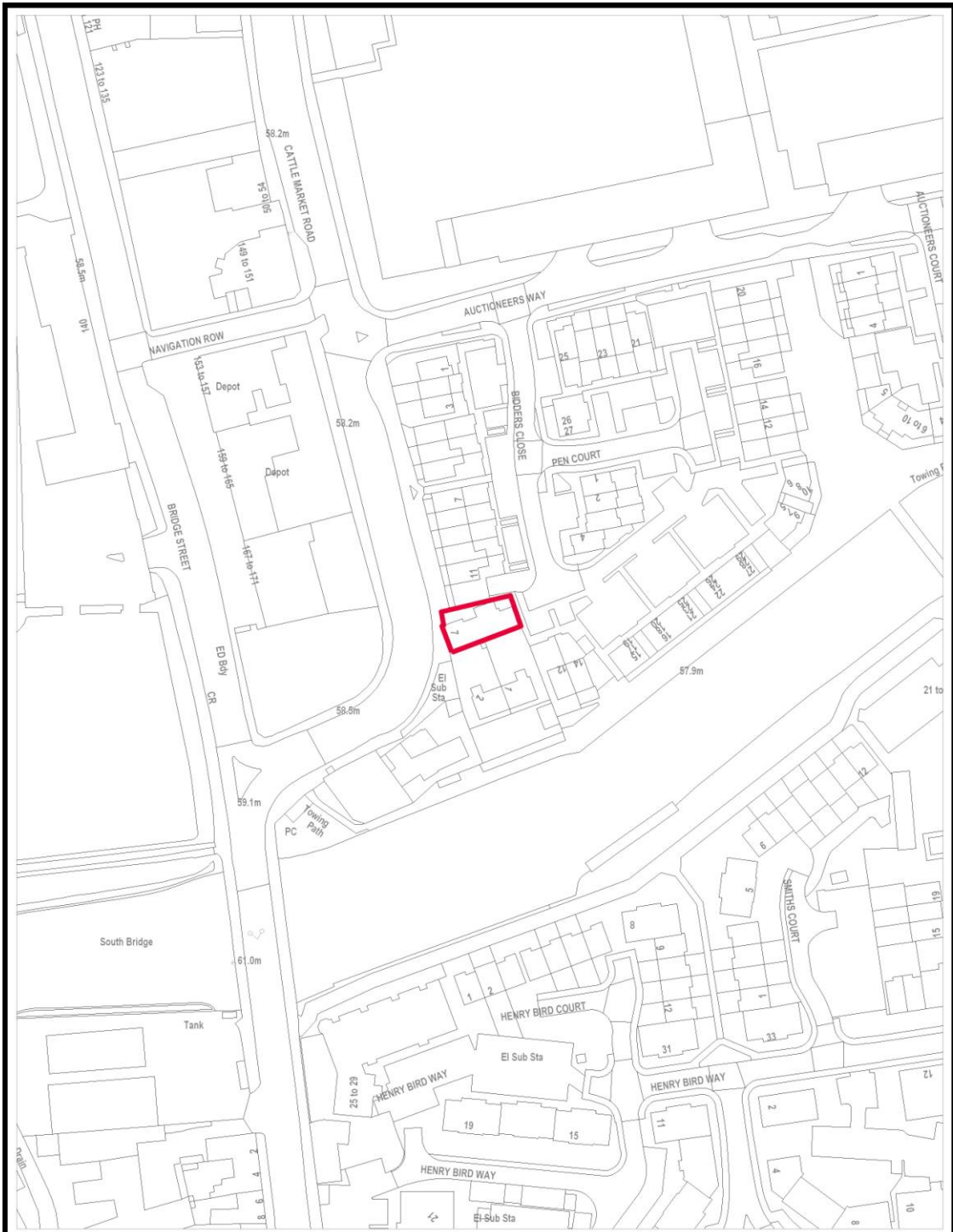
## **11. LEGAL IMPLICATIONS**

11.1 None.

## **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.

<b>Position:</b>	<b>Name/Signature:</b>	<b>Date:</b>
<b>Author:</b>	Rowena Simpson	07/06/2012
<b>Development Control Manager Agreed:</b>	Gareth Jones	13/06/2012



Name: SW  
 Date: 14th June 2012  
 Scale: 1:1250  
 Dept: Planning  
 Project: Site Location Plan

**Title**  
**Riverside Community Centre, 7 Cattle Market Road**

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