



**PLANNING COMMITTEE:** 11<sup>th</sup> February 2014  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**HEAD OF PLANNING:** Susan Bridge

**N/2013/1304:** Change of use of part of car park to hand car wash (Sui Generis) to include the installation of a storage container and canopy. Re-submission of planning application N/2013/1099 at Commercial Street Car Park, Commercial Street

**WARD:** Castle

**APPLICANT:** Mr. Ben Lleshi  
**AGENT:** Dr. Richard Post

**REFERRED BY:** Head of Planning  
**REASON:** Land owned by the Borough Council

**DEPARTURE:** NO

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**APPLICATION FOR DETERMINATION:**

**1. RECOMMENDATION**

1.1 **APPROVAL** for the following reason:

1.2 The proposed development is considered acceptable as a temporary expedient and would not prejudice the future comprehensive redevelopment of the wider site and would allow the Local Planning Authority to monitor the impact on highway safety in compliance with Policy 1 of the Central Area Action Plan and the guidance contained within the National Planning Policy Framework.

**2. THE PROPOSAL**

2.1 The proposals are for the change of use of a small area of the existing Commercial Street surface car park (totalling 70 sq. m) to a hand car wash operation together with the installation of a storage container

(measuring 2m x 5m in footprint and 2m in height) and a canopy (measuring 5m x 7m in footprint and 2m in height).

- 2.2 The proposals represent a resubmission of application N/2013/1099, which was for the same facility but located in a different position adjacent to St. Peters Way at the southern edge of the car park. This drew concerns as regards to visual prominence of the facility and the application was subsequently withdrawn.

### **3. SITE DESCRIPTION**

- 3.1 The scheme relates to a small area of a surface car park owned by Northampton Borough Council. The car park is bound by St. Peters Way, which curves the south western side of the site. Commercial Street runs from St. Peters Way and provides an access into the car park.

- 3.2 The scheme would take up 6no. existing car parking spaces located a minimum of 15m from the south-western boundary of the car park. A storage container would occupy 1no. of these spaces whilst a canopy would be sited to provide cover to 3no. of the spaces (including to the storage container).

### **4. PLANNING HISTORY**

- 4.1 N/2013/1099 Change of use of part of car park to hand car wash (Sui Generis) to include the installation of a storage container and canopy (application withdrawn).

### **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 saved policies of the Northampton Local Plan and the Central Area Action Plan.

#### **5.2 National Policies**

National Planning Policy Framework (NPPF)

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

E20 – New Development

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

Policy 1: Promoting Design Excellence

## 6. CONSULTATIONS/ REPRESENTATIONS

- 6.1 **Environment Agency:** The proposals have relatively low environmental risk. No further comments.
- 6.2 **NBC Arboriculture:** The latest proposals to locate the container on the existing parking surface are acceptable as is the location for the canopy. It is unlikely that any facilitation pruning will be required, but if it is, it should be undertaken in line with appropriate British Standards.
- 6.3 **NBC Public Protection:** No objection to the proposals. The applicant intends to connect drainage to the storm sewer, this is not acceptable. Effluent can only be discharged to a foul water sewer with the consent of Anglian Water. It needs to be demonstrated that such consent can be obtained.
- 6.4 **Anglian Water:** No comments received.
- 6.5 **Local Highway Authority:** No observations.
- 6.6 In addition a site notice was erected adjacent to the site, no responses were received.

## 7. APPRAISAL

### Principle

- 7.1 The application site and the wider car park are located within the town's Enterprise Zone and are therefore anticipated to come forward for comprehensive redevelopment in the future.
- 7.2 In light of this Enterprise Zone status, it is expected that the site will perform an important regenerative role for the town in the forthcoming years. It is therefore important to ensure that any piecemeal development of the site is guarded against in the interests of safeguarding the development opportunity of the wider area. It is felt that any consent for the change of use from car parking to a hand car wash should only be limited to a temporary time period.

### Design & Visual Impact

- 7.3 The scheme involves the installation of a storage container and a canopy. They will be sited at least 15m from St. Peters Way, which is an important vehicular gateway link to the town centre. The siting away from the boundary would reduce visual prominence when viewed from St. Peters Way. However, as these installations are of a temporary nature, any permission should therefore be restricted to a temporary period of one year only. This would also safeguard the long-term redevelopment opportunities of the site.

- 7.4 The Local Highway Authority has submitted no observations upon the scheme. Only 6no. car parking spaces would be lost. Separate visits to the site during both morning and afternoon hours have indicated that the southern side of the car park is not operating at full capacity. The car wash would be sensibly located in the context of where the accesses to the car park are located, i.e. queuing vehicles would not impede access into the site given the distances involved. To grant a temporary planning permission would also allow the Council to monitor the effects of the scheme upon the circulation of the wider car park.

#### Residential Amenity

- 7.5 The site is not located within close proximity to any residential or noise-sensitive uses, there are no concerns in a noise context, particularly given the immediate presence of a busy dual-carriageway adjacent to the site.

#### Drainage

- 7.6 The applicant has confirmed in their submission that all end products from the proposed use are non-toxic and are permitted to drain to the storm sewer that is located on site. Correspondence from Anglian Water has been submitted by the applicant, which confirms in principle that Anglian Water has no objection to a connection being made to the foul sewer (subject to a formal application being made to Anglian Water under Section 106 of the Water Industry Act). The Environment Agency has confirmed that the proposals have relatively low environmental risk. An informative will be added to any permission to advise the applicant to seek permission from Anglian Water.

#### Tree protection

- 7.9 The site is positioned adjacent to 2no. mature trees, which are located next to where the canopy and container are proposed to be installed. The Council's Tree Officer has stated that the location for the container and canopy are acceptable. An informative should be added to any permission to ensure that any minor pruning works required are completed in accordance with the appropriate British Standard.

### **8. CONCLUSION**

- 8.1 The proposed development would be acceptable as a temporary expedient. It would not prejudice the future comprehensive redevelopment of the wider site and would not cause undue impact on highway safety in compliance with Policy 1 of the Central Area Action Plan and the guidance contained within the National Planning Policy Framework.

## **9. CONDITIONS**

1. The use hereby permitted shall be discontinued and the storage container and canopy shall be removed and the land restored to its former condition on or before the date of one year forward of the date of this permission.

Reason: So as not to prejudice the future comprehensive redevelopment of the wider site and in the interests of amenity as the Local Planning Authority consider the use is only acceptable as a temporary expedient in accordance with Policy 1 of the Northampton Central Area Action Plan and the guidance contained within the National Planning Policy Framework.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan & Site Plan (17004-L02 Rev A).

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

3. The proposed storage container and the canopy hereby permitted shall have a grey colour finish as confirmed in the applicant's agent e-mail dated 28<sup>th</sup> January 2014.

Reason: In the interest of visual amenity in accordance with the National Planning Policy Framework.

## **INFORMATIVES FOR APPLICANT**

(1) Any tree pruning required to accommodate the canopy on site should be kept to a minimum and should be undertaken in line with 'British Standard BS3998:2010 Tree work – Recommendations'.

(2) Consent is required from Anglian Water under Section 106 of the Water Industry Act to connect to the foul sewer.

## **10. BACKGROUND PAPERS**

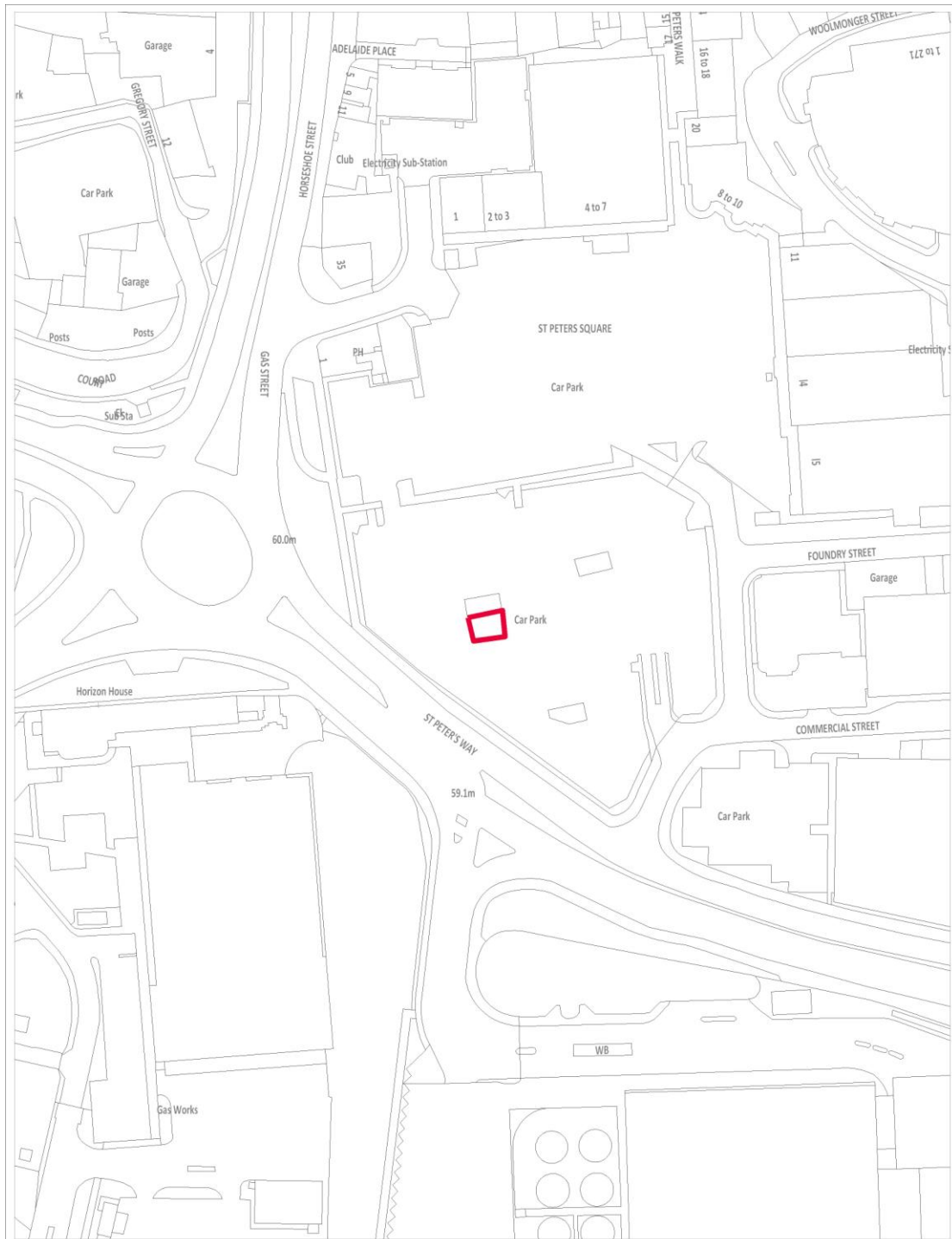
- 10.1 N/2013/1099 & N/2013/1304

## **11. LEGAL IMPLICATIONS**

- 11.1 None for the Council as Local Planning Authority.

## **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.



Name: Planning  
 Date: 27th January 2014  
 Scale: 1:1250  
 Dept: Planning  
 Project: Committee

Title

## NBC Surface Car Park

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