



NORTHAMPTON
BOROUGH COUNCIL
Planning Committee

PLANNING COMMITTEE: 29th October 2014
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

N/2014/1000: Single storey side extension to café at Cafe Facility Radlands Skate Park, Bedford Road

WARD: Rushmills

APPLICANT: Northampton Borough Council

REFERRED BY: Director of Regeneration, Enterprise and Planning

REASON: Council owned property

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 APPROVAL subject to conditions and for the following reason:

The proposal would represent an improvement in leisure facilities which would serve the Borough as a whole and which would not have any detrimental impact on the existing open space or on the amenities of adjoining occupiers. The proposal thereby complies with Policies E20, E40, L1 and L16 of the Northampton Local Plan and the National Planning Policy Framework.

2. THE PROPOSAL

2.1 The proposal is for a single storey extension to the existing café. This would add 39m² of floorspace to the existing 45m² of the existing cafe.

3. SITE DESCRIPTION

3.1 The application relates to the café at the skatepark south of Bedford Road within Midsummer Meadow.

4. PLANNING HISTORY

4.1 The skatepark was approved by the Planning Committee in April 2012

under application reference N/2012/0170.

- 4.2 The café was subsequently erected using the Council's permitted development rights, which was possible due to its limited size.

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.

5.2 National Policies - National Planning Policy Framework (NPPF)

The NPPF states at paragraph 70 that planning policies and decisions should plan positively for the provision and use of shared space, community facilities and other local services to enhance the sustainability of communities.

5.3 Northampton Local Plan

Policy E20 "New Development" states that the design of any new building or extension should adequately reflect the character of its surroundings in terms of layout, siting, form, scale and use of appropriate materials and that development should be designed, located and used in a manner which ensures adequate standards of privacy, daylight and sunlight.

Policy E40 states that planning permission will not be granted for development unless its design, Layout and landscaping pay adequate regard to the need to deter crime and vandalism.

Policy L1 states that planning permission will not be granted for development which would result in the loss of open space of established amenity/landscape value unless the development secures the majority of the site as a facility for sport and recreation.

Policy L16 states that within the river valley policy area planning permission will not be granted for development other than agriculture, leisure or recreational uses.

5.4 Other Material Considerations - Submitted West Northamptonshire Joint Core Strategy.

Weight can be given to the West Northamptonshire Joint Core Strategy (JCS), this would be significant where a policy has received few representations and unresolved objections are not considered likely to have a significant bearing on the strategy of the Plan. The JCS provides an up to date evidence base and considers the current

Government requirements for plan making, being prepared in full conformity with the NPPF.

The Inspector's report on the examination into the JCS was published on 7th October 2014. The Inspector concluded that the main modifications made to the report (which were subject to public consultation and submitted in January 2014) satisfy the requirements of Section 20(5) of the Planning and Compulsory Purchase Act 2004 and meet the criteria for soundness in the NPPF.

Policy E7 states that tourism, visitor and cultural development proposals will be supported where they contribute to the achievement of regeneration aims and objectives, strengthen the overall tourism offer, benefit local communities and businesses; and development is of a use, form and scale which does not harm the quality of the natural or built environment.

6. CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **Canal and River Trust** – no observations.
- 6.2 **Environment Agency** – no comment to make.
- 6.3 **Environmental Health** – No objections or conditions to add to any decision documents.
- 6.4 **Police Crime Prevention Design Adviser** – There has been very little crime or disorder reported from the Skate Park in the last 12 months and no crime reported from this café facility. The extension is unlikely to increase crime and disorder in the area and due to its height the extension will not restrict the view of The Ark restaurant from the NBC CCTV camera. As some damage has been done to the existing shutters on the café would recommend that the shutters fitted to protect the new windows are tested and certificated Secured by Design accredited products.
- 6.5 The application was advertised by site notice and press notice. Objections have been received from the operator of the nearby **boat restaurant** which may be summarised as follows:
 - Would obscure vision to the security barrier which would cause problems for receiving deliveries.
 - Would have a negative impact on trade as customers would not be able to see the skatepark.
 - Would be unfair competition.

7. APPRAISAL

- 7.1 The main issues to consider are the impact on visual amenity, the amenity value of the existing open space and any impacts resulting from increased use of the café facility.
- 7.2 The proposed extension to the café would be of similar appearance to the existing café, it is considered that the appearance of the building as extended would be acceptable and no adverse visual impact would result from the enlargement. Whilst this would increase the built form in this area of the park, when viewed in the context of the park as a whole this would be in keeping with the character of the existing building and the locality.
- 7.3 The extension proposed is required to provide additional seating for customers of the café, which are drawn from skatepark users but also other park visitors. There is reportedly demand for this and it is considered that this provision would provide a useful public service and would add to the amenity value of the park.
- 7.4 The existing café is located near to the new boat restaurant. However, due to the small scale of the extension it is not considered that the proposed development would cause undue impact on the restaurant.
- 7.5 An objection has been received from the operators of the boat restaurant on the grounds that the extension would obscure their view of the delivery barrier, and would obscure the view of their customers of the skatepark and would therefore represent unfair competition. In respect of the view to the security barrier and skatepark, it is considered that this has a limited impact, and in any event the loss of a view does not represent a material planning consideration. Similarly, the objection on the grounds of the loss of trade cannot be taken into account in the determination of a planning application.
- 7.6 The site is located within the floodzone, however this is classified as “water compatible” development under Environment Agency guidance and it can be noted that the scale of the development is such that the Environment Agency do not wish to comment.
- 7.7 Comments from the Police Crime Prevention Design Adviser indicate that there has been little crime in the area but recommend shutters are of secured by design standard, and a condition to this effect is proposed.
- 7.8 In conclusion it is considered that the proposal represents an appropriate enlargement of an existing facility which would provide a service which would enhance the leisure function of the area and that this is compliant with the aims and objectives of the policies as set out above.

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: 001, 6190/02/D

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

(3) The external walls and roof of the extension shall be constructed with materials of the same type, texture and colour as the external walls and roof of the existing building as specified in the application.

Reason: In the interests of visual amenity to ensure that the extension harmonises with the existing building in accordance with Policy E20 of the Northampton Local Plan.

(4) Prior to the commencement of any development, full details of the security measures to be incorporated into the development shall be submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented and completed fully in accordance with the approved details prior to the occupation of the development hereby permitted and maintained thereafter.

Reason: In the interests of security and the prevention of crime, in accordance with Policy E40 of the Northampton Local Plan.

10. BACKGROUND PAPERS

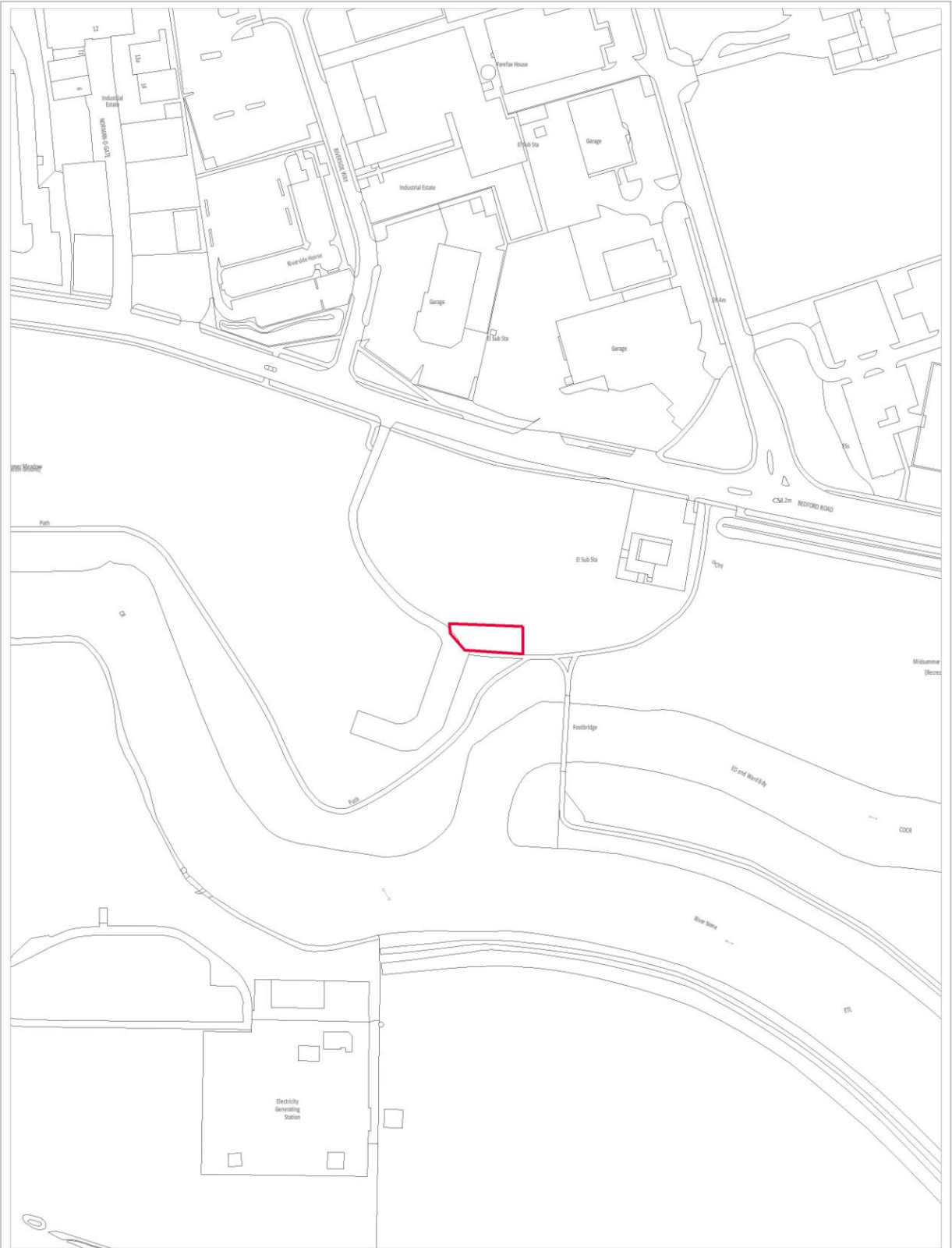
10.1 Application File N/2014/1000.

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.



Name: Location Plan
 Date: 8th October 2014
 Scale: 1:2250
 Dept: Planning
 Project: Planning Committee

Title
Cafe Facility, Radlands Skate Park, Bedford Road

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