



**PLANNING COMMITTEE:** 19<sup>th</sup> November 2014  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**DIRECTOR:** Steven Boyes

**N/2014/1092:** Change of use from Public House (Use Class A3) to Community Centre (Use Class D1) at The Ecton Brook Public House, Ecton Brook Road, Northampton

**WARD:** Billing

**APPLICANT:** Northampton Borough Council  
**AGENT:** n/a

**REFERRED BY:** Director of Regeneration, Enterprise and Planning

**REASON:** The Council is the applicant and owns the property

**DEPARTURE:** No

---

**APPLICATION FOR DETERMINATION BY:**

**1. RECOMMENDATION**

1.1 **APPROVAL** subject to the conditions as set out below and for the following reason:

The proposal would provide improved community facilities within the area and would not lead to any significant adverse impact on nearby residential amenity or existing highway conditions in accordance with the requirements of Policies N1, RC1 & RC2 of the submitted West Northamptonshire Joint Core Strategy and the aims and objectives of the National Planning Policy Framework.

## **2. THE PROPOSAL**

- 2.1 The application proposes a change of use from a public house to use as a community centre. No external alterations are proposed.

## **3. SITE DESCRIPTION**

- 3.1 The property comprises of a disused public house, situated at the entrance to the Local Centre, which is a two-storey brick-built property with a ground floor area of 350.21 sq m and first floor area of 88.54 sq m. A small service yard is located to the rear. The adjacent properties comprise of a variety of Local Centre uses including a post office, local store, medical centre and pharmacy all of which surround a number of shared parking areas divided by landscaping. Ecton Brook House, a care home for the elderly is located to the south west. St Andrew's Primary School is located to the north of the site. On the opposite side of Ecton Brook Road and beyond the Local Centre are residential properties.

## **4. PLANNING HISTORY**

- 4.1 There is no relevant planning history.

## **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 Development Plan for the purposes of this application comprises the Northampton Local Plan 1997 saved policies and whilst not yet adopted, weight can be attributed to the Submitted West Northamptonshire Joint Core Strategy (as subsequently modified).

### **5.2 National Policies - National Planning Policy Framework (NPPF)**

The NPPF at paragraph 17 seeks to ensure that sufficient community and cultural facilities and services are delivered to meet local needs.

Paragraph 70 advises that planning decisions should plan positively for the provision of shared space and community facilities, including public houses, and guard against the loss of such facilities where this would reduce the community's ability to meet its day-to-day needs.

### 5.3 **Northampton Borough Local Plan 1997 (Saved Policies)**

Policy E40 of the Local Plan seeks to ensure that new development pays regard to the need to deter crime and vandalism through design, layout and landscaping.

### 5.4 **Supplementary Planning Documents**

Northamptonshire County Parking Standards SPG 2003

Planning out Crime in Northamptonshire SPG 2004

### 5.6 **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 as it has been prepared in full conformity with the NPPF.

The Inspector's report on the examination into the JCS was published on 7<sup>th</sup> 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 N1 of the submitted JCS recognises the importance of addressing factors of deprivation within a number of Northampton's communities including those within Northampton East.

Policy RC1 seeks to deliver community regeneration to improve services, community facilities and infrastructure.

Policy RC2 seeks to allow for the loss of existing community facilities where the proposal will bring about significant community benefits that outweigh the loss of the facility.

## 6. **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **Environmental Health** - no objection subject to the submission of a scheme that specifies internal and external sources of noise on site and the provisions to be made for its control prior to occupation and a condition to limit the hours of use.
- 6.2 **NCC Highway Authority** - no comment.
- 6.3 **Police Crime Prevention Design Advisor** - no objections.
- 6.4 **Councillor Malpas** - supports the proposal as local people have often asked for community facilities in Ecton Brook and complained about the run-down state of the pub site.
- 6.5 A site notice was posted at the site and letters sent to neighbouring occupiers. No comments have been received however the consultation period has not expired at the time of writing this report. Any comments received will be reported to Committee on the addendum to this agenda.

## 7. APPRAISAL

### Principle of Use

- 7.1 The application site is located within Ecton Brook which is situated within the east of Northampton's administrative area. Policy N1 of the JCS recognises the importance of addressing factors of deprivation within a number of Northampton's communities including those within Northampton East.
- 7.2 The former Ecton Brook Public House has been vacant for at least 3 years. The submitted details advise that the previous tenant went into liquidation and it is understood that the administrator considered the business to be unviable and therefore the lease was not advertised for assignment to try and attract a new operator.
- 7.3 Policy RC2 of the JCS allows for the loss of community facilities such as public houses where the development proposed would bring about community benefits that outweigh the loss of the facility. The provision of a community centre would satisfy this requirement providing an alternative community facility within the existing local centre and bring a currently disused and boarded up property at the entrance to the local centre back into use assisting in improving the vitality of the area.

### Amenity

- 7.4 The site is predominantly surrounded by existing local centre uses the nearest residential properties being located approximately 20m away on the opposing side of Ecton Brook Road.

- 7.5 The Council has received a number of proposals from various third parties for proposed community uses in relation to the freehold disposal/leasehold of the former Ecton Brook Public House following a 3 month marketing period with a final submission date for proposals ending on 31<sup>st</sup> October 2014.
- 7.6 Although the end user is currently not known, in view of the location of the premises within an existing local centre and the previous use of the premises as a public house, it is not considered that the proposed change of use to a community centre would lead to any significant adverse impacts on nearby residential amenity.
- 7.7 Sources of internal and external noise and measures for their control could be agreed by condition to ensure adjacent amenity is protected. A further condition is proposed to control hours of use to Monday to Friday 07:30 to 22:00 hours, Saturday 09:00 to 23:00 hours and Sunday/Bank/Public Holidays 09:00 to 22:00 hours.

#### **Parking**

- 7.8 There is sufficient parking provision adjacent to the property shared with the adjacent local centres facilities. The Highway Authority has no objection.

### **8. CONCLUSION**

- 8.1 The proposal provides an opportunity to improve community facilities within the locality and would bring a redundant building back into use improving the vitality of the area. There would be no significant impact on adjacent amenity and sufficient parking provision is available adjacent to the site. The proposal is considered to accord with the aims of the above policies and therefore the application is recommended for approval.

### **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) Before the development hereby commences a scheme shall be submitted for approval in writing by the Local Planning Authority that specifies the internal and external sources of noise on the site and the provisions to be made for its control. The approved scheme shall be implemented in accordance with the approved details with the first use of the development hereby permitted and shall be retained thereafter.

The applicant shall submit details to demonstrate that the approved scheme has achieved its design criteria prior to the first use of the development.

Reason: In the interests of adjacent commercial and residential amenity in accordance with the aims and objectives of the NPPF.

- (3) The premises shall be open only between the following hours:

Monday to Friday 07:30 to 22:00

Saturday 09:00 to 23:00

Sunday/Public & Bank Holidays 09:00 to 22:00

Reason: In the interests of the amenities of occupiers of nearby properties in accordance with the aims and objectives of the NPPF.

- (4) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan, Ground Plan & First Floor Plan.

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

## **10. BACKGROUND PAPERS**

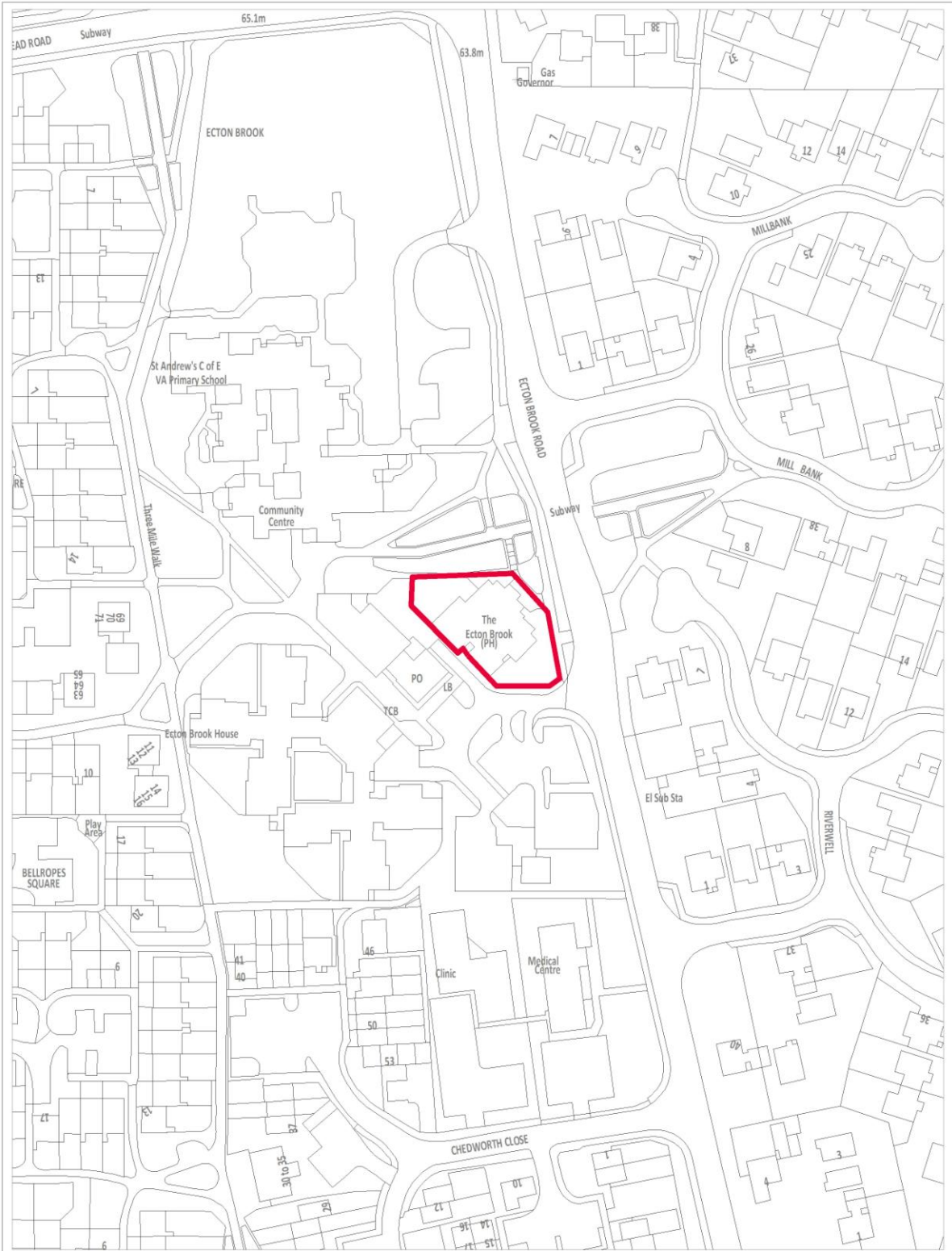
- 10.1 N/2014/1092.

## **11. LEGAL IMPLICATIONS**

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: 5th November 2014  
 Scale: 1:1250  
 Dept: Planning  
 Project: Planning Committee

Title  
**The Ecton Brook Public House, Ecton Brook Road**

Produced from the 2011 Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office. © Crown Copyright  
 Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Licence number: 100019655