



PLANNING COMMITTEE: 19th November 2014
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

N/2014/0986: Change of use of ground floor and basement from retail to restaurant, The Manna House, St Giles Street.

WARD: Castle

APPLICANT: Mr J. Nightingale; The Manna House Trust
AGENT: Mr S. Collins; Underwoods LLP

REFERRED BY: Director of Regeneration, Enterprise and Planning

REASON: Due to the potential impact upon the character of St Giles Street

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 APPROVAL for the following reason:

The proposed change of use would have neutral impacts upon the character of the area, the character and appearance of the St Giles Conservation Area and neighbour amenity. The development is therefore in conformity with the requirements of the National Planning Policy Framework and Policies 1 and 12 of the Central Area Action Plan.

2. THE PROPOSAL

2.1 The applicant seeks planning permission to change the use of the basement and ground floor of the building from a retail unit to a restaurant.

3. SITE DESCRIPTION

- 3.1 The application site is located within the St Giles Conservation Area and St Giles Street, which serves as one of the main shopping streets within the town centre. As a consequence of this, the provision of retailing is the predominant land use within the vicinity of the site. Notwithstanding this assessment, there are a number of non-retail uses with the site's environs, including other cafés and restaurants. Hazelwood Road, which runs perpendicular to the application site contains a variety of residential accommodation and office accommodation.
- 3.2 The application site consists of a building of four storeys (including a basement). The upper floors of the building are used for residential accommodation.

4. PLANNING HISTORY

- 4.1 None relevant

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 Central Area Action Plan 2012.

National Policies - National Planning Policy Framework (NPPF)

- 5.2 Paragraph 17 of the NPPF requires that new development secure a good standard of design and amenity in addition to requiring that heritage assets are conserved in an appropriate manner.
- 5.3 Furthermore, paragraph 23 states that planning decisions should recognise that town centres form the heart of the community and planning should support their viability and vitality and promote competitive town centres with customer choice. In achieving this, it is necessary to provide sites that provide adequate facilities for retail, leisure and commercial uses.

Central Area Action Plan 2012 (CAAP)

- 5.4 The CAAP does not allocate this site as being within any particular retail frontage. As a consequence, there are no thresholds for the minimum level of retailing within this section of St Giles Street. Nonetheless, Policy 12 requires that the town centre will be the primary focus of retailing within the Borough.

Furthermore, Policy 1 requires that the new developments positively contribute to the character of the area in terms of matters such as the existing urban grain, materials and style. In addition, the same policy requires that new uses increase the level of vitality and vibrancy in an area and create a wider range of choice for users.

6. CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **Conservation (NBC)** – The proposed use would not affect the character of this part of the Conservation Area. Furthermore, no external alterations are proposed.
- 6.2 **Environmental Health (NBC)** – Would express some caution as the application has not included any details regarding extraction equipment.
- 6.3 **Regeneration (NBC)** – St Giles Street already hosts several similar businesses. A new café would add to the offer of the street for consumers but also add to the competition faced by the existing businesses. That said, it is another indication of the buoyant café/restaurant market within the town centre which should be supported as a resilient, leisure based town centre offering. The size and layout of the building is different to the majority of the units in the area and therefore could be appealing to a different business model that is not compatible with the other stock on St Giles Street. The building also offers appealing design features and if partnered with a compatible business could enhance the immediate environment surrounding it.
- 6.4 **Town Centre Conservation Areas Advisory Committee** – No objections.
- 6.5 Four letters of objection were received. Comments can be summarised as:
 - The street does not require another restaurant.
 - Without a balanced mix of retail units and restaurants, it is likely that St Giles Street would decline.
 - Quality retailing is needed to bring people into the town.
 - The noise from the restaurant would cause disruption to adjoining residents.
 - The proposal does not include details of refuse storage or parking.

7. APPRAISAL

- 7.1 On account of the site not being located within an allocated retail frontage in the CAAP, there are no minimum levels of retailing directly applicable to the application site (although it is noted that other sections of St Giles Street do have a policy requirement that specifies a minimum level of retailing). As a consequence, the primary matter for consideration is whether the development would adversely impact upon the street's function. In assessing this matter, the CAAP requires that the town centre's predominant use is retailing. Taken as a whole, the main use of St Giles Street would remain as retailing, with a number of other, ancillary uses. As a consequence of this, it is considered that the proposed development would not unduly lead to a significant detrimental impact upon the area's character and would be in line with the broad requirements of the National Planning Policy Framework and the Central Area Action Plan.
- 7.2 It is accepted that there are a number of cafés/restaurants within the general environs of the application site; however, given that the predominant land use is retailing, it is considered that the number of such uses alone would not represent sustainable grounds for resisting this planning application. Uses such as this are normally suitable in town centre location. In any event, the creation of a new café/restaurant would increase customer choice and support an increased leisure offer within the town centre.
- 7.3 No external alterations are proposed, which would ensure a neutral impact upon the character and appearance of the Conservation Area and the amenities of surrounding properties. It is noted that concerns have been raised by the Council's Environmental Health section regarding the lack of details relating to extraction equipment; however, such works would require planning permission and would be dependent upon the cuisine/trading model offered by the final occupier. As a consequence, it is considered that this should not be a reason for withholding planning permission. Nonetheless, an informative note is recommended that would draw the planning requirements to the attention of the developer. A condition is also recommended that would secure the provision of refuse storage.
- 7.4 As a town centre location, it is likely that background noise levels would be comparatively high and as a consequence the proposed development would be unlikely to cause any undue detrimental impacts upon the occupiers of neighbouring properties. In order to prevent the use from operating at the most sensitive of times, a condition is recommended with regards to opening times.

- 7.5 In addition to the above, the application site is sustainably located, which means that a significant number of patrons would visit the site without requiring on site car parking to be provided. As the property is already in use for commercial purposes, it is considered that the development would not cause any greater impacts in terms of deliveries.

8. CONCLUSION

- 8.1 The proposed development would not unduly impact upon the function of St Giles Street, the character of the surrounding area and the amenities of the surrounding properties. As a consequence, it is considered that the development is in accordance with the requirements of the National Planning Policy Framework and the Central Area Action Plan.

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; 002; and 005.

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

3. The use hereby permitted shall only be open to customers between the hours of 10am and 11pm on any one day.

Reason: In the interests of securing a neutral impact upon the amenities of the occupiers of neighbouring properties in accordance with the requirements of the National Planning Policy Framework.

4. Notwithstanding the details submitted, full details of refuse storage shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, shall be fully implemented prior to the first commencement of the use hereby permitted and retained thereafter.

Reason: In the interests of securing a satisfactory standard of development in accordance with the requirements of the National Planning Policy Framework.

Informative:

The developer is advised that a separate application for planning permission is likely to be required for the installation of any external extraction equipment.

10. BACKGROUND PAPERS

10.1 N/2014/0986

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

Title

The Manna House, St Giles Street

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