



PLANNING COMMITTEE: 16th December 2014
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

N/2014/1131: Change of use of 19th Century stable block to restaurant / café (Use Class A3), Delapre Abbey, London Road

WARD: Delapre & Briar Hill

APPLICANT: Northampton Borough Council

REFERRED BY: Director of Regeneration, Enterprise and Planning

REASON: Borough Council Application

DEPARTURE: NO

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

The proposal has no adverse impact on the character, appearance or historical significance of the listed building and Delapre Park Conservation Area and the change of use of this building will assist with the long term survival and removal from the Heritage at Risk Register of Delapre Abbey as a whole. The proposed use is considered acceptable and would not cause undue impact on residential and general amenity and highway safety. The proposal thereby accords with Policies E20 and E26 of the Northampton Local Plan and the National Planning Policy Framework.

2. THE PROPOSAL

- 2.1 The proposal is for the change of use of part of the 19th Century stable block to a café / restaurant use. This would be for use by the Friends of Delapre Abbey who currently operate this facility within the 18th Century stable and use the walled garden for an outdoor seating area.

3. SITE DESCRIPTION

- 3.1 Delapre Abbey is a Grade II* Listed Building dating from 1145 and forms part of a complex of buildings some of which are also listed Grade II. The property is approached by a tree lined drive and sits within a parkland setting located approximately 1 mile from the town centre. The building is within the Registered Battlefield (Battle of Northampton 1460) and the designated Delapre Park Conservation Area. The building is included on the English Heritage 'At Risk' register.
- 3.2 The site of this proposal comprises the 19th Century stables at Delapre Abbey. These are located towards the northern end of the Abbey complex, adjacent to residential properties and also close to the Mencap Centre to the north of the Abbey site.

4. PLANNING HISTORY

- 4.1 Two separate applications for a change of use to a conference centre and to a hotel which were approved in 1988. These consents have now lapsed.
- 4.2 An application in 2010 enabled the temporary use until 28th February 2015 of the 18th Century stable block as a tea rooms.
- 4.3 In 2010 an application was approved for the temporary use until 2015 of the walled garden for the erection of marquees, to be used for weddings and other functions. This allows for 12 events annually.
- 4.4 In October 2013 an application was approved by the Planning Committee for the Repair and refurbishment of Delapre Abbey, 18th Century Stables and Coach House including construction of kitchen building, glazed link to Coach House, rebuilding conservatory; installation of windows and doors; demolition of second floor courtyard WC; change of use of building to include functions/events (Class D2); conferences, guided tours, visitor and heritage centre and ancillary retail (Class D1); offices (Class B1); café and restaurant (Class A3) and holiday lets.

- 4.5 In respect of the 19th Century stables this application also permitted change of use to business studio/workshops (Class B1) as well as new brick building façade to north elevation; new openings with doors and shutters; new frameless glazed screen and access ramp and demolition of steel barn and lean-to.
- 4.6 In September 2014 an application was approved for the temporary change of use until September 2017 of Abbey Cottage to office and exhibition space.

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 states at paragraph 17 that Planning should “conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations”.

At paragraph 126 the NPPF goes on to say that “in determining planning applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation”.

5.3 Northampton Local Plan 1997 (Saved Policies)

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 E26 “Conservation Areas” states that development must preserve or enhance the character and appearance of the area, and not include the demolition of any building which makes a significant contribution to the character or appearance of the area.

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 as it has been 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 BN5 “The Historic Environment” of the submitted JCS sets out that heritage assets will be conserved and enhanced and that where heritage assets are at risk they will be appropriately conserved and managed.

6. **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **Conservation** – No objections.
- 6.2 **Environmental Health** – With a lease agreement to limit the range of food to a tea room / refreshment room this would not require mechanical extraction. Confirm that a limit of 20 people on outdoor seating would be acceptable.
- 6.3 **Local Highway Authority** – No observations.

6.4 Representations received from neighbouring occupiers at **1 and 3 Gardeners Cottage** and from visitors the Abbey and existing tea rooms (from East Hunsbury as well as West Bromwich, Essex, Staffordshire and Hertfordshire) making the following points in summary:

- Not happy about noise which will be created next to home.
- Seating area other side of garden fence would encourage “nosy” people, would not be able to use garden for relaxation.
- Bin store location would be a security risk.
- Council is paying “lip service” to planning process without considering the people affected.
- No objections, but value privacy, peace and quiet.
- Request that extraction system, opening hours, deliveries, bin stores and trees on the site are taken into account.
- New area looks unsafe for visitors and very remote for staff.
- Unsuitable for wheelchair users.
- Relocation of the team room will mean visitors are deprived of the walled garden.
- Should give more detail as to the use of the rest of the buildings.
- Stable yard could be turned into shopping area, craft workshops etc but unsuitable for tea rooms.
- Current tenants of tea rooms have put in 7 years hard work, leave them where they are.
- Tea room currently occupies an ideal position, cannot see where people will be able to sit near to the proposed building.
- For many years the Council has had little interest in Delapre Abbey, tea rooms have raised awareness. Without the tea rooms where they are visitor numbers would drop.
- Should keep the tea rooms in the gardens so all can enjoy the beauty of the Abbey.

7. APPRAISAL

- 7.1 The main issues to consider are the impact of the proposals on the character, appearance and historic significance of the listed building and the conservation area as well as the impact of the proposed change of use on adjoining occupiers and on the setting of the historic park and the wider area.
- 7.2 There are no physical works proposed to the building, as the installation of a new door to the rear has already previously been granted listed building consent and it has been confirmed that there will not be a need for an extraction system.
- 7.3 Therefore there would be no impact on the appearance of the building and it is not considered that the use of the building as a tea room / café would have any significant impact on the character of the building or the setting of the main Abbey buildings, or the wider conservation area, as this is the type of use which may usually be expected as an ancillary use to a historic building within a park setting.
- 7.4 In terms of the principle of the change of use, It is considered that the use can be regarded as incidental to the overall function of the Abbey as a visitor attraction, a use which currently exists to a limited extent and which will be enhanced by the works and changes of use approved in 2013.
- 7.5 Within the 2013 planning permission, the 19th Century stables were to be used for business purposes such as small scale offices and workshops. This use could still be carried out in the remainder of the stable buildings and need not be affected unduly by the current proposal.
- 7.6 Regarding the impact of the use, the site is in close proximity to residential properties at nos. 1, 2 and 3 Gardeners Cottages. Concerns have been raised by the occupiers of two of these properties, the third being vacant, as to the impact of the use due to cooking odours and also the noise and disturbance associated with the use of the outdoor seating area, close to residential gardens.
- 7.7 Environmental Health did have concern that a permission for general restaurant/cafe use would be much more detrimental to neighbours than a tea room, in terms of cooking odours and also disturbance from users of the facility, also it is not possible to define the type of food to be sold under an A3 use by condition.

- 7.8 However, as the Council is the owner of the building, it has been confirmed that the use can be restricted by means of the lease agreement to a tea room / light refreshments only. It has been confirmed by Environmental Health that this would not result in any requirement for extraction equipment. With this in mind, it is considered that the proposed use would not cause undue impact on residential amenity.
- 7.9 The outdoor area proposed to be used for seating is adjacent to residential gardens at nos. 1 and 3 Gardener's Cottages. This has the potential to cause some disturbance, however it has been specified that this area would only accommodate 20 people. Given that this area would only generally be used in warm and fair weather, with only this limited number of customers, it is considered that the impact of outdoor seating would be limited. A condition is proposed to limit the level of seating to 20 persons only.
- 7.10 The positioning of the bin store in close proximity to residents has also raised concerns, however it is considered that this impact can be managed by requiring details of the storage area, to include appropriate enclosure to prevent odours and other nuisance.

8. CONCLUSION

- 8.1 The proposed change of use will facilitate the relocation on site of the existing tea rooms which will enable this facility to continue on the site whilst refurbishment works to the main buildings are underway. It is considered that the proposal use is acceptable and in line with Development Plan Policy.

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: Location Plan, 233554 x 2.

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

- (3) The premises shall not remain open to customers outside the hours of 09:00 and 17:30 on any day.

Reason: In the interests of the protection of residential amenities in accordance with Policy E20 of the Northampton Local Plan.

- (4) Details of the provision for the covered storage of refuse and materials for recycling shall be submitted to and approved in writing by the Local Planning Authority, implemented prior to the premises being used for the permitted purpose and retained thereafter.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan.

- (5) The area of outdoor public seating area serving the tea room hereby approved shall be limited to seating for 20 persons only and no further seating shall be provided in this area, unless otherwise approved in writing by the Local Planning Authority.

Reason: To protect the amenities of adjoining occupiers, in accordance with Policy E20 of the Northampton Local Plan.

10. BACKGROUND PAPERS

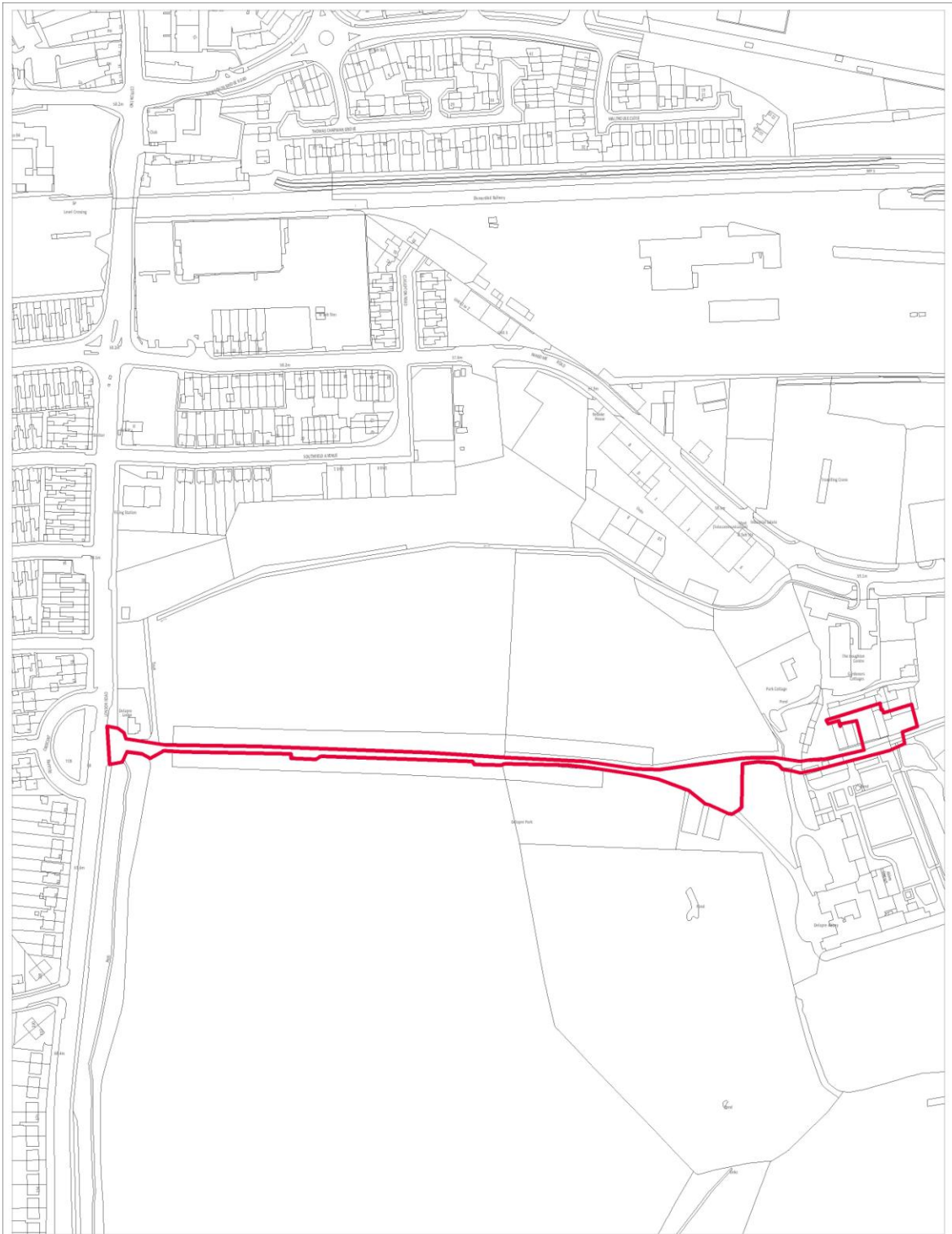
- 10.1 Application file N/2014/1131.

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: **3rd December 2014**
Scale: **1:3000**
Dept: **Planning**
Project: **Planning Committee**

Title

Delapre Abbey, London Road

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