



**PLANNING COMMITTEE:** 27<sup>th</sup> October 2015  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**DIRECTOR:** Steven Boyes

**N/2015/0421:** Single storey extension to café. Park Café, Abington Park, Wellingborough Road

**WARD:** Abington

**APPLICANT:** Mr A Ansell  
**AGENT:** Architectural Solutions

**REFERRED BY:** Director of Regeneration, Enterprise and Planning  
**REASON:** Council owned land and applicant is an elected Member

**DEPARTURE:** No

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**APPLICATION FOR DETERMINATION:**

**1. RECOMMENDATION**

**1.1 REFUSAL** for the following reasons:

The extension proposed would result in a building of an excessive size which would appear as a visually prominent feature to the detriment of the character and appearance of the Abington Park Conservation Area and the setting of the Grade I listed Abington Abbey. If permitted this would be contrary to Policies S10 and BN5 of the West Northamptonshire Joint Core Strategy, Policies E20 and E26 of the Northampton Local Plan and the aims and objectives of the National Planning Policy Framework.

**2. THE PROPOSAL**

2.1 The application seeks planning permission to erect a single storey extension to the existing cafe building. This will form a continuation of the existing building providing a kitchen area, office and food store. This would provide the café with a larger kitchen/preparation area and a larger servery and an outdoor furniture store. An extension to the area of hard surfacing in front of the café is also indicated on the plans.

2.2 The application is substantially a resubmission of a previously approved scheme but on a larger scale with the outdoor furniture store being an additional element.

2.3 To facilitate the development a Lime tree would need to be removed.

### **3. SITE DESCRIPTION**

- 3.1 The café stands alone within Abington Park and is sited almost within a group of trees. To the front of the café is a grassed area and the Grade I listed Abington Abbey is approximately 60 metres away. The park is within Abington Park Conservation Area.

### **4. PLANNING HISTORY**

- 4.1 January 2015 planning permission granted for single storey extension to café. N/2014/1207.

### **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 adopted West Northamptonshire Joint Core Strategy (2014) and Northampton Local Plan (1997) saved policies.

#### **5.2 National Policies**

The National Planning Policy Framework (NPPF) sets out the current aims and objectives for the planning system and how these should be applied. In delivering sustainable development, decisions should have regard to the mutually dependent social, economic and environmental roles of the planning system. The NPPF should be read as one complete document. However, the following sections are of particular relevance to this application:

Paragraph 70 outlines that the provision of facilities should be viewed positively to enhance the sustainability of communities.

Paragraph 73 states that access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities.

Paragraph 131 encourages local planning authorities to consider sustaining and enhancing heritage assets, the contribution heritage assets can make to sustainable communities including their economic vitality and new development making a positive contribution to local character.

Paragraphs 133 and 134 outline that harm to the significance of a heritage asset should be weighed against public benefit.

#### **5.3 West Northamptonshire Joint Core Strategy (2014)**

The West Northamptonshire Joint Core Strategy (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. Policies of particular relevance are:

Policy S10 Sustainable Development Principles sets out that development will achieve high standards of design and will protect, conserve and enhance the built and natural environment.

Policy BN5 The Historic Environment and Landscape outlines that heritage assets will be conserved and enhanced.

#### 5.4 **Northampton Local Plan 1997 (Saved Policies)**

Due to the age of the plan, the amount of weight that can be attributed to the aims and objectives of this document are diminished, however, the following Policies are material to this application:

Policy E20 of the Local Plan states that planning permission will be granted for development where design reflects the character of its surroundings.

Policy E26 indicates that planning permission will be granted in conservation areas where the character and appearance of those areas would be preserved or enhanced.

#### 5.5 **Supplementary Planning Documents**

Abington Park Conservation Area Assessment 2005.

#### 5.6 **Other Material Planning Considerations**

Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 require Local Planning Authorities when considering development to pay special attention to preserving a listed building or its setting and to the desirability of preserving or enhancing the character or appearance of a conservation area.

### 6. **CONSULTATIONS/ REPRESENTATIONS**

Comments are summarised as follows:

- 6.1 **NBC Arboricultural Officer** has commented that there are no arboricultural reasons for refusal subject to conditions.
- 6.2 **NBC Conservation** confirmed that the application is not supported from a conservation perspective due to the encroachment of the enlarged café into the open park, the visual impact of this and its consequent adverse impact upon the conservation area and the Grade I listed Abington Park Museum.
- 6.3 **Northamptonshire Police** have no objections.
- 6.4 **Historic England** have stated that in their view the application site is within the setting of Abington Abbey and could have a harmful impact upon the setting of the listed building. However it is recommended that further assessment work be carried out regarding this and the application be determined in accordance with national and local planning policy and on the Council's specialist conservation advice.
- 6.5 **4 Hexham Court** – object to the application as originally submitted; the application is unattractive and out of keeping with the conservation area; mishmash of

materials on one face of the building. The application site affects the setting of a Grade I listed building and English Heritage should be consulted.

## **7. APPRAISAL**

### **Previous Planning Permission**

- 7.1 The previous planning permission N/2014/1207 for a smaller extension to the café was granted by the Planning Committee in January 2015 as it was considered that, on balance, the public benefit from improving the facilities available to users of Abington Park outweighed the harm to the Conservation Area from the loss of the tree and that the visual impact of the extension was acceptable. The previous permission remains extant and would not be affected by the outcome of the current application.

### **Design/Appearance/Conservation**

- 7.2 The previously approved extension had dimensions of 7.7 x 8.1 metres and represented an increase of approximately 42% to the building. The extension now proposed has dimensions of 11.58 x 8.085 metres which would increase the footprint of the building by approximately 63%. In effect this application proposes three additional 'bays' to the building rather than the two originally permitted. The additional space would be utilised to store outdoor furniture.
- 7.3 It has been identified that the development would be within the setting of the listed Abington Abbey as well as the Conservation Area. The applicant's Heritage Impact Assessment identifies that "the extra bay the subject of the application may be viewed as causing harm to the two designated heritage assets".
- 7.4 It is considered that the larger extension now proposed, whilst appropriately designed in terms of how it continues the existing roof form, would result in a building of an excessive size and which would consequently appear as an unduly visually intrusive feature within the Conservation Area to the detriment of the appearance of this and consequently to the setting of the Grade I listed Abbey also.
- 7.5 Previously the impact upon the Conservation Area (and inherently the setting of the listed building) was considered to be acceptable and the loss of the tree was outweighed by the public benefits arising from an extended café. It is now considered that the additional extension would have a greater visual impact harming the heritage assets, and that this would not be outweighed by the public benefits of the additional extension. This would therefore be contrary to the advice of the NPPF.
- 7.6 In terms of the actual design proposed, the extension would be brick built, however the frontage is proposed to be clad in timber boarding. The representation received refers to this as a "mishmash", however it is considered that the use of cladding would help to visually break-up the building. However this would not overcome the concerns regarding the size of the resulting building.

### **Trees**

- 7.7 The extension proposed would result in the loss of a Lime tree protected by virtue of being within a conservation area. The principle of the loss of the Lime tree

was accepted when determining the previous application, subject to a planning condition to ensure the replacement of the loss tree and with additional planting.

- 7.8 The current proposal would result in the building and patio encroaching into the root protection areas of two other trees. However it is not considered that, with appropriate controls, these trees would not be adversely impacted upon.

## **8. CONCLUSION**

- 8.1 It is considered that the additional visual impact of the extension now proposed would outweigh the public benefits which would arise from the enlarged extension to the café and would not comply with the desirability of preserving or enhancing the character or appearance of a conservation area and inherently the listed Abbey as set out in the 1990 Act. Consequently the application is recommended for refusal.

## **9. BACKGROUND PAPERS**

- 9.1 N/2015/0421.

## **10. LEGAL IMPLICATIONS**

- 10.1 None.

## **11. SUMMARY AND LINKS TO CORPORATE PLAN**

- 11.1 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: Site Location Plan  
 Date: 13th July 2015  
 Scale: 1:1250  
 Dept: Planning  
 Project: Planning Committee

**Title**  
**Park Cafe Abington Park, Wellingborough Road**

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