



Addendum to Agenda Items Tuesday 19th January 2016

5. Matters of Urgency

5a

N/2015/1448

**Demolition of existing 2-storey building and associated buildings.
Lakeview House Old Persons Home, 88 Churchill Avenue**

Report attached.

7. Other Reports

7a

**Variation of S106 Agreement dated 21st February 2011 pursuant to planning permission
WN/2010/0039 (Development of 80 residential units) on land off South Meadow Road**

No update.

8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS

8a

N/2015/1471

**Two storey extension to existing building to provide an eight classroom teaching block,
link corridor to existing building, extension to existing school entrance/reception and
associated alterations. External works include 19 additional car parking spaces, pedestrian
access gate and additional hard play area
Hardingstone County Primary School, Martins Lane**

Neighbour representation received from 102 Martins Lane:

I wish to object to this planning application due to lack of consultation by the school and NCC, and also lack of adequate parking for school staff and parents picking up children at the end of the school day.

Martins Lane gets very congested at this time and prevents the free flow of traffic, also parents block residents' driveways and park on the footpath.

My understanding of this application is that Hardingstone Parish Council and Hardingstone residents have not been notified of this application and so have had no opportunity to comment or object. I was under the impression that I had 21 days from the application being submitted to comment. NBC received this application on 22nd December, because of Christmas, I assume NBC forgot to notify Hardingstone Parish Council and residents of this application.

9. NORTHAMPTON BOROUGH COUNCIL APPLICATION

9a

N/2016/0014

**Advertisement Consent application for cross street banner
75 St Giles Street and Manna House**

No update.

10. ITEMS FOR DETERMINATION

10a

N/2015/0999 and N/2015/1000

**Change of use from Office (Use Class B1) to Children's Day Nursery (Use Class D1) and associated works and listed building consent application for internal alterations to building and erection of palisade fencing
Home Farm Works, Orchard Hill**

No update.

10b

N/2015/01067

**Conversion into 2no 1-bed flats, 4no new 1-bed flats and 2no new 2-bed semi-detached dwellings
54 Adams Avenue**

One additional representation from a nearby occupier stating relieved to see the recommendation is for approval and that neighbours would have no objection to a resubmitted plan including off road parking and omitting the two houses.

10c

N/2015/1078

**Change of use from dwelling (Use Class C3) to house in multiple occupation (Use Class C4) for 5no residents
74 Military Road**

No update.

10d

N/2015/1256

**Change of use from dwelling (Use Class C3) into house in multiple occupation (Use Class C4) for 3no residents
13 Uppingham Street**

No update.

10e

N/2015/1314

**Change of use from public house (Use Class A4) into convenience store (Use Class A1) including alteration and extensions, rear storage and installation of 2no satellite dishes on roof
The Barn Owl, Olden Road**

3 further objections received:

- Already have a supermarket open at just the right times, not an all-nighter with the anti-social behaviour issues it will cause.

- Concern regarding another convenience store and impact on existing store.
- The pub and shop have become a very necessary part of the community. The pub is used by a large group of people of various ages and views and is also involved in a number of sporting and social events. Many other pubs in the surrounding areas have closed and we are becoming isolated from social gatherings. To lose the pub and shop would not be very popular in the area.

The applicant's agent has submitted further details as follows:

'The Barn Owl was acquired by Hawthorn Leisure from Greene King ("GK") in June 2014 alongside 274 other pubs, all designated as non-core and identified by GK for disposal.

These pubs had underperformed for a number of years and were selected for disposal as GK did not believe they could successfully transform these units.

Upon acquisition Hawthorn undertook a thorough review of the entire estate including the Barn Owl.

The Barn Owl has been let to an operator on a temporary agreement (tenancy at will), and the operator has refused to sign up for a substantive agreement over the past 12 months as they do not believe the pub has any trading potential. Our review also brought us to a similar conclusion.

The current levels of trade are simply not able to support a commercial operation and we possibly cannot justify investing any capital into this unit as we are unlikely to ever see a return on our investment.

The tenant served notice to terminate the tenancy at will in November. The tenant has agreed to stay till the end of January so we can conclude the planning process. Due to end of tenancy agreement, the premises will close at the end of the month regardless.'

Revision to Recommendation for Approval Reason:

The Town and Country Planning (General Permitted Development) (England) Order 2015 allows for the change of use from Class A4 (drinking establishment) to a use falling within Class A1 (shops). The fallback position is of particular importance as this establishes that a retail unit is acceptable in this location. The property has been considered and rejected by the Council under the nominations process for inclusion on the list of Assets of Community Value. The design and appearance of the proposed alterations are considered acceptable and the proposal would not lead to any unacceptable impacts on adjacent amenity or significant increased impacts on existing highway conditions. The proposal is therefore considered in accordance with Policies S9, S10 & RC2 of the West Northamptonshire Joint Core Strategy, Policies E20, E28 and T12 of the Northampton Local Plan and the aims and objectives of the National Planning Policy Framework.

Revised paragraph 7.1.

The application is for the change of use of the public house to a shop and associated works. Under Schedule 2, Part 3 Class A of the Town and Country Planning (General Permitted

Development) (England) Order 2015 the change of use from a drinking establishment (Class A4) to a shop (Class A1) is permitted development. Accordingly, the principle of a shop use is considered acceptable as the existing public house could be changed to a shop under permitted development rights as a fallback position.

Revised paragraph 7.3

As the applicant could in effect change the use of the premises from a public house to a shop as permitted development, the only remaining consideration for this application therefore relates purely to the physical works proposed in Paragraph 2.1 above, notwithstanding that the change of use forms part of this application.

Revised paragraph 7.5

Last line amended:

As the existing public house could be changed to a shop under permitted development rights as a fallback position it is considered that conditions relating to opening and delivery hours as requested by Environmental Health could not be reasonably imposed.

Condition 5 – Remove. Should permission be granted for the use of the premises as a shop the first floor could be used for up to two flats under permitted development rights.

Condition 6 – Amended Plans Condition - Revised refuse storage location.

The development hereby permitted shall be carried out in accordance with the following approved plans: 15.2105.115.P2, **15.2105.110.P4**, 15.2105.100.P2, 15.2105.103.P2, 15.2105.104.P2, 15.2105.101.P2, 15.2105.102.P2, 15.2105.113.P4, 15.2105.114.P2, 15.2105.112.P3, 15.2105.111.P2.

10f
N/2015/1344
Single storey front extension
31 Coneygree Court

No update.