



PLANNING COMMITTEE: 27th September 2016
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

APPLICATION REF: N/2016/0383

LOCATION: British Rail Sports & Social Club , St Andrews Road

DESCRIPTION: Change of use from former social club to an emergency night shelter

WARD: Castle Ward

APPLICANT: Asset Management
AGENT: Asset Management

REFERRED BY: Director of Regeneration, Enterprise and Planning
REASON: Council owned land and applicant

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 been considered in light of the need to balance the social and wellbeing needs of the homeless, impact on nearby residents and the aspirations of Local and Central Government in addressing the problem of rough sleepers. The proposal, which is a temporary expedient, and with appropriate planning conditions, would have a neutral impact on nearby residents and is considered acceptable in accordance with Policies S10, N1 and N11 of the West Northamptonshire Joint Core Strategy, Policies 1 and 19 of the Northampton Central Area Action Plan and the National Planning Policy Framework.

2. THE PROPOSAL

- 2.1 The application relates to the change of use of the former British Rail Sports and Social Club for use as an emergency night shelter (Sui Generis Use) for a temporary period of two years and for up to 20 people who are currently rough sleeping in Northampton.
- 2.2 The facility is aimed at identifying rough sleepers and encouraging them onto programmes to provide avenues for health and wellbeing management, and eventually into more permanent housing solutions.

- 2.3 The facility will be operated by two full time members of staff, assisted by a team of volunteers from a variety of community, charitable and religious organisations, and overseen by a multi-agency management board.
- 2.4 Details of a Management Plan has been submitted with the application stating that the facility will be in operation between the hours of 21:00 to 09:00 hours every day. It will not offer accommodation outside of these hours.

3. SITE DESCRIPTION

- 3.1 The property is located on the eastern side of St Andrews Road, close to the junction with Black Lion Hill/St Peters Way and the railway station.
- 3.2 The building is a single storey building constructed probably around the 1950s as a sports and social club. It has been extended over the years and part of these works involved moving the beer barrels out of the cellar and into an extension, making delivery easier to manage. The cellar appears to have been unused for a number of years.
- 3.3 At the rear of the building there is a smoking shelter, erected when the club was in operation, and an overgrown garden area, which is surrounded by a palisade fence and a secure gate which leads to the railway station car park.
- 3.4 The Social Club is understood to have closed around three years ago and has remained vacant for the majority of the time since. There is evidence of rough sleepers having accessed the rear smoking shelter, but the building itself appears to have remained secure.

4. PLANNING HISTORY

- 4.1 There is limited history for this site, with the exception of approval for non-illuminated advertisements in 2012.

5. PLANNING POLICY

5.1 Statutory Duty

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 Central Area Action Plan (2013).

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 17 sets out the core planning principles of the NPPF and encourages development that supports local strategies to improve health, social and cultural wellbeing for all and deliver sufficient community and cultural facilities and services to meet local needs.

Paragraph 69 seeks to promote healthy communities which create safe and accessible environments where crime and disorder, and the fear of crime do not undermine quality of life or community cohesion.

Paragraph 171 encourages closer links with public health leads and health organisations to understand and take account of the health status and needs of the local population including expected future changes, and any information about relevant barriers to improving health and wellbeing.

In terms of planning conditions paragraph 206 of the NPPF sets out that they should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all respects.

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 S1 - The distribution of development - in assessing the suitability of sites for development priority will be given to making best use of previously developed land and vacant and under-used buildings in urban or other sustainable locations.

Policy S10 - Sustainable Development Principles - development will achieve the highest standards of sustainable design incorporating safety and security considerations, be located where services and facilities can be easily reached by non-car modes; protect, conserve and enhance the built environment and heritage assets; minimise pollution from noise, air and run-off.

Policy N1 relates to the regeneration of Northampton and identifies the need to address the factors of deprivation within the communities of Spring Boroughs, Kings Heath, Spencer, Eastfield and Northampton East.

Policy N11 relates to community regeneration and seeks to create safe and sustainable environments by designing out opportunities for crime and anti-social behaviour.

5.4 Northampton Central Area Action Plan 2013

The Central Area Action Plan (CAAP) provides specific planning policy and guidance for the town centre and adjoining areas where significant regeneration and investment is proposed in the period up to 2026 and is in conformity with the objectives of the NPPF. Relevant policies include:

Policy 1 seeks to promote design excellence which includes the need to preserve and enhance the character, appearance and setting of the central area's heritage assets.

Policy 19 relates to the Castle Station and its immediate surroundings and notes the significance of the Castle site, the Scheduled Ancient Monument and setting of the heritage assets of the area.

5.5 Supplementary Planning Documents

Northamptonshire County Parking Standards SPG 2003
Planning out Crime in Northamptonshire SPG 2004

5.6 Other Material Considerations

Together We Change Lives

Together we change lives is a multi-agency strategy aimed at ending the need for people to sleep rough in Northampton.

The document was reported to Cabinet on 8th June 2016 and it was decided at that meeting to approve the document, subject to minor changes and to establish a temporary night shelter (subject to due diligence and the production of a detailed business case).

A workshop was held on 13th July 2016, which involved 60 participants representing more than 30 services and organisations with an aim to produce a comprehensive 3 year action plan that will underpin the strategy for tackling, preventing and reducing rough sleeping. Members received a report advising them of the workshop at Full Council on 18th July 2016.

Spring Boroughs Neighbourhood Plan

The site lies outside the area covered by the Spring Boroughs Neighbourhood Plan, so this is not relevant in the determination of this application.

6. CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **NBC Conservation** – the applicant has been made aware that the property lies on a site designated as a Scheduled Ancient Monument and advice has been given regarding obtaining separate consent for any works that could result in ground disturbance. This consent is obtained from Historic England. In addition, it has been confirmed that the trees on the site are not protected.
- 6.2 **Friends of Northampton Castle** – The site lies within an important heritage asset to Northampton and within close proximity of a Scheduled Ancient Monument.
- 6.3 **Network Rail** – separate agreements may be required from Network Rail prior to works on site. These comments were submitted by the Manchester office of Network Rail and it is understood that this process has already started with the local office.
- 6.4 **NCC Highways** – no comments to make in this instance.
- 6.5 Three letters of objection have been received from residents of **Western View Black Lion Hill**. The concerns raised relate to:
 - Concern regarding homeless people congregating waiting for the shelter to open (particular reference to the potential for street drinking);
 - Where will people go to when the shelter closes in the morning;
 - Lack of information about the running/management of the shelter;
 - What happens to the people that are turned away from the shelter (e.g. perhaps in a drunken state);
 - The potential increase in night-time noise (both before it opens and during the night);
 - Provision for smokers staying at the shelter;
 - Better located in the town centre away from residential properties;
 - The night shelter is located close to a primary school and nurseries;
 - Concern that those waiting for the shelter to open will congregate around the railway station;
 - The building is in the vicinity of a scheduled ancient monument and close to a community with significant deprivation issues. The proposal is not in keeping with the Central Area Action Plan;
 - Clarification that the facility is to be used for a short term only.

7. APPRAISAL

Background

- 7.1 Approximately 25 people were sleeping rough in Northampton in June 2016. The Council's strategy aims to reduce this to as close as possible to zero by June 2017. The majority of the rough sleepers were male.
- 7.2 This proposed facility is aimed at male rough sleepers and is to provide emergency overnight accommodation. Visitors to the shelter will be offered a floor space, washroom facilities and light refreshments in the morning (such as tea/coffee and toast).
- 7.3 On arrival, visitors will be screened to identify any particular needs of that individual. This gives the staff the opportunity to establish if the visitor is on medication and store this in a secure location. Those staying in the shelter will not be allowed access to alcohol or drugs and screening can remove this from the individual.
- 7.4 It is envisaged that the facility will operate for up to two years, by which time a more permanent solution can be found, or those who have been rough sleeping will be included on programmes that provide accommodation and welfare facilities.
- 7.5 This is not intended to replace any other similar facilities in the town, but to provide a first step into the programmes offered by the other facilities such as Oasis House and the Hope Centre.
- 7.6 Separate provision is being sought for female rough sleepers as the applicants do not feel a mixed sex facility is the appropriate approach in terms of management of the facility.

Principle of use

- 7.7 The building is located in an area close to the town centre which is where a number of the rough sleepers congregate. It allows agencies to direct them to an appropriate location where the needs of the individuals can be identified for future management.
- 7.8 Given that the building does not directly abut residential properties and has one route into the building, it does offer a facility that that allows for management of those needing its services.
- 7.9 The building is vacant, has been acquired by the Council and offers an appropriate alternative use until a permanent solution can be found to the issue of rough sleepers.
- 7.10 The proposed use is temporary for two years only. It is therefore considered that the use is in compliance with of Policies S10, N1 and N11 of the West Northamptonshire Joint Core Strategy.

Management of the site

- 7.11 A statement of the management arrangements for the site has been submitted, which sets out how the night shelter will be staffed, managed and operational detail of the shelter. This includes how the shelter will be accessed and the times of use.
- 7.12 In order to protect the amenities of the local residents, it is proposed to impose a condition to ensure that the site is operated in accordance with these measures.
- 7.13 A further planning condition is imposed which limits the opening hours of the facility between 21:00 to 09:00 hours on each day only.

Impact on the character and appearance of the area

- 7.14 The application does not propose any external alterations to the building although the management of such facilities can also impact on the character of an area. The submitted management plan is considered acceptable and would mitigate concerns raised by local residents.
- 7.15 It is considered that, subject to compliance with the proposed conditions and the management plan, the character and appearance of the area are protected.

Impact on the amenities of nearby occupiers and uses

- 7.16 There are residential properties opposite the building at Western View although they are set back from the road frontage. It is important to ensure that the occupiers are protected in terms of potential noise and disturbance. The submitted management plan states that clients only to be admitted into the shelter between the hours of 21:00 to 22:30 and only on rare occasions would clients be admitted after those hours. It is important that proper management of the site is in place to avoid any potential problems arising from the proposed use. It is considered that the imposition of conditions relating to the management of the site will seek to protect residential amenity.
- 7.17 With appropriate management plan in place, it is considered that the proposal would not cause unacceptable impact on amenity of nearby residents.

Parking and highway issues

- 7.18 The property does not have off street parking and is in an area where there is no available on street parking. However the property backs onto the station car park and is close to Chalk Lane car park, both of which are public car parks.
- 7.19 It is unlikely that those seeking to use the night shelter will have their own vehicles, although staff and volunteers may have.
- 7.20 It is anticipated that traffic generation arising from the use will be minimal and no objections have been raised to the application from the Local Highway Authority.

Heritage Assets

- 7.21 The site lies within an area designated as a Scheduled Ancient Monument. The application does not proposed any material external building works to the site.
- 7.22 A drainage survey of the property has been carried out by the Project Manager and it has been identified that in general the foul drainage system will not require extensive works (with the exception of some minor repairs).
- 7.23 The trees that are located on the site are not protected by Tree Preservation Orders and it is understood no trees are to be removed, although some lopping will be required where branches are close to the building.
- 7.24 It is therefore understood that there are no plans to carry out any disturbance on the land around the building that would require Scheduled Ancient Monument Consent. However the applicant is aware of the issue and will make contact with Historic England for any proposed works. This is a separate process to the planning process and is determined by Historic England.

8. CONCLUSION

- 8.1 The proposal has been considered in the light of the need to balance the social and wellbeing needs of the homeless, impact on nearby residents and the aspirations of Local and Central Government in addressing the problem of rough sleepers.
- 8.2 The proposal would have a neutral impact on nearby residents and is considered acceptable in accordance with Policies S10, N1 and N11 of the West Northamptonshire Joint Core Strategy, Policies 1 and 19 of the Northampton Central Area Action Plan and the National Planning Policy Framework.

9. CONDITIONS

- 1) The use hereby permitted shall be discontinued and the building returned to its former use on or before 31st November 2018.

Reason: In the interests of amenity as the Local Planning Authority consider the use is only acceptable as a temporary expedient in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework and to allow a more permanent solution to be investigated.

- 2) The premises shall only be occupied for the permitted use between 21.00hrs and 09:00hrs and at no other times.

Reason: In the interests of the protection of residential amenities in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

- 3) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan, Ground Floor Plan HABW-NS-003.

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

- 4) The night shelter hereby permitted shall operate in accordance with the submitted Management Plan dated 14th September 2016 at all times.

Reason: In the interests of general amenity and to protect the amenities of nearby properties and the area in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

- 5) Prior to the commencement of the development, details of the provision for the storage of refuse and materials for recycling shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the first occupation or bringing into use of the building hereby permitted and thereafter retained.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

10. BACKGROUND PAPERS

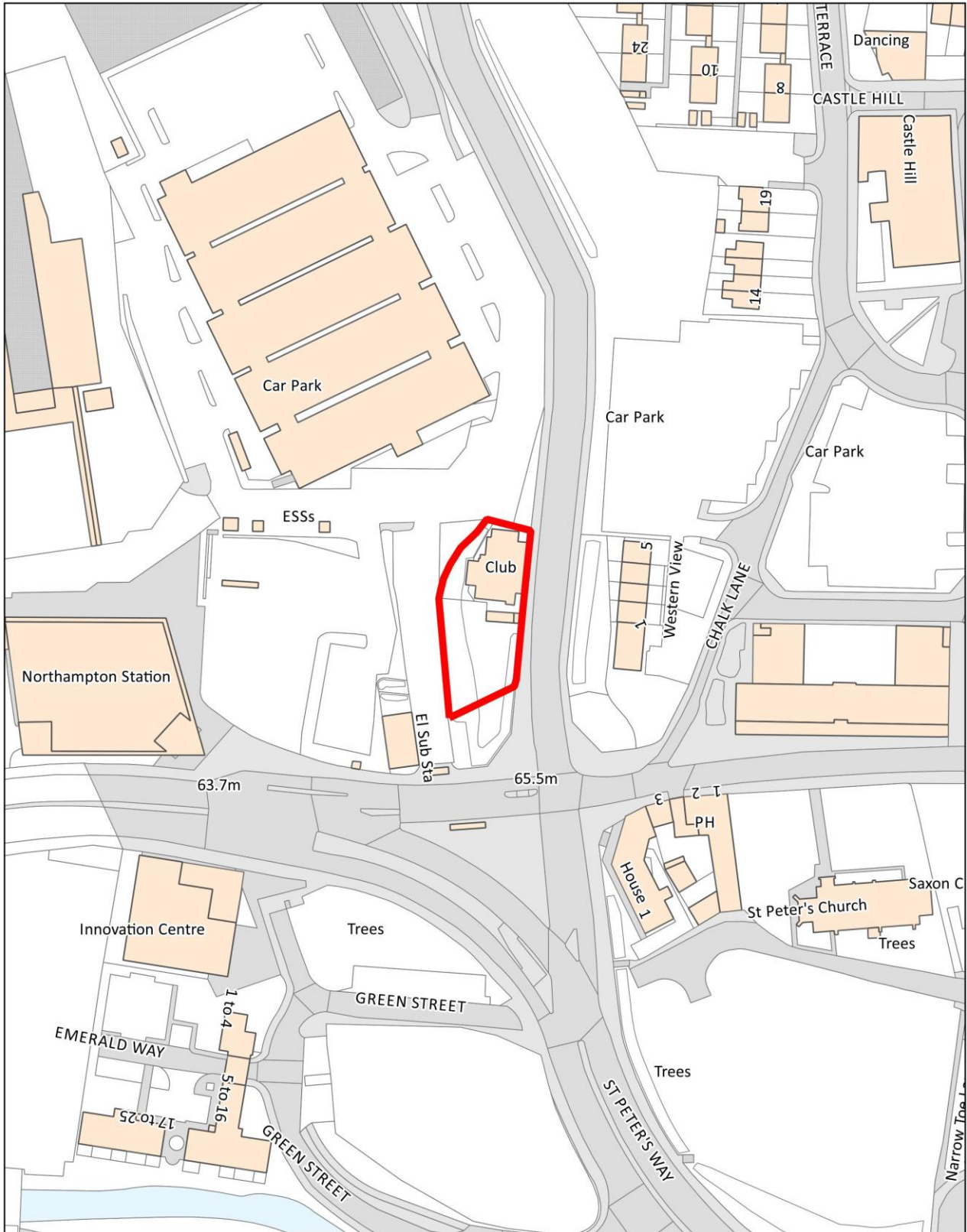
- 10.1 Together We Change Lives – Ending the Need for People to Sleep Rough in Northampton. NBC published June 2016

11. LEGAL IMPLICATIONS

- 11.1 The development is not CIL liable.

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.



Title: **British Rail and Social Club, St Andrews Road**

Date: 16-09-2016

Scale: 1:1,250

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