

**PLANNING COMMITTEE:** 22<sup>nd</sup> November 2016  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**HEAD OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2016/1372

**LOCATION:** Kings Heath Post Office , 2 Park Square

**DESCRIPTION:** Change of use from shop (Use Class A1) to a Drop-in Centre

**WARD:** Kings Heath Ward

**APPLICANT:** Mrs Lucie Brown, Church on the Heath

**REFERRED BY:** Head of Planning  
**REASON:** Council owned land

**DEPARTURE:** No

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#### **APPLICATION FOR DETERMINATION:**

##### **1. RECOMMENDATION**

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

1.2 The proposed change of use, subject to conditions, would not lead to any significant impacts on the character and appearance of the area or the amenities of nearby residents, and would introduce a use of community benefit. The proposal is considered to be in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy, Policies E20 and R9 of the Northampton Local Plan and the National Planning Policy Framework.

##### **2. THE PROPOSAL**

2.1 This application is for a change of use from a shop (Class A1) to a drop-in centre for the local community run by church members.

##### **3. SITE DESCRIPTION**

3.1 The application site consists of a retail unit located in a parade of local retail and commercial units within Kings Heath. The surrounding land uses consist of a betting office, a pharmacy, a hairdresser, a toy library, a Sure Start Centre and two other retail shops. Two further units within the centre are vacant. There is a third empty unit which has recently been granted consent for change of use to a restaurant/café. The wider area consists of residential accommodation including flats above the shop units.

##### **4. PLANNING HISTORY**

4.1 N/2002/96 – Installation of ATM cash machine – Approved.

## **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 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 17 sets out core land use planning principles which seek to secure high quality design and a good standard of amenity for existing and proposed occupiers.

Paragraph 109 advises that the planning system should contribute to and enhance the natural and local environment.

### **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:

S10: Sustainable Development Principles– encourages development which achieves high standards of design and a strong sense of place; protects, conserves and enhances the natural built environment; minimises pollution from noise, air and run off.

RC1: Delivering Community Regeneration – seeks to ensure the provision of improved services and community facilities.

### **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:

E20: New Development – seeks to secure development which has an acceptable design, layout and achieves acceptable levels of amenity.

R9: Change of use from shop use in District and Local Centres – permission will not be granted where it would lead to unacceptable traffic problems, adversely affect the amenity of neighbouring properties, be detrimental to the shopping character by an unacceptable increase in non-shop use.

### **5.5 Supplementary Planning Documents**

Northamptonshire Parking Standards (September 2016)

## **6. CONSULTATIONS/ REPRESENTATIONS**

- 6.1 **NBC Public Protection** – requests clarification of the use to consider if there is any potential for noise to transfer to residential buildings located above. Following the receipt of further clarification on the proposed use, no further comments have been received.
- 6.2 **NCC Highways** – no observations to make.

## **7. APPRAISAL**

- 7.1 The premises until recently has been used by members of Kings Heath Church (Church on the Heath) as a shop selling second hand items and as a food bank. Approximately one month ago, the second hand sales stopped. The food bank use has continued and the premises are open on Wednesdays from 11am until 1pm. Prior to this, the premises were also open on a Saturday. The proposal now is to initially open on Wednesdays between 10.30am and 1pm and occasionally on Saturdays.
- 7.2 The proposal seeks to now use the premises as a drop in centre. The applicant states that their aim is to have a friendly place on the Square, “a place where church members (who will make up the majority of the volunteers) are able to make connections with the local community and offer friendship and neighbourly support where appropriate”. It is proposed that the food bank use will continue, and it will also be a base for the Parish Nurse to offer training and discussion around holistic health.
- 7.3 Whilst the proposal would result in the loss of a retail unit, in an area which maintains the characteristics of a local centre, the proposed change of use will serve the local community and provide a valuable service.
- 7.4 No external alterations to the appearance of the premises are proposed, and maintaining the building in active use is considered important to enhance the area. It is considered that, subject to a condition to control the opening hours of the premises to protect neighbouring amenity, the proposal is acceptable.
- 7.5 The proposal would enhance the vitality and viability of Park Square and contribute to the provision of community facilities within the area in accordance with Policy R9 of the Northampton Local Plan and Policy RC1 of the West Northamptonshire Joint Core Strategy.

## **8. CONCLUSION**

- 8.1 The proposal would result in providing a community service to the neighbourhood and would retain the unit in active use contributing to the vitality and viability of the local centre. The proposal therefore accords with the Development Plan Policy and is acceptable.

## **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: Site Location Plan, Floor Plan dated 10<sup>th</sup> October 2016.

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

(3) The drop in centre hereby approved shall only be open between the hours of 9am and 5pm on Monday to Saturday and at no time on Sundays or Public and Bank Holidays.

Reason: in the interests of the amenities of the occupiers of nearby properties in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

## **10. BACKGROUND PAPERS**

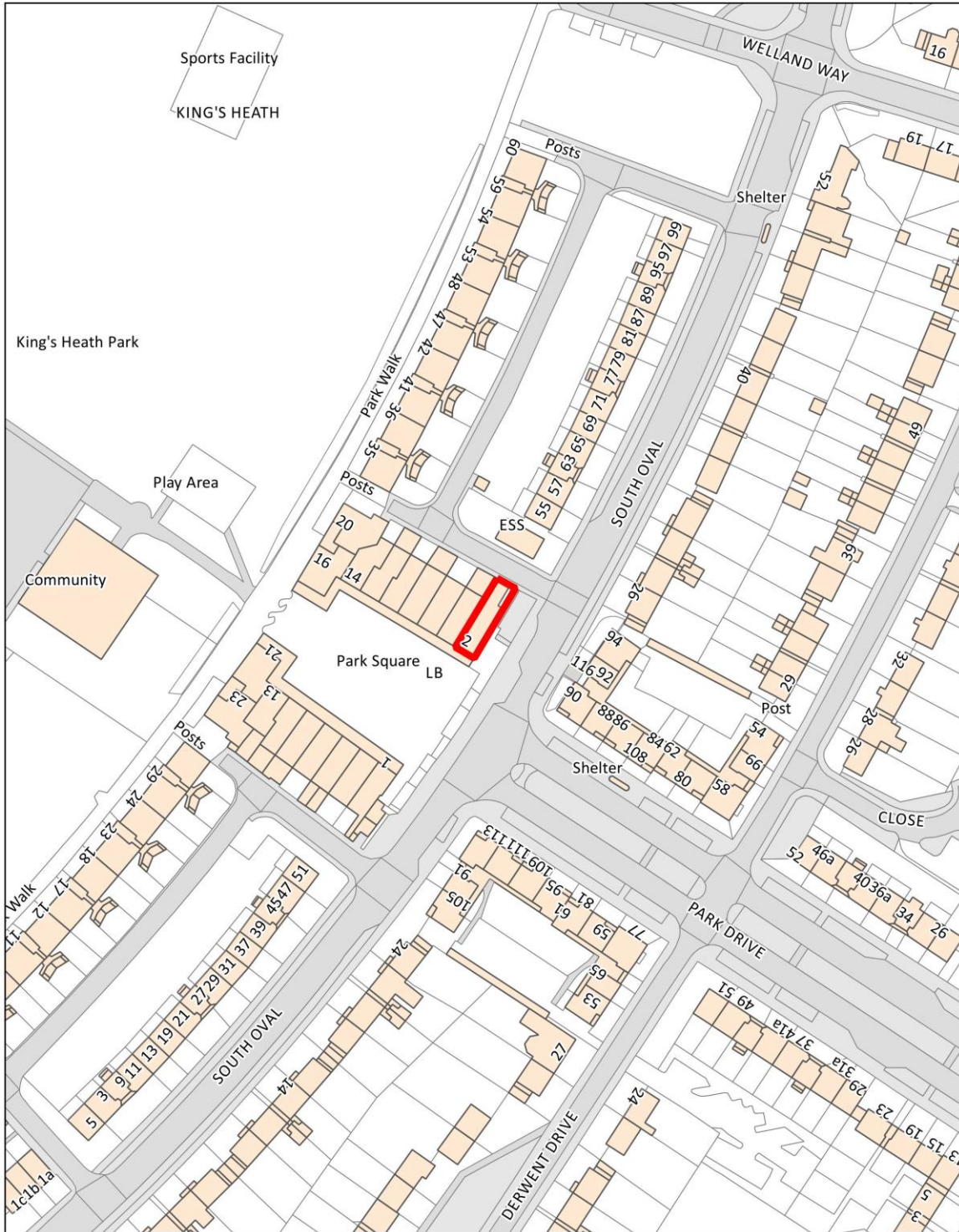
10.1 N/2016/1372

## **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: **Kings Heath Post Office, 2 Park Square**

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