



**PLANNING COMMITTEE:** 14<sup>th</sup> February 2017  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**HEAD OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2016/1544

**LOCATION:** Commercial Street Surface Car Park, Commercial Street

**DESCRIPTION:** Variation of Condition 1 of planning permission N/2015/0001 to extend use of the existing car wash for a further five years

**WARD:** Castle Ward

**APPLICANT:** Mr Ben Lleshi  
**AGENT:** Architectural Ideas

**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:

The proposed development is considered acceptable as a temporary use of the land and would not prejudice the future comprehensive redevelopment of the wider site and would allow the Local Planning Authority to monitor the impact on highway safety in compliance with Policy 1 of the Central Area Action Plan, Policy BN7A of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

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

2.1 Planning permission is sought for the variation of condition 1 of planning permission N/2015/0001. The condition reads:

The use hereby permitted shall be discontinued and the storage container and canopy shall be removed and the land restored to its former condition on or before 28th February 2017.

2.2 This application followed on from the original permission for the site, under reference N/2013/1304 which permitted the use of the site as a temporary car wash for one year.

2.3 This current proposal is for the continuation of the use for a further five years, which would mean the use would be in place for a total of eight years.

- 2.4 The submitted proposal does not seek to alter the current arrangement only to extend the time for its continued use.

### **3. SITE DESCRIPTION**

- 3.1 The application site constitutes a small area of the Commercial Street surface car park (approximately 70sqm). The car park is in the ownership of the Borough Council.
- 3.2 The car park is bound by St. Peters Way, which curves the south western side of the site. Commercial Street runs from St. Peters Way and provides an access into the car park.

### **4. PLANNING HISTORY**

- 4.1 N/2013/1304 - Change of use of part of car park to hand car wash (Sui Generis) to include the installation of a storage container and canopy - Approved 12/02/2014.
- 4.2 N/2015/0001 - Variation of condition 1 of planning permission N/2013/1304 to allow the car wash to operate for a further two years – Approved 18/02/2015.

### **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), Northampton Local Plan (1997) saved policies and Northampton Central Area Action Plan (2013).

#### **5.3 National Policies**

National Planning Policy Framework (NPPF)

Paragraph 19 – Supporting economic growth through the planning system

Paragraph 56 – Requiring good design

Paragraph 109 – Protecting and enhancing the environment

#### **5.4 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 BN7A – Water supply, quality and wastewater infrastructure.

#### **5.5 Northampton Central Area Action Plan 2013 (CAAP)**

Policy 1 - Promoting Design Excellence

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

E20 – New development

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

6.1 **Town Centre Manager** – No objection to varying the condition and extending the use of the car wash.

## **7. APPRAISAL**

7.1 The issues to consider are the impact of the continued use of the site for a further period of five years.

7.2 The key consideration in this regard is considered to be the continued occupation of the site which would prevent it coming forward for other uses, which would thereby conflict with its status as a key site within the Enterprise Zone. As such any permission could only be for a temporary period.

7.3 The site has previously been approved for the use as a car wash for three years in total. If the current application was to be approved this would bring the total to eight years in this use. However, in the absence of any known proposals for the redevelopment of the site it is considered that this would not conflict with longer term aspirations for the site.

7.4 In terms of impacts, it is not considered that the use affects highway safety nor causes unacceptable noise issue. These would be unchanged from that at present, which have been considered acceptable previously and it is not considered that this would be likely to alter.

7.5 It is therefore recommended that the use is allowed to continue for a further five year period, at which point the future potential of the site will be clearer.

## **8. CONCLUSION**

8.1 The proposed continued use of the site for a further five year period is not considered to be detrimental to the long term potential of the site nor would this result in any adverse impact greater than has resulted from the operation of the site to date.

## **9. CONDITIONS**

(1) The use hereby permitted shall be discontinued and the storage container and canopy shall be removed and the land restored to its former condition on or before 28<sup>th</sup> February 2022.

Reason: The proposed development is considered acceptable as a temporary use of the land and would not prejudice the future comprehensive redevelopment of the wider site and would allow the Local Planning Authority to monitor the impact on highway safety in compliance with Policy 1 of the Central Area Action Plan and the guidance contained within the National Planning Policy Framework.

(2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan & Site Plan (17004-L02 Rev A).

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

## **10. BACKGROUND PAPERS**

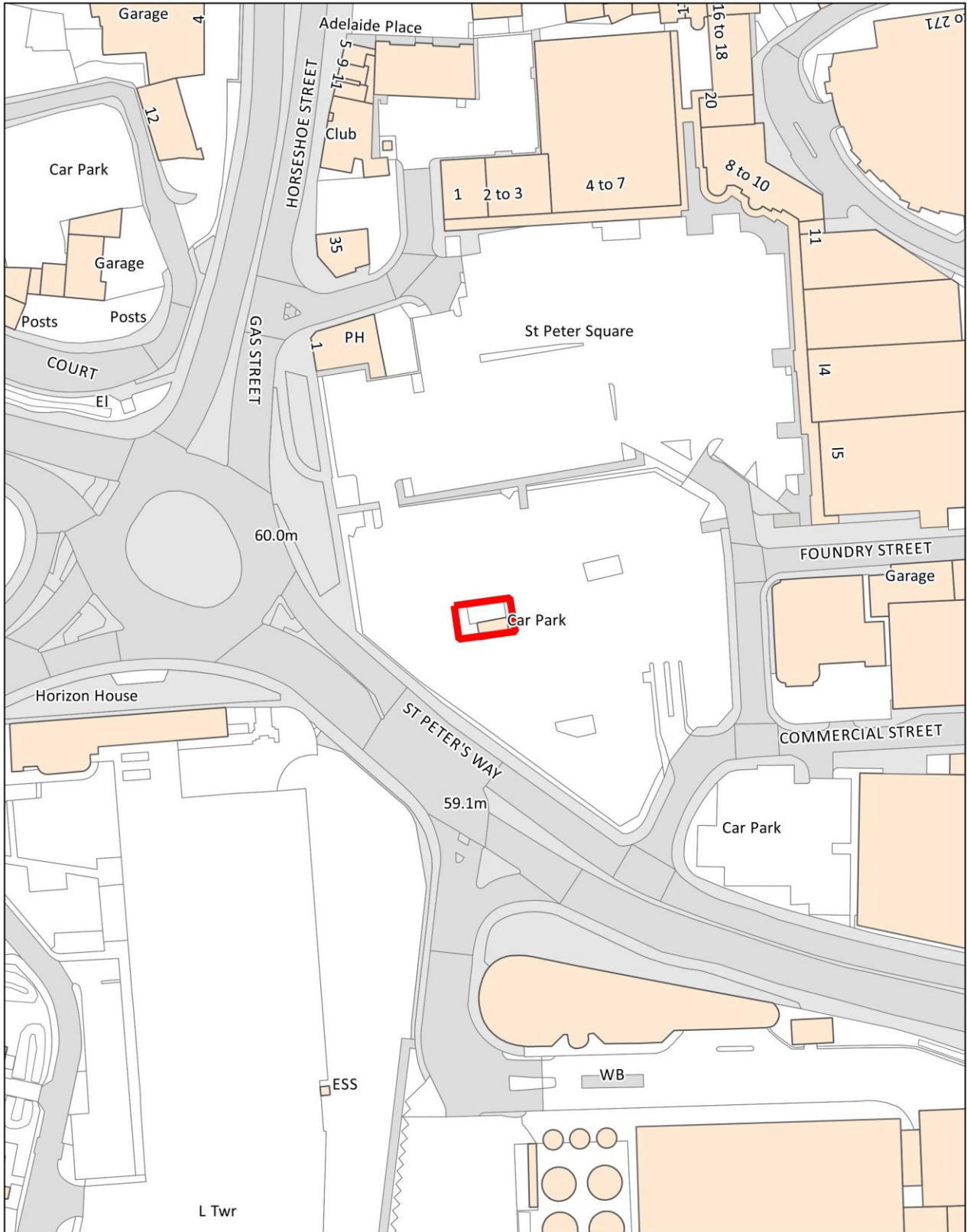
10.1 Application file N/2016/1544.

## **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: **NBC Surface Car Park, Commercial Street**

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Date: 30-01-2017

Scale: 1:1,250

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