



PLANNING COMMITTEE: 7th June 2018
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2018/0658

LOCATION: Car Park Pay And Display, Upper Bath Street

DESCRIPTION: Erect new MUGA (multi use games area) in place of part of existing car park with associated landscaping to resurface MUGA surrounds, install benches, bollards, re-define resultant car park layout and upgraded planting

WARD: Castle Ward

APPLICANT: Engie
AGENT: Halsall Lloyd Partnership

REFERRED BY: Head of Planning
REASON: Council owned land

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1 RECOMMENDATION

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

The proposed development would provide a much needed facility for the residents of the area which would assist in the reduction of anti-social behaviour. It is considered that the proposal would have no undue adverse impacts on the street scene, the character of the area or the amenities of adjoining occupiers. The proposal thereby complies with Policies S10, N11 and BN9 of the West Northamptonshire Joint Core Strategy, Policies 1 and 24 of the Central Area Action Plan, Policy OP3 of the Spring Boroughs Neighbourhood Plan and the National Planning Policy Framework.

2 THE PROPOSAL

2.1 The proposal is for the construction of a Multi-Use Games Area (MUGA) on an existing car park area. The car park has 21 regular spaces and three disability spaces. This would be reduced to 6 regular spaces and 4 disability spaces. The MUGA itself would occupy the remainder of the space and would be enclosed by mesh fencing up to 2.3m high to prevent the egress of balls. Landscaping around the MUGA would be enhanced also.

3 SITE DESCRIPTION

- 3.1 The application site comprises a surface car park which is adjacent to a church and Salvation Army Centre and also close to housing. The site is separated from the town centre by the A508 main road.

4 PLANNING HISTORY

- 4.1 None.

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), the Northampton Central Area Action Plan (2013) and the Spring Borough Neighbourhood Plan.

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:

Section 7 – Requiring good design

Section 8 – Promoting healthy communities

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.

Policy N11: Supporting Areas of Community Regeneration.

Policy BN9: Planning For Pollution Control

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 – Promoting Design Excellence.

Policy 24 – Spring Boroughs.

5.5 Supplementary Planning Documents

Northamptonshire Parking Standards (September 2016)

Planning out Crime in Northamptonshire SPG 2004

5.6 Other Material Considerations

Spring Boroughs Neighbourhood Plan

The Spring Boroughs Neighbourhood Plan was made in April 2016, and now forms part of the development plan for Northampton.

Policy OP3 – Children’s Play Space and Other Green Space

6 CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **NBC Public Protection** - Recommended conditions requiring the facility to be locked at 20:00 to avoid incidents of noise and anti-social behaviour, full details of the lighting scheme to be provided. Measures required to prevent balls being kicked onto the adjacent A508.
- 6.2 **Councillor Danielle Stone** – Support the application.
- 6.3 **NCC Highways & Access** – There would be no objections subject to balls being prevented from entering the highway and requested details of floodlighting levels.
- 6.4 **Spring Borough's Voice Neighbourhood Forum** – Fully in support of the MUGA being sited in the way described. Very much in line with the Neighbourhood Plan.
- 6.5 **Spring Boroughs Residents Association** – Support the development wholeheartedly, view it as a positive asset and look forward to it becoming a reality.
- 6.6 Representations in support received from two nearby premises, making the following points in summary:
 - Ability to use the MUGA all year round would be beneficial to local children
 - Fully support the application – young people have nowhere to play football without causing a nuisance. The MUGA would give them somewhere safe to go.

7 APPRAISAL

- 7.1 The issues to consider are the visual impact of the proposal and any impact on adjoining occupiers, as well as the impact due to the loss of car parking. To be balanced against this are the benefits of the facility to the community.
- 7.2 In visual terms, the proposed MUGA would be of a standard design and appearance and given that this would replace an open car park, it is not considered that this would have an adverse impact in the street scene. The proposed landscaping would enhance the appearance of the area.
- 7.3 In respect of the loss of car parking, the site is opposite to the Mayorhold multi-storey car park, being separated from this by the main road only and linked by a pedestrian subway, meaning there is not a lack of parking in the area.
- 7.4 Turning to the impact on adjoining occupiers, whilst there are some residential occupiers nearby, the nearest would be over 20m from the MUGA, whilst those facing directly towards it would be over 40m away. Given the context of the area with a main road running past, it is not considered that a significant impact would result. Whilst Public Protection has recommended that the facility is locked at 8pm, the proposal is not designed to be lockable, which is not unusual with facilities of this type. In this case, it is not considered that this is necessary as the facility is designed to serve the wider community. If there is any anti-social behaviour, it would be better if this could be contained in this facility, rather than disperse them closer to residential properties as may occur at present.
- 7.5 There is the possibility of an impact arising from the floodlights, both on residents and also the highway. A condition is proposed requiring such details to be submitted prior to installation.
- 7.6 In considering the benefits of the proposal, it is considered that it will be a positive asset for the area as it would result in a community facility for which there is an identified need, the provision of which would fulfil a policy requirement in the Neighbourhood Plan.

8 CONCLUSION

- 8.1 The proposed development would provide a needed facility for the residents of the area which would assist in the reduction of anti-social behaviour and which would have no undue adverse impacts which are not outweighed by such benefits.

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: N1447 110 B.

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

(3) Prior to the commencement of development, full details of all external lighting shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented prior to the first use of the development hereby permitted and retained thereafter.

Reason: To secure a satisfactory standard of development in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to ensure timely submission of details.

(4) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner, and which shall be maintained for a period of five years; such maintenance to include the replacement in the current or nearest planting season whichever is the sooner or shrubs that may die are removed or become seriously damaged or diseased with others of similar size and species.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy 1 of the Central Area Action Plan.

10 BACKGROUND PAPERS

10.1 Application file N/2018/0658.

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.

