



**PLANNING COMMITTEE:** 22<sup>nd</sup> January 2019  
**DEPARTMENT:** Planning Service  
**HEAD OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2018/1424

**LOCATION:** 4 Harrowden Road

**DESCRIPTION:** Change of use from nursery and warehouse with ancillary recruitment to a mix nursery and children party venue with ancillary recruitment use (sui generis), including installation of new primary glazed entrance behind existing shutter

**WARD:** Nene Valley Ward

**APPLICANT:** Mrs Black  
**AGENT:** Blueprint Architectural Design

**REFERRED BY:** Head of Planning  
**REASON:** Part 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 would provide employment opportunities and community benefits and would not have an objectionable impact upon the viability and vitality of the allocated hierarchy of centres in Northampton, the amenities of surrounding properties or the highway system. As such, the development is acceptable with regards to the guidance in the National Planning Policy Framework; Policies E1, S1, S2, S7, S8, and S10 of the West Northamptonshire Joint Core Strategy and Saved Policies B14, H35, E20 of the Northampton Local Plan.

### **2 THE PROPOSAL**

2.1 The application seeks planning permission for the change of use of Units 4 and 5 from a separate nursery unit and a warehouse unit with recruitment offices to a mixed use (i.e. sui generis use) comprising a weekday childcare nursery and weekend children's party venue with ancillary offices. The supporting information accompanying the application sets out that the proposal would facilitate soft play facilities to both serve the nursery in the week and provide a party venue on the weekends that can be rented out privately. In terms of the proposed offices, these would serve as

a new headquarters and recruitment offices for the nursery business as well as meeting and training rooms.

### **3 SITE DESCRIPTION**

- 3.1 The application site comprises two industrial units (Units 4 and 5) located at the end of Harrowden Road, a commercial cul-de-sac in Brackmills Industrial Estate. Harrowden Road benefits from parking restrictions for its entire length and these restrictions also extend out onto Salthouse Road.
- 3.2 Unit 4 is currently vacant and benefits from a planning permission granted in 1994 for a Class B8 storage and distribution use with ancillary administration sales and recruitment (reference N/1994/275).
- 3.3 Unit 5 is currently occupied by an existing childcare business and this use was permitted under planning application reference N/2000/83. This permission is subject to a number of conditions restrictions the use, including the hours of business, preventing the use of the property on weekends and bank holidays, and restricting the number of children to 45.

### **4 PLANNING HISTORY**

#### Unit 4

- 4.1 N/1994/275: Change of use to Class B8 with ancillary administration, sales and recruitment. Permitted.

#### Unit 5

- 4.2 N/2000/83: Change of use from industrial (Class B1) to children's day nursery (Class D1). Permitted.

### **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:

Paragraphs 7-12 - Presumption in favour of sustainable development.

Section 6 - Economy

Section 7- Town centres

Section 8 - Promoting healthy and safe communities.

Section 9 - Promoting sustainable transport

Section 12 - Achieving well-designed places

#### **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:

E1 - Existing Employment Areas  
S2 - Hierarch of Centres  
S7 - Provision of Jobs  
S8 - Distribution of jobs  
S10 - Sustainable Development Principles

#### 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  
B14 - Development for Non-Business Uses in Business Areas  
H35 – Childcare facilities

#### 5.5 **Supplementary Planning Documents**

Northamptonshire Parking Standards (September 2016)  
Planning out Crime in Northamptonshire SPG 2004

### 6 **CONSULTATIONS/ REPRESENTATIONS**

6.1 **Environmental Protection** – No objections or conditions to recommend.

6.2 **Highways (NCC)** – No comments.

### 7 **APPRAISAL**

#### Principle of development

7.1 Policy E1 of the Joint Core Strategy is in conformity with Saved Policy B14 of the Northampton Local Plan in seeking to protect against the unjustified loss of employment uses. Indeed, Policy E1 states:

*To support a vibrant, successful and developing local economy, existing and allocated employment sites and industrial estates across west Northamptonshire will be retained for uses within Use Classes B1, B2 and B8 and appropriate Non-B employment generating uses. Change of use to other (non-employment generating) uses will be resisted unless it can be demonstrated that the site is no longer economically viable for employment purposes in the long term, there is a clear conflict with adjoining uses, or its release would offer significant benefits to the local area*

7.2 Saved Policy B4 of the Local Plan similarly sets out that the loss of employment uses will be resisted unless such developments would be of benefit to the local community and lead to employment opportunities.

7.3 In addition, Paragraphs 85 - 90 of the NPPF seeks to ensure the viability of town centres and advises that local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan. The sequential test guides main town centre uses towards town centre locations first, then, if no town centre locations are available, to edge of centre locations, and, if neither town centre locations nor edge of centre locations are available, to out of town centre locations, with preference for accessible sites which are well connected to the town centre.

- 7.4 Saved Policy H35 of the Northampton Local Plan supports the provision of childcare facilities where they are convenient positions for parents and providing that they do not give rise to disturbance to neighbours and have adequate parking provisions.
- 7.5 The application property is in an existing employment area, however the property is not currently in a wholly business use class. Indeed, Unit 5 comprises a lawful children's nursery and Unit 4 has a mixed use of warehousing and recruitment offices, with the latter having been vacant since last summer.
- 7.6 The proposal would expand the existing nursery business in Unit 5 into the adjoining unit (Unit 4) and include the addition of a headquarter / recruitment offices for the nursery business and a soft play area, which would be used as part of the nursery in the week and as a party venue on weekends. Whilst headquarter offices in employment areas are an acceptable use in principle, nurseries, party venues and recruitment offices are not a business use class and would fall within the definition of a main town centre use in the NPPF. The application has not, however, been accompanied by a sequential assessment or any details of marketing of Unit 4. Although, the application has been supported by details of vacant commercial units in the area and, whilst this supporting information is somewhat limited in detail, officers are aware from site visits to the locality that neighbouring commercial units have been vacant and marketed for at least 7 months. In addition, the lawful use of Unit 4 presently includes recruitment offices such that the proposal would not result in the loss of a wholly B class unit, as detailed above, and it is considered that it would be difficult to object to the recruitment and office element of the proposal. Also, the supporting submissions set out that the new soft play area would only been used as a party venue on weekends, which would limit any impact on the hierarchy of centres in Northampton and this could be secured by condition. Moreover, the soft play area would help support the existing nursery during the week, with this established nursery business predominantly serving children of parents working in the Brackmills area to the benefit of the local community. It is also acknowledged that the proposal would provide employment opportunities, which would also be of benefit of the community. Taking into account the above, on balance, it is considered that it would be difficult to sustain objections on the grounds of the loss of employment or an adverse impact on the viability and vitality of the allocated hierarchy of centres in Northampton.

#### Character and appearance of the area

- 7.7 Saved Policy E20 of the Northampton Local Plan places great importance on the quality of design of new developments and is in conformity with the NPPF which advises that planning should always seek to secure high quality design.
- 7.8 The application only proposes limited external changes to the property comprising the installation of glazing behind the roller shutter doors in Unit 4 to match the appearance of Unit 5. As such, it is considered that the proposal would not have an adverse impact on the character and appearance of the area.

#### Residential Amenity

- 7.9 Saved Policy E20 of the Northampton Local Plan and the Core Planning Principles in the NPPF seek to secure a good standard of amenity for all existing and future occupants of land and buildings.
- 7.10 It is acknowledged that the 2000 permission for a nursery at Unit 5 included restrictions on the hours and days of use of the property. However, the site is in a commercial area with no residential properties in the immediate vicinity of the site. Furthermore, the current application has been assessed by Environmental Protection and they have raised no objections to the proposal. Therefore, it is considered that it would not be reasonable to impose planning restrictions on the hours or days of occupation of the property as a nursery and that the current proposal would not give rise to an adverse impact with regard to residential amenity.

#### Parking and Highway Safety

7.11 The County Parking Standards provides guidance on the likely car parking requirements for proposed developments, which comprise the following for the uses proposed as part of the application:

- D1 Child care - 1 space per full time staff, drop off /pick up facilities at 1 space per 4 children
- D2 Leisure uses (i.e. soft play) – 1 space per 22sqm
- B1 Offices – 1 space per 30sqm
- A2 employment agencies – 1 space per 25sqm

7.12 The roads surrounding the application site are covered by parking restrictions where necessary for highway safety. The existing childcare nursery in Unit 5 benefits from some 12 parking spaces and is presently restricted by condition to a maximum of 45 children. The proposal would be served by 21 parking spaces and provide soft play facilities (some 175sqm) in Unit 4 to support the existing nursery in Unit 5 during the week as well as offices for associated recruitment and management functions, with the soft play facilities used for parties on the weekend. Therefore, having regard to the above Parking Standards, it is recommended that a condition is imposed on highway safety grounds to limit the number of children attending the enlarged nursery facility to a maximum of 60 children at any one time. In addition, it is recommended that conditions are imposed requiring the provision/retention of parking space and to limit the part venue use to weekends and public/bank holidays to ensure that there is sufficient on-site parking. As such, subject to the aforementioned conditions and given that the County Highway Engineer raises no objections to the application, it is considered that the proposal is acceptable on parking and highway safety grounds.

## **8 CONCLUSION**

8.1 To conclude, the proposed development would provide employment opportunities and community benefits and, as part of a balanced assessment and subject to condition, would not have an objectionable impact upon the viability and vitality of the allocated hierarchy of centres in Northampton, the amenities of surrounding properties or the highway system. Therefore, it is recommended that planning permission is granted subject to conditions.

## **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: 18-087-01, 18-087-02B, 18-087-03A, 18-087-04A, and 18-087-05A.

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

3. The use of the premises as a nursery shall be for the provision of childcare for no more than 60 children at any one time.

Reason: In the interests of the amenities of the locality and ensure effective planning control is retained by the Local Planning Authority in accordance with Policy H35 of the Northampton Local Plan.

4. The premises hereby permitted shall only operate as a party venue on Saturdays, Sundays or Bank or Public Holidays.

Reason: In the interests of highway safety and the viability and vitality of the allocated hierarchy of centres in Northampton in accordance with Policies S2 and S10 of the West Northamptonshire Joint Core Strategy and the guidance in the National Planning Policy Framework.

5. The car parking as shown on the submitted proposed site plan shall be implemented prior to the commencement of the use hereby permitted and retained thereafter.

Reason: In the interests of highway safety in accordance with the requirements of the National Planning Policy Framework.

## **10 BACKGROUND PAPERS**

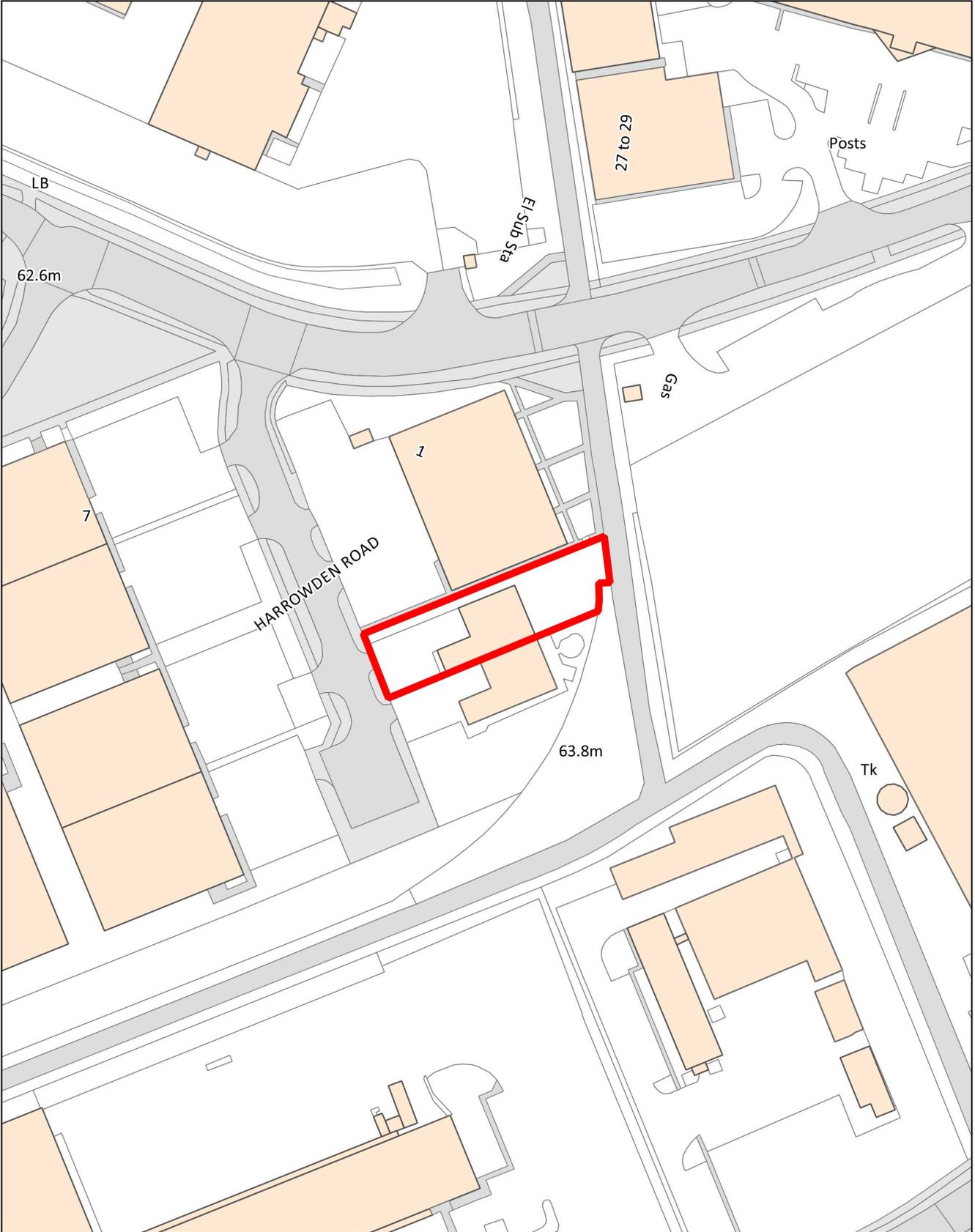
- 10.1 N/1994/275, N/2000/83 and N/2018/1424.

## **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.



**NORTHAMPTON**  
BOROUGH COUNCIL

Title: **4 Harrowden Road**

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