

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

**APPLICATION REF:** N/2019/1041

**LOCATION:** 8 Newnham Road

**DESCRIPTION:** Change of Use from Betting Shop (Sui Generis) to Hairdresser/Beauty Salon, incorporating small ice cream kiosk (Sui Generis)

**WARD:** St Davids Ward

**APPLICANT:** Mr Hassan Malik  
**AGENT:** N/A

**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 change of use is considered acceptable and would not have an undue detrimental impact on parking, highway safety and the residential amenity of nearby occupiers in compliant with the aims and objectives of the National Planning Policy Framework, Policies S10 and BN9 of the West Northamptonshire Joint Core Strategy and Policy E20 of the Northampton Local Plan.

#### **2 THE PROPOSAL**

2.1 Permission is sought for a change of use from Betting Shop (Sui Generis) to Hairdresser/Beauty Salon, incorporating a small ice cream kiosk (Sui Generis). There are no external works proposed.

#### **3 SITE DESCRIPTION**

3.1 The site consists of a former betting shop located along a parade of five commercial units that includes a convenience store, a supermarket and a hot food takeaway. There is a separate flat above the application site.

3.2 Parking is provided along the street on an unrestricted basis. The site is located in an established residential area and the site comprises Council owned land. The site is opposite to a derelict public house and is not in a conservation area or near any listed buildings.

## **4 PLANNING HISTORY**

4.1 N/1999/0722 Permission granted for change of use from hairdressers to a book makers.

## **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.

## **6 National Policies**

6.1 **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 108 Safe access for all
- Paragraph 127 Residential amenity

### **6.2 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  
BN9 Pollution Control

### **6.3 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 policy is material to this application:

E20 Design of new development

### **6.4 Supplementary Planning Documents**

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

## **7 CONSULTATIONS/ REPRESENTATIONS**

7.1 **Northamptonshire Highways** - no comments to make.

7.2 **NBC Environmental Health** - no comment to make subject conditions on hours of operation.

## **8 APPRAISAL**

## **Main issues**

- 8.1 The main issues to consider are the principle of change of use, parking, highway safety and the impact on the residential amenity of other occupiers.

### **Principle of conversion**

- 8.2 Although the site is located within an established residential location, the application site forms one of a parade of five commercial units. The proposal is considered acceptable in principle subject to having a satisfactory impact on highway safety and residential amenity. The proposal would also bring a vacant unit back into active use.

### **Parking and Highway safety**

- 8.3 Paragraph 108 of the National Planning Policy Framework requires consideration of access on any planning application which is also reflected in the Northamptonshire Parking Standards 2016.
- 8.4 In this instance, car parking is available to the front of the parade along the layby which is provided on an unrestricted basis to customers and visitors. In view of the lawful use of the premises, it is unlikely that the proposal would generate significantly greater traffic movements. The Local Highway Authority raise no objections in terms of parking and highway safety.

### **Impact on amenity of other occupiers**

- 8.5 The site is located within an established residential area. Given the proposed hours of use would be restricted to day time hours only, it is unlikely that a use of this nature would generate significant noise and disturbance as compared to the lawful use as a betting shop. Opening hours can be controlled by condition (Condition 3 below). NBC Environmental Health raise no objections. The proposal therefore complies with Policy BN9 of the Joint Core Strategy.
- 8.6 Although no details have been submitted in relation to refuse storage, there is space to the rear of the unit to accommodate such provision. A planning condition is recommended to seek such details prior to the use commences.

### **Security and Crime Prevention**

- 8.7 The site would be well overlooked by nearby residential uses throughout the day. There is no evidence to suggest that the proposal would increase anti-social activity in the vicinity of the site.

## **9. CONCLUSION**

- 9.1 The proposal is considered acceptable and would bring a vacant unit back into active use. In terms of the proposed use, it is unlikely that there would be a significant effect on parking, highway safety and residential amenity. The proposal is in line with Development Plan Policy and the NPPF.

## **10 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: Location Plans and floor plans/ site plan.

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

3) The premises shall remain open to customers between the hours of 9.30am and 7pm Mondays to Wednesdays, 9.30am to 7.30pm Thursday to Saturdays and 11am to 5pm on Sundays only and at no other times.

Reason: In the interests of the protection of residential amenities in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

4) Full details of the provision for the storage of refuse and materials for recycling shall be first 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 uses 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 and E20 of the Northampton Local Plan.

## **11 BACKGROUND PAPERS**

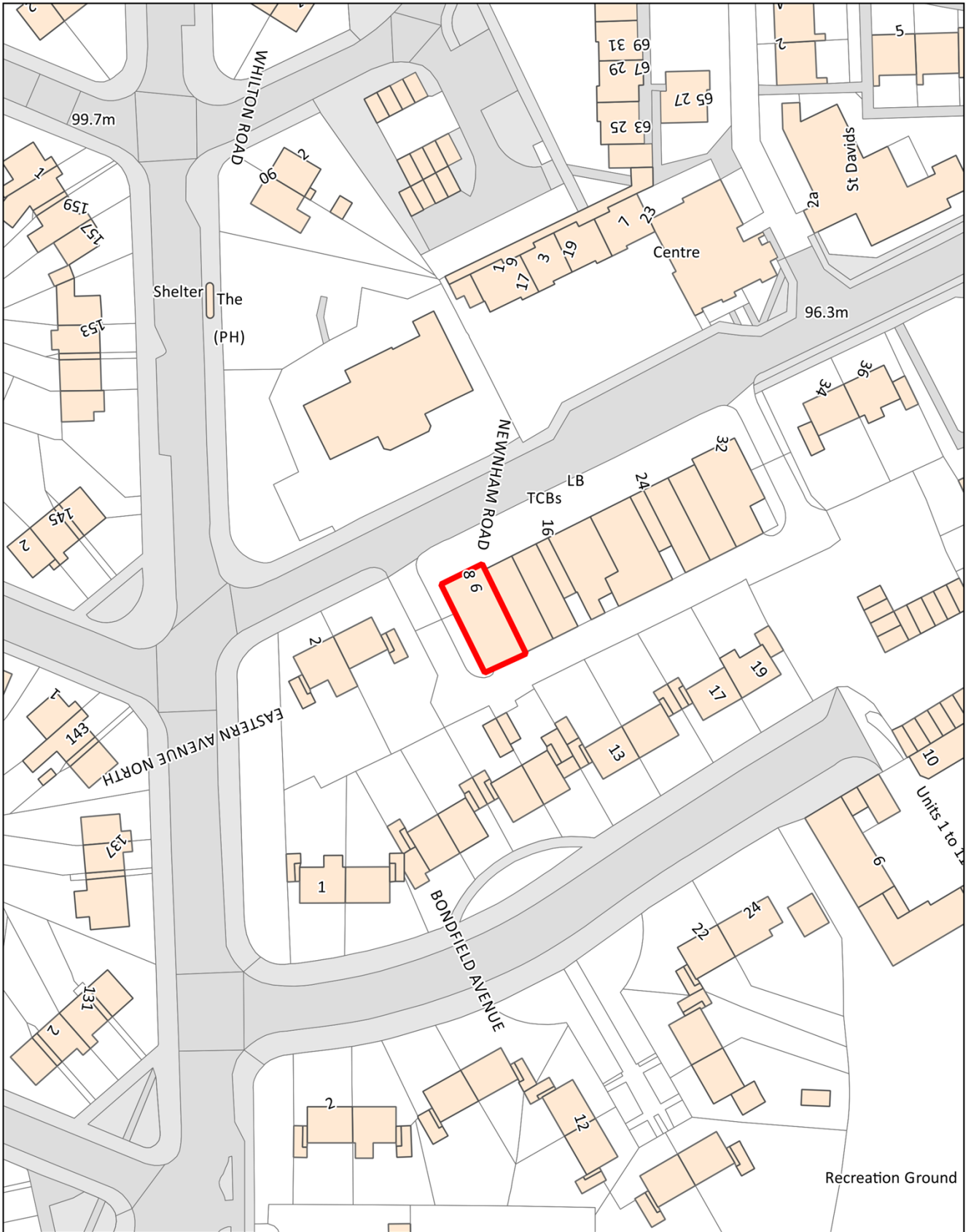
11.1 N/2019/1041.

## **12 LEGAL IMPLICATIONS**

12.1 The development is not CIL liable.

## **13 SUMMARY AND LINKS TO CORPORATE PLAN**

13.1 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: **8 Newnham Road**

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