



Applicants:

H. W. M. Plant Ltd

Application No:

10/0184/FULWNN

Date Registered:

24/11/2010

Expiry Date:

23/02/2011

Grid Ref:

479242 265152

Ward: Thorplands

Northampton UDA Planning Committee Paper

Report by Director of Planning and Development

Date of Committee Meeting: 25th January 2011

Agenda Item: 5

Description: Change of use of Unit A from B8 to flexible use: B2 (General Industrial) and/or B8 (Storage & Distribution).

Address: Unit A, Meteor Distribution Park, Edgemoad Close, Northampton, NN3 8RF

1. Recommendation

- 1.1 That the application be approved, for the reasons set out below and subject to the conditions attached to this report.

Reason for Approval

- 1.2 The proposed development would promote an active occupation of the premises in compliance with the site's Existing Business Area designation, with Policy B2 of the Northampton Local Plan (1997) and with the guidance contained within PPS4: Planning for Sustainable Economic Growth.

2. Description of Site

- 2.1 The application site constitutes a large (comprising 8,384 sq m of gross floor space), currently vacant, single-storey, metal-clad industrial unit located within an Existing Business Area as designated by the Northampton Local Plan (1997). The rectangular building incorporates an area of ancillary office space within its southwest corner.
- 2.2 The site is surrounded by a range of other industrial units falling within the B1(c) (Light Industry), B2 (General Industrial) and B8 (Storage & Distribution) Use Classes and is bound by Stone Circle Road to the south and Edgemoad Close to the east. Vehicular access to the site is

available from both aforementioned roads, the HGV delivery point and associated circulatory space is via Edgemean Close while 100no. car parking spaces are available via the Stone Circle Road entrance. There is mature landscaping in place along all sides of the site.

3. Description of Proposal

- 3.1 The proposal is purely for the change of use of the premises from its current B8 Storage and Distribution Use to a flexible use comprising B8 and/or B2 General Industrial Use.

- 3.2 A 1989 planning permission at the site (89/1423) allowed for the erection of the application unit (Unit A), at which time it was granted permission for both B2 and B8 use without restriction. However, Part 3, Class E of Schedule 2 of the Town & Country Planning (General Permitted Development) Order 1995 (As Amended) effectively restricts the flexibility of the 1989 permission to a period of 10 years from the date of decision. Accordingly the use of the site at a point 10 years from the date of decision is thereby the lawful use of the site. In the case of Unit A, this use is B8 (Storage & Distribution). The Use Classes Order does not allow for the permitted change from B8 to B2, hence the requirement for this planning application for change of use.

4. Policy Considerations

WNDC Purpose:

- 4.1 Under S136(l) of the Local Government Planning and Land Act 1980, WNDC as an Urban Development Corporation has a statutory “objective” to deliver the regeneration of the area. The Secretary of State has determined that WNDC should have development control powers for certain types of development in order to carry out its objective.

National Planning Policy Guidance:

- 4.2 The following Planning Policy Statements / Notes should be taken into consideration in the determination of this application.

- PPS1: Delivering Sustainable Development
- PPS1: Sustainable Development: Planning and Climate Change
- PPS4: Planning for Sustainable Economic Growth
- PPG13: Transport
- PPS25: Development and Flood Risk

Development Plan:

- 4.3 Northampton Borough Local Plan (1997) (relevant saved policies): Policies B2, E19

Other non-statutory documents:

4.4 WNDC Planning Principles (2009):

1. To deliver development and infrastructure that enables regeneration and growth in Northampton, Daventry and Towcester.
2. To ensure that new development is supported by appropriate jobs, infrastructure and town centre regeneration.
3. To ensure that new development meets the Government's design quality and environmental standards and is integrated into existing communities.

4.5 WNDC Sustainability Manual:

The WNDC Sustainability Manual sets a framework for assisting the decision making process in terms of the expected standards for sustainable construction.

4.6 WNDC Planning Obligation Strategy (POS):

The Planning Obligations Strategy sets out WNDC's approach to planning obligations, in particular, the arrangements for a 'Standard Charge' to be applied, initially, to new residential development within WNDC's area. The principal objective of the Strategy is to ensure that development contributes appropriately, both financially and/or in kind, towards the infrastructure needed across WNDC's area to deliver sustainable growth. Funding from planning obligations will be used, alongside other funding sources, to ensure that essential infrastructure, facilities and amenities are brought forward at the appropriate time, so that the growth and regeneration outcomes sought for the area can be achieved.

5. **Representations.** Summaries of the consultation responses are set out below.

5.1 NBC Development Control: No objections.

5.2 NBC Environmental Health: No objection in principle to the proposals. In order to prevent any potential problems with noise or emissions to the atmosphere it is recommended that conditions are applied to secure the provision of noise and emissions schemes prior to the first occupation of the proposed use.

5.3 NCC Sustainable Transport: No objections in principle, subject to submission and approval of a Travel Plan prior to the first use of the development proposed. This is to be secured by condition and shall include the provision of disabled spaces, covered cycle and motorcycle spaces.

5.4 Northamptonshire Police: No formal objection.

5.5 Cllr Sadik Chaudhury: No comments received.

5.6 Cllr Dennis Meredith: No comments received.

6. Notifications and Responses

6.1 The application has been advertised by way of neighbour consultation letters, site notices and a press notice by virtue of the proposal being classified as a major development. No responses were received.

7. Site History

7.1 93/0393 New water storage tank & pump house for sprinkler installation & new fire escape staircases from internal mezzanine floors plus gatehouse (Approved)

7.2 89/1423 Erection of 3no. industrial warehouse units (Approved)

7.3 87/0863 Erection of industrial/ warehouse/ office units (Approved)

7.4 85/0001 Outline, the erection of 4no. factory warehouse units with office accommodation and 3no. office/ warehouse buildings (Approved)

8. Considerations

8.1 The principal considerations in the determination of this application are considered to be: Principle of Development, Vacant Premises, Highway Matters, Residential & General Amenity, Flood Risk, Sustainability, Planning Obligations

Principle of Development

8.2 The application site is located within a designated Existing Business Area, which secures the principle of B2 and B8 Uses. Policy B2 of the Local Plan states that planning permission shall be granted for B1, B2 or B8 Uses within such areas. The proposal is compatible with its immediate surroundings and is acceptable in principle.

Vacant Premises

8.3 As detailed within the supporting Planning Statement submitted with the application, the premises have lain vacant for in excess of 3 years since the previous B8 occupant vacated the site. Even though the Unit has been refurbished a new tenant has not yet been found. The application is motivated by the desire of the applicant to attain more flexibility in marketing the premises moving forwards.

8.4 PPS 4: Planning for Sustainable Economic Growth contains Policy EC10: Determining Planning Applications for Economic Development. This policy urges Local Planning Authorities to adopt a positive and constructive approach towards planning applications for economic development, according the policy states that – amongst other impact

considerations – such applications should be assessed against the impact on economic and physical regeneration in the area and against the impact on local employment.

- 8.5 Officers consider that offering flexibility in terms of potential uses of the site would promote active occupation of the site, therefore positively impacting upon the local economy and local jobs market. Long standing vacant premises clearly have a negative impact in this context and detract from the viability and vitality of the Existing Business Area in question.

Highway Matters

- 8.6 NCC Sustainable Transport (Highways) were consulted upon the application and detailed no objections in principle subject to the submission and approval of a Travel Plan prior to the first use of the proposed development. Officers note that a B2 use would generally be expected to generate lower traffic flows in comparison to a B8 use (with its associated HGV movements). The site has a live permission for B8 use and is well served by highway links and on-site care parking provision. Officers consider that the proposals are acceptable in a highways context subject to an appropriately worded Travel Plan condition.

Residential and General Amenity

- 8.7 The site is located within the heart of a designated Existing Business Area and there are no residential uses apparent in the vicinity; there would therefore not be a negative impact upon residential amenity. NBC Environmental Health were consulted upon the application and requested conditions to be attached to any approval that require noise and emissions schemes to be submitted. Given the size of the operation at hand (8,384 sq m), Officers consider that it would be prudent to apply such conditions in the interests of general amenity.

Flood Risk

- 8.8 The application site is located within the lowest risk flood zone (Zone 1) but exceeds 1Ha in area (1.83 Ha). Therefore, in compliance with the provisions of PPS25: Development and Flood Risk, a Flood Risk Assessment (FRA) accompanies the application. The proposed uses are classified by PPS25 as 'Less Vulnerable'; therefore no consultation of the Environment Agency has been required in accordance with their Flood Risk Standing Advice.
- 8.9 The submitted FRA confirms that no operational development or additional hard surfacing is to occur as a result of this application. On-site drainage will remain as existing and there will be no implications in terms of flood risk or surface water run-off. Officers have no concerns in a flood risk context.

Sustainability

- 8.10 No physical alterations are proposed as part of the application, it would be onerous to insist upon any specific physical sustainability measures being installed in this instance.

Planning Obligations

- 8.11 The Corporation's Planning Obligations Strategy (POS) supports a 'standard charge' arrangement, particularly in respect to residential developments. However, the POS currently allows for commercial applications being negotiated on a scheme-by-scheme basis taking into account site circumstances and the impact of the proposed development. In this instance, no new floor space is to be created and the proposed flexible B2/B8 use would be unlikely to result in any additional demands being placed upon local infrastructure (when compared with the extant B8 use that has permission at the site). It is therefore concluded that no planning obligations should be advanced from this scheme.

9. Conclusion

- 9.1 The proposed development would promote an active occupation of the premises in compliance with the site's Existing Business Area designation, with Policy B2 of the Northampton Local Plan (1997) and with the guidance contained within PPS4: Planning for Sustainable Economic Growth.

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 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the approved plans listed in schedule 1 of this permission.

Reason: For the avoidance of doubt and in the interests of proper planning.

3. A scheme shall be submitted to and approved in writing by the Local Planning Authority which specifies the sources of noise on the site whether from fixed plant or equipment or noise generated within the building and the provisions to be made for its control and the approved scheme shall be implemented prior to the commencement of the use hereby permitted and retained thereafter.

Reason: To protect the amenities of nearby occupants from noise and vibration.

4. A scheme for the collection, treatment and dispersal of fumes and emissions into the atmosphere shall be submitted to and approved in writing by the Local Planning

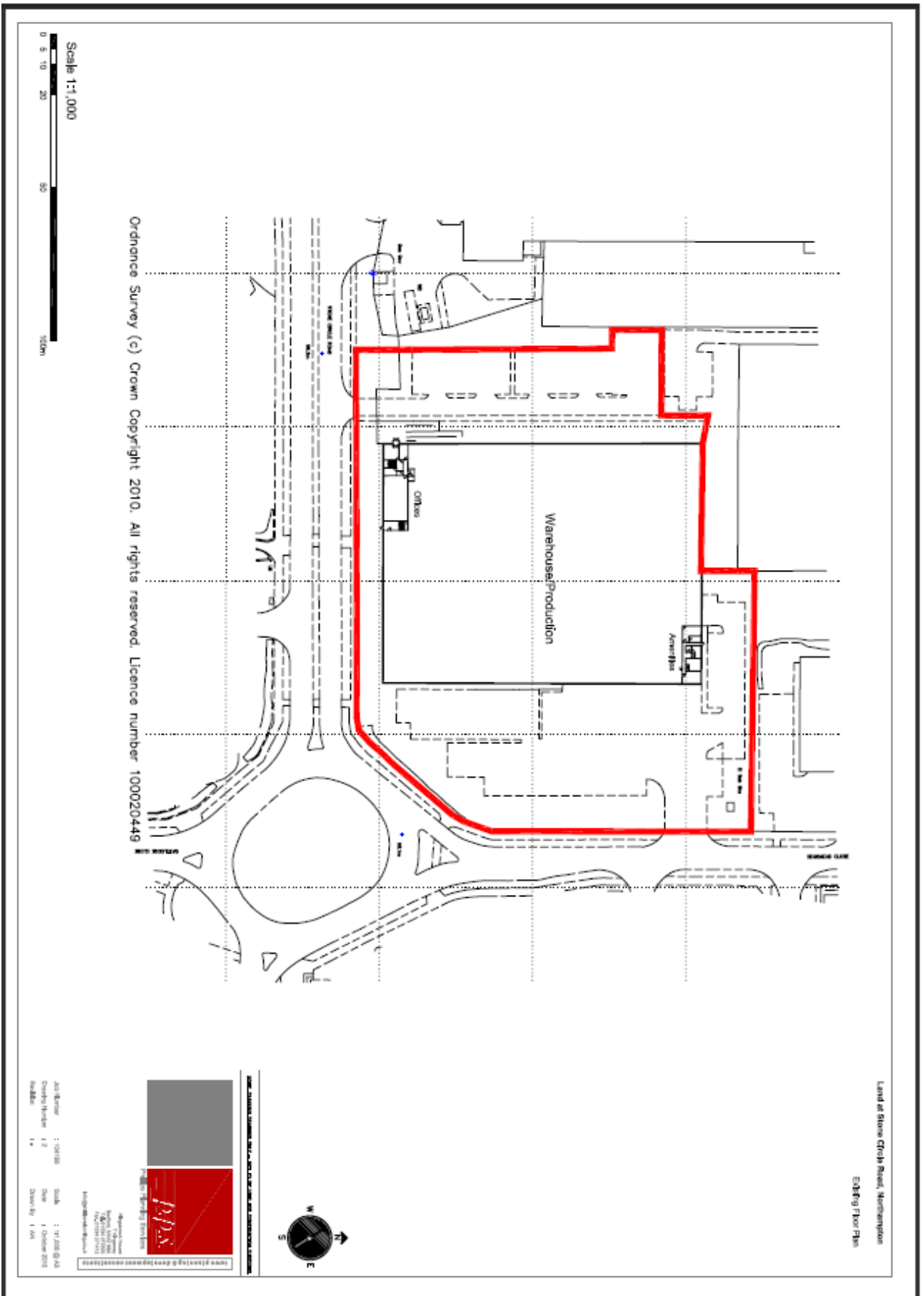
Authority and the approved scheme shall have been implemented prior to the commencement of the use hereby permitted and retained thereafter.

Reason: In the interests of the amenity of the surrounding locality and to secure a satisfactory standard of development.

5. Prior to the first occupation of the premises hereby approved, a travel plan for employees shall be submitted to and approved in writing by the Local Planning Authority. The plan shall be implemented at all times that the development is occupied unless otherwise agreed in writing by the Local Planning Authority.

Reason: To reduce the reliance on the private car for journeys to work.

SITE PLAN



Land at Stone Croft Road, Northampton
 Existing Floor Plan



PPS
 Planning & Development Consultants
 100, The Quadrant, Northampton, NN1 2JF
 Tel: 01603 250000
 Fax: 01603 250001
 Email: info@pps.co.uk
 Website: www.pps.co.uk

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