

## BOROUGH OF KETTERING

<b>Committee</b>	<b>Full Planning Committee - 04/06/2019</b>	<b>Item No: 5.1</b>
<b>Report Originator</b>	<b>Richard Marlow Senior Development Officer</b>	<b>Application No: KET/2018/0827</b>
<b>Wards Affected</b>	<b>Slade</b>	
<b>Location</b>	<b>Cransley Park, Northampton Road, Kettering</b>	
<b>Proposal</b>	<b>Full Application: Erection of coffee shop with drive-thru and parking</b>	
<b>Applicant</b>	<b>Tansor Ziran Projects Ltd</b>	

### 1. PURPOSE OF REPORT

To describe the above proposals  
To identify and report on the issues arising from it  
To state a recommendation on the application

### 2. RECOMMENDATION

THE DEVELOPMENT CONTROL MANAGER RECOMMENDS that this application be APPROVED subject to the following Condition(s):-

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

2. Prior to the first use of the building hereby permitted, a landscaping scheme showing the hard and soft landscaping areas including materials and planting shall be submitted to and approved in writing by the Local Planning Authority. The landscaping shall be implemented in accordance with the approved details in advance of the opening of the building to visiting members of the public and shall thereafter be retained for the lifetime of the development unless alternative details are approved in writing by the Local Planning Authority.

REASON: In the interests of highway safety and visual amenity in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

3. The building shall only be used for the purpose of a coffee shop (consisting of the primary use of sale of coffee and other beverages with associated products) and shall not be used for any other purposes including any use falling within class A1, A3 or A5 of the Town and Country Planning (Use Classes) Order 1987 (as amended).

REASON: In order to define the permission as applied for and assessed.

4. There shall be no external illumination on the site at any time other than in accordance with a detailed scheme which shall first have been submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of the amenity of occupants of neighbouring properties in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

5. No construction work shall take place on the site outside the hours of 0700 to 1900 Monday to Friday and 0800 to 1700 on Saturday, unless otherwise agreed with the Local Planning Authority.

REASON: To protect the amenity of the occupiers of the neighbouring residential properties in accordance with the aims of Policy 8 of the North Northamptonshire Joint Core Strategy and to ensure continuity with the construction hours set out for the wider site.

## **Officers Report for KET/2018/0827**

This application is reported for Committee decision as it has been called in by a Ward Member.

### **3.0 Information**

#### **Relevant Planning History**

KET/2018/0828 – Advertisement consent for this coffee shop (A3) – associated advertisement application pending

KET/2013/0827 outline permission for 7 no. plots for uses B1, B2 (Industrial), B8 (Storage), C1 (Hotel) and associated car parking **approved** 18 June 2014.

#### **Site Visit**

Officer's site inspection was carried out on 01/04/2019

#### **Site Description**

The site is located within the wider Cransley Park commercial development and is set to the east of the main access road and roundabout into the site. The site falls within the wider Cransley Park development approved through KET/2013/0827..

#### **Proposed Development**

This application seeks consent for the erection of a coffee shop with drive thru, parking and associated works.

#### **Any Constraints Affecting the Site**

None

### **4.0 Consultation and Customer Impact**

#### **Highway Authority**

The proposed development flows are unlikely to have any material impact on the internal or off-site junctions or local highway network. Provision should be made for one additional electric vehicle parking space and two additional disabled spaces should be highlighted. Conditions are recommended regarding a service and delivery plan and construction traffic management plan.

Previous comments made on the application included comments regarding the increased likelihood of conflict between passenger vehicles and HGV, insufficient cycle parking and the inadequate foot access arrangements.

#### **Environmental Protection:**

No objections

**Cransley Parish Council**

No objection (November 2018). Any S106 monies should go towards improving cycle linkages (May 2019).

## **5.0 Planning Policy**

### **National Planning Policy Framework**

- 1 Achieving sustainable development
- 6 Building a strong, competitive economy
- 7 Ensuring the vitality of town centres
- 12 Achieving well-designed places

### **North Northamptonshire Joint Core Strategy**

- Policy 1 Presumption in favour of Sustainable Development
- Policy 8 North Northamptonshire Place Shaping Principles
- Policy 12 Town Centres and Town Centre Uses
- Policy 22 Delivering Economic Prosperity

## **6.0 Financial/Resource Implications**

None

## **7.0 Planning Considerations**

The key issues for consideration in this application are:-

1. Principle of development
2. Highways impacts
3. Design

### **1. Principle of development**

Development at Cransley Park is granted by KET/2013/0827 which is the outline consent for the site which allows for a mix of employment (B Use Classes) development along with a C1 (hotel). This planning permission established the overarching principle of commercial development on the site but was restricted at that time by condition 11;

The site shall be developed in accordance with the outline site plan drawing number PL 601 received 16th December 2013 i.e. Area 1 shall only be developed for uses falling within Use Classes B1, B2 and/or C1 of the Town and Country Planning (Use Classes) Order 1987 (as amended), Area 2 shall only be developed for uses falling within Classes B1, B2 and/or B8 of the aforementioned Order and Area 3 shall only be developed for uses falling within Classes B1 and/or C1 of the aforementioned Order. Notwithstanding the provisions of the aforementioned Order or Class B of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), or any Order revoking and re-enacting those Orders, with or without modification, no other uses shall take place on the site unless a separate application for planning permission has been submitted to and approved by the Local Planning Authority.

This restricted the usage of the application site to B1, B2 or C1 usage. This current application is for full planning permission and if granted would stand alone from the original outline.

Whilst the application submitted seeks consent for an A3 use as a Coffee Shop, due to the interplay between the classes within the Town and Country Planning (Use Classes) Order, Coffee Shops can fall within either an A1 (shops) or A3 (cafes) class or be a mix of the two and this is dependent on the nature of the use. In this instance given the drive-thru, the level of parking and the size of the internal floor area, it is considered that the development would actually be a mixed use that would fall within a sui generis use.

As the use falls into a sui generis use, the proposed use is not specifically a town centre use as defined within the NPPF and therefore the applicable policies are those in regards to protection/provision of employment (Policies 22 of the North Northamptonshire Joint Core Strategy and 6 of the NPPF) and overarching sustainability policies (Policies 1 of the NNJCS and 1 of the NPPF).

The application site comprises of a small section of the larger Cransley Park employment area and due to the interrelation with the main employment uses, it is considered that the proposed facilities do not adversely impact on the overall employment provision. The nature of the use is such that it is not considered that it would constitute a destination in its own right and therefore it falls under the sustainability considerations of the main employment site (which is an implemented permission) and therefore can be considered to be part of the sustainable site.

## 2. Highways impacts

The Highways Authority consider that the development flows that would be generated by this scheme are unlikely to have any material impact on the internal or off-site junctions or local highway network. No objection is made on highway safety grounds. NCC do comment that they consider there should be an additional electric vehicle parking space and two additional disabled spaces. The proposal currently proposes two spaces of each type which is considered to be acceptable.

Given the wider uses on site it is not considered to be necessary to condition the submission of a service and delivery plan for this unit. It is however considered prudent to add a condition regarding construction working hours. This should align with the restrictions placed on the wider site.

Initially when consulted NCC Highways raised concerns regarding the potential for conflict between passenger vehicles (cars) and HGVs. However, as the application area is within the area that restricts B8 (storage and distribution), the adjacent employment would be either a B1 or B2 use (which given the parcel size would have lower HGV levels) and it is reasonable to

assume that a proportion of employees will access the site via passenger cars, the proposal is not considered to give rise to a notably increased risk..

Overall it is considered that given that nature of the specific use the proposal does not give rise to a level of highway harm or risk to users that would justify refusing the application in highway safety terms.

### 3. Design

The location and general nature of the larger site means that the building is seen in the context of the industrial building. The proposed building is simple in design with a simple mono-pitched roof with some areas of timber cladding to break up the appearance of the building.

The layout of the site is primarily functional which accords with the character of the surrounding employment area. It is noted that there is planting and a change of materials to break up the car parking area and this is important to soften the appearance of the site as a whole.

Note: the advertisements on the building are assessed under the advertisement regulations and are appraised under the associated advertisement application KET/2018/0828.

### Conclusion

Subject to conditions defining the specific use of the building and landscaping, it is considered that the application represents an acceptable use within the site that does not result in unacceptably adverse impacts on the highways, provision of employment land or constitute unsustainable development given the existing implemented consent on the site. The proposal is therefore considered to accord with policies 1 & 11 of the NNJCS and 1 & 6 of the NPPF.

#### **Background Papers**

Title of Document:

Date:

Contact Officer:

Richard Marlow, Development Team Leader on 01536  
534316

#### **Previous Reports/Minutes**

Ref:

Date:

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