

BOROUGH OF KETTERING

Committee	Full Planning Committee - 22/09/2015	Item No: 5.1
Report Originator	Andrew Smith Senior Development Officer	Application No: KET/2015/0504
Wards Affected	Northfield	
Location	Belgrave Retail Park, Northfield Avenue (land at), Kettering	
Proposal	Full Application: Development of a single retail unit, alterations to existing car parking and servicing, landscaping and ground works	
Applicant	Northfield Avenue Holdings Ltd	

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) and to prevent an accumulation of unimplemented planning permissions.

2. The development hereby permitted shall not be carried out other than in accordance with the approved plans referenced as follows: 11149-100 E; 11149-101 D; 11149-104 I; 11149-105 F; 11149-106 G; 11149-108 F.

REASON: In the interest of securing an appropriate form of development in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

3. The materials to be used in the construction of the external surfaces of the building hereby approved shall be in accordance with those detailed on the 'Proposed Elevations' (11149-108 F) received by the Local Planning Authority on 30th June 2015.

REASON: In the interests of the visual amenities of the area in accordance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

4. The development hereby approved shall be carried out in accordance with the sustainable construction and energy efficiency techniques detailed in the Sustainable Design Statement (dated 19th June 2015).

REASON: In the interests of energy efficiency and sustainable construction in accordance with Policy 14 of the North Northamptonshire Core Spatial Strategy.

5. The premises shall not be used for the purposes hereby permitted other than during the hours of 07:00-21:00 Mondays to Saturdays, 10:00-16:00 on Sundays and 08:00-20:00 on publically recognised Bank Holidays excluding Christmas Day and Easter Sunday.

REASON: In recognition of the impact of trading on the area and on local amenity in accordance with Policy 12 and Policy 13 (l) of the North Northamptonshire Core Spatial Strategy.

6. No deliveries shall be undertaken outside the hours of 07:00-19:00 Mondays to Saturdays and 09:00-16:00 on Sundays and publicly recognised Bank Holidays.

REASON: In recognition of the impact of trading hours on the area and the local amenity in accordance with Policy 13 (l) of the North Northamptonshire Core Spatial Strategy.

7. The unit shall be used only for the sale of bulky non-food retail items specified as follows: DIY / garden goods, furniture (including sofas, sofa beds, armchairs, tables and lighting), carpets and floor coverings, bulky electrical goods and ancillary goods associated with the main goods hereby permitted and for no other purpose in Class A1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that order with or without modification, including the Use Classes (Amendment) Order 2005.

REASON: To ensure no adverse impact upon the vitality and viability of Kettering town centre in accordance with Policy 12 of the North Northamptonshire Core Spatial Strategy and the guidance contained within the National Planning Policy Framework.

8. The retail unit hereby approved shall have a gross internal floor space that shall not exceed 903 square metres and there shall at no time be internal mezzanine floorspace provided within the unit.

REASON: To ensure no adverse impact upon the vitality and viability of Kettering town centre in accordance with Policy 12 of the North Northamptonshire Core Spatial Strategy and the guidance contained within the National Planning Policy Framework.

9. All external lighting on the site shall only be illuminated during hours in which the store is open to the public. 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 amenities of the area and adjoining residential properties in accordance with Policy 13 (l) of the North Northamptonshire Core Spatial Strategy.

10. Prior to the commencement of development a Construction Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority; development shall be implemented in full accordance with the details of the approved Plan.

REASON: Details are required prior to the commencement of development in the interests of highway safety and safeguarding residential amenity in compliance with Policy 13 of the North Northamptonshire Core Spatial Strategy.

Officers Report for KET/2015/0504

This application is reported for Committee decision because there are unresolved, material objections to the proposal.

3.0 Information

Relevant Planning History

KET/2013/0081 Variation of Condition 6 of KE/03/0882 to allow for the sale of bulky and non-bulky comparison goods and the ancillary sale of food and drink (Approved subject to conditions 21/11/2014)

KET/2006/0792 To vary Condition 5 (trading hours) of planning permission ref: KET/2003/0882 to read 08.00-20.00 on publicly recognised Bank Holidays excluding Christmas Day and Easter Sunday (Refused 03/10/2006, Approved on Appeal 06/08/2007)

KET/2006/0106 Application to vary Condition 5 of KE/2003/0882 to read "...07:00-21:00 on Bank Holidays" (Refused 18/04/2006)

KET/2005/0863 Variation of Condition 15 of planning permission KE/2003/0882 (Approved 23/11/2005) Condition 15 re-worded to allow for the display of paving slabs and similar large goods at ground floor level covering an area of up to 835 sq. m

KET/2005/0983 Variation of Condition 5 of KE/2003/0882 to read 07:00-21:00 on Bank Holidays (Refused 13/12/2005)

KE/03/0882 Erection of non-food retail warehouse (as defined by Condition 6) together with access, servicing and car parking arrangements and landscaping (Approved subject to conditions and S106 agreement 20/05/2005)

KE/00/0318 Erection of a non-food retail warehouse (Use Class A1) together with access, servicing and car parking arrangements and landscaping (Approved subject to conditions 04/07/2000)

Site Description

Officer's site inspection was carried out on 15/07/2015.

The application site area is 0.15Ha. The site forms part of the established Belgrave Retail Park, which lays to the west of Northfield Avenue (A6003) to the north of Rothwell Road (A4300) and is bounded to the west by the Midland Mainline railway line. The site lies approximately 370m to the north-west of the Kettering Town Centre Boundary as defined in the Town Centre Area Action Plan (TCAAP).

The site constitutes the south west corner of the Retail Park and comprises land that currently forms part of the existing service yard for the adjacent Wickes and Carpetright unit along with a small area of car park (resulting in the loss of 9no. car parking spaces that currently serve the wider Retail Park). Access to the Retail Park is provided from Northfield Avenue, the current car park currently provides 269no. car parking spaces.

Proposed Development

The development of a single retail unit is proposed, which would provide 903 sq. m. of gross internal floor space across a rectangular footprint. It would be constructed of high-level metal cladding (silver colour) with low-level brick work to the elevations. A shallow-pitched hipped roof is proposed to be located behind a parapet at eaves level. A glazed shop front is proposed to be provided at ground floor level to the front east-facing elevation of the new unit whilst revised servicing arrangements are proposed to the rear (also serving the neighbouring Wickes and Carpetright stores).

The proposed retail operator is DFS, which is a bulky goods retailer that sells a range of furniture and furnishings, including sofas, sofa beds, armchairs, tables and lighting. It is stated within the planning submission that 903 sq. m. is representative of the smallest store that DFS operate and constitutes the minimum floor space required to provide the necessary showroom space.

Any Constraints Affecting The Site

A Road – Northfield Avenue

4.0 Consultation and Customer Impact

Highway Authority: No objection, the Transport Assessment is deemed to be acceptable. Whilst the swept path analysis produces tight manoeuvres within the service yard, the manoeuvres required can be carried out. A planning condition should be applied to any consent to require the submission and approval of a full Construction Traffic Management Plan.

KBC Environmental Health: No comment or objection.

Northamptonshire Police: A number of informatives for the applicant are suggested in the interests of reducing the likelihood of crime, disorder and anti-social behaviour occurring. These relate to suggested door, roller shutter and alarm system specifications.

Neighbours: Notification letters were sent out to close proximity occupiers and a site notice was erected at the site; 1no. response was received and can be summarised as follows:

26 Gipsy Lane: Objection. Kettering town centre is struggling with an abundance of empty shops and charity shops. The increase in Northfield Avenue outlets leads to more people avoiding the town centre. The creation of jobs would be offset by the closure of existing independent furniture retailers. The proposed delivery arrangements would conflict with existing delivery arrangements to adjacent stores. Access to and from Northfield Avenue can already be very difficult and sometimes dangerous

5.0 Planning Policy

National Planning Policy Framework

Policy 1: Building a strong, competitive economy

Policy 2: Ensuring the vitality of town centres

Policy 7: Requiring good design

Development Plan Policies

North Northamptonshire Core Spatial Strategy

Policy 1: Strengthening the Network of Settlements

Policy 12: Distribution of Retail Development

Policy 13: General Sustainable Development Principles

Policy 14: Energy Efficiency and Sustainable Construction

Kettering Town Centre Area Action Plan

Policy 3: Primary Shopping Area (Primary and Secondary Frontages) and the Evening Economy

Policy 15: The Shopping Quarter

6.0 Financial/Resource Implications

None

7.0 Planning Considerations

The key issues for consideration in this application are:-

1. Principle of Development
2. Design & Visual Impact
3. Residential & General Amenity
4. Highways & Access
5. Sustainability

1. Principle of Development

Policy 12 of the Core Spatial Strategy makes it clear that town centres shall be strengthened and regenerated as the focus for sustainable communities. A minimum net-increase in comparison shopping floor space of 20,500 sq. m in Kettering town centre is sought between the period of 2004 and 2021. Policy 12 is consistent with the requirements of the NPPF in that, where retail development cannot be accommodated within town centre areas, a sequential approach to site selection is endorsed. Paragraph 24 of the NPPF states that out-of-centre sites should only be considered for main town centre uses when it can be demonstrated that no suitable town centre and edge of centre sites are available.

The application site is located over 300m from the boundary of the Primary Shopping Area and is therefore classified as 'out-of-centre' for the purposes of sequential site assessment. The applicant has submitted a 'Planning and Retail Statement' that thoroughly explores the sequential approach to site selection. An important consideration, it is stated, is that the end occupier (DFS) sells bulky goods and operates a business model of co-locating on retail parks where there is a predominance of retailers selling products for the improvement of the home along with general homewares. The 903 sq. m gross internal floorspace proposed constitutes DFS's minimum store footprint requirement in order to exhibit its standard showroom model for locations such as Kettering.

A series of potential alternative sites have been identified as being able to accommodate DFS's intended format. The approach to identifying these potential sites has incorporated flexibility in terms of suitable floorspace area (i.e. between 853 and 1,129 sq. m) and also a review of sites allocated through the Kettering Town Centre Area Action Plan (KTCAAP). None of the sites have been identified by the applicant to be available and / or suitable to accommodate the proposed retail unit. Various reasons are cited for lack of suitability such as KTCAAP Site SHQ1 being earmarked for comprehensive redevelopment, thus rendering the proposed DFS unit piecemeal in approach. Other potential sites are either no longer being actively marketed (i.e. no longer available) or are constrained by their historic surrounds (i.e. not lending itself to an application for a bulky goods unit). There are also car parking restrictions associated with a number of centrally located sites.

In light of the proposed format and specific operator requirements of the unit, it is considered that adequate information has been provided by the applicant to demonstrate that there are no realistically available and suitable sequentially-preferable sites. In the interests of ensuring that the proposals do not undermine town centre vitality and viability, a planning condition should be applied to any consent to ensure that sales are restricted to bulky non-food retail items (to ensure compliance with the terms of the application).

The relatively moderate scale of the proposals (903 sq. m) means that the threshold for impact assessment as detailed in the NPPF (2,500 sq. m) is not exceeded. Notwithstanding

this, a high level assessment of retail impact has been undertaken by the applicant, which concludes that there is no scope for the proposal to have a significant adverse impact on Kettering town centre. Essentially, the restriction to bulky goods sales would ensure that minimal trade diversion from the town centre occurs. A large proportion of the proposed store's trade would be anticipated to be drawn from centres and facilities located outside of Kettering. The scheme is considered to be compliant with Policy 12 of the Core Spatial Strategy and with the guidance contained within the NPPF.

2. Design & Visual Impact

The proposed design of the building would be directly reflective of the visual appearance of adjacent existing units at the retail park. It would be of simplistic contemporary design with clean building lines occupying a rectangular footprint. High-level silver-coloured metal cladding would replicate the appearance of neighbouring units whilst low-level brickwork and a glazed shop front would articulate the unit and add visual interest. The roof form of the building would incorporate a shallow pitched design behind a low parapet at eaves level, which would also blend acceptably with the designs of surrounding retail units. The proposals would be favourable in visual terms to the brick walled perimeter of the existing service yard area that it would replace. The scheme is considered to be compliant with Policy 13(h) of the Core Spatial Strategy subject to a planning condition securing the submission of material samples.

3. Residential & General Amenity

The site is not sensitively located in respect to any close proximity residential occupiers. There are however existing planning conditions attached to the latest approval at the retail park (KET/2013/0081) that control trading and delivery hours in the interests of safeguarding local amenity. In the interests of prudence it is considered that identical planning conditions should be applied in this instance. Furthermore, again in the interests of replicating the controls applied to KET/2013/0081, a planning condition should be applied to ensure no external illumination outside of trading hours other than in accordance with a detailed lighting scheme to be submitted and approved. The scheme is considered to be compliant with Policy 13 (l) of the Core Spatial Strategy.

4. Highways & Access

The proposals involve alterations to the existing servicing arrangements that serve the neighbouring Carpetright and Wickes stores. A newly revised shared service area would be formed to the west (rear) and north (side) of the newly proposed store. This would serve Carpetright, Wickes and the newly proposed store. The application is accompanied by a tracking diagram showing how visiting HGVs would access the areas, which would involve manoeuvring within the adjacent service yard of the Halfords store to the immediate south. This land is included within the application's red line area. The Local Highway Authority (LHA) has confirmed that the proposed manoeuvres can be carried out (even considering the relatively tight constraints of the site). The applicant has also confirmed that the 'Clear Service & Fire Escape Door' (as annotated upon submitted plan 11149-105F), which would be of 1.2m in width is adequate to serve the future occupier's intended servicing and access arrangements.

The applicant has provided a further Addendum to their submitted Transport Assessment following the request from the LHA for further information in respect to a number of specific matters (including full accident data, trip rate reviews, junction assessment and a parking review). The conclusion of this work is that both site access junctions would continue to operate well within capacity and that the development would result in a negligible increase in queuing at nearby A4300 roundabout junctions. In summary, development results in an insignificant impact upon the local highway network and is acceptable in highways terms. The LHA has confirmed that the Transport Assessment and Addendum are considered to be acceptable.

The scheme would result in the loss of 9 no. existing car parking spaces by virtue of the building extending forward of the existing perimeter of the service yard. This is in the context of a car park that serves the retail park as a whole and provides 269no. spaces. The car park can be observed to be operating below capacity and the minor loss of spaces that is proposed does not raise concerns in this context. The scheme would not prejudice highway safety in compliance with Policy 13 (n) of the Core Spatial Strategy.

At the request of the Local Highway Authority, a planning condition should be added to any consent to secure the submission of a Construction Traffic Management Plan. This would be in the interests of both highway safety and of safeguarding residential amenity.

5. Sustainability

The scheme is accompanied by a Sustainable Design Statement; this alludes to air source heat pumps providing heating and cooling services to the building, making an anticipated 57% contribution towards the scheme's total energy demands. The unit would also be constructed using highly insulating composite metal cladding systems, whilst low-energy light fittings and low-flush rate toilets would be installed. A designated area for refuse and recyclables storage shall be provided within the servicing area. A planning condition should be applied to ensure compliance with the submitted Sustainable Design Statement. The scheme is considered to be compliant with Policy 14 of the Core Spatial Strategy.

Conclusion

The proposed development would safeguard the vitality and viability of Kettering Town Centre, respect the character of its surroundings, safeguard amenity and not prejudice highway safety in compliance with Policies 12 & 13 of the North Northamptonshire Core Spatial Strategy and the guidance contained within the National Planning Policy Framework.

Background Papers

Title of Document:

Date:

Contact Officer:

Andrew Smith, Senior Development Officer on 01536 534316

Previous Reports/Minutes

Ref:

Date:

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