

PLANNING COMMITTEE: 3 September 2019
DEPARTMENT: Planning Service
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2019/0481

LOCATION: Morrisons Superstore, Kettering Road

DESCRIPTION: Siting of a prefabricated, single storey 'Car Store' premises ('pod')

WARD: Kingsley Ward

APPLICANT: WM Morrison Supermarkets PLC
AGENT: Planning & Design Group (UK) Limited

REFERRED BY: Councillor Mike Hallam
REASON: Traffic concerns

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1 RECOMMENDATION

1.1 APPROVAL subject to the conditions as set out below and for the following reason:

The proposed development, as part of a balanced assessment, is considered to be acceptable on a temporary basis and would not create unacceptable impact on the character of the area, residential amenity or highway safety in line with the National Planning Policy Framework, Policies S1, S2, S9, S10, C2, and BN9 of the West Northamptonshire Joint Core Strategy and Saved Policy E20 and R15 of the Northampton Local Plan.

2 THE PROPOSAL

2.1 The application seeks planning permission for the siting of a prefabricated, single storey 'Car Store' premises ('pod'). The pod would measure 7.9 metres in width by 3.8 metres in depth with a flat roof measuring 3.4 metres in height.

2.2 The Planning Statement submitted in support of the application indicates that the pod would operate with the same opening hours as Morrisons and would create jobs for 3.5 employees. Furthermore, the Statement also details that the services offered from the pod would comprise car valuation, sales and collection services. In addition, during the course of the application, the applicant has advised that a maximum of 10 parking spaces will be used ancillary to the Pod and car collection would be within 72 hours, with transporters utilising the petrol station to deliver vehicles.

3 SITE DESCRIPTION

- 3.1 The application site is located to the western side of the Kettering Road (A5123). It comprises four parking spaces located to the eastern side of the Morrisons supermarket car park adjacent to the pedestrian steps and ramps to the Kettering Road. The car park is set on a lower land level to the Kettering Road and the eastern side of the Kettering Road is lined by residential properties.

4 PLANNING HISTORY

- 4.1 N/1993/666: Proposed Safeway store & public open space on disused golf course (Outline). Approved.
- 4.2 N/1994/500: Proposed superstore, petrol filling station, car park and service area (reserved matters). Approved
- 4.3 N/1997/395: Amendment of condition no. 6 on previous approval 93/0666 to extend store opening hours. Approved.
- 4.4 N/1997/397: Amendment of Condition No. 7 on previous approval 93/0666 to extend opening hours of petrol filling station. Approved.
- 4.5 N/2017/1583: Installation of freestanding two storey restaurant with associated drive through, car parking and landscaping and associated works. Installation of 1no. External play area, 2no customer order displays and associated canopies. Approved.
- 4.6 N/2018/1371: Erection of Drive Thru Coffee Shop (Use Classes A1 & A3) with associated car parking, refuse store, hard and soft landscaping, electricity substation and associated works. Permitted.
- 4.7 N/2019/0217: Variation of Conditions 2, 3, 4, 5, 6, 7, 8, 9 and 10 of Planning Permission N/2017/1583 to include amendments to pedestrian ramp, delivery ramp, minor changes to site layout, inclusion of substation enclosure, inclusion of goal post height restrictor and amendments to customer order display and playframe specifications, together with amendments to wording of pre-commencement and pre-occupation conditions. 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.

Paragraph 127(f) - Create places with a high standard of amenity for existing and future users.

Section 6 - Building a Strong, Competitive Economy

Section 7 - Ensuring the vitality of town centres

Section 8 - Promoting healthy and safe communities
Section 9 - Promoting sustainable transport
Section 11 - Making effective use of land

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:

Policy S1 - Distribution of Development
Policy S2 - Hierarchy of Centres
Policy S7 - Provision of Jobs
Policy S9 - Distribution of Retail Development
Policy S10 - Sustainable Development Principles
Policy C2 - New Developments
Policy BN9 - Planning for Pollution Control

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:

Policy E20 - New Development (Design)
Policy R15 - Car Sales and Showroom Developments

5.5 **Supplementary Planning Documents**

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

6 **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **Councillor Mike Hallam:** Called in the planning application. Enough is simply enough. This is the third development proposed for the car park in quick succession, the two previous ones had a high level of objections from local people with concerns largely around the already over-congested nature of this stretch of the Kettering Road. This simply is one development too many - not wanted, not needed and is in the wrong location.
- 6.2 **NBC Public Protection:** No comments.
- 6.3 **NCC Highways:** The proposal would utilise a limited number of parking spaces and the transporter tracking is acceptable. As such no highway objections.
- 6.4 **Five letters of objection** have been received. These letters include the following points:
- The site was originally just a supermarket and now a restaurant and café have been allowed despite this being a residential area and not a business park
 - More businesses on the site would change the character into a business/retail park.
 - Retail parks should be on the outskirts of towns.
 - No need for development
 - Recent approvals have reduced car parking and proposal would further reduce parking.
 - Traffic already queues into the car park and in the surrounding area; proposal would exacerbate this and pollution.
 - Location of the structure would not be safe for pedestrians.

7 **APPRAISAL**

Principle of development

- 7.1 The proposed location of the car valuation and sales pod would comply with Policy S1 of the Joint Core Strategy, which details that development should be concentrated primarily in and adjoining the principal area of Northampton.
- 7.2 In addition, Saved Local Plan Policy R15 relates to car sales and details that such businesses are not suited to town centres and allocated district and local centres and instead should be located along primary roads, on the fringe of business areas and in retail warehouse parks. The application site does not comprise an allocated centre but is located along a primary road and contains a large supermarket with car park and the capacity to accommodate service vehicles. As such, it is considered that the location of the proposed use accords with Saved Local Plan Policy R15.
- 7.3 Also, whilst the NPPF seeks to direct specific retail and other appropriate uses towards town and allocated centres, a car sales and valuation development would comprise a sui generis use and is not identified in the NPPF as an appropriate main town centre use. Furthermore, the NPPF details that significant weight should be placed on the need to support economic growth and also encourages the most effective use of brownfield land. As such, it is considered that the location of the proposed development also accords with the guidance in the NPPF.

Character of the area

- 7.4 Policy S10 of the Joint Core Strategy and Saved Policy E20 of the Northampton Local Plan seek high quality design and this approach is supported by the NPPF.
- 7.5 The application site comprises part of a large car park serving a Morrisons supermarket. The car park and supermarket is set on a lower land level to the Kettering Road, with landscaped banking including some trees to the boundary with the Kettering Road. A two storey restaurant with drive through is located to the north of the car park.
- 7.6 The proposed pod would be located to the east of the supermarket car park on four car park spaces adjacent to the embankment with and on a lower land level to the Kettering Road. It would be single storey in scale with a flat roof and therefore would only be visible in limited views from the Kettering Road. Although, the pod would be visible from within the car park and such prefabricated structures can deteriorate over time to the detriment of visual amenity. However, this particular issue can however be overcome through a condition which limits the amount of time that the pod can remain in place for a maximum of three years. As such, subject to the aforementioned condition, no objections are raised to the proposal with respect to the character and appearance of the area.

Residential Amenity

- 7.7 Saved Policy E20 of the Local Plan and the guidance in the NPPF seek to secure a good standard of amenity for all existing and future occupants of land and buildings.
- 7.8 There are residential properties to the east side of the Kettering Road, but given the single storey scale, separation of the pod from these properties and lower land level of the application site, it is considered that the proposal would not appear visually intrusive to neighbours. The applicant has indicated that the pod would operate with the same opening hours as Morrisons supermarket and to safeguard the amenity of neighbours, it is recommended that this matter is addressed by condition.

Parking and Highways

- 7.9 The Morrisons supermarket car park, taking into account the recent drive through restaurant and café planning permissions, has some 448 parking spaces. The proposed car valuation and sales

pod is small in size and would be sited on four existing parking bays. The applicant has detailed that a maximum of 10 parking spaces will be used ancillary to the Pod and car collection should be within 72 hours, with transporters utilising the petrol station to deliver vehicles. The proposal would therefore only result in a very small reduction in car parking and the County Highway Engineer has assessed the proposal and raises no objections. Therefore, it is considered that the proposal is acceptable on parking and highway safety grounds.

8 CONCLUSION

- 8.1 The proposed development, as a temporary expedient, is considered to generate economic benefits and would not have an adverse impact on the character of the area, residential amenity and the highway network. As such, no objections are raised to the proposal with regards to the National Planning Policy Framework, Policies S1, S2, S9, S10, C2, and BN9 of the West Northamptonshire Joint Core Strategy and Saved Policies E20 and R15 of the Northampton Local Plan.

9 CONDITIONS

1. The modular building hereby permitted shall be removed and the land restored to its original condition by 30th September 2022.

Reason: In the interests of visual amenity in accordance with the requirements of the National Planning Policy Framework.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: 237_PL_01B, 327_PL_02B, 000/10E.

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

3. The premises hereby permitted shall be open only between the hours of 0800 and 2200 from Mondays to Saturdays and between the hours of 1000 and 1600 on Sundays and at no other times.

Reason: In the interests of the protection of residential amenities in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy and Saved Policy E20 of the Northampton Local Plan..

10 BACKGROUND PAPERS

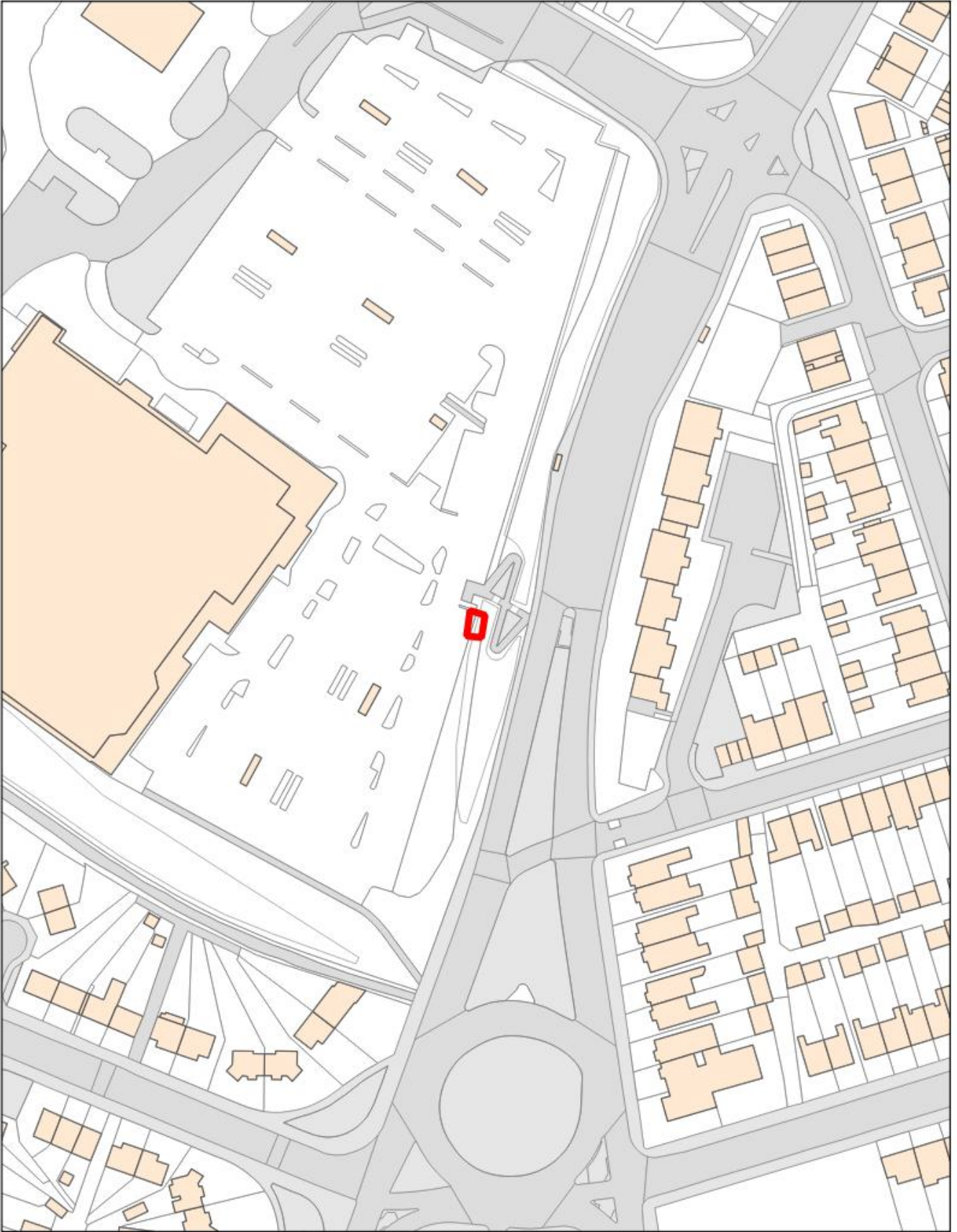
- 10.1 N/1993/666; N/1994/500; N/1997/395; N/1997/397; N/2017/1583; N/2018/0904; N/2018/1371; N/2019/0217; and N/2019/0481.

11 LEGAL IMPLICATIONS

- 11.1 The development is 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.



Title: **Morrisons Superstore, Kettering Road**

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Scale: 1:1,250

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