

North Northamptonshire Area Planning Committee (Wellingborough)

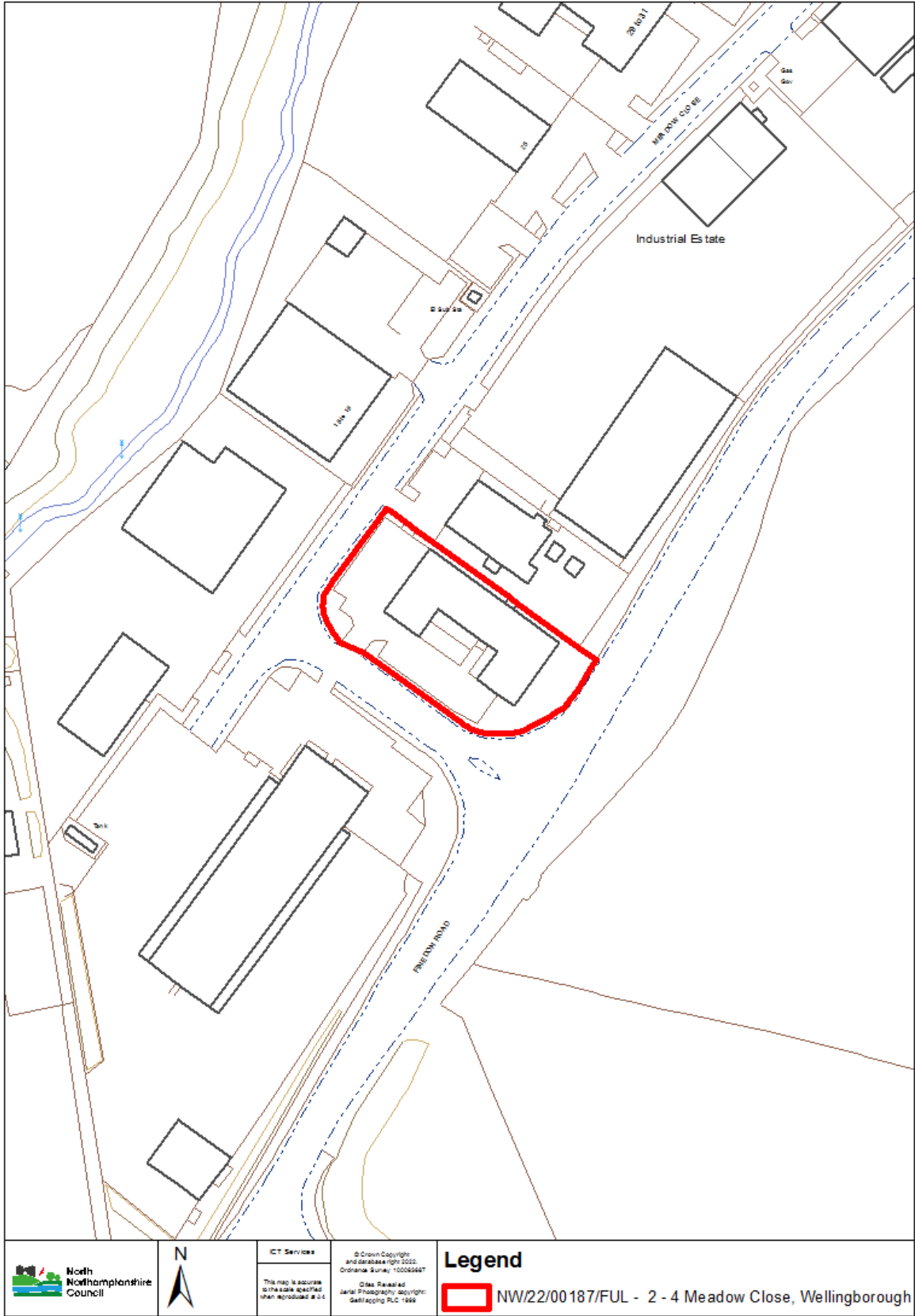
Application Reference	NW/22/00187/FUL	
Case Officer	Mr Graham Northern	
Location	2 - 4 Meadow Close Wellingborough NN8 4BH	
Development	The change of use from Use Class E(g) Office, to Use Class F1(f) Public Worship.	
Applicant	Mr Paul Cooper	
Agent		
Ward	Finedon Ward	
Overall Expiry Date	18 May 2022	
Agreed Extension of Time		
Checked	Senior Development Management Senior	Debbie Kirk

Scheme of Delegation

This application is brought to committee because it falls outside of the council's scheme of delegation because it forms a departure from planning policy as the proposed use does not fall within an employment use.

1. Recommendation

- 1.1 That planning permission be **GRANTED** subject to the conditions listed at the end of the report



2. The Application Proposal and Background

2.1 The proposal seeks planning permission for a change of use to a place of Worship (Class F1 (F)).

2.2 The Church's expected weekly functional operation at Meadow Court would be as follows:

Sunday

- Main Service (10.30 am till approximately 2.00pm) – Expected attendance of 90 people
- Children's Sunday School (4.00 pm till approximately 6.00pm) – Expected attendance of 15 people
- Evening Service (7.00 pm till approximately 9.30pm) – Expected attendance of 40 people

Monday

- Office use – 3-10 people

Tuesday

- Office use – 3 -10 people

Wednesday

- Office use – 3 – 10 people
- Evening service (8.00 pm till approximately 9.30pm) – Expected attendance of 40 people

Thursday

- Office use – 3 -10 people
- Parent and toddler group (10.00am till approximately. 12.00noon) – Expected attendance 40 people

Friday

- Office use – 3- 10 people
- Youth service (7.00 pm till approximately. 9.00pm) – Expected attendance 20-30 people

Saturday

- Closed

2.3 The premises have the direct use of 36 parking spaces and 6 cycle spaces

2.4 The applicant has provided the following information in support of the proposals,

“...the Church activities will mainly fall in time periods that would have minimal, if not zero impact to the surrounding activities on the wider site.

Two of the closest organisations, Jewson and the Garage Door Centre both close at 5.00pm during the week, and are closed on Sundays. Further along Meadow Close, Howdens and Travis Perkins also close at 5.00pm and are again both closed on Sundays.”

“We consider the location at Meadow Close to be the ideal location for the Church to relocate to in Wellingborough:

- Its location minimises any potential disruption to any neighbouring parties;
- It provides the best-off street vehicle parking provision we can find in Wellingborough which mitigates any impact on wider infrastructure;
- It allows our existing members and visitors to utilise sustainable transport provision and car share as much as possible;
- It secures our future in Wellingborough;
- It allows us to continue and develop our every increasing and vital Community Role in supporting and working within local Communities and those in need within Wellingborough in these increasingly challenging and difficult times.”

Background

2.5 Compass Church was originally founded as a Charitable Trust in 2012 and became Compass Church Wellingborough (Charitable Incorporated Organisation) in 2016, Charity number 1166118.

2.6 Over the last ten years the Church has become well-established within the community and has steadily grown in membership.

2.7 The Church currently meets at the Castle Theatre in Wellingborough on Sundays for the main weekly service, and on Friday evenings for youth and community outreach programmes.

2.8 Compass Church are proposing to relocate the Church to vacant leasehold accommodation on the Ise Valley Industrial Estate, unit 2-4 Meadow Close, which is a non-residential area of Wellingborough.

2.9 The Church’s largest service is on a Sunday morning, and there are evening services of a smaller nature which will be generally held twice per week.

3. Site Description and Surroundings

3.1 The proposals relate to a vacant industrial unit situated on Meadow Close and adjacent Finedon Road on the entrance to the industrial estate. The building is single storey, built in brick with a clay pan tiled roof. Parking is located on hard surfacing to the front and wraps around the side of the building.

4. Relevant Planning History

WP/1995/0386	Approved with conditions Illuminated sign	14.09.1995
WP/1997/0310	Approved with conditions Placement of portakabin in car park	29.07.1997
BW/1985/0239	Approved with conditions Computer workshop and ancillary works	25.04.1985

BW/1979/1142	Approved with conditions Construction of roads, sewers and engineering services to serve future industrial development	16.04.1980
BW/1977/0653	Approved with conditions Construction of roads, sewers and engineering services to serve industrial development (Phase 1)	20.10.1977
BW/1976/0544	Approved with conditions Proposed layout of roads, sewers and engineering services to serve future industrial development	29.07.1976
BW/1975/0710	Refused Proposed roads, sewers and services to serve future industrial development	23.11.1975

5. Consultation Responses

A full copy of all comments received can be found on the Council's Website <https://www.wellingborough.gov.uk/viewplanningapplications>

5.1 Wellingborough Town Council – No objections

5.2 Neighbours/Responses to publicity – No comments received

5.3 Local highway authority (LHA) –Subject to compliance with the following requirement of the local highway authority no objection is raised to the application on highway safety or capacity grounds.

Parking accommodation should be provided in accordance with the Northamptonshire Parking Standards and satisfy policy 8 (b)(ii) of the North Northamptonshire Joint Core Strategy.

5.4 NNC Environmental Protection Officer (contamination) –Has no comments or objections to this proposal concerning land contamination issues.

5.5 NNC environmental protection officer (noise and air quality)
Confirms has have no objections to this proposal.

5.6 Northamptonshire Police – No objections, make recommendations for the consideration of security and crime prevention measures.

6. Relevant Planning Policies and Considerations

6.1 Statutory Duty

Planning law requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

6.2 National Policy

National Planning Policy Framework (NPPF) (2021)
National Planning Practice Guidance (NPPG)
National Design Guide (NDG) (2019)

6.3 North Northamptonshire Joint Core Strategy – Part 1 of the local plan (JCS)

Policies:

- 1 (presumption in favour of sustainable development)
- 5 (water environment, resources and flood risk management)
- 6 (development on brownfield land and land affected by contamination)
- 7 (Community Services and Facilities)
- 8 (North Northamptonshire place shaping principles)
- 22 (delivering economic prosperity)

6.4 Plan for the Borough of Wellingborough – Part 2 of the local plan (PBW)

Policies

- E 1 (established industrial estates)
- E 2 (non employment uses (non-b) in established industrial estates)

6.5 Other Relevant Documents:

Sustainable Design
Parking
Air Quality

7. Evaluation

The proposal raises the following main issues:

- principle of development and material considerations;
- design, layout and the effect on the character and appearance of the surrounding area;
- living conditions of the neighbouring occupiers;
- effect/impact on highway safety in relation to the proposed access arrangement and parking provision;
- crime and disorder;

7.1 Principle of Development and material considerations - Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that *“If regard is to be had to the development plan for the purposes of any determination to be made under the Planning Acts, the determination must be made in accordance with the development plan unless material considerations indicate otherwise.”*

7.2 Policy 1 of the JCS is clear that when considering development proposals, the local planning authority will take a positive approach that reflects the presumption in favour of sustainable development as set out within the revised NPPF.

7.3 In addition to the specific NPPF requirements set out above, paragraph 132 states that ‘applicants will be expected to work closely with those affected by their proposals to evolve designs that take account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably’.

7.4 The proposal would involve the loss of an employment site. Policy 22 (c) of the JCS seeks to safeguard existing employment sites unless it can be demonstrated that there is no reasonable prospect of the site being used for that purpose or the loss of the employment site would resolve conflicts between land uses. Policy E2 of the PBW similarly seeks to retain employment uses unless specific criteria are met. The applicant has provided a marketing report which provides sufficient evidence of the marketing the site for employment uses to justify the loss of employment.

7.5 Prop-Search was formally instructed to market the subject property on 28 October 2020 - when two of the three tenant's leases expired; with the third coming to a natural conclusion in March 2021.

7.6 Prop-Search recommended that the offices premises – as a whole, but also in suites - should be advertised to the market, primarily through local business advertising, direct mailing and internet property portals. This would fully expose its availability to the market and to those parties most likely to put forward leasehold offers.

7.7 The report outlines a list of interested enquiries and the dates of these, but none resulted in a lease being obtained and gives reasoning for the premises not meeting interested parties requirements

7.8 The information provided demonstrates a suitable marketing exercise in line with policy 22 (c) of JCS.

7.9 It would also need to be considered whether the development of the site for a non-employment use on an industrial estate would meet the criteria set out in policy E2 of the PBW which are considered below.

- A. they will not have a negative impact on the character of the industrial estate and its role as an industrial and business location by, in isolation or in combination with other completed or committed development, prejudicing the maintenance of the overall balance of B uses within the area;*
- B. they will not prejudice the current and future operations of adjoining businesses;*
- C. if the proposal involves vacant land or buildings, there is clear and robust evidence of prolonged marketing with registered commercial agents at a reasonable price to demonstrate that there is no realistic prospect for continued employment use;*
- D. if the existing land or premises has environmental or amenity problems, there is clear evidence that these problems cannot be overcome, or the land or premises is not capable of adaptation for business or industrial use.*

7.10 Criteria (A) The proposals reflect a small proportion of the industrial estate at 592 square metres of floorspace and is not considered to prejudice the balance of B class uses in the wider area.

7.11 Criteria (B) The use proposed is mainly operational at evenings and the weekend with some level of office use (administration) through the day. As such the main activity is outside the conventional working day of surrounding uses and not considered to result in any conflict with their operations.

7.12 Criteria (C) as considered above the premises have been marketed and it is considered that there is currently no realistic prospect of an employment user re-using the site.

7.13 Criteria (D) it is not considered the site has any environmental or amenity problems.

Policy 7 (a) of the JCS seeks development to support and enhance community services and facilities where appropriate by providing them on site where necessary or contributing towards accessible, new or enhanced community facilities and services to meet the needs arising from the development utilising, where possible, opportunities for co-location or the use of existing suitable sites. The proposed re-use of an existing office premises on an allocated employment site on the eastern edge of Wellingborough would provide a permanent venue for an existing established church who currently rent space in Wellingborough Theatre.

7.14 As such it is considered that the proposals meet the criteria outlined in policy E2 of the PBW and as such a non-employment use on the site is considered an acceptable departure from the development plan and therefore the principal of a community use using an employment site is considered to be acceptable and would also comply with the criteria set out under policy 7 (a) of the JCS enhancing an existing community service

7.15 Design, layout and the effect on the character and appearance of the surrounding area

7.16 JCS at policy 8 (d) (i) and (ii) describes the principles that proposed development must take into account with regards to its effect on the character and appearance of an area.

7.17 The government at paragraph 130 (a) – (d) of the revised NPPF attach great importance to the design of built development. It goes on to advise that planning decisions should ensure that development will function well and add quality of the overall area; not just for the short term but over the life time of a development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history, including the built environment and landscape setting, while not discouraging appropriate innovation and change; establish or maintain a strong sense of place, using the arrangements of streets, space, building types and materials to create attractive, welcoming and distinctive places to live, work and visit.

7.18 The National Design Guide, illustrates how well-designed places that are beautiful, enduring and successful can be achieved in practice. It forms part of the Government's collection of planning practice guidance and should be read alongside the separate planning practice guidance on design process and tools.

7.19 The proposals do not alter the external appearance of the building and as such are considered in accordance with policy 8 (d) (i) & (ii) of the JCS.

7.20 Living conditions of the neighbouring occupiers

7.21 The JCS at policy 8 (e) (i) details policy relating to the protection of amenity of neighbouring occupiers.

7.22 At paragraph 130 (f) of the revised NPPF the government requires new development to provide 'a high standard of amenity for all existing and future users.

7.23 No objections have been raised to the proposals by the town council or neighbours and given the location is within an industrial estate no residential properties are significantly affected. Additionally, as stated by the applicant the main activities will occur in evenings and on Sundays outside the business times of adjacent industrial users and as such the impact on these would be negligible. NNC environmental protection officer (noise and quality) has raised no objections to this proposal. As such the proposals are considered to comply with policy 8 (e) (i) of the JCS.

7.24 Highway safety

7.25 JCS policy 8 (b) (i) gives a number of requirements that new development should achieve with regards to highway, pedestrian and other sustainable transport matters.

7.26 JCS policy 8 (b) (ii) seeks to ensure a satisfactory means of access and provision for parking, servicing and manoeuvring in accordance with adopted standards.

Parking

7.27 Parking accommodation should be provided in accordance with the Northamptonshire parking standards (2016) and satisfy policy 8 (b) (i) of the JCS.

7.28 Places of worship require 1 parking space per 30 square metres of floorspace which would necessitate a total of 20 parking spaces for the proposals. 36 parking spaces exist and as such the proposals more than comply with the parking standards.

7.29 Additionally as outlined by the applicant a number of the nearby units are not operational during the main congressional activities of the Church where the highest number of parishioners is expected with the largest service on a Sunday and two evening services of a smaller nature in the evenings of weekdays.

7.30 The demographics of the Church also mean that in general on a Sunday service around 30 cars are present with families arriving together.

7.31 The site is considered a good sustainable location which is accessible from the town centre, train station, by bus and via walking and the fact main activities occur outside adjacent business being active is a further benefit. The proposals as such are not considered to result in any significant detriment to highway capacity or safety. NNC highway engineer has raised not raised any technical objections to the application in relation to highway capacity and safety

7.32 As such the proposals are considered in accordance with policy 8 (b) (i) & (ii) of the JCS.

7.33 Crime and disorder

7.34 Section 17 of the Crime and Disorder Act 1998 details the need for the council to do all that it reasonably can to prevent, crime and disorder in its area.

7.35 The JCS at policy 8 (e) (iv) sets out the policy requirement for new development to seek to design out crime and disorder and reduce the fear of crime.

7.36 The adopted designing out crime supplementary planning guidance gives detailed advice this issue.

7.37 The revised NPPF at paragraph 130 (f) state that decisions should aim to ensure that developments create safe, inclusive and accessible environments which promote health and wellbeing with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion and resilience.

7.38 The police have made recommendations that will assist in improving security and mitigate crime application site these include:

Details of the proposed internal layout including use areas should also be provided, this is to ascertain what security is required in each area. It should be noted that the existing windows and doors are secured with roller shutters.

The following should be considered:

- door entry access control (fob or keypad) and zoning, this allows areas to be secured that are not in use.
- CCTV (fixed cameras, not pan-tilt cameras)
- manually operated pedestrian and vehicle gates
- door hardening, locks and mail box / mail bag
- reinforcing single glazed windows (with anti-shatter film or bars/grilles only)
- intruder alarms including integrated smoke/heat detection. Alarms that can be zoned should be considered
- video intercom systems
- lighting (building mounted)
- secure rear access fencing and/or railings (no more than 2.1 metres high)

It is considered that a crime prevention and security statement can be conditioned to secure adequate mitigation measures. As such with the imposition of a condition requiring a crime prevention and security statement the proposed change of use to a church would to accord with policy 8 (e) (vi) of the JCS.

8. CONCLUSION/PLANNING BALANCE

Although policy 22 (c) of the JCS and policy E2 of the PBW seek to retain existing and employment sites, policy It is considered by officers that the evidence submitted sufficiently demonstrates that there has been little interest in the site for suitable employment uses and as such it is acknowledged that alternative uses can now be considered. Based on the location of the site within an employment area officers

consider proposed community use by an existing established church in Wellingborough to be an acceptable departure from the development plan.

The proposed development contains enough on-site parking for the proposed use and is in a sustainable location close to Wellingborough railway station, within 400 metres of bus stops and within walking distance of the eastern part of Wellingborough.

The proposed development would not result in any unacceptable loss of residential amenity and a condition could be imposed to ensure that the development has adequate security and crime prevention measures.

In the absence of any material considerations of sufficient weight, it is recommended that the proposal be approved subject to the conditions set out below

9. RECOMMENDATION

That planning permission be **GRANTED** subject to the conditions set out below.

10. Conditions

1. The development shall be begun not later than the expiration of three years beginning with the date of this permission.

Reason: To prevent the accumulation of planning permissions; to enable the local planning authority to review the suitability of the development in the light of altered circumstances; and to conform with the requirements of 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 approved shall be carried out in accordance with the following plans:

Location and Site Plan Received 23.03.22

Reason: To define the permission and to conform with the requirements of The Town and Country Planning (General Development Procedure) (Amendment No. 3) (England) Order 2009.

3. Prior to the commencement of the use a crime prevention and security statement shall be submitted to and agreed in writing by the local planning authority. The statement shall show the internal layout and facilitate measures to improve security and prevent crime. Consideration shall be had to the following:

- door entry access control (fob or keypad) and zoning, this allows areas to be secured that are not in use.
- CCTV (fixed cameras, not pan-tilt cameras)
- manually operated pedestrian and vehicle gates
- door hardening, locks and mail box/mail bag
- reinforcing single glazed windows (with anti-shatter film or bars/grilles only)

- intruder alarms including integrated smoke/heat detection. Alarms that can be zoned should be considered
- video intercom systems
- lighting (building mounted)
- secure rear access fencing and/or railings (no more than 2.1 metre high)

The statement shall outline measures to be implemented and a timetable for implementing these measures which shall thereafter be retained for the life of the planning permission

Reason: To ensure measures to prevent crime are adequately considered and where necessary implemented in accordance with policy 8 (e) (iv) of the North Northamptonshire Joint Core Strategy

04. The use of the building hereby approved shall be restricted to that falling within Use class F1 (f) (for or in connection with, public worship or religious instruction) of the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 only.

Reason: To define the permission and to conform with the requirements of The Town and Country Planning (General Development Procedure) (Amendment No. 3) (England) Order 2009.

11. INFORMATIVE/S:

1. In accordance with the provisions in the Town and Country Planning (Development Management Procedure) (England) Order 2015 and pursuant to paragraph 38 of the National Planning Policy Framework, where possible and feasible, either through discussions, negotiations or in the consideration and assessment of this application and the accompanying proposals, the council as the local planning authority endeavoured to work with the applicant/developer in a positive and proactive way to ensure that the approved development is consistent with the relevant provisions in the framework.