

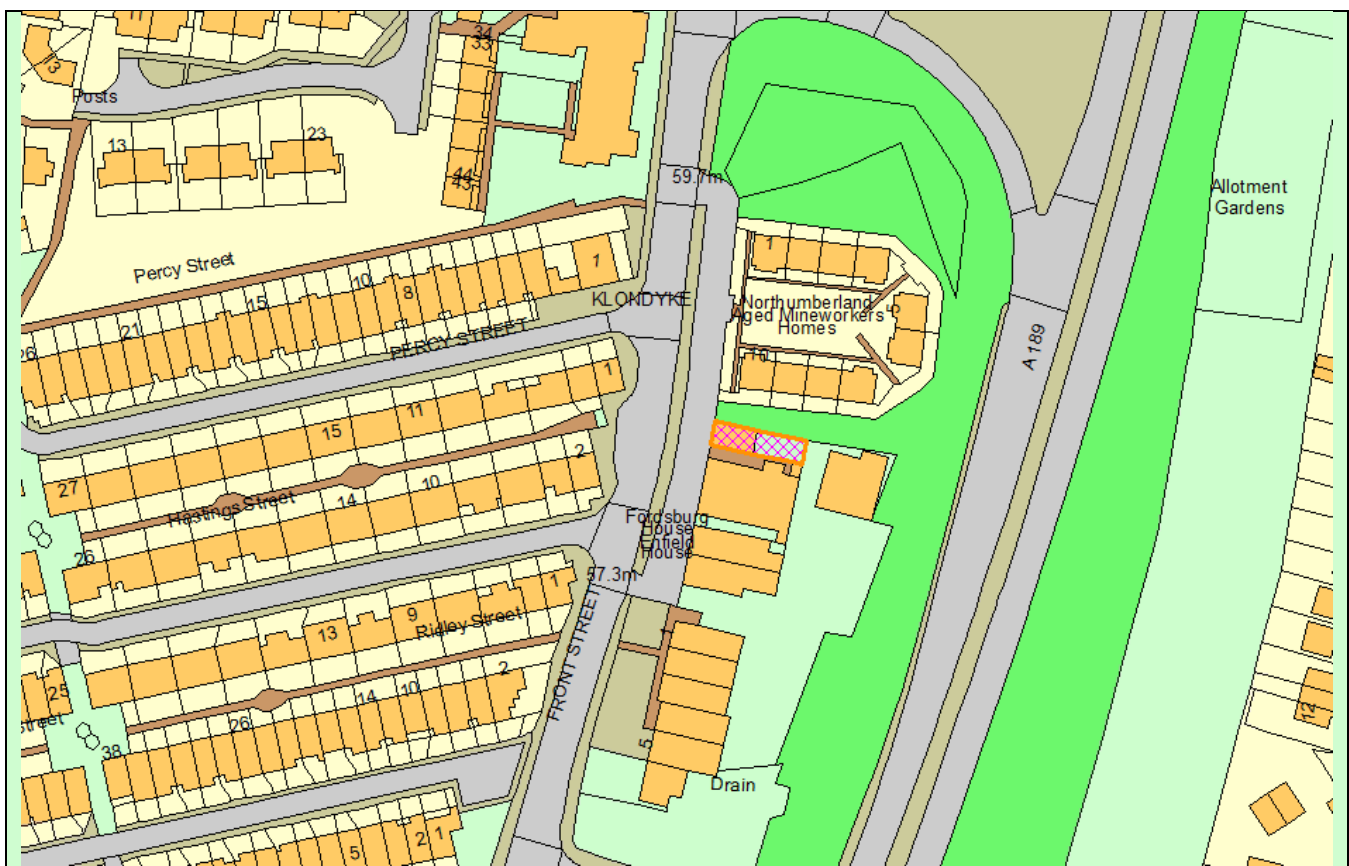
NORTHUMBERLAND

Northumberland County Council

Cramlington, Bedlington and Seaton Valley Local Area Council

20 September 2017

Application No:	17/01940/FUL		
Proposal:	Proposed loft conversion with dormer with change of use on the ground floor from use A1 to A5 and use C3 on the first and second floor		
Site Address	1 Front Street, Klondyke, Cramlington, Northumberland NE23 6RF		
Applicant:	Mr Mark Watson Orchard House, Whalton, Morpeth, NE61 3UZ	Agent:	Mr Jonathan Davey 1 Fore Street, Hexham, Northumberland, NE46 1ND
Ward	Cramlington East	Parish	Cramlington
Valid Date:	31 May 2017	Expiry Date:	26 July 2017
Case Officer Details:	Name: Mr Ed Harwood-Scorer Job Title: Planning Assistant Tel No: 01670 620422 Email: Ed.Harwood-Scorer@northumberland.gov.uk		



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1. Introduction

- 1.1 An application of this kind would typically be determined under delegated powers. However, having received a number of neighbour objections in the form of a petition and considering the local context of the development, the outcome is therefore required to be decided by the Planning Committee.

2. Description of the Proposals

- 2.1 Proposed loft conversion with dormer with change of use on the ground floor from use A1 to A5 and use C3 on the first and second floor.
- 2.2. The development is located at the north of a parade of commercial premises within the Klondyke area of Cramlington. The parade of premises includes existing takeaways, restaurants and a funeral parlour.

3. Planning History

Reference Number: B/79/C/377

Description: Change of use from shop to dwelling and improvement to form kitchen and bathroom

Status: PER

4. Consultee Responses

Cramlington Town Council	No response received.
Highways	No objections subject to conditions.
Public Protection	Objection - lack of odour assessment, stack discharge contrary to DEFRA advice.
Northumbrian Water Ltd	No comments.

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	8
Number of Objections	13 (petitioned)
Number of Support	0
Number of General Comments	0

- The public objection petition centred around the oversupply of takeaway amenities within the vicinity, stating that there was already sufficient outlets at two locations, less than 100 yards from residences.
- It also addressed the inadequate provision of on-road parking for both customers of the takeaways and neighbouring residents, particularly in the evening when traffic is active around the development with customers.

Copies of all representations received are available in the Member's Lounge and will also be made available at the meeting of the Committee

Notices

No Site Notice Required.

No Press Notice Required.

Summary of Responses:

The above is a summary of the comments. The full written text is available on our website at:

<http://publicaccess.northumberland.gov.uk/online-applications//applicationDetails.do?activeTab=summary&keyVal=OQRTYRQSH8W00>

6. Planning Policy

6.1 Development Plan Policy

Blyth Valley Core Strategy 2007

SS2 - The Sequential Approach and Phasing

SS3 - Sustainability Criteria

H5 - Improvement of Areas of Older Housing Stock

Blyth Valley Development Control Policies 2007

DC2 - Planning Obligations

DC21 - Pollution Control

DC22 - Noise Pollution

6.4 National Planning Policy

National Planning Policy Framework (2012) (NPPF)

7. Appraisal

7.1 The main considerations in assessing this proposal are considered to be:

- Principle of development
- Noise and odour

Principle of Development

- 7.2 This aligns with Section 1 of the NPPF that supports the growth and expansion of all types of business and sustainable economic enterprise through the re-use and conversion of existing buildings.
- 7.3 Policy SS2 is a general development principle that gives priority to developments within previously established land and buildings. This application is for the change of use of an existing unit and dwelling flats above. The refurbishment is more sustainable than building upon an undeveloped vacant site and so is considered to accord with Policy SS2.
- 7.4 The existing development and proposed changes must meet the sustainability criteria of Policy SS3 for the application to be considered. It has to be; accessible to homes, shops, services and transport and have no adverse impact on the natural environment and resources. This proposed change of use utilises existing infrastructure in a well-established parade of shops, services and facilities. It's located within Klondyke/High Pit area and within walking

distance to a number of housing settlements and is surrounded by other amenities and offers sustainable transport via an adjacent bus route. The potential noise and waste effects of takeaways is not deemed adverse (when mitigated appropriately). For these reasons, the development accords with Policy SS3.

- 7.5 Any potential adverse effects arising from the change of use to a takeaway may be mitigated by appropriate planning conditions as outlined in Policy DC2. Such conditions can make acceptable a proposal which would otherwise be unacceptable in planning terms. In this context, conditions can be applied to reduce the effects of noise, odour and pollution generated by the takeaway.
- 7.6 Additionally, conditions surrounding opening/closing and business hours can be imposed as to minimise the potential effects of a takeaway on the neighbouring residents. Conditions of this kind are outlined in Paragraph 123 of the NPPF. Within this context, obligations will include restrictions on opening/closing times and operational business hours.
- 7.7 Improving the housing stock within Blyth is a key objective of the core strategy. Policy H5 aims to achieve this by enhancing the areas of existing older housing stock. The inclusion of dwelling flats above the new takeaway (use class C3) meets the requirements of Policy H5 to establish mixed use that will assist in the regeneration of local communities and help towards a re-balance of the housing stock.

Noise and odour

- 7.8 Policy DC21 requires developments to minimise the impact of pollution during both the building and functioning of a development. The aim in doing so is to improve environmental quality within the vicinity. In the context of this takeaway development, potential effects must be considered to determine the impact of the kitchen. Kitchens have the potential to generate and produce levels of both odour and noise.
- 7.9 Initially, the Council's Public Protection team objected to this proposal based on the grounds of insufficient information to assess the effects of odour. The application was missing the required odour assessment that should accompany a proposal of this type. They considered the odour assessment as a requirement to comply with Policy DC21.
- 7.10 They additionally requested clarification of the business hours of the takeaway on the grounds of noise pollution. They suggested the implementation of conditions in order to reduce the likelihood of late-night noise and the impact on surrounding neighbours. This is required in order to comply with Policy DC22.
- 7.11 The agent has subsequently provided the appropriate level of detail to meet the requirements of an odour assessment following the DEFRA guidance, the opening/closing times of the takeaway and justification for the stack discharge levels. This additional information was consulted with Public Protection handed over to public protection for a period of re-consultation who raise no objections to the development on the grounds of environmental effects (including odour and noise) and therefore Policies DC21 and DC22.

8. Conclusion

- 8.1 The main planning considerations in determining this application have been set out and considered above whilst having regard to the appropriate Local Plan policies. The application has also been considered against the relevant sections within the NPPF and there is not considered to be any conflict between the local policies and the NPPF on the matters of relevance in this case.
- 8.2 Despite receiving a number of resident objections to the proposal, they have been considered in terms of the assessment of the application and addressed through the comments received from Public Protection. The consideration is that the matters relating to environmental effects can be mitigated by planning conditions and Public Protection offer no objection to the proposal.

9. Recommendation

That this application be GRANTED permission subject to the following:

Conditions/Reason

01. 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)

02. Except where modified by the conditions attached to this planning permission, the development shall be carried out in accordance with the details shown on:
- a) Site Location Plan (August 2013)
 - b) Existing and Proposed Site Plan (August 2013)
 - c) Existing and Proposed Plan (August 2013)
 - d) Existing Floor Plan (August 2013)
 - e) Proposed Floor Plan (August 2013)

Reason: To ensure the development is carried out in accordance with the approved plans.

03. No development shall commence until details of suitably noise attenuated ventilation and extraction systems to eliminate odours have been submitted to and approved in writing by the Local Planning Authority. The premises shall not open for business until the approved systems have been completed in accordance with the approved details. Thereafter the systems shall be maintained on a regular basis fully in accordance with the approved scheme.

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

04. Opening hours of the business shall be restricted to:
- a) 8am to 11pm Sunday to Thursday
 - b) 8am to 12am Friday and Saturday

Reason: In the interests of public protection.

Date of Report: 1 August 2017

Authorised by: Joe Nugent

Date: 24 August 2017

Background Papers: Planning application file(s) 17/01940/FUL