

The application is for the change of use of this three storey property from an education and cultural centre to an education and cultural centre with overnight stay. The building has in total some 1,000 square metres of floorspace.

The site lies within the Newcastle Town Centre as indicated on the Local Development Framework Proposals Map. In the Town Centre Supplementary Planning Document (SPD) the premises lie within the Northern Quarter and adjacent to but not within one of the Town Centre Housing Areas.

**The 13-week determination period for this application expires on 1<sup>st</sup> November 2016.**

### **RECOMMENDATION**

**PERMIT subject to conditions relating to the following:**

- **Time limit**
- **Approved plans**
- **Provision of a kitchen ventilation system and odour abatement**
- **Internal noise levels**
- **Travel plan**

### **Reason for Recommendation**

The principle of the use is considered acceptable in this sustainable mixed use location and given the current permitted use it is not considered that an objection could be sustained on highway safety or residential amenity grounds. The proposed development therefore accords with the development plan for the locality indicated below and subject to the imposition of the above conditions, there are no material considerations which would justify a refusal of this proposal.

### **Statement as to how the Local Planning Authority has worked in a positive and proactive manner in dealing with the planning application**

The proposal is considered to be a sustainable form of development in compliance with the provisions of the National Planning Policy Framework.

### **Key Issues**

Planning permission was granted in 2011 for the change of use of this property from offices to an educational and cultural centre (Ref. 11/00426/COU). Permission is now sought to include overnight stay. The applicant's agent states that the aim of the centre is to educate children who are born to Turkish parents about British society and culture so that they can better integrate with society and achieve success in the British education system. The Centre caters for students aged from 8 to 19 but it is the students aged 16 to 19 who would stay overnight. At present most of these older students attend Newcastle College during the day before coming to the Centre and then leaving at 2000 hrs. Instead of leaving the Centre, if permission is granted, they will remain overnight and leave for the College in the morning. It is stated that a maximum of 30 people would occupy the building overnight with a maximum of 3 staff and 27 students.

The property is within the Newcastle Town Centre as indicated on the Local Development Framework Proposals Map and within the area covered by the Town Centre SPD.

The key issues in the determination of this application therefore are:

- The principle of the use
- Impact on highway safety and on-street parking

- Impact on residential amenity

### Principle of the Use

The existing use of the property as an educational and cultural centre falls within Class D1 of the Use Classes Order, the “non-residential institution” Use Class. The proposed use which would include overnight accommodation for the students would fall within Use Class C2, “residential institutions”, which includes boarding schools and residential colleges.

The site is within Newcastle town centre, on the outside of the ring road. In the Newcastle Town Centre SPD, the site lies within the Northern Quarter. This is a very mixed use zone and the SPD states that within this area, redevelopment opportunities could lead to a greater mix and intensity of uses. It states that additional residential development could be appropriate here.

The site is in a very sustainable location and users of the centre would have access to services and public transport. Given the varied nature of the uses in this area it is not considered that an objection could be raised to the addition of overnight stay to the current use of the property. Matters of highway safety and residential amenity need to be considered however and these matters will be assessed below.

### Highway Safety

The property is served by one vehicular access point off Castle Hill Road and there are 8 parking spaces to the rear of the building. Parking provision and vehicular and pedestrian access to the site would remain unchanged. The applicant’s agent has advised that the catchment area for the centre includes the whole of Staffordshire and parents currently transport their children on a daily basis. They advise that the existing facility does not attract a significant number of vehicular movements as the older pupils attend Newcastle College and walk to the Centre. Providing accommodation for some of the students would reduce the amount of traffic at peak times. A Transport Statement has been submitted which states that there would be no increase in student trip numbers – because the expectation is that the majority of such students will continue to walk Staff numbers are expected to increase by three in order to provide overnight care, but this is not considered to be significant and it is stated that it will not have a material impact on the operational performance or safety of the local highway network. The Statement concludes that overall it is considered that there are no highway or transport reasons that should prevent the granting of planning permission.

The Highway Authority has no objections to the proposal and state that they have taken into account the sustainable location of the site, its current permitted use, and that the proposed overnight accommodation will not result in a net increase in vehicle trips.

The NPPF, at paragraph 32, states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. It is likely that the number of vehicle movements to and from the site would either remain about the same or actually reduce.

In March 2015 the Secretary of State gave a statement on maximum parking standards indicating that the government is keen to ensure that there is adequate parking provision both in new residential developments and around town centres and high streets.

The area is, unsurprisingly given its location, subject to a degree of competition for on-street parking spaces during the daytime. Potentially the additional overnight accommodation use could lead to fewer trips but more parking demand particularly overnight, although given the choice of modes of travel to this area that may not in practice be the case. It has been observed that there are a considerable number of available on-street parking spaces in this area overnight and there is no reason to consider that the use of such spaces would raise any highway safety concerns at all, and as already indicated the Highway Authority have expressed no concerns about the proposal.

For the above reasons it is not considered that an objection could be raised on highway safety grounds.

### Residential amenity

One of the core planning principles of the NPPF is to always seek to secure a good standard of amenity for all existing and future occupants of land and buildings.

It is necessary to consider whether the development would impinge unduly upon levels of residential amenity within neighbouring dwellings and also whether appropriate standards of residential amenity would be provided for the occupiers of the building.

The current planning permission for the use of the building as an educational and cultural centre is subject to a condition which limits the operation of the use to between 0900 hours and 2100 hours Mondays to Fridays, 0900 hours and 1800 hours on Saturdays and between 1000 hours and 1700 hours on Sundays. The use now proposed would entail up to 30 people (3 staff and 27 students) residing at the building on Monday to Thursday nights. The application property is within a mixed commercial and residential area with a hotel and supermarket to the south, and the commercial properties of the town centre across the ring road to the east. The use of the highway to park vehicles is common at this location and there are no particular residential amenity concerns associated with it. Given the surrounding uses and given the current use of the property as an educational and cultural centre, it is not considered that the additional residential use now proposed would have any significant adverse impact on the amenity of the occupiers of the neighbouring dwellings.

A Noise Assessment which accompanies the application concludes that subject to appropriate mitigation measures, acceptable noise levels would be achieved for the future occupiers of the Centre.

The Environmental Health Division has no objections to the proposal subject to the imposition of conditions.

Overall, it is not considered that a refusal could be sustained on the grounds of adverse impact on residential amenity.

## APPENDIX

### Policies and proposals in the approved development plan relevant to this decision:-

#### Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy (CSS) 2006-2026

Policy SP1: Spatial Principles of Targeted Regeneration  
Policy SP3: Spatial Principles of Movement and Access  
Policy ASP4: Newcastle Town Centre Area Spatial Policy

#### Newcastle-under-Lyme Local Plan (NLP) 2011

Policy T16: Development – General Parking Requirements

### Other Material Considerations include:

National Planning Policy Framework (NPPF) (2012)

National Planning Practice Guidance (NPPG) (2014)

#### Supplementary Planning Documents (SPDs)

Space Around Dwellings SPG (SAD) (July 2004)

Newcastle Town Centre SPD (January 2009)

#### Relevant Planning History

10/00393/COU Change of use from offices to educational and cultural centre (Use Class D1) – Refused (following failure to complete planning obligations in time)

11/00426/COU Change of use from offices to educational and cultural centre (Use Class D1) (Resubmission of 10/00393/COU) – Approved

#### Views of Consultees

The **Highway Authority** has no objections. They state that they have taken into account the sustainable location of the site, its current permitted use, and that the proposed overnight accommodation will not result in a net increase in vehicle trips.

The **Environmental Health Division** has no objections subject to conditions regarding the provision of a kitchen ventilation system and odour abatement and internal noise levels.

No comments have been received from the **Crime Prevention Design Advisor**, the Council's **Waste Management Section** and the **Newcastle South LAP**. Given that the period for comments has expired, it must be assumed that they have no comments to make.

#### Representations

Nil

#### Applicant's/Agent's submission

The application is accompanied by the following documents:

- Design and Access Statement
- Transport Statement
- Noise Assessment

All of these documents are available for inspection at the Guildhall and as associated documents to the application via the following link <http://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/16/00641/cou>

### **Background Papers**

Planning files referred to  
Planning Documents referred to

### **Date report prepared**

22<sup>nd</sup> September 2016