

COMMITTEE UPDATE  
Northampton UDA Planning Committee  
14<sup>th</sup> September 2009

Agenda Item 4:

Application number: 10/0078/REMWNN

Applicant: JS Bloor

Address: Former Ryelands Middle School, Prestbury Road, Northampton,  
Northamptonshire, NN5 6XP

Description: Reserved matters for appearance, landscaping, layout, scale and associated works.

Further Representations:

Northampton County Council - Highways Officer

A further response has been received from the Highways Officer. They have raised some minor issues that need to be addressed with regard to the future adoption of some of the roads. They have suggested a condition requesting a further revised drawing to address these concerns.

Officer Response

The issues raised are minor and relate to the future adoption of some of the roads. This will be subject to a separate section 38 agreement pursuant to the Highways Act 1980 and the applicants are confident that the issues raised can all be resolved during that process without affecting the proposals submitted. None of the issues relate to highway safety and therefore are not material to the determination of this application. Attaching a planning condition is not considered appropriate to deal with this issue.

Agenda Item 5:

Applicant: Aldi Stores Limited

Application No: 09/0096/FULWNN

Address: 582-592 Wellingborough Road, Northampton, NN3 3JB

Description: Erection of a Class A1 Food Retail store and associated car parking

Amendment to text in Recommendation

The Recommendation on page 1 of the report should refer in paragraph '3' to 'paragraphs 4.5, 4.6 and 4.7' of the report and not '5.5, 5.6 and 5.7'.

Further in the 'Reason for approval' the reference to 'Policies 1, 2, 3 and 22 of the East Midlands Regional Plan' is to be deleted as a consequence of the revocation of the Regional Plan.

#### Agenda Item 6:

Application number: 06/0016/OUTWNN

Applicant: Homes and Communities Agency and Network Rail

Address: Land for Redevelopment, Ransome Road, Northampton

Description: Residential, Community Facility and associated development, access improvements and retention of operational railway line (Outline application).

#### Further Representations

##### Northampton Borough Council (NBC) – Head of Planning

A letter has been received from the Head of Planning at NBC and a copy is attached to this update sheet.

Officer Response

#### Technical Issues

The issues raised with regard to flood risk, contamination, water management, noise, air quality and ecology are covered extensively in the officer report. Members will note that the recommendation is for approval, subject to the satisfactory receipt of further information on a number of these technical issues. Officers have been involved in detailed discussions regarding these technical matters and the relevant survey work/ analysis is on-going. For example, officers are in discussion with officers from NBC Environmental Health team with regard to conditions relating to contaminated land. There is sufficient certainty that these issues can be resolved satisfactorily to support the recommendation set out in the report to committee. This is considered to be a sound approach.

The report assesses the impact upon archaeological and heritage assets and puts forward a number of conditions to control the impact in this regard. This is considered to be acceptable.

#### Safeguarded Railway Line

The current design takes account of the safeguarded rail line because this is a constraint in place at present and there is no timetable for the removal of this constraint. The future of the line will be determined by Network Rail. The report assesses the impact of the rail line in terms of design and acknowledges that the constraint does impact upon the proposed scheme.

However, there is no certainty that the alternative scenario i.e. no rail safeguard, is achievable or deliverable within a reasonable timeframe. Therefore, in terms of

determining this planning application, members are recommended to consider the situation put before them. In design terms, the outline scheme has twice been considered by the relevant planning committee and found to be acceptable. The principles of this layout have been tested through the Strategic Development Framework (SDF) and is considered to provide an acceptable design solution, based upon the current constraints. Additionally, the phasing of the development is such that the later phases can be adapted to take account of any future changes in the position regarding the safeguarded route.

Therefore, the current scheme is considered to be acceptable on its own merits and the possibilities offered by an alternative scenario, for which there is no timetable, are not considered sufficient reason to withhold planning permission for the current scheme.

### **Piecemeal Development**

In short, NBC's response suggests that the lack of a comprehensive approach for the entire area, taking account of the Avon and Nunn Mills sites, will result in a piecemeal development that is poorly co-ordinated with its surroundings, resulting in difficulties for the delivery of infrastructure provision, open space and sustainable energy generation.

In response, officers stress that the SDF was developed by WNDC in association with its partners in order to guide the development applications across the three sites. NBC were involved in this process. As stated above, the current application at Ransome Road is considered to adhere to the principles in the SDF. Equally, any future development at the Avon and Nunn Mills sites would be expected to comply with the principles established.

In line with normal planning principles, the proposed scheme will be expected to offset its impact in terms of open space and sustainable energy production.

In this context, WNDC officers do not agree that the development will result in a piecemeal scheme and will not prejudice the future development of the Avon/ Nunn Mills sites.

### **Summary**

WNDC officers are therefore happy with the approach to the scheme set out in the report to committee. Substantial public funding has been committed to the site and to infrastructure provision, including recent approval for the London Road/ Ransome Road junction. The planning merits of the scheme put forward are considered to be acceptable and the benefits of bringing forward the development are significant. An alternative approach whereby the delivery of a scheme relies upon the removal of the rail safeguard is not considered to reflect the current situation with regard to the site and is not recommended.

### Highways Agency

Following further discussions with the applicants and WNDC officers relating to the Travel Plan arrangements, the HA have now removed their holding direction. This is subject to agreed measures being taken forward through the s.106 for the site. WNDC officers are pleased to note this position.

### Garbe (Northampton) Limited

Garbe note that the collaboration agreement between landowners in relation to WNDC's Compulsory Purchase requires that the parties discuss and agree a number of unresolved issues within 12 months of the agreement being signed. Two of these issues are relevant to the determination of HCA's planning application: agreement over the parameters of development and sharing the cost of infrastructure.

Garbe are concerned that, once the HCA application is determined this will be taken as a 'given' in terms of the parameters of development, thus forcing certain facilities onto land north of the safeguarded rail line. This includes the desire of NCC Education to provide a primary school. This has a direct impact upon the gross development value of the land upon which it sits, particularly if only the applicants to the north of the railway were expected to pay for the school.

### **Officer Response**

Officers would draw the distinction between the land owner collaboration agreement and the assessment of the planning merits of the scheme.

In terms of the planning merits, the s.106 agreement related to the Ransome Road scheme will ensure that appropriate infrastructure provision is secured, either on site, or through off-site contributions. On the basis of the officer report to committee and the recommendations set out, the planning impact of the scheme would be adequately mitigated in terms of infrastructure provision. In view of this, it is considered to be appropriate to move forward and determine the current planning application, subject to the recommendations set out in the officer report.

It is expected that the infrastructure requirements across the three sites, and the impact upon land/ development values, will be a matter for further agreement between landowners under the terms of the collaboration agreement.