



Applicants: Aldi **Stores Ltd**

Application No:
09/0096/FULWNN

Date Registered:
20/8/2009

Expiry Date:
11/10/2009

Ward:
Weston

Northampton UDA Planning Committee Paper

Report by Director of Planning Services

Date of Committee Meeting: 14.09.2010

Agenda Item: 5

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

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

1. Recommendation

APPROVAL with delegated authority being given to the Director of Planning Services or appointed officer to issue the planning permission subject to:

1. The resolution of the outstanding highway issues,
2. Negotiating, finalising and entering into the Section 106 agreement, and
3. The conditions set out in the appended report and the amended and additional conditions set out in paragraphs 5.5, 5.6 and 5.7 of this report.

And for the following reason

Reasons for approval

The proposal is acceptable on the basis that the site brings back into use a prominent brownfield site within the urban area of Northampton. The impact of this proposal is not considered to unduly affect the regeneration opportunities of Northampton town centre and Weston Favell District Centre.

The proposal is in accordance with policies 1, 2, 3 and 22 of the East Midlands Regional Plan and with the guidance contained within PPS1: Delivering Sustainable Development, PPS4: Planning for Sustainable Economic Growth and PPG13: Transport.

The document is also considered to be in accordance with the following policies of the Northampton Local Plan 1997 namely, policies E20,E40, T11 and T12.

2. Background

- 2.1 This application was considered at the Northampton Area Planning Committee on the 13 July 2010. A copy of the committee report is appended to this report. The information within the 13 July report remains relevant and has not been repeated below. At the committee meeting reservations were expressed by some members on the design of the building. It was subsequently resolved that consideration of the scheme be deferred to allow for a site visit so that members could give clearer guidance on their concerns in terms of siting and design. Consensus was reached at the committee meeting on non-design issues.

3. Updates reported at 13th July NAPC

- 3.1 The following was provided as an update at the last committee meeting when this application was considered and needs to be formally recorded and noted in the continuing determination of the application. Due consideration was given to these matters by Committee in reaching their resolution at the 13th July 2010 meeting.

Background information

On 6 July 2010 the Secretary of State announced the revocation of Regional Strategies with immediate effect. Therefore the reasons for approval and conditions should delete reference to the Regional Strategy.

The Chief Planner at Communities and Local Government provided clarification points on the impact of the revocation of Regional Strategies. Of most relevance in this instance is the advice given on "Does the abolition of the hierarchy of strategic centres mean the end of policies on town centres?". The answer given was "No. Local authorities must continue to have regard to PPS4:Planning for Sustainable Economic Growth in preparing LDFs and, where relevant, take it into account in determining planning application for retail, leisure and other main town centre uses."

Taking account of the information provided with the revocation of the Regional Strategy the recommendation of approval of the proposal would not change.

Report Amendments/Additions

Page 1 Paragraph 1.1 – The second bullet point be amended to read "The conditions set out in this report including any additional conditions or amendments to the draft conditions or amendments to the draft conditions as the Director of Planning Services may consider appropriate to secure an acceptable form of development;"

Page 7 Paragraph 10.1 The following information was missing from this paragraph, on this application we displayed seven site notices and consulted 355 properties. From this

we received 59 contributions of these 38 were supporting statements, 20 objections and one neutral representation.

Page 15 Paragraph 11.45 – in the second sentence 20% should read 30%.

Page 21 Paragraph 11.100 – No reference is made to a physical barrier within the design and access statement hence the need to secure such a feature by condition.

Environmental Statement issues

The application has been screened on whether it required an Environmental Statement under the Town and County Planning (Environmental Impact Assessment) Regulations 1999, as amended by the Town and County Planning (Environmental Impact Assessment (Amendment) Regulations 2006 (SI 2006/3295). It was concluded a Environmental Statement was not required.

Amendments to the Planning Conditions

Amendment to condition 3 to read 3) Prior to the commencement of development a Sustainability Strategy, detailing a method of achievement of BREEAM 'Very Good' for the development, and the provision of on-site renewable energy to meet a minimum of 10% of the developments overall energy needs and mechanisms for independent post-construction assessment shall be submitted to and approved in writing by the Local Planning Authority. Within a period of 3 months from the first occupation of the development a post construction assessment shall be submitted to and approved in writing by the Local Planning Authority to demonstrate compliance with the approved Sustainability Strategy.

Reason: To ensure the delivery of a sustainable development in accordance with the guidance contained in PPS 1: Delivering Sustainable Development and Planning and Climate – Supplement to Planning Policy Statement 1.

Amendment to condition 5 to include reference to a barrier being in place to secure the car park with the details to be agreed by the Local Planning Authority.

Additional responses received

Northamptonshire County Council – Highways – 8 July 2010 - The Stage 1 road safety audit report submitted on the 25 June 2010 was noted by the County Council. A revised drawing based on a suggested design by the County Council is awaited. The technical audit that would be part of the Section 278 works process would assess the need for any changes noted in the safety audit report further to a planning approval and it outlined that points would need to be clarified through this process.

Northampton Borough Council – 6 July 2010 - The Council raises no objections to the amendments as shown on drawing number R06A54-002, but would request that NCC

Highways on consulted on the application to ensure that a satisfactory impact on highway safety can be secured. Northampton Borough Council would also wish to emphasise that the observations made to WNDL on the 19th January 2010 still hold and would request that these matters are addressed during the determination of any application and any legal agreement. Officer observation – The observations made on the 19th January have been secure through condition.

Supporting comment – from local resident- 8 July 2010 - support this application, provided the appearance of the unit is in keeping with the surrounding area and that vehicles leaving the site do not cause an excessive increase in traffic through Weston Favell village.

Objection – from local resident – 11 July 2010 – concerns regarding the traffic generation from the store and the ability of the road pattern within the village to cope with this. There are concerns that the shops in Birchfield Road and Broadway East may close. Two or three lock up shops or shops with flats above would be a good thing

4. **Additional comment received post-committee.**

- 4.1 *Northamptonshire County Council - Highways - 15 July 2010. - It has been requested to amend condition 9 in order to secure implementation of the Wellingborough Road improvements before start of construction on site. This is for reasons of highway safety in general due to the intensification of traffic movements during site construction, which will be significantly greater at the entrance than previously.*
- 4.2 *With reference to condition 11, a further (sub) condition has been requested regarding wheel washing throughout construction of the development.*
- 4.3 *A condition is to be included for on-site surface treatment of all roads, access ways, parking areas and footpaths including their gradients.*
- 4.4 *In response to this further representation from NCC Highways it is proposed to make the following additional changes to the conditions as set out in the appended report.*
- 4.5 *Condition 9 to be amended to read ‘Prior to the commencement of the development hereby approved an agreement shall be entered into with the Local Highway Authority under Section 278 of the Highways Act 1980 to secure the provision of the required works on Wellingborough Road as required by Northamptonshire County Council and thereafter the approved works implemented in full unless otherwise agreed in writing by the Local Planning Authority.’*
- 4.6 *To address the request for a condition relating to the provision of wheel washing facilities an additional condition, number 20 is proposed stating the following: Prior to the commencement of development details of measures to wash the wheels of vehicles associated with the construction of the development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the approved*

measures shall be implemented upon commencement of development and retained until such time as the Local Planning Authority agree in writing they are no longer required. Reason: In the interests of highway safety.

- 4.7 To address the request for an additional condition to secure details of hard surfacing within the site the following additional condition number 21 is proposed: *Prior to the commencement of development hereby approved details of the on-site surface treatment of all internal roads, access ways, parking areas and footpaths including their gradients shall be submitted to and approved in writing by the Local Planning Authority. Reason: In the interests of highway safety.*

5. Further considerations

- 5.1 The principle concern raised by some members of the committee related to the appearance of the building. One member considered that the building did not respond enough to the local vernacular and appears to be of a standard design. Another member was satisfied in relation to the scale and massing of the building but raised concerns regarding the elevational treatment specifically the white rendered panels. Other members felt that they would benefit from a site visit to fully assess these issues.
- 5.2 Following the meeting the applicant has stated his willingness to look at further options as to the external finishing materials of the building. They do however maintain that its scale and form is appropriate for this location. Officers also remain of this view and consider that an appropriate way forward is still to rely on the attachment of condition 17 as set out in the appended report which requires the submission and agreement of all proposed external materials. However any steer by the committee following their site visit as to what they consider appropriate will be welcomed.

6. Conclusion

- 6.1 The recommendation therefore remains to approve the application as set out at the beginning of the report.