

COMMITTEE UPDATE
Northampton UDA Planning Committee
29th July 2008

Agenda Item 4:

Application number: 07/0356/FULWNN

Applicant: ASDA Stores Ltd

Address: Asda Distribution, Gowerton Road, Northampton.

Description: Erection of a wind turbine, maximum tower height 80m, maximum tip height 127m, with associated cabling and electrical control room/substation facility.

No update.

Agenda Item 5:

Applicant: Bovis Homes and Barry Howard Homes

Application No: 07/0348/FULWNN

Address: Land off Lancaster Way, Towcester Road, Northampton

Description: Residential development comprising 239no. dwellings

Additional Representations Received

Following publication of the Committee Agenda and Officer recommendations additional issues have been raised by local residents regarding the proposed pedestrian crossing on Towcester Road and the impact this would have on residential amenity, access and car parking.

These comments are noted.

I draw attention to condition no.8 as set out in the committee report which requires specific details of the crossing to be submitted and approved prior to the commencement of development of the site. NCC Sustainable Transport has confirmed that they are happy to take into account residents concerns in finalising the position of the access.

In addition, a further consultation notice will be required under the Highways Act before any works may take place. This would require a notice to be posted within local press allowing interested parties 28 days to comment on the proposed highway works.

The following issues which relate specifically to the Officer report have also been raised;

3.0 Policy Considerations

Paragraph 3.3 relates to Development Plan Policies. It has been raised that no Environmental Policies have been included.

Although not identified by NBC Planning Policy as applicable to the proposal site, it is considered that policies E1, E7, E11, E20 and E40 would be relevant. It is considered that the planning officer report has already covered

any issues arising from these policies and that the application is in accordance with the above Environmental policies.

Although a formal screening opinion has not been adopted, an assessment of the application against the EIA Regulations has been undertaken. Whilst the proposed development does fall within Schedule 2 Part 10(b) (Infrastructure Projects) of the regulations it was considered that neither the characteristics of the proposal, the location of the development or the potential impacts were of a nature which would mean that an Environmental Impact Assessment would be required.

4.0 Site History

Paragraph 4.1 states that there is no site history relevant to this application. It has been put forward that there are historic planning applications within the area of the application site which have not been mentioned within this section of the officer report.

Although this is noted, it is upheld that there is no site history that would be directly relevant to the determination of this application.

5.0 Consultations

Paragraph 5.1 refers to the comments of NBC and the request that the provision of an additional vehicle access to the site be considered. This was required by NBC in accordance with policies GS6 and T3 of the Northamptonshire County Structure Plan.

The NCC Transport Team is satisfied that the transport requirements and access needs of the development can be accommodated in accordance with policy T3. In addition, contributions towards Strategic Infrastructure will be secured in accordance with policy GS6.

7.0 Considerations

7.11 refers to the clustering of affordable housing within the site. It is put forward that residents should have been made aware of the most recent revision to the affordable housing clusters.

An updated layout plan (TOWH/02/100K) incorporates a slight revision to secure satisfactory clustering by switching an affordable flat block with an almost identical market flat block to disperse the affordable units within the site. This issue is not considered significant enough to warrant re-consultation with residents. NBC Housing Strategy have confirmed that they are happy with the revised situation.

7.21 and 7.22 refer to the Emergency Vehicle Access. Lack of consultation with Northants Fire and Rescue has been raised in addition to resident concern regarding specific wording within the report which appears to suggest that an agreement has been reached with residents regarding the Emergency Vehicle Link.

The Emergency Vehicle Link will be addressed further within the update. WNDc would like to take this opportunity to apologise for any misunderstanding caused by the statement within paragraph 7.22. Whilst residents have been involved in discussions around the Emergency Vehicle link, residents still have concerns and no formal agreement had been reached.

7.44 refers to S106 requirements and the need for the applicant to complete free-hold ownership of the site prior to commencement of development. It is put forward that the boundary of the site should be clearly defined due to current boundary disputes.

Boundary dispute is not a planning matter and it therefore not a reasonable requirement of the planning application.

NBC Consultation comments

A letter was received via email from NBC on 23rd July advising that the revised plans (received by NBC 13th June) would be considered by the NBC Planning Committee Meeting on 30th July.

The letter further requested that the application therefore be deferred until after the 30th July Meeting in order to allow NBC comments to be taken into account.

The matter was considered and the view taken that to further delay the determination of the application on those grounds would not be justified given that NBC had previously raised No Objection to the application (in principle).

The NBC committee agenda and report relating to this application is now available. The Officer recommendation within that report is that no Objection be raised consistent with the Committee's previous resolution.

Consultation

A number of issues relating to consultation have been raised since the application was submitted. WNDc has undertaken extended consultation in respect of the application and in excess of what is required under the Town and Country planning General Development Procedure Order.

More specifically, the updated site layout plan (TOWH/02/100K) incorporated changes to the scheme as a result of re-consultation which were not considered significant enough to warrant reconsultation.

Emergency Vehicle Access

Following on-going issues raised by local residents regarding the proposed Emergency Vehicular Access through Hexham Court, the applicant has approached Northamptonshire and Fire and Rescue in order to question the need for the access. Following inspection and internal consultation with their Risk Management Team, the Fire and Rescue Service have deemed emergency vehicle access to the development as acceptable and have

confirmed that there is no requirement for an additional Emergency Vehicle Access point.

This revised position has been discussed with NCC Highways who have no also agreed that they are happy for the Emergency Vehicle link to be deleted from the scheme.

The Emergency Vehicle Access will now be removed from the scheme requiring some revision to this part of the site. This will require revised drawings and re-consultation with residents and statutory consultees.

Additional Revisions

Since writing the report, revisions to the Landscape drawings have had to be undertaken to take account of detailed comments raised by the NCC Adoptions Team including the set back of proposed trees from the highway and additional detail relating to root barriers in close proximity to roads and footpaths and the introduction of low groundcover planting within visibility splays in place of trees. The minor amendments to the application are considered to be acceptable and would maintain a satisfactory landscaping scheme within the application site.

Additional Conditions

A landscaping condition will be required to ensure implementation of the landscaping scheme and maintenance of landscaping in the future. This was not included in the planning officer report and should be added if members are minded to approve the application.

(20) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the development, whichever is the sooner, and which shall be maintained for a period of five years: such maintenance to include the replacement in the current or nearest planting season whichever is the sooner or shrubs that die are removed or become seriously damaged or diseased with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Revised Recommendation

Taking into consideration all of the above it is recommended that the application be **APPROVED** subject to the completion of a S106 Agreement and thereafter the issuing of the planning permission be delegated to the Director of Planning and Development or appointed Officer subject to:

- Revised Wildlife Trust Comments;
- Resolution of detailed Highway matters;
- Submission of a satisfactory FRA;
- Revision of the area of the site around the Emergency Vehicle Access following its removal and to consult those appropriate parties adjacent or effected by that part of the site and no new issues being raised as a result of consultation with local residents; and
- To take into consideration any new issues raised by NBC DC Committee on the 30th July

and the conditions set out in the report and the update sheets for the following reason:

Reason for Granting: The proposal would constitute an acceptable form of residential development in terms of its layout, design and its impact on existing residential properties and is within a primarily residential area as set out in the Northampton Local Plan and is therefore compliant with Policies H6 and E20 of the Northampton Local Plan and Policies GS5, GS6 and T3 of the County Structure Plan.

Agenda Item 6:

Application number: 08/106/FULWNN

Applicant: Euro 1 Stop

Address: 111 Kettering Road, Northampton.

Description: Change of use from retail (Class A1) to restaurant (Class A3) and erection of extension to existing building and installation of two new shop fronts to both Kettering Road and Queens Road.

No update.

Agenda Item 7:

Application number: 08/0160/FULWNN

Applicant: Parkridge (UK) Business Centre Ltd.

Address: Land At Milton Ham, Towcester Road, Northampton

Description: Engineering works to include ground modelling, creation of landscape bunds, drainage, roads, attenuation lake and infrastructure landscaping.

No update.

Agenda Item 8:

Application number: 08/0158/FULWNN

Applicant: Volkswagen Group Ltd

Address: Land at Carousel Way, Riverside Park, Northampton

Description: Construction of motor vehicle dealership comprising two storey building including showroom, workshop, MOT testing, vehicle and parts storage offices and single storey valet building; formation of new access, provision of parking and circulation space and new planting and landscaping.

Additional Consultation Responses:

Highways Agency: The HA have now withdrawn their objection to the development and re-issued a TR110(04) confirming this.

Northamptonshire County Council as Highways Authority:

1. Travel Plan is acceptable. Reallocation of parking spaces requested and

some specific but minor design alterations required.

Officer Comment:

Please see comment under Amended Plans below

2. Contribution should be requested towards strategic infrastructure improvements in the region of £20,000 in line with PPG13 and the NCC SPG for Parking, in particular towards local cycleway infrastructure.

Officer Comment:

The recommendation already includes provision for a contribution towards strategic infrastructure which is in line with the request by the County Council.

3. The site could be a potential for park and ride. Recommend a decision on the proposal should be deferred until such time as all parties can meet to discuss the matter further.

Officer Comment:

Policy D15 of the Northampton Local Plan allowed for development at Riverside Park provided it did not prejudice the creation at some future date for a park and ride scheme at Riverside Park. However it did not specifically allocate any particular site for this purpose. The policy has not been saved under The Saving Direction and is no longer of relevance.

The eastern part of Riverside Park, where the application site lies, was covered by Policy B12. This allowed for commercial leisure and business uses. No mention of park and ride is mentioned as part of this policy. The policy however is also not one of those saved.

It is understood that provision for a park and ride was made at the time of the first planning permission for development at Riverside (93/0095) and that this land was transferred to the County Council for this purpose. It appears that this site lies within the flood plain which is perhaps why an alternative site is being sought.

However, the application site has extant planning permission for development, for approval ref 98/0659 and it is now in the ownership of the applicants. To secure it for Park and Ride, would probably require compulsory purchase which is unlikely to be appropriate in this instance.

The County have had the opportunity to secure other sites before this application came forward and should seek to address this via the LDF process.

It is considered inappropriate to defer the application pending discussions about potential uses of the site as a park and ride scheme when there are no other material planning reasons to withhold planning permission.

Amended Plans: These reflect officer's request to remove the proposed display parking on the roof of the building and a reworking and redistribution

of parking spaces as a result of this request. However due to the late response of the County Council the applicants have not had the opportunity to incorporate their comments, nor have the County Council had the opportunity to comment on the amended plans. Consequently a condition that the layout be approved prior to commencement is recommended to ensure that the parking, manoeuvring on site is safe and adequate.

Recommendation:

The recommendation is amended as follows:

That the application be **APPROVED** and authority delegated to the Director of Planning and Development to issue the decision notice subject to:

- a) the Environment Agency withdrawing their objection, and to include the addition of or amendment to the conditions set out in this report as deemed necessary upon receipt of their response, and
- b) to the applicants entering into a S106 Agreement, or the imposition of conditions as appropriate, to secure, subject to viability: strategic infrastructure, employment skills training, environmental improvement/enhancement, staff monitoring costs and a sustainability strategy and subject to the conditions as set out in the Committee report with an additional condition:

Additional condition:

Notwithstanding the details submitted, prior to the commencement of development, details of the layout of the site, including the parking and manoeuvring areas shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be marked out on site prior to the use commencing and adhered to at all times unless otherwise approved in writing by the Local Planning Authority.

Reason: In the interests of sustainability, amenity and highway safety in accordance with PPG13, and NCC SPG 'Parking'.