



Applicants:

JS Bloor (Northampton)
Ltd

Application No:

Date Registered:

Expiry Date:

Grid Ref:

Ward:

Nene Valley

Northampton UDA Planning Committee Paper

Report by Director of Planning and
Development

Date of Committee Meeting: 14th June 2011

Agenda Item: 5

Description: Application to permanently divert public footpath

Address: Former Hardingstone Allotments, Newport Pagnell Road,
Northampton

1. Recommendation

1.1 That an order be made pursuant to Section 257 of the Town and Country Planning Act 1990 in respect of a proposal to permanently divert part of the public footpath at the former Hardingstone Allotments, Newport Pagnell Road.

Reason for Approval

The diversion of the public footpath is considered necessary to implement the development and secure a satisfactory standard of development. The proposed route of the footpath constitutes a safer alignment that can be accommodated within the development.

2. Description of Site

- 2.1 The application relates to the former allotments located within the village of Hardingstone. The site is located on the northern side of Newport Pagnell Road and stretches northwards to abut the rear boundaries of properties fronting onto Martins Lane. To the east, the site is bounded in the main by residential development and to the west of it is sited a secondary school.
- 2.2 The public footpath (KN2) enters the site in the south west corner and runs alongside the western boundary. In the northern portion of the site the footpath is reoriented to the east and leads to an alleyway that runs between numbers 114 and 116 Martins Lane.

3. Description of Proposal

- 3.1 The application has been submitted under the provision of Section 257 of the Town and Country Planning Act 1990 to permanently divert public footpath KN2, in order to implement a planning permission. The diversion would amend the alignment of the footpath from Martins Lane to Newport Pagnell Road. The proposal would not constitute the loss of the footpath. The Corporation granted planning permission on 3rd March 2010 for the erection of 71 dwellings. The approved site layout included the re-routing of public footpath KN2 from its existing route along the edge of the site to a new route through the approved development.

4. Policy Considerations

- 4.1 National Planning Policy
 - PPS 1 – Delivering Sustainable Development
 - PPS 3 – Housing;
 - PPG 13 - Transport
- 4.2 Northampton Local Plan
 - Policies E40, H7 & H11

5. Representations.

- 5.1 None

6. Notifications and Responses

- 6.1 None

7. Site History

- 7.1 07/0357/FULWNN – Residential development of 71no. dwellings with associated roads, car parking, public open spaces and access to Newport Pagnell Road. Approved 3rd March 2010.

8. Considerations

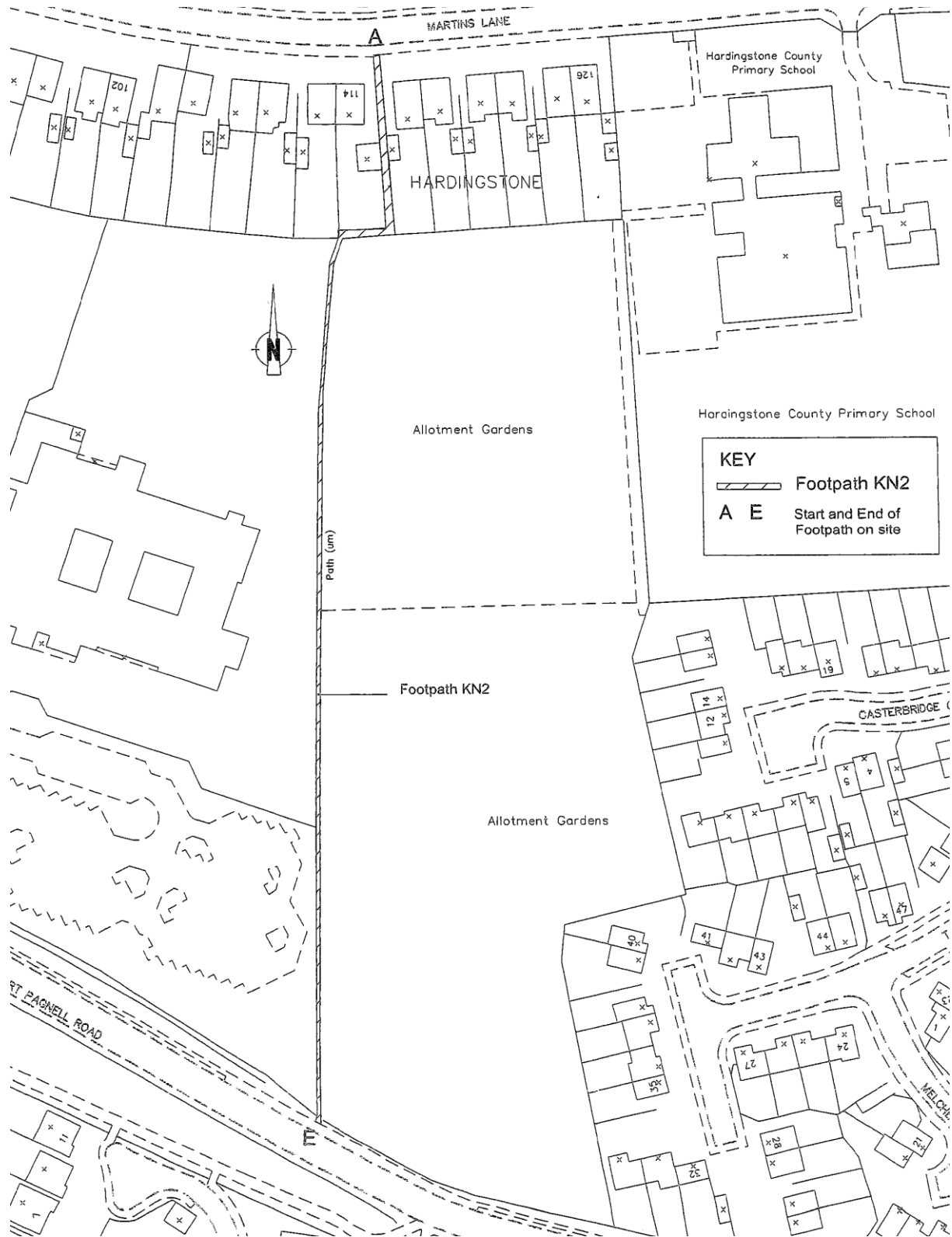
- 8.1 The primary consideration in this application is whether the diversion of the public footpath is necessary in order to implement the approved planning permission. In this context it is therefore necessary to set out the rationale for the approved layout and the diversion of the footpath.
- 8.2 The existing alignment of the footpath created difficulties in designing a layout that would deliver a satisfactory form of development. In the majority of circumstances it would be appropriate to orientate the new housing to front onto the footpath to provide an active frontage and passive surveillance. However, in this instance it was not considered appropriate as the units would overlook the Girls School located beyond the western boundary of the site.
- 8.3 The alternative, should the footpath route remain as existing would be to re-orientate the units so that they back onto the footpath. In that situation the rear boundary treatment to those properties required to provide a level of privacy would create a ‘corridor effect’ on each side of the footpath. This would create an unattractive environment that would potentially be unsafe due to a lack of surveillance of the footpath, thus reducing its attractiveness for pedestrians.
- 8.4 The planning permission includes the re-routing the footpath through the development. This allows it to be overlooked by the new housing creating a safer and more attractive setting. A pathway would run through the site and utilising different materials to denote its route and provide its users with a degree of primacy over other uses of the otherwise shared surfaces. The new route would continue to join up with the alleyway to the north of the site between numbers 114 and 116 Martins Lane. Although it would terminate further to the east of the southern boundary, the distance is not significantly greater and is not considered to result in any undue delay or inconvenience to users of the footpath. This is balanced against the benefits in safety for pedestrians.
- 8.5 It is acknowledged that the footpath does have some historic significance forming part of a historic pathway extending between Milton Malsor and Northampton town. The Ramblers Association objected to the planning application on these grounds. The Corporation granted planning permission on the basis that suitable provision for an alternative alignment of the footpath was made through the site. It was noted at the time that Northamptonshire County Council did not support that objection. It is also worth stating that whilst the existing footpath does have some historical significance, the section to be diverted is relatively short in length and therefore the impact on the

footpath as a whole is not considered significant. The surrounding area has also been urbanised over time.

9. Conclusion

- 9.1 The diversion of the footpath is considered to be necessary to implement the development and secure a satisfactory standard of development. Should the existing footpath remain on its existing route, it is considered that it would not represent a safe or widely used route. The footpath is accommodated within the approved site layout with minimum disruption and the proposed diversion is considered appropriate and necessary.

EXISTING FOOTPATH



PROPOSED FOOTPATH

