



**NORTHAMPTON**  
**BOROUGH COUNCIL**  
Planning Committee

**PLANNING COMMITTEE:** 11<sup>th</sup> January 2011  
**DIRECTORATE:** Planning and Regeneration  
**HEAD OF PLANNING:** Susan Bridge

**N/2010/0997:** Removal of earth bund – resubmission of Planning Permission N/2006/1139  
Delapre Park, London Road, Northampton

**WARD:** Delapre

**APPLICANT:** Northampton Borough Council  
**AGENT:** Mr S. Dougall – Northampton Borough Council

**REFERRED BY:** Head of Planning  
**REASON:** Northampton Borough Council Application

**DEPARTURE:** No

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**APPLICATION FOR DETERMINATION:**

**1. RECOMMENDATION**

- 1.1 **APPROVAL** subject to conditions and for the following reason:
- 1.2 The proposed development is considered acceptable in visual terms and would not unduly impact upon the historic character of the area. The proposal is in accordance with Policies E1, E9, E11, E20, E26 and E38 of the Northampton Local Plan and PPS5 – Planning for the Historic Environment.

**2. THE PROPOSAL**

- 2.1 The applicant seeks planning permission to remove an area of bunding located on the western side of Delapre Park adjacent to London Road.

**3. SITE DESCRIPTION**

- 3.1 The application site comprises part of the public park of Delapre and contains the Grade II\* Listed Delapre Abbey amongst other listed buildings. The park is a registered battlefield on account of the 1460 Battle of Northampton taking place within this site. Furthermore, the application site is located within the boundaries of the Delapre Conservation Area. The bunding itself is located adjacent to the

western boundary of the park in close proximity to London Road. A number of mature trees provide some screening of the bunding, however, it is readily visible from this widely used road and from within the park itself.

#### **4. PLANNING HISTORY**

- 4.1 In 2005, an application was approved (reference N/2005/0143) for the construction of 2m high bund. At the November 2006 Committee meeting, planning permission (reference N/2006/1139) was granted to remove the bund and reinstate the ground to its former level. This permission was never implemented and has since expired.

#### **5. PLANNING POLICY**

##### **5.1 Development Plan**

Section 38(6) of Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan and unless material consideration indicate otherwise. The current Development Plan comprises the East Midlands Regional Plan, the Northamptonshire County Structure Plan and the Northampton Local Plan.

##### **5.2 National Policies:**

PPS1 – Delivering Sustainable Development  
PPS5 – Planning for the Historic Environment

##### **5.3 Northampton Borough Local Plan**

E1 – Landscape and Open Space  
E9 – Locally important landscape areas  
E11 – Trees and hedgerows  
E20 – New Development  
E26 – Development within Conservation Areas  
E38 – Historic landscapes

##### **5.4 Supplementary Planning Guidance**

Planning out Crime in Northamptonshire SPG 2004.

#### **6. CONSULTATIONS / REPRESENTATIONS**

- 6.1 **Conservation (NBC)** – No objections as there would be a neutral impact upon the setting of the listed buildings and character and appearance of the conservation area.
- 6.2 **Arboricultural Officer (NBC)** – Recommends tree protection conditions.
- 6.3 **English Heritage** – Would recommend approval of the application, subject to suitable conditions covering archaeological monitoring and ground restoration.
- 6.4 **Northamptonshire Police** – The bund provides a good defence against illegal access apart from by motorbikes, but it provides a screen concealing potential anti-social behaviour. Should the bund be removed, it should be replaced by an alternative boundary treatment in order to deter crime and anti-social behaviour.

- 6.5 **Environment Agency** – No objections, but would wish various informative comments concerning the legislative requirements for the removing of such material to be forwarded to the application.
- 6.6 **Highway Authority (NCC)** – No objections.
- 6.7 **Rambler Association** – No objections, but questioning whether the bunding needs to be removed at this stage.

### **Neighbours**

- 6.8 Observations from the occupiers of **90, 100 246 and 272 London Road**. Comments raised (both for and against the bund) can be summarised as:
- The bunding has stopped the vehicles being vandalised on this site and has discouraged vehicles from being sited on the park
  - The money to be spent on the removal of the bund could be used elsewhere
  - Alterations could be made to the bund, which would improve access and its appearance
  - The bunding is an incongruous addition to one of the main routes into Northampton
  - Use of the park has diminished due to difficult access and lack of security. For example, play areas cannot be seen from the road.
  - Road noise reverberates off of the bund to the detriment of residential amenity.
- 6.9 A letter has also been received from **Cllr P.D. Varnsverry** expressing support for the proposal in his capacity as a member of the public.

## **7. APPRAISAL**

- 7.1 The proposed removal of the bunding would result in a restoration of the appearance of Delapre Park and in particular the historic setting of the park and therefore it is considered that the proposal offers benefits in enhancing the character and appearance of the park. In addition, the removal of the bunding would have a neutral impact upon the setting of London Road on account of the provision of greater views into Delapre Park.
- 7.2 The bunding was originally intended to reduce anti-social behaviour within the Delapre Park; however, it is noted that Northamptonshire Police's consultation response advises that whilst there are some benefits to the bund being installed, motorcycle nuisance has not seen any significant reduction and the bunding does reduce natural surveillance of the park from London Road. For these reasons, it is considered that the development would not represent a departure from the requirements of Local Plan Policy E40.
- 7.3 The consultation response from Northamptonshire Police goes on to requesting that if the bunding were to be removed that it is to be replaced by an alternative boundary treatment. The 2006 planning permission for the same proposal was

granted without any requirement to replace the bund with another form of barrier. There are not considered to be any significant changes in planning circumstances since the 2006 application was determined. The creation of such boundary treatment could also potentially have a negative impact upon the historic character of the park.

- 7.4 In order to secure a satisfactory standard of development and to ensure that there is a full investigation into the possibility of archaeological remains within the confines of the application site, a condition, consistent with the requirements of PPS5 – Planning for the Historic Environment, is proposed that will require the submission of a strategy for archaeological investigation during the implementation of the proposed development.
- 7.5 The mature trees located to the west of the bund play an important role in delineating the boundary of Delapre Conservation Area and make a significant contribution to the quality of the streetscene in London Road. In order to ensure that these trees are not harmed, a condition is proposed that would require the approval by the Local Planning Authority of tree protection measures to be implemented during the development process in accordance with Policy E11 of the Local Plan.
- 7.6 Observations have been submitted commenting on the financial implications of this proposal. Whilst these observations are noted and may be a matter for the Council to consider as applicant, it is not a material land use planning consideration.

## **8. CONCLUSION**

- 8.1 In conclusion, it is considered that the proposal would have a neutral impact upon the setting of the Delapre Conservation Area and would have a positive impact upon the streetscene of London Road. It is considered that the proposed development would not give rise to a significant detrimental impact upon levels of crime and anti-social behaviour.

## **9. CONDITIONS**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

2. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a detailed scheme of hard and soft landscaping for the site. The scheme shall include indications of all existing trees and hedgerows on the land and details of any to be retained.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan.

3. No development shall take place until a design and method statement to protect archaeological remains has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of securing a satisfactory standard of development and to ensure that any archaeological remains are protected in accordance with Policy E38 of the Northampton Local Plan.

4. Unless otherwise agreed in writing by the local planning authority (LPA), no development shall take place until the applicant, or their agents, or successors in title has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, which has been submitted to and approved in writing by the LPA.

Reason: In order to ensure that any features of archaeological interest are examined and recorded in accordance with the requirements of PPS5.

5. No development shall take place until a statement detailing the means for protecting the site's trees during the development process has been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of preserving the mature trees on site in accordance with Policy E11 of the Northampton Local Plan.

## **10. BACKGROUND PAPERS**

10.1 N/2005/0143  
N/2006/1139

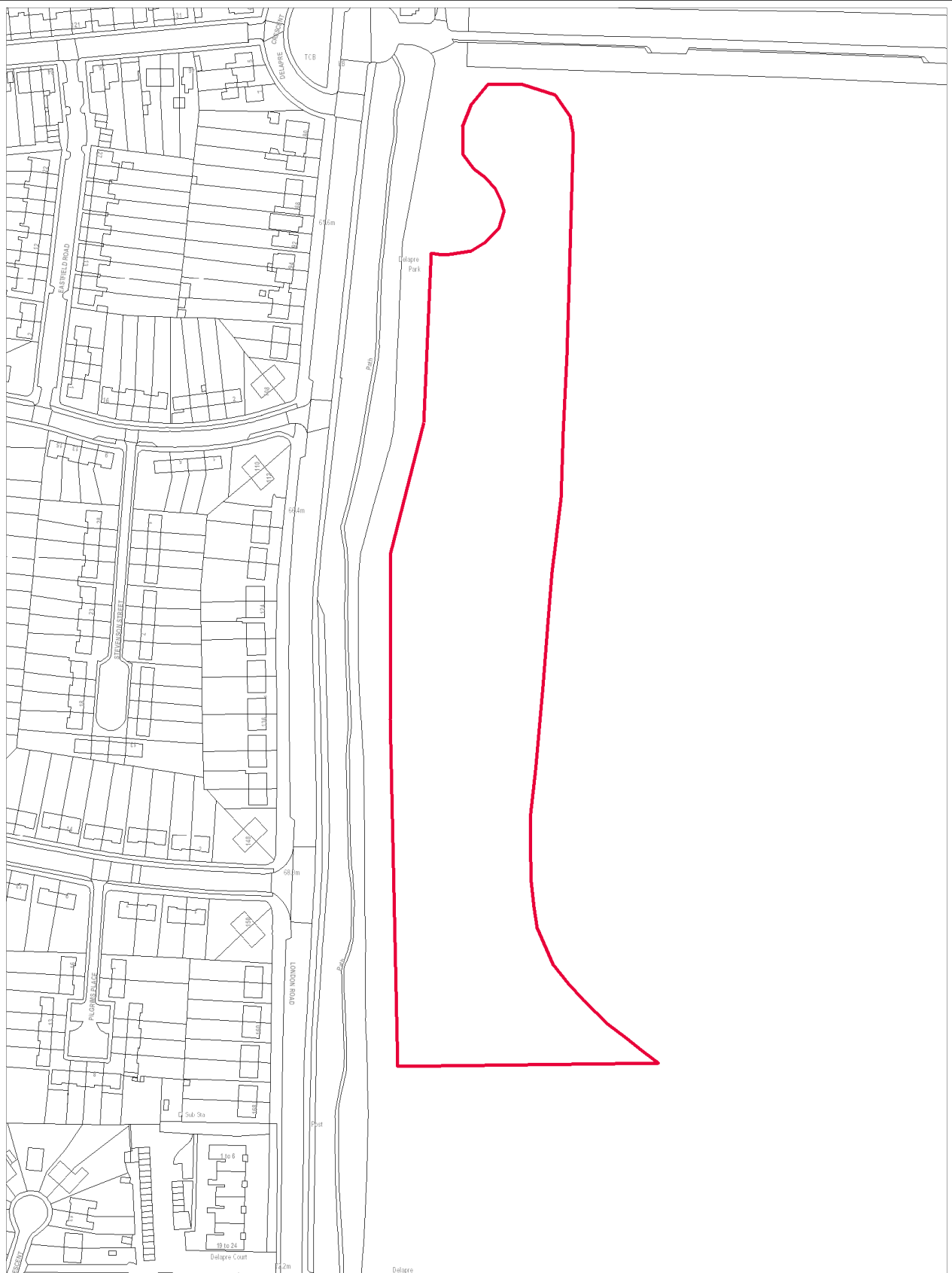
## **11. LEGAL IMPLICATIONS**

11.1 None

## **12. SUMMARY AND LINKS TO CORPORATE PLAN**

12.1 In reaching the attached recommendations regard has been given to securing the objectives, visions and priorities outlined in the Corporate Plan together with those of associated Frameworks and Strategies.

<b>Position:</b>	<b>Name/Signature:</b>	<b>Date:</b>
<b>Author:</b>	Ben Clarke	16/10/10
<b>Development Control Manager Agreed:</b>	Gareth Jones	17/12/10



Name: SW  
Date: 22nd December 2010  
Scale: 1:2000  
Dept: Planning  
Project: Site Location Plan

Title

## Delapre Park, London Road

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