



NORTHAMPTON
BOROUGH COUNCIL
Planning Committee

PLANNING COMMITTEE: 15th November 2011
DIRECTORATE: Planning and Regeneration
HEAD OF PLANNING: Susan Bridge

N/2011/0865: Outline application for a warehouse and distribution development with associated infrastructure and landscaping. All matters reserved except access. (WNDC Consultation)

WARD: Great Houghton

APPLICANT: Roxhill Developments Ltd
AGENT: Savills

REFERRED BY: Head of Planning.
REASON: Development of more than local significance.

DEPARTURE: No

CONSULTATION BY WNDC:

1. RECOMMENDATION

1.1 That the Borough Council:

A) **OBJECTS** to the application in its current form for the reasons:

- Having regard to the details submitted it is apparent that the applicant has aspirations for a large scale form of development that encroaches into designated Greenspace and would conflict with development policies, notably E1, E14 and E6 of the Northampton Local Plan.
- Although there would be economic development benefits to be gained from the proposed development it is unlikely that these would outweigh the apparent Policy conflicts.

B) **REQUESTS** that WNDC work with the applicant and NBC officers to identify an indicative form of the development that would clearly comply with the prevailing policies. The indicative proposals must pay due regard to the requirements of the Development Plan notably Local Plan Policies

E1, E6, E14 and D1 as well as Policy B8. To this end it is recommended that revisions to the proposal be sought to:

- Limit the scale of floor space.
- Secure elevations / built form appropriate to this prominent entrance to the town in accordance with the objectives of Policy E14 of the Northampton Local Plan.
- Secure a reduction in the visual scale of the development generally and specifically by not encroaching into the Greenspace designation and its visual impacts upon adjacent open countryside and, at a greater distance, impacts upon the character and appearance of the Great Houghton Conservation Area.

2. THE PROPOSAL

- 2.1 The proposal is in outline only and with all matters reserved for subsequent permission other than access. Vehicular access is shown to be entirely and only via the pre-existing roundabout road junction on Lilliput Road – connecting as it does with the A45 Bedford Road at the northern apex of the site.

3. SITE DESCRIPTION

- 3.1 This triangular site consists of two parts. Its eastern section is formed by the site of the former Northampton Cattle Market and lairage. Its western part is formed by the apex of the A428 Bedford Road on its northern side and Lilliput Road to its western side. In effect it would create an eastern extension to the Brackmill Park commercial development.

4. PLANNING HISTORY

- 4.1 N/1995/0430 – Auction and sales centre with associated facilities and overnight lorry parking area – permitted 6/09/1995.
N/1998/557 – Extensions and alterations to existing buildings to form additional livestock accommodation and storage – permitted 15/09/1998.
N/1998/0578 – Hard standing for penning of sheep and loading of vehicles – permitted 15/09/1998.
N/2000/0727 – Erection of Storage Building – permitted 11/01/2000.
N/2002/1575 – COU from auction centre to B1 and B8 use – refused 29/01/2003.
N/2004/0359 – Temporary COU from lairage to vehicle storage – refused 24/06/2004.
N/2008/0127 – Certificate of Lawfulness for use of the Cattle Market site as an auction and sales centre – granted 05/06/2008.

5. PLANNING POLICY

5.1 Development Plan

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The current

Development Plan comprises of the East Midlands Regional Plan, the saved policies of the Northamptonshire County Structure Plan and Northampton Local Plan 1997.

5.2 National Policies

PPS1 – Delivering Sustainable Development
PPS4 – Planning for Sustainable Economic Growth
PPS7 - Sustainable Development in Rural Areas
PPS9 - Biodiversity and Geological Conservation
PPG13 – Transport
PPS23 – Planning and Pollution Control
PPG24 – Planning and Noise
PPS25 – Development and Flood Risk

5.3 Northampton Local Plan

E1 – Landscape Impact
E6 – Greenspace
E9 – Locally Important Landscape Area
E14 – Corridors of Travel
E20 – New development
B8 – Northampton Cattle Market
D1 – Bedford Road, Brackmills Development Site

5.4 Other Documents

Northampton – “The Market City” – Economic Regeneration Strategy 2008 – 2026” (Project E15 refers; *“Support the Farmers Consortium’s campaign to re-open the Livestock Market, the Strategy would both support job creation and employment diversity”*).

5.5 Emerging Planning Policy

The government’s “Draft National Planning Policy Framework” (NPPF) is referred to and has informed some parts of this report. The Planning Inspectorate has indicated that the NPPF is capable of being considered as a material planning consideration, although the weight to be given to it will be a matter for the decision maker in each particular case.

6. CONSULTATIONS / REPRESENTATIONS

- 6.1 Although consultation and representations are to be made to WNDC as determining authority, One letter has been received by NBC – *“As a supporter of Northampton Farmers Consortium, work has gone on over the past years to re-open the site as a livestock market, and I understand finance can soon be available to redevelop it. Within your adopted policies the site remains allocated for livestock market use and there is strong demand in the area to make a market viable with further benefits to Northampton Town Regeneration. As an ardent supporter for many years, I ask that your committee resist this application for change of development use”*.

7. APPRAISAL

- 7.1 The northern portion of the site, forming roughly a triangular shape bound to the north by Bedford Road and west by Liliput Road, lies within the Local Plan Policy D1 area. Policy D1 reads:

PLANNING PERMISSION WILL BE GRANTED ON LAND ADJOINING BEDFORD ROAD AND LILIPUT ROAD BRACKMILLS FOR EMPLOYMENT DEVELOPMENT COMPRISING EITHER USES WITHIN CLASS B1 OF THE TOWN AND COUNTRY PLANNING (USE CLASSES) ORDER 1987 OR A COMBINATION OF USES WITHIN CLASSES B1, B2 AND B8 OF THE TOWN AND COUNTRY PLANNING (USE CLASSES) ORDER 1987 AND/OR OTHER AGRICULTURALLY BASED USES APPROPRIATE TO AN ADJOINING CATTLEMARKET, SUBJECT TO:

- A) THE BUILDINGS BEING OF A SCALE AND CHARACTER APPROPRIATE TO A PROMINENT LOCATION ON THE FRINGE OF THE URBAN AREA**
- B) ANY BUILDINGS ALONG THE FRONTAGE TO BEDFORD ROAD BEING OF A QUALITY AND DESIGN WHICH REFLECTS DEVELOPMENT TO THE NORTH OF BEDFORD ROAD**
- C) VEHICULAR ACCESS TO THE SITE BEING SOLELY FROM LILIPUT ROAD, BRACKMILLS**
- D) THE RETENTION OF THE MATURE HEDGEROW ALONG THE FRONTAGE TO BEDFORD ROAD AND PROVISION OF A LANDSCAPED MARGIN IN THE EASTERN CORNER OF THE SITE.**

- 7.2 The southern part of the site, an approximately rectangular area which currently comprises the former cattle market, lies within the Local Plan Policy B8 area. Policy B8 reads:

PLANNING PERMISSION WILL BE GRANTED FOR THE DEVELOPMENT OF A CATTLEMARKET AT LAND OFF LILIPUT ROAD, BRACKMILLS AS DEFINED ON THE PROPOSALS MAP, SUBJECT TO:

- A) BUILDINGS BEING LOCATED WITHIN THE WESTERN PART OF THE SITE ADJOINING THE EXISTING BRACKMILLS EMPLOYMENT AREA WITH THE EASTERN PART OF THE SITE BEING FREE FROM ANY BUILDINGS AND USED SOLELY FOR THE PURPOSES OF LAIRAGE (GRAZING)**
- B) THE PROVISION OF A LANDSCAPED MARGIN INCLUDING SCREEN PLANTING ON THE SOUTHERN AND EASTERN BOUNDARIES OF THE BUILT DEVELOPMENT**
- C) THE RETENTION OF THE EXISTING TREE BELT ON THE WESTERN BOUNDARY OF THE SITE INCLUDING THE RETENTION OF SUFFICIENT LAND TO PROVIDE A POSSIBLE FOOTPATH ACCESS FROM LILIPUT ROAD TO THE FORMER PIDDINGTON RAILWAY LINE**
- D) VEHICULAR ACCESS TO THE SITE BEING FROM LILIPUT ROAD, BRACKMILLS.**

- 7.3 Approximately the eastern half of the Policy B8 area is allocated in the Local Plan as forming part of a larger area of Greenspace (area ref. 4.4), to which Local Plan Policy E6 applies and is referred to as being intended to be free from any buildings and used solely for the purposes of lairage under Policy B8(A) as detailed above. Policy E6 reads:

IN GREENSPACE AREAS PLANNING PERMISSION WILL ONLY BE GRANTED WHERE THE PROPOSED DEVELOPMENT WOULD NOT UNACCEPTABLY PREJUDICE THE FUNCTION OF THE AREAS AS LISTED AND IDENTIFIED IN APPENDIX 2.

The function of this specific area of Greenspace is identified in Local Plan Appendix 2 as being “Sites which form green spaces around development”, and “These areas serve to create space between development and surrounding areas. In many instances strategic areas of open space have been established to screen and reduce the impact of existing business development. In other cases such spaces are the result of land remaining undeveloped and which has now developed an important function of providing a buffer of open space between different land uses. It is important that these are maintained, and areas surrounding proposed development identified and reserved in order to reduce future impact of such development upon surrounding areas.”

- 7.4 The proposal raises three principal issues. These are:
- A. The principle of development at this scale. The proposed development would comprise up to 420,000 sq ft of new buildings within Use Classes B8 (Warehousing) and B2 (General Industry).
 - B. Visual implications of the proposed development. The drawings submitted with this outline application are illustrative and are therefore potentially capable of amendment. They raise three main sub issues:
 - The Bedford Road is a key Corridor of Travel (Local Plan Policies E1 and E14). The elevations illustrated towards that major road in terms of siting, mass, height and general appearance are typical of basic industrial / warehouse-type buildings and are not befitting this visually sensitive entrance to the Borough and approach to the town. These elevations might be better configured as ancillary “office” elements within the larger buildings, so that good quality and articulated elevations are displayed towards the key northern elevations of the site and, notably towards the junction of the A248 and Lilliput Road.
 - A very large elevation to a substantial warehouse type building is shown towards the eastern flank of the site. The built form as shown in the indicative drawings submitted would project significantly into the Greenspace described at paragraph 7.3. The built scale of that eastern elevation is illustrated to be some 20 metres high and some 250 metres in length. Although screened by proposed peripheral landscaping, a building of that scale and in that location would intrude

substantially into the rural character of that part of the proposed “urban edge” which separates the nearby area of Great Houghton village.

- For similar reasons, the scale of that illustrated building would be apparent from within some parts of the Great Houghton Conservation Area and, if not more sensitively handled, has at least the potential to harm the character and appearance of the Conservation Area.

C. This development as shown would absorb in its entirety the land allocated to the former Northampton Cattle Market in Policy B8 of the 1997 Local Plan. The Policy does not specifically “reserve” the land for that use to the exclusion of other uses. It does appear to have been inserted into the 1997 Local Plan in order to facilitate a movement of the cattle market from its former site where Morrison’s Supermarket on Victoria Parade is now, to this new location as then proposed. As described in detail at paragraph 7.2 above, Policy B8 merely states that – “Planning permission will be granted for the development of a cattle market ...”. Planning permission was indeed granted in accordance with Policy B8 and that cattle market persisted in place until circa 2002 when it was closed due to restrictions following the outbreak of foot and mouth disease in that year. Although it reopened briefly upon the lifting of those restrictions, it subsequently closed again and the then owners subsequently sold the site for development. Without reference to that change of ownership and the sale of the land for development, the subsequent Economic Regeneration Strategy 2008 – 2026 states an intention to “*Support the Farmers Consortium’s campaign to re-open the Livestock Market, the Strategy would both support job creation and employment diversity*”.

8. CONCLUSION

- 8.1 Although it may prove possible to develop the application site in accordance with the prevailing development policies and notwithstanding the fact that the submission is for outline planning permission, having regard to the details submitted it is apparent that the applicant has aspirations for a large scale form of development. This indicative type and scale of development would conflict with development policies, notably E1 / E14 and E6.
- 8.2 Although there would be economic development benefits to be gained from the proposed development it is unlikely that these would outweigh the apparent Policy conflicts. Therefore, although not opposed the general principle of the development of the Policy D1 site and that part of the Policy B8 site that lies outside the designated Greenspace for the uses proposed, until the applicant has provided details / evidence of how the site could be developed in accordance with the relevant Policies, officers would recommend that the Borough Council object to the application and encourage the WNDC to work with the applicant to identify an indicative form of development that would clearly comply with the prevailing policies. To this end the proposed built form must not encroach into the Greenspace area and the indicative proposals must pay due regard to the requirements of the Development Plan notably Local Plan Policies E1, E6, E14 and D1. Policy B8

is also of value in terms of informing how built development could be successfully brought about within the southern part of the site at this sensitive interface with the open countryside.

8.3 Recognising the local sensitivity of the continuing possibility of a reinstated Northampton Cattle Market, the applicants commissioned an independent report from ADAS about the viability of such a Northampton Market. In essence, that concluded that in the years since the closure of the former market in 2002, the Northampton facility is now provided by the alternative markets in Market Harborough and Thrapston. Furthermore the cattle market in Thrapston is about to be replaced by a new land larger cattle market alongside the A14. The cost of reinstating a Northampton Market is estimated to be some £6 million – regardless of whether it were on its former site or elsewhere in the Northampton area.

8.3 Officers have been in contact with representatives of the Northampton Farmers Consortium who are the main advocates for its use. The key questions put by officers relate the “deliverability” of a restored Cattle Market on this site. The Consortium’s representative replied as follows:

“As regards the question of whether it is viable to develop a new livestock market on the site at Brackmills Point, the Farmers Consortium have not been at all impressed by the ADAS report, which has clearly been commissioned to try and justify the application for shed development and which seeks to demonstrate there is no need for a livestock market at Northampton.

“As regards deliverability, I would once again stress that some 400 farmers have pledged their support to the campaign of the Northampton Farmers Consortium. In addition, the legal action which is about to be commenced, is designed to establish where almost £3 million disappeared, following the disposal of the site and subsequent trading between property companies. Given the estimate of the costs of developing a new livestock market contained within the ADAS report of £2.5 million, clearly, if this legal action were to be successful then a substantial proportion of the capital required to develop a replacement market might be recovered”.

8.4 The figure of £2.5 million mentioned in this reply is the Consortium’s estimate of development costs, net of land costs, which would clearly add to the costs of the project, be it on this site or elsewhere.

8.5 The applicant’s agents were also asked to comment upon the same matters. Their reply included the following:

“Notwithstanding the fact that determination of the outline planning application should not wait for nor be influenced by the pending legal action, for correctness it is stressed that the ADAS Report identifies at Pages 2 and 3 a sum of £2 million to construct a new cattle market (as informed by GVA Grimley) and a cost of £300,000 per acre or £4 million (as informed by Burbage Realty) to purchase the site. Therefore, the market realities are that a

total of £6 million would be required to build a replacement cattle market. There is no indication from the Consortium as to how such monies might be raised or within what timeframe. Needless to say this assumes that Roxhill Developments are willing to dispose of part of their site for a replacement cattle market. However, Roxhill confirm that the site is not for sale and, therefore, the land required by the Consortium is nor available and their proposals are not deliverable”.

- 8.6 In this particular case the Council’s concern to promote a Northampton Cattle Market in the Local Plan of 1997 was clearly satisfied, until its closure in 2002. Policy B8 does not actually call for the site to be reserved for a future reinstated cattle market. If the Northampton Farmers Consortium is able to raise the required funds then such a facility could well be provided on an alternative site. Therefore, although sympathetic to the objective of re-introducing a livestock market to the area, officers consider that there would be no Development Plan Policy conflict in allowing the B8 Policy site to be redeveloped for alternative purposes and a market could potential be developed at another site.

9. BACKGROUND PAPERS

- 9.1 N/2011/0865, 95/0430, 98/557, 98/0578, N/2000/0727, N/2002/1575, N/2004/0359, N/2008/0127.

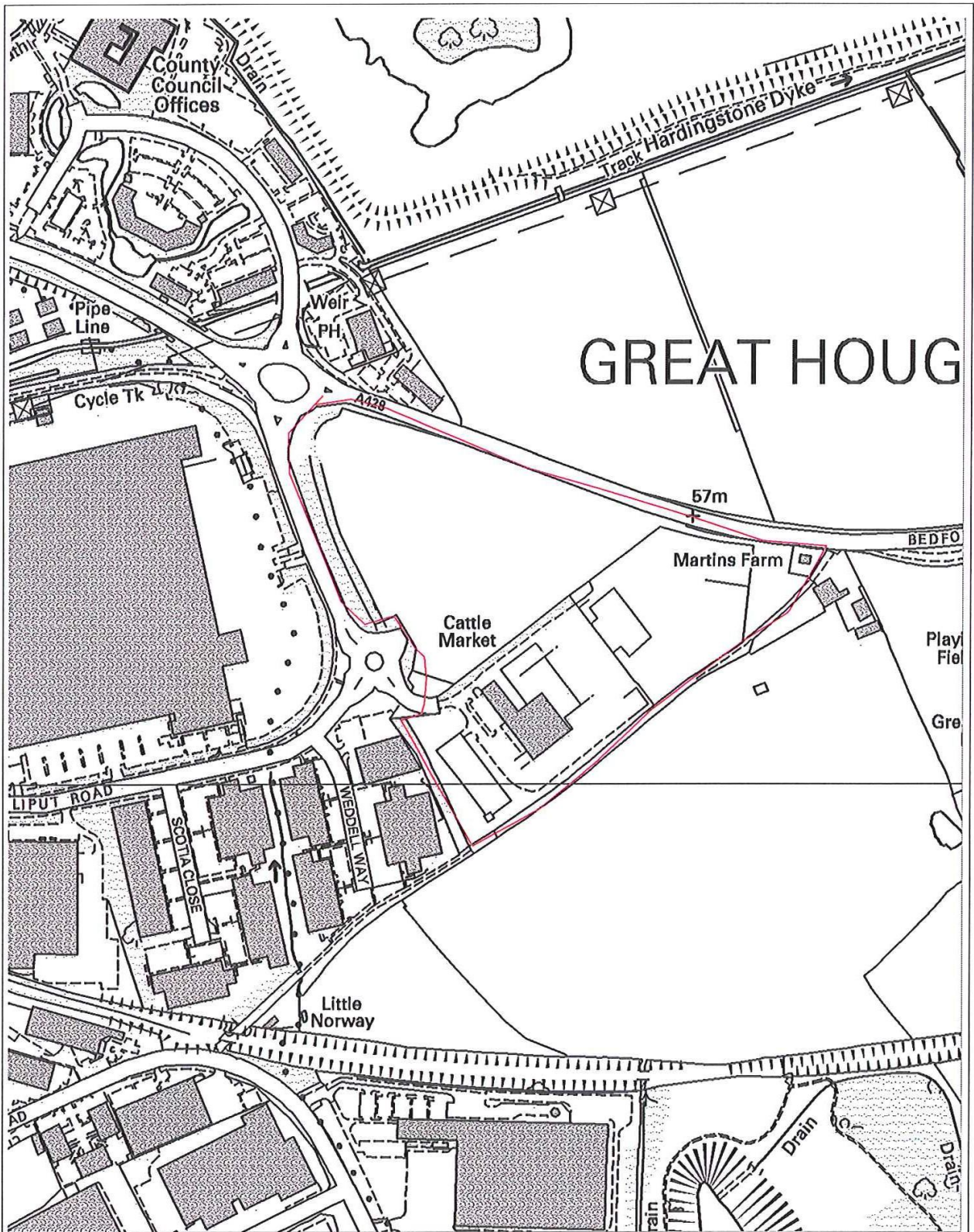
10. LEGAL IMPLICATIONS

- 10.1 None.

11. SUMMARY AND LINKS TO CORPORATE PLAN

- 11.1 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.

Position:	Name/Signature:	Date:
Author:	T Boswell	1/11/2011
Development Control Manager Agreed:	Gareth Jones	3/11/2011



GREAT HOUG



Name: CH
 Date: 4th November 2011
 Scale: NTS
 Dept: Planning
 Project: Site Location Map

Title

Former Cattle Market

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