



PLANNING COMMITTEE: 1st May 2012
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Susan Bridge

N/2012/0163: Construction of new dealership including two storey showroom building, MOT facility, workshops and car parking areas
Unit 21, Carousel Way, Northampton

WARD: Riverside

APPLICANT: Vertu Motors Plc
AGENT: Bisset Adams

REFERRED BY: Head of Planning
REASON: Major application requiring a Section 106 Agreement

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 APPROVAL IN PRINCIPLE subject to conditions and the prior resolution of the following matters:

- A) The removal of the objection from the Environment Agency by the 21st May 2012; and
- B) A S106 legal agreement to secure a payment to fund the provision of cycle way improvements within Ferris Row and Carousel Way in order to promote sustainable travel amongst the future users of the development.

For the reason:

The proposed development would have a neutral impact upon visual amenity and highway safety. The proposal would result in the appropriate development of a vacant site and therefore complies with the requirements of the National Planning Policy Framework and Local Policies E20, E40 and R15.

1.2 Should the removal of the Environment Agency's objection not be secured by 21st May 2012, it is also recommended that delegated authority be given to the Head of Planning (at their discretion) to refuse the application on the grounds that it would have an unacceptable impact on flood risk in line with the requirements of the National Planning Policy Framework.

1.3 It is also recommended that in the event that the S106 legal agreement is not secured within three calendar months of the date of this Committee meeting, delegated authority be given to the Head of Planning to refuse or finally dispose of the application (at their discretion) on account of the necessary mitigation measures not have being secured in order to make the proposed development acceptable in accordance with the NPPF.

2. THE PROPOSAL

2.1 The applicant seeks permission to erect a car dealership, comprising a showroom, workshops and a MOT testing facility. The proposal includes the provision of 178 car parking spaces and display room for 99 cars for sale. The site would be accessed from two points on Carousel Way, one of which would be in use for public access and an additional entrance to serve the service areas of the site. The applicant has also indicated that the proposed development would also provide employment opportunities for 66 people.

3. SITE DESCRIPTION

3.1 The application site is currently undeveloped, although consent has previously been granted to operate a car dealership from this site, which has now expired. The surrounding properties contain a variety of car dealership, retail and leisure uses. The Billing Aquadrome Leisure Park is located to the rear of the site. The wider Riverside area is separated from the bulk of Northampton by the A45.

4. PLANNING HISTORY

4.1 93/0095 – Outline planning permission was given in 1993 for the development of the whole of Riverside Park for development comprising Classes B1, B2 and B8 purposes, non-food retail, petrol filling station, hotel, fast food diner, car showroom, national fairground museum and riverside conservation park – Approved

98/0659 – Construction of business/industrial/warehousing units (Classes B1, B2 and B8) with parking, internal roads, access and landscaping at Riverside Park – Approved

08/0158/FULWNN – 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 – Approved

11/0066/REPWNN – 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 (application for new consent to replace existing planning permission 08/0158/FULWNN, in order to extend the time limit for implementation) – Withdrawn

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:

National Planning Policy Framework

5.3 Northampton Borough Local Plan

E20 – New Development

E40 – Planning and crime and anti-social behaviour

R15 – Car showrooms

5.4 Supplementary Planning Guidance

Northamptonshire County Parking Standards

Planning Out Crime in Northamptonshire

6. CONSULTATIONS / REPRESENTATIONS

6.1 Highway Authority (NCC) – The gate shown at the new eastern access should be set back a minimum of 18m from the back of the highway boundary. A system should be in place that would require the premises to operate one entry and one exit point. A Traffic Regulation Order should be secured preventing vehicles from parking in Carousel Way. A Section 106 Agreement should be entered into to secure the provision of cycle way improvements within the vicinity.

6.2 Environmental Health (NBC) – Would recommend that if approved conditions be attached covering unsuspected contamination, the impacts of a lighting scheme and a survey of likely noise levels.

6.3 Environment Agency – The current Flood Risk Assessment is unacceptable as there is a need to include contemporaneous data with regards to flood risk, the need to provide confirmation regarding

sewer capacity and discharge rates (any updates to this advice will be reported to the Committee by means of the addendum).

7. APPRAISAL

Principle, Layout and Appearance

- 7.1 Due to the mixture of land uses within the environs of the application site, including the provision of a number of car dealerships within the vicinity, it is considered that the principle of the development is acceptable. It is considered that the proposed building is of a sufficient quality and as such would make a positive contribution to visual amenity. In particular, it features various projecting design features and a mixed palette of colour treatment to assist in providing a building of sufficient quality given the prevailing character of the area.
- 7.2 Given the style of buildings within the vicinity of the application site, it is considered that the application proposal is of a suitable scale and as such would not represent an overdevelopment of the application site. The proposed development includes the provision of a car valeting area to the east of the site, which has a floorspace of approximately 28m². By reason of the limited scale of this element of the proposal, it is considered that this would not give rise to an overdevelopment of the site or an undue detrimental impact upon visual amenity.
- 7.3 On account of the positioning of the application site and the nature of the surrounding land uses, combined with the proximity of the site to the primary road network, it is considered that the proposed development is in accordance with the requirements of Local Plan Policy R15.
- 7.4 The applicant has submitted details of CCTV coverage and an indicative lighting scheme. These measures in conjunction with the provision of 1.8-2m fencing to those boundaries that are not in ready public view are considered sufficient to ensure that the site's security would not be unduly affected. In terms of the level of security to the used car sales area, which by reason of its location, is much more prominent, the developer has proposed a combination of metal hoops within the ground and a security barrier, which is considered to be an appropriate provision. For these reasons, it is considered that the scheme is compliant with the requirements of Local Plan Policy E40.
- 7.5 By reason of the property being adjacent to a leisure park, in which people would be residing (albeit not on a permanent basis), conditions requiring further details to be submitted regarding the level of noise that would emanate from the proposed use (such as the car service bays) and the means to mitigate this if required. Furthermore, details of any lighting should also be submitted in order to maintain

amenity. This approach is in accordance with the requirements of the National Planning Policy Framework.

Highways considerations

- 7.6 The proposed layout includes the provision of 178 car parking spaces. Although this a relatively high given the scale of and range of uses proposed (including the new car showroom, 94 space used car display area, MoT and 14-bay vehicle repair services, and parts sales), and bearing in mind that the uses would generate 66 fulltime members of staff it is considered that this level is acceptable. For these reasons it is considered that the proposed development would not create any undue detrimental impact upon the free flow of traffic within the vicinity.
- 7.7 The scheme has been revised to include a greater number of car parking spaces for disabled customers (five). Furthermore revisions to the layout have been secured to alter the kerb radii and increase the size of the vehicular entrances. The affect of this is to allow larger vehicles (such as delivery lorries) to ingress and egress the site safely and without detriment to the free flow of traffic within Carousel Way.
- 7.8 It is noted that the Highway Authority has requested that separate entry points be used to enter and leave the site. Whilst this point is noted, it is considered that as the proposed development features such assess arrangements for larger vehicles, a similar arrangement is not required for cars on the grounds that there is sufficient room within the site for such vehicles to turn around and leave the site safely as there is sufficient visibility splays from the exit points.
- 7.9 It is considered that the request for a Traffic Regulation Order to restrict car parking with Carousel Way is unnecessary as there is sufficient car parking within the proposed development. Furthermore, current demand for such on-street spaces in this part of Riverside Park appears to be low. The Highway Authority also requests an amendment to the eastern access in terms of resiting the entrance gate 18m back from the highway. Officers have reservations over the potential visual impact of such a measure. It appears to be sought in order to allow an articulated lorry to manoeuvre directly off the highway without and danger of blocking the carriageway or footway while a gate is being opened. However, given the likely low frequency of such deliveries and the fact that the operating business would be aware of such deliveries in advance, it not considered that this amendment is necessary from a highway safety.
- 7.10 The Highway Authority has also requested improvements to the cycleway within Ferris Row and Carousel Way. Given the fact that the site and its immediate environs are not well integrated with the rest of Northampton, in part due to the location of the A45, it is considered that the proposed development would be difficult to

access by more sustainable means of travel than private cars. As a result of this, it is considered that a payment to improve cycleway provision is necessary and reasonable, as well as proportionate to the type of development proposed. This approach is considered consistent with the aims and objectives of the National Planning Policy Framework, with regards to encourage sustainable development.

Flooding

7.11 The application site lines within Flood Zones 2 and 3, and therefore it is necessary to demonstrate that the proposed development would not give rise to increased flood risk either within the vicinity of the application site or elsewhere. Although a Flood Risk Assessment has been submitted, the Environment Agency (as a statutory consultee on flood related matters) has raised some concerns with regards to its contents.

7.12 The areas of concern can be summarised as the need to include contemporaneous data with regards to flood risk, the need to provide confirmation regarding sewer capacity and discharge rates. At the time of preparing this report, the requested additional information has not been submitted and as a result of the objection from the Environment Agency remains in place, following the precautionary. It is anticipated that this is a technical issue that can be resolved, particularly bearing in mind that planning permission has been granted for comparable development in the recent past. The applicant undertaken to submit this additional information in a timely manner and as such it is recommended that Committee resolved to granted planning permission subject to this matter being satisfactorily resolved. However if it does not prove possible to overcome the EA's objection it is also recommended that the Head of Planning be empowered to refuse planning permission on the grounds of the flood risk in accordance with the NPPF.

8. CONCLUSION

8.1 The principle of the proposed development is acceptable given that it is of an acceptable design, would provide employment opportunities and would have a neutral impact upon the highway system. By reason of the Section 106 contribution, the development would ensure that sustainable travel is encouraged.

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. Details and/or samples of all proposed external facing materials

shall be 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 visual amenity and to ensure that the development will harmonise with its surroundings in accordance with Policy E20 of the Northampton Local Plan.

3. Full details of the method of the treatment of the external boundaries of the site together with details of the entry barrier shall be submitted to and approved in writing by the Local Planning Authority, implemented prior to the occupation of the buildings hereby permitted and retained thereafter.

Reason: To ensure that the boundaries of the site are properly treated so as to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan.

4. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared and submitted to and agreed by the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which shall be submitted to and approved by the Local Planning

Reason: To ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with the requirements of the National Planning Policy Framework.

5. Full details of all external lighting shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of construction work on site, implemented concurrently with the development and retained thereafter.

Reason: To secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan

6. 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.

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

8. Unless otherwise agreed in writing by the Local Planning Authority, the development hereby permitted shall be carried out in accordance with the CCTV details submitted on the 21st February 2012.
Reason: In the interests of securing a satisfactory standard of development in accordance with the requirements of Local Plan Policy E40.

10. BACKGROUND PAPERS

10.1 N/2012/0163 and 08/0158/FULWNN

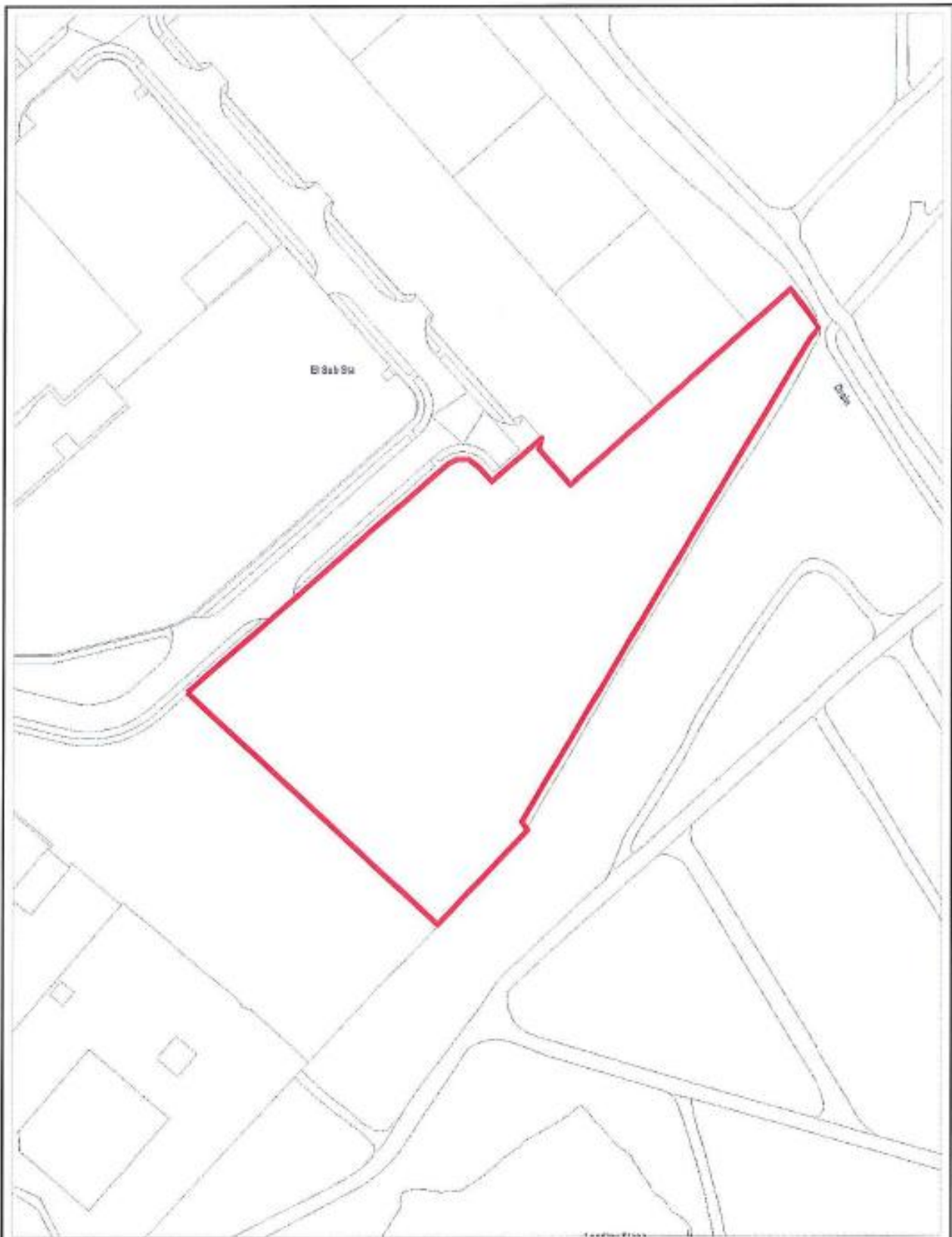
11. LEGAL IMPLICATIONS

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.

Position:	Name/Signature:	Date:
Author:	Ben Clarke	13/4/12
Development Control Manager Agreed:	Gareth Jones	20/04/12



Name: SW
Date: 20th April 2012
Scale: 1:1250
Type: Planning
Project: Site Location Plan

Title
Carousel Way

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