

NORTHAMPTON BOROUGH COUNCIL

PLANNING COMMITTEE

Tuesday, 1 May 2012

PRESENT: Councillor Flavell (Chair); Councillor Yates (Deputy Chair);
Councillors Aziz, N Choudary, Davies, Golby, Hallam, Hibbert,
Mason, Meredith and Oldham

1. APOLOGIES

Apologies for absence were received from Councillor Lynch.

2. MINUTES

The minutes of the meeting held on 3 April 2012 were agreed and signed by the Chair.

3. DEPUTATIONS / PUBLIC ADDRESSES

RESOLVED: That Mrs Bryant, Dr Green, Mrs Stroman, Mr Timothy and Councillor Hill be granted leave to address the Committee in respect of application no. N/2011/1234.

That Councillor Golby be granted leave to address the Committee in respect of application no. N/2012/0063.

That Messrs Lawlor, Lawlor and Neal, Mrs McMurdie and Councillor Mennell be granted leave to address the Committee in respect of application no. N/2012/0100.

That Messrs Arulchelvan and Kokulathas be granted leave to address the Committee in respect of application no. N/2012/0159.

That Mrs McFall, Mr Thomason and Councillors Markham and Stone be granted leave to address the Committee in respect of application no. N/2012/0193.

4. DECLARATIONS OF INTEREST

Councillor Golby declared a Personal and Prejudicial interest in item number 10 (C)- N/2012/0063 as the representative of Duston Parish Council.

Councillor Hallam declared a Personal interest in item number 10 (A)- N/2011/1234 as being known to a number of the objectors.

Councillor Hill declared a Personal interest in item number 10 (A)- N/2011/1234 as being known to a number of the objectors.

Councillor Mason declared a Personal interest in item number 10 (H)- N/2012/0193 as being known to an objector.

5. MATTERS OF URGENCY WHICH BY REASON OF SPECIAL CIRCUMSTANCES THE CHAIR IS OF THE OPINION SHOULD BE CONSIDERED

There were none.

6. LIST OF CURRENT APPEALS AND INQUIRIES

The Head of Planning submitted a List of Current Appeals and Inquiries, elaborated thereon and further reported that since publication of the agenda notice had been received that the appeal in respect of N/2011/0872 had been dismissed.

RESOLVED: That the report be noted.

7. OTHER REPORTS

None.

8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS

None.

9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

None.

10. ITEMS FOR DETERMINATION

(D) N/2012/0100- ERECTION OF TWO DWELLINGS (AS AMENDED BY REVISED PLANS RECEIVED ON 13 MARCH 2012) AT LAND ADJACENT TO 23 GREENVIEW DRIVE

The Head of Planning submitted a report in respect of application no. N/2012/0100 and elaborated thereon.

Mr Neal, commented that although the land was described as being “adjacent to no 23 Greenview Drive” it was, in fact, the garden of 23 Greenview Drive. He believed that the application was garden grabbing contrary to PPS3. The houses in Greenview Drive provided family accommodation. He believed that the applicant rented properties throughout the Borough and noted that 23 Greenview Drive had been let to students, which had given rise to other issues that had involved the Police. Mr Neal believed that the application was intended to maximise the rental income potential of the site and that it would change the character of the area. He referred to previous flooding issues, in particular in 1997 and was surprised that neither the

Environment Agency nor Anglian Water had commented on this. Mr Neal suggested that if flooding were not an issue then Wilson Homes would have built on this site when the other houses were constructed. He referred to parking problems at the nearby shops and medical centre and commented that two extra off street car parking spaces would not compensate for the up to 11 extra vehicles this application was likely to generate. Mr Neal also stated that the location of water and drainage pipes may have been previously incorrectly identified and that these mistakes may have been translated into the current application. In answer to questions Mr Neal commented that he was not surprised that the Environment Agency or Anglian Water had not commented on the application if they had not visited the site and that the site backed onto the 15th green of the golf course which was elevated and water ran off into the gardens of the properties in Greenview Drive, several of which had been flooded in 1997; no problems had been experienced in the recent bad weather.

Mrs McMurdie, a neighbour, referred to Greg Clark MP's comments that local people were being ignored when it came to the retention of green spaces and noted the end to garden grabbing and the effect of localism. She commented that local people did not want this development and concurred with Mr Neal's comments about car parking and flooding. She noted the construction vehicle parked on the pathway (as displayed in a photograph as part of the Officer's presentation and as previously submitted to Officers) and the hazard this was to pedestrians and to herself when trying to exit her drive safely and other users of the carriageway. She confirmed that her property had flooded in 2007 as a result of flash flooding as water had cascaded from the golf course. She believed that this posed a risk to her well being and safety. Mrs McMurdie stated that she had chosen to live in Greenview Drive because it was an established area with green spaces. In answer to a question Mrs McMurdie commented that she had spoken to the builder about the construction vehicle and for a while the parking issue had been better but had then reverted to being a problem.

Councillor Mennell, as Ward Councillor, commented that the residents concerns were not about the proposed houses themselves but were about the viability of the land to build on. Concerns had been expressed to her about the likelihood of subsidence, the narrowness of the street for parking and she noted that number 23 Greenview Drive had been the show-house for the development and it was understood that the garden of number 23 had been intended to be the water run off collection area for the street.

Mr Lawlor, the applicant, stated that the Committee was being asked to approve the development of two affordable homes that complied with planning policy and building regulations. The construction of the houses would give work to 30 contractors plus work to professionals such as accountants and solicitors. The development would increase the housing stock without the need to develop green belt land elsewhere. The Council would gain approximately £2,000 per year from Council Tax and the Government from tax revenues. The Environment Agency, Anglian Water nor the Highway Authority had raised any concerns. He had worked with the planners to reach an acceptable development and both applicants were 4th generation in the Town. Mr Lawlor commented that the Committee should encourage sustainable development and support the application that was in accordance with the Northampton Local Plan. In answer to questions, Mr Lawlor stated that the properties would be sold as family homes; the construction vehicle referred to previously belonged to the co-applicant and was his work vehicle; and that contractors building

the houses would be professionals and therefore familiar with requirements about parking whilst undertaking construction work.

Mr Lawlor, brother to the applicant, commented that when they had purchased 23 Greenview Drive it had been run down, the Council having declared it unliveable. They had refurbished it and then enquired about developing the garden. He commented that the development would create work for 30 contactors. In answer to questions Mr Lawlor stated that one property would be 2 bed and one property 3 bed; and that they had bought the property in August 2010 and after refurbishing had let initially to students which had been a mistake and then to a family.

The Head of Planning commented that PPS3 had been amended to omit garden land as previously developed land and that this had been carried over into the NPPF (that superseded PPG3). Nonetheless, this site was considered to be underused and was designated as residential land in the Local Plan. He believed that two dwellings could be accommodated on the land. Paragraph 7.5 of the report dealt with the Article 4 situation so that a separate planning permission would be required for a shared let. He also confirmed that the Environment Agency and Anglian Water had no objection to the application and that there was off street parking at the nearby medical centre and a pull in by the local shops. In answer to questions the Head of Planning commented that Anglian Water had asked for, by way of a condition, a water management strategy that would identify what was needed and at what stage in the construction process that it would be need to be provided; that the site was not in a designated flood zone; that Building Control would also deal with drainage issues; and that there was no further information concerning the ditch that had been referred to this being a matter for either the Environment Agency or Anglian Water.

The Committee discussed the application.

Councillor Meredith proposed and Councillor Hallam seconded "That consideration of the report be deferred pending a site visit."

Upon the casting vote of the Chair the motion was lost.

Councillor Yates proposed and Councillor Davies seconded "That the recommendation in the report be approved."

Upon a vote the motion was carried.

RESOLVED: That the application be approved subject to the conditions set out in the report as the siting, design and appearance of the development in an existing residential area was considered acceptable and would not be detrimental to visual or residential amenity or highway safety in accordance with Policies H6 and E20 of the Northampton Local Plan and the aims of the National Planning Policy Framework.

(A) N/2011/1234- ERECTION OF THREE ADDITIONAL DWELLINGS (AS AMENDED BY REVISED PLANS RECEIVED ON 12 MARCH 2012) AT 86 CHURCH WAY

The Head of Planning submitted a report in respect of application no. N/2011/1234, elaborated thereon and referred to the Addendum that set out further representations from residents of Flavell Way, and Church Way.

Mr Timothy, stated that he was a chartered Town Planner acting on behalf of neighbours. He noted PPS3 had been amended so that development should be resisted if it would cause harm to the character of the area. Church Way was characterised by large houses on large plots. The proposed development would be in marked contrast to this and out of character with the area. Mr Timothy noted that 88 Church Way had principle windows facing the site and the development would have implications of overlooking: he believed that the application was contrary to policies 6, E20, and H10 of the Northampton Local Plan.

Mrs Bryant, a resident of Flavell Way, commented that she had concerns about the cumulative effect of planning permissions that had been granted in Church Way in respect of road safety and the capacity of the utilities to cope. She noted that Church Way had already been dug up frequently. Mrs Bryant was aware of natural springs in the vicinity and noted that where they had been diverted had led to parts of Church Way collapsing on several occasions. She felt that developments should not put existing properties at risk and that her objections to the original proposal remained in respect of overlooking of her bedroom. She was against this proposal as overdevelopment.

Councillor Hill, acting as Ward Councillor, commented that planning was often a matter of opinions and concurred with the comments made by Mr Timothy and agreed that the application should be rejected on the grounds of it being contrary to policies E20 and H6 of the Northampton Local Plan in terms of density and being out of character with the area. Councillor Hill noted that whilst there had been approvals of back land development on the other side of Church Way this proposal would set a precedent for this side of the road. He believed that there would be inadequate parking provision and commented that the site visit showed how narrow Church Way was at this point. He believed that there was a demand for the type of property to be found in Church Way and only a limited supply.

Mrs Stroman, planning consultant for the applicant, stated that detailed consultations had taken place with the planning officers in order to arrive at a sensitive and attractive development. The site was characterised by a large garden bounded by hedges and stone walls. She noted that PPS3 did not rule out garden development if it was not detrimental to the character or amenity of an area. Mrs Stroman observed that in Church Way there were a variety of properties and densities including some infill. The applicant had consulted neighbours in an effort to make sure there were no unacceptable impacts to them. Three trees were protected by a TPO that would be maintained. In respect of the natural spring, no detectable flow of water or pond had been found. Mrs Stroman noted that the NPPF included a presumption in favour of sustainable development. In answer to questions Mrs Stroman confirmed that the trees covered by the TPO were those on Church Way; that the landscaping to Church Way would be enhanced and that the Monkey Puzzle tree within the site would be retained.

Dr Green, on behalf of the applicant, commented that his wife was the architect for the scheme and that she had an interest in sustainable designs. The applicant had

consulted neighbours before submitting the planning application and had not had any comments and had subsequently worked with the planners. Revisions had been made to the scheme to meet comments received. He believed that the development would be to a better standard than most on Church Way and that family members would occupy two of the properties. He hoped that the Committee would support the application.

The Head of Planning confirmed that the removal of garden land from the definition of previously developed land and Policy H10 did not completely ban development on garden land and that the separation distances of properties from the site boundary was within acceptable standards; there was no issue of overlooking; a backland development had been approved at 76 Church Way but each application needed to be considered on its merits and in respect of parking, each property would have a garage and parking space and there was some scope for visitor parking. In answer to a question, the Head of Planning confirmed that there were no windows in the elevation of the proposed dwelling facing 4 Flavell Way.

The Committee discussed the application.

RESOLVED: That the application be approved subject to the conditions set out in the report as the proposed development would have no undue detrimental impact upon the visual amenity of the locality, the residential amenity of nearby occupiers or highways safety and therefore accorded with the National Planning Policy Framework and policies E20, H6 and H10 of the Northampton Local Plan.

(H) N/2012/0193- RESUBMISSION OF PLANNING APPLICATION N/2011/1220 FOR A SINGLE STOREY SIDE AND REAR EXTENSION AT 116 REYNARD WAY

The Head of Planning submitted a report in respect of application no. N/2012/0193, elaborated thereon and referred to the Addendum that made two clarifications of dimensions contained in paragraphs 7.7 and 7.10 of the report.

Mrs McFall, a neighbour, commented that she wished to object to the application. She had lived next door to the application site for 34 years and her garden was very important to her. If approved, she believed that the proposal would change her life for ever. Mrs McFall commented that the extension would block daylight, particularly in the evenings, from her garden and that the only side view she would have would be of the brickwork of the neighbour's extension. She felt that the proposal would in effect make her property part of a terrace and she would not be able to enjoy her garden: her lounge would be overshadowed. Mrs McFall believed that the proposal was oversized and represented an overdevelopment of the garden; it was out of keeping with the surrounding properties. She asked that the Committee refuse the application. In answer to a question, Mrs McFall commented that she believed that the chamfering of the side wall of the extension was a cosmetic gesture that would not benefit her.

Councillor Stone, commented that she was shocked that the application was recommended for approval. Green spaces were the lungs of the urban environment and the proposal would develop a large part of the garden and blight the gardens of neighbours. She believed that the Committee should be promoting good stewardship and citizenship: this development did not represent those aspirations. The proposal would affect the wellbeing of neighbours as would the construction works themselves. She queried the effect of the works on the root systems of the existing mature trees.

Councillor Markham, as Ward Councillor and on behalf of a neighbour, commented that the gardens to these properties were quite small and that the extension would be overbearing and be in close proximity to the neighbour. She noted that this proposal was not as dominating as the application for a two storey extension had been refused but believed that it was still overbearing.

Mr Thomason, the applicant, commented that the proposal would only develop a quarter of his garden. By chamfering the side of the extension he was losing a quarter of the internal space but was prepared to do this to meet the concerns of his neighbour. Mr Thomason noted that his neighbour's garden was full of trees that already blocked light to her own garden as well as to other neighbours. In answer to a question Mr Thomason commented that he had spoken with both neighbours about his original plans for the two storey extension but not subsequently. He had reduced the height and effect of the extension by having a combined pitched and flat roof.

The Head of Planning commented that the previous reused application was detailed at paragraph 4.1 of the report; that in terms of permitted development rights the rear extension projected 0.6 metres beyond that limit; That the projection of the rear extension beyond the rear elevation of 114 Reynard Way was 2.4 metres to the start of the chamfer and 3.6 metres at its deepest point; and that the highest part of the roof line to the extension was approximately 3.5 metres

The Committee discussed the application.

RESOLVED: That the application be approved subject to the conditions set out in the report as the proposed development due to its siting, scale and design would not have an undue detrimental impact on the appearance and character of the host building, or street scene and would have an acceptable impact on the amenity of adjoining properties to comply with Policies E20 and H18 of the Northampton Local Plan and advice in the Council's Supplementary Planning Document on Residential Extensions.

(F) N/2012/0159- ALTERATIONS TO SHOP FRONT AT 13 WARREN ROAD

The Head of Planning submitted a report in respect of application no. N/2012/0159 and elaborated thereon.

Mr Arulchelvan, on behalf of the owner, commented that the property had been a convenience store for a long time and that work had been done to improve it internally. The old frontage needed repair and the proposal would improve it.

Mr Kokulathas, asked that the application be approved

The Committee discussed the application.

RESOLVED: That the application be approved in principle subject to the conditions set out in the report and the matters set out in paragraph 1.1 of the report as the proposed development would not result in an undue detrimental impact on the appearance and character of the host building, adjacent Conservation Area or street scene and would provide acceptable access for all to comply with Policies E20, E26 and E29 of the Northampton Local Plan, and the aims of the Council's Shopfront Design Guide and of the NPPF.

(B) N/2012/0055- ERECTION OF 4NO DETACHED DWELLINGS (AS AMENDED BY REVISED PLANS RECEIVED 27 MARCH 2012) AT BUILDING PLOT ADJACENT TO SPRINGFIELD, 61 CHURCH WAY

The Head of Planning submitted a report in respect of application no. N/2012/0055, elaborated thereon and referred to the Addendum that noted that the occupiers to 78 and 80 Church Way had withdrawn their objections and set out a further representation from Churchway Court. He noted that the applicant had redrawn the boundary line, at the loss of some of their own land to protect the existing porch to 57 Church Way.

The Committee discussed the application.

RESOLVED: That the application be approved subject to the conditions set out in the report as the site was within an area designated as primarily residential. The proposed dwellings would be in keeping with the character and appearance of the locality in terms of massing, size, scale and design and would have a satisfactory relationship with the existing dwellings and would have an adequate vehicular access. The development therefore accorded with Policies E20 and H6 of the Northampton Local Plan and the aims and objectives of the National Planning Policy Framework.

(C) N/2012/0063- ERECTION OF 3 DWELLINGS FOLLOWING THE DEMOLITION OF EXISTING CAR SALES GARAGE, INCLUDING FIRST FLOOR EXTENSION AT 2A PORT ROAD (AS AMENDED BY REVISED PLANS RECEIVED ON 19 MARCH 2012) AT 4 PORT ROAD

Councillor Golby gave his address and then left the meeting in accordance with his declaration of interest set out at minute 4 above.

The Head of Planning submitted a report in respect of application no. N/2012/0063, elaborated thereon and emphasised that the proposal would take away the existing car sales use that did not have any off street parking and would provide three off street parking places as part of the proposal to erect three dwellings.

Councillor Golby, on behalf of Duston Parish Council, commented that residents had concerns about parking rather than about the dwellings themselves. It seemed likely that the four bed houses would attract more than one car each. There were also concerns about the cumulative effect of other proposals such as at Duston Oils, a little further down Port Road. Councillor Golby asked that if the Committee were minded to approve the application then it be conditioned as to noise and disturbance to neighbours.

The Head of Planning confirmed that parking was allowed on both sides of Port Road outside the application site.

The Committee discussed the application.

RESOLVED: That the application be approved subject to the conditions set out in the report as the siting, design and appearance of the dwellings situated in an existing residential area was acceptable and would not be detrimental to residential or visual amenity or highway safety in accordance with Policies H6 and E20 of the Northampton Local Plan and the aims and objectives of the National Planning Policy Framework.

(Councillor Golby rejoined the meeting.)

(E) N/2012/0140- ERECTION OF 35X 1 BED AND 15X 2 BED LIVING APARTMENTS FOR THE ELDERLY (CAT II TYPE ACCOMMODATION), COMMUNAL FACILITIES, LANDSCAPING AND CAR PARKING (RESUBMISSION OF N/2011/0839) AT FORMER WESTONIA GARAGE SITE, 582-592 WELLINGBOROUGH ROAD, NORTHAMPTON

The Head of Planning submitted a report in respect of application no N/2012/0140, elaborated thereon and referred to the Addendum that referred to correspondence from the applicant confirming their agreement to the required Section 106 payments for the provision of affordable housing and off site open space and a revised recommendation in the light of this.

In answer to questions, the Head of Planning confirmed that affordable housing provision would be made off site and that the applicant had agreed to pay £49,000 towards open space provision and £373,000 towards affordable housing.

The Committee discussed the application.

RESOLVED: That the application be approved in principle subject to the conditions set out in the Addendum and Section 106 Agreement as set out below, as the development would have a positive impact upon the quality of the streetscene within Wellingborough Road, a neutral impact upon neighbour amenity and the highway system and would secure sufficient mitigation. Therefore the proposal is compliant with the requirements of Policies E19, E20, H6 and H32 of the Northampton Local Plan and the National Planning Policy Framework.

This recommendation is subject to the prior finalisation of a Section 106 Agreement to secure:

- (i) A financial payment to fund the provision of off site affordable housing within Northampton; and
- (ii) A financial payment to fund the provision or improvement of facilities within Abington Park and Eastfield Park.

In the event that the Section 106 Legal Agreement is not completed within three calendar months of the date of this Committee meeting, the Head of Planning be delegated to refuse or finally dispose of the application, at their discretion, on account of the necessary mitigation measures not being secured in order to make the proposal acceptable in line with the requirements of the Northampton Local Plan Policies E19, and H18 and the National Planning Policy Framework.

(G) N/2012/0163- CONSTRUCTION OF NEW VAUXHALL DEALERSHIP INCLUDING TWO STOREY SHOWROOM BUILDING, MOT FACILITY, WORKSHOP AND CAR PARKING AREAS (AS AMENDED BY REVISED PLANS RECEIVED 2 APRIL 2012) AT SITE OF PROPOSED UNIT 21, CAROUSEL WAY

The Head of Planning submitted a report in respect of application no N/2012/0163 and elaborated thereon.

The Committee discussed the application.

RESOLVED: That the application be approved in principle subject to the conditions set out in the report 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.

As 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 complied with the requirements of the National Planning Policy Framework and Local Policies E20, E40 and R15.

Should the removal of the Environment Agency's objection not be secured by 21st May 2012, 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.

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.

(I) N/2012/0263- SINGLE STOREY EXTENSION (AMENDMENT TO PLANNING PERMISSION N/2011/1259) AT 6 RUSHMERE AVENUE

The Head of Planning submitted a report in respect of application number N/2012/0263 and elaborated thereon.

The Committee discussed the application.

RESOLVED: That the application be approved subject to the conditions set out in the report as the impacts of the proposed development on the character of the existing building, neighbouring properties and residential amenity was considered to be acceptable and in accordance with Policies E20 and H18 of the Northampton Local Plan and the Residential Extensions and Alterations Design Guide

11. ENFORCEMENT MATTERS

None.

12. ITEMS FOR CONSULTATION

(A) N/2012/0122- HYBRID PLANNING APPLICATION COMPRISING: FULL APPLICATION FOR THE ERECTION OF A HOME AND GARDEN CENTRE, RETAIL UNITS, DRIVE THRU RESTAURANT, GATEHOUSE, LAKESIDE VISITOR CENTRE, RESTAURANTS AND BOAT HOUSE, TOGETHER WITH PROPOSALS FOR ACCESS INCLUDING A LOCK. OUTLINE APPLICATION FOR THE ERECTION OF A HOTEL, CRECHE, LEISURE CLUB AND MARINA WITH SOME MATTERS RESERVED (APPEARANCE) PLUS REMOVAL OF A SKI SLOPE AND ASSOCIATED SITE LEVELLING, LANDSCAPING, HABITAT MANAGEMENT AND IMPROVED WORKS

The Head of Planning submitted an application in respect of application no. N/2012/0122 and noted that a holding objection had already been sent to East Northamptonshire pending the Committee's views. He commented that the the amount of retail space created would be larger than Corby, Kettering, or Wellingborough town centres. The site at Rushden Lakes was approximately 10 minutes drive from Great Billing. He referred to paragraph 2.1 of the report that set out the objections to the application summarising the principle concerns as being that no sequential testing had taken place, the retail conflict with Northampton Town Centre and sustainability in terms of the site only being accessible by car. In answer to questions the Head of Planning commented that the status of the Council was that of a consultee; that the application was contrary to national and local advice and

contrary to the North Northamptonshire Joint Core Strategy; if the application were to be approved it would be a departure from the North Northamptonshire Joint Core Strategy and the Council would approach the Secretary of State to have the application called in; and to date Kettering Borough Council and WNDC had objected to the application. The Head of Planning referred to the Addendum that set out a summary of a letter sent to the Chair from the applicants seeking a deferral of the Committee's consideration and the Officers response. He noted that in the final sentence of the first paragraph of the Officers response the word "not" should appear between the words "does" and "respond".

The Committee discussed the application.

RESOLVED: That East Northamptonshire Council be informed that that Northampton Borough Council very strongly objects to the application for the following reasons:

- The Retail Assessment submitted with the scheme failed to pay adequate regard to the impact of the development upon Northampton Town Centre, Weston Favell District Centre or Riverside Retail Park. The application site is within 13km (8 miles) of the eastern edge of Northampton and the catchment area of a development of this nature and scale would clearly cover Northampton and the residential areas served by its town centre. The Retail Assessment currently submitted made an unrealistic assumption regarding the catchment area of the proposal and thus, failed to pay adequate regard to the requirements of the National Planning Policy Framework in terms of the retail impact and the sequential approach (paras 24- 27);
- Northampton was within the catchment area of the proposals and its town centre should therefore be considered in the assessment of sequentially preferable sites. NBC, along with its partners, was currently in detailed discussions with Legal and General (the key landowner) relating to a major town centre redevelopment incorporating a substantial increase in retail floorspace at the Grosvenor Centre, along with other key interventions within the Town Centre as a whole. Northampton was identified as the Principal Urban Area within the East Midlands Regional Plan/ Milton Keynes South Midlands Sub-Regional Strategy and, therefore, was a sequentially preferable site. The Development Plan, including the emerging Northampton Central Area Action Plan, provided the basis for the proposed expansion and regeneration of the Town Centre. The applicant had failed to take account of the Development Plan hierarchy, or the opportunities provided for expansion within Northampton Town Centre. Therefore, an inadequate sequential assessment had been undertaken and the application should be refused as required by the NPPF (para. 27);
- In addition, a full assessment of the retail impact of the scheme on Northampton Town Centre, Weston Favell Centre (a

designated centre in the saved Northampton Local Plan and a proposed District Centre in the emerging West Northamptonshire Core Strategy) and Riverside Retail Park should be provided, including an assessment of the cumulative impact of the proposals alongside other approvals/ commitments. In the absence of this information, the proposal fails to comply with the NPPF (paras 26 & 27); and

- An independent retail assessment of the impact of the Rushden Lakes proposal, conducted on behalf of the North Northamptonshire Joint Planning Unit (NNJPU) by GVA Grimley Ltd, identified that the proposal would have a significant negative impact upon Northampton Town Centre resulting in a cumulative trade diversion of between 9 and 15% of turnover at 2016. Therefore, it was considered that the proposal would have a *significant* detrimental impact upon the vitality and viability of the Town Centre and make planned investments within the centre significantly more difficult to achieve. Where significant retail impact on existing centres is anticipated the NPPF directs that applications should be refused (para. 27).
- The proposal was considered to be an unsustainable form of development by virtue of its location to the major highway network and poor accessibility in relation to non-car based modes of travel. The nature of the proposal and the likely catchment area was such that the scheme would result in a significant increase in the level of vehicular traffic movements, contrary to the aims of paragraph 34 of the NPPF.

The meeting concluded at 21:10 hours.